



**Haines Borough
Planning Commission Meeting
August 13, 2015
MINUTES**

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Lee **Heinmiller**, Heather **Lende**, Brenda **Josephson**, Rob **Miller**, Don **Turner III**, and Robert **Venables** (called in).

Staff Present: Jan **Hill**/Mayor, David **Sosa**/Manager, Tracy **Cui**/Planning and Zoning Technician III, and Robert **Griffiths**/Interim Police Chief.

Also Present: Mike **Case** (Assembly liaison), Diana **Lapham** (Assembly member), Greta **Mart** (KHNS), Karen **Garcia** (CVN), Scott **Sundberg**, Cary **Weishahn**, Ron **Jackson**, Kathryn **Friedle**, John **Brower**, Steve **Fossman**, Ann Marie **Fossman**, Matt **Boron** (DOT), David **Epstein** (DOT), Bill **Kurz**, Jim **Stanford**, Judy **Ewald**, and others.

3. **APPROVAL OF AGENDA**

Motion: **Turner** moved to “approve the agenda as written.” **Heinmiller** seconded it. The motion carried unanimously.

4. **APPROVAL OF MINUTES** – July 9, 2015 Regular Meeting Minutes

Miller suggested adding “He pointed out that Mud Bay Road is signed as a preferred route” in his comment under Item 10D1. The other commissioners agreed.

Motion: **Lende** moved to “approve the July 9, 2015 minutes as amended.” **Miller** seconded it. The motion carried unanimously.

5. **PUBLIC COMMENTS**

Kurz expressed concerns about the harbor expansion project.

Goldberg said the commission will hold a public hearing and review the 95 percent design at its next regular meeting.

6. **CHAIRMAN’S REPORT**

Goldberg said he attended the Picture Point Design Committee meeting. The next step is to develop beach walking pathways and grass seeding over the parking area.

7. **STAFF REPORTS**

A. Planning & Zoning Staff Report

Cui reported monthly permits and updates on projects.

Cui brought up her concerns over the use of temporary commercial trailers in town.

Goldberg said he will put it on the next agenda.

Cui said that a land use permit application was put on hold. The applicant disagrees with her interpretation of the Borough code relating to building height. **Goldberg** said he suggested the applicant schedule a meeting with Manager Sosa.

8. PUBLIC HEARINGS

A. Heliport Conditional use Proposal – 3-CLR-35-0100

Sundberg withdrew the application.

9. UNFINISHED BUSINESS

A. Lowering Speed Limit on Mud Bay Road – Discussion Item

Goldberg said this item is up for discussion at the request of Ann Marie **Fossman**.

Citizens Steve **Fossman**, **Friedle**, **Brower**, and others spoke in favor of this request. They hoped the commission would support this petition and write a recommendation letter to the state DOT.

Stanford stated he believes some type of study needs to be conducted to address this. This is a public safety issue.

Epstein said his concern is that lowering the speed limit on Mud Bay Road may detract from safety. Speed zones are established or changed on the basis of detailed engineering study. A request to study Mud Bay Road would properly come from the Haines Borough. The statues indicate if the result of the speed study is not what the Borough wants, then a public hearing process will be required before making any final decision. Speed studies are used to determine the speed distribution of a traffic stream at a specific location. The samples collected in speed studies are used to determine vehicle speed percentiles, which are useful in making many speed-related decisions. The two speed percentiles most important to understand are the 50th and the 85th percentiles. The 85th is used in evaluating/recommending posted speed limits based on the assumption that 85 percent of the drivers are traveling at a speed they perceive to be safe. The speed study has no cost to the Borough.

Turner said the Public Safety Commission needs to look into this. Several questions were raised related to traffic signage requirements. Warning signs alert road users to conditions that might call for a reduction of speed; it is left to the road user to decide whether or not to slow down. Warning signs are not used to control speed or justify a speed zone modification.

Goldberg said it seems that the speed studies rely on the collected samples. The result may turn out to be the opposite of what we requested.

More discussion ensued.

Motion: Lende moved that “the Planning Commission recommends the Assembly or Manager send a letter to David Epstein of the Alaska DOT requesting that a speed study be done on Mud Bay and Small Tracts roads.” **Miller** seconded it. The motion carried 5-2 with **Josephson** and **Turner** opposed.

Motion: Lende moved that “the Planning Commission recommends the Manager and Assembly request that the Public Safety Commission look into traffic safety concerns on the Cemetery Hill portion of Mud Bay Road.” **Venables** seconded it. The motion carried unanimously.

(Commissioner **Venables** left.)

10. NEW BUSINESS

A. Historic District/Building Review: None

B. Haines Borough Code Amendments

1. Temporary Residence in HBC 18.60.020(H)

Cui revised the draft ordinance based on comments from the last meeting. The ordinance will also allow placement of a temporary dwelling for commercial projects. The commission amended the ordinance by removing “or motor home” from the initial sentence.

Heinmiller moved to “recommend the Assembly adopt the draft substitute ordinance 15-01-398 as amended.” **Miller** seconded it. The motion carried 6-0 with Venables absent.

2. On-Site Wastewater System

Goldberg said this is a follow-up item from the last agenda. The Borough code needs to be amended since the Alaska DEC acknowledged that installation of a conventional on-site wastewater system does not need a plan approval.

Miller suggested replacing “a licensed engineer” with “an engineer licensed in the state of Alaska.” The other commissioners agreed.

Heinmiller pointed out the existing code requires developers to connect to the public utility within six months of when public sanitary sewer and/or water service becomes available. It is difficult to enforce that since property owners do not want to connect to public utilities if their own private wells and septic system work fine. He believes the commission needs to address this situation; otherwise it may cause issues in the future.

Josephson said the existing code makes homeowners do major investments. She believes this sentence needs to be removed.

Cui stated that this topic was discussed at the planning commission meeting about a year ago. The commission has already made recommendations to the Assembly.

Turner said 90 percent of the homeowners do not maintain their on-site septic systems. Most homeowners would prefer to connect to the public sewer system, instead of maintaining their own systems. However, some homeowners’ private wells have better water quality, so he would be in favor of waiving the requirement to connect to the public water system.

Goldberg said the commission needs to find out what the Assembly is doing on this before making any decision. Mayor **Hill** said she will check with the Assembly.

Motion: **Josephson** moved to “amend the draft ordinance by removing ‘When public sanitary sewer and/or water service becomes available, the developer will be required to connect to the public utility within six months’.” **Lende** seconded it. The motion failed 0-6 with Venables absent.

More discussion ensued.

Motion: **Miller** moved to “recommend the Assembly adopt the draft ordinance as amended.” **Heinmiller** seconded it. The motion carried 6-0 with Venables absent.

C. Project Updates – None

D. Other New Business – None

11. **COMMISSION COMMENTS**

Lende said she is glad to know that the commission will review the 95 percent design for the harbor expansion project. She felt the commission's recommendations on the 35 percent and 65 percent designs were muted. **Turner** said the commission may need to consider amending the code on when the plans have to be brought to the commission for review. **Lende** asked if the Borough can invite a PND representative to the next meeting.

Josephson asked about the replat of the Primary School Subdivision. She said she does not understand why the commission resists having an irregular-shaped lot for the library. She spoke in favor of keeping that portion of the running track in the school lot.

Cui said that keeping the library lot as a rectangle shape was approved by the commission, and the survey work will be accomplished soon. **Goldberg** said the commission will review the preliminary plat when it is ready.

12. **CORRESPONDENCE** - None

13. **SET MEETING DATES**

A. Regular Meeting—Thursday, September 10, 2015.

14. **ADJOURNMENT**— 9:12 p.m.