



# Haines Borough Planning Commission Regular Meeting Agenda

## COMMISSIONERS:

ROB GOLDBERG, CHAIR  
LEE HEINMILLER, VICE-CHAIR  
ROBERT VENABLES  
ROBERT MILLER  
ANDY HEDDEN  
DON TURNER III  
DANIEL GONCE

Thursday, December 13, 2012 - 6:30 p.m.

Assembly Chambers, 213 Haines Hwy.

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1. CALL TO ORDER / PLEDGE TO THE FLAG
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: November 8, 2012
5. PUBLIC COMMENTS [Items not scheduled for public hearing]
6. CHAIRMAN'S REPORT
7. STAFF REPORT
  - A. Planning & Zoning Report
8. PUBLIC HEARINGS:
  - A. **Turner Construction – Resource Extraction Conditional Use Permit Renewal:** Turner Construction is requesting for the Planning Commission to approve the renewal of their conditional use permit to operate the gravel pit on Allen road.  
**Possible motion:** Approve Turner Construction conditional use permit renewal.
9. UNFINISHED BUSINESS: None
10. NEW BUSINESS:
  - A. **Historic District/Building Review:** None
  - B. **Haines Borough Code Amendments:** None
  - C. **Project Updates:** None
  - D. **Other New Business:**
    1. **Lutak Road Slump Area:** Discussion of making possible ordinances to protect people from cutting trees for the area within and above the slump.
    2. **Planning Commission Chair and Deputy Chair Appointment – Action item:** The Planning Commission will be appointing a Chair and a Vice Chair per Haines Borough Code 18.30.040A.  
**Possible motion:** Appoint \_\_\_\_\_ as Planning Commission Chair and \_\_\_\_\_ as Planning Commission Vice Chair.
    3. **2013 Regular Planning Commission Meeting Agenda Preparation Calendar:** 2013 Regular Planning Commission Meeting Agenda Preparation Calendar will be reviewed by the Planning Commission.  
**Possible motion:** Approve 2013 Regular Planning Commission Meeting Agenda Calendar.
11. COMMISSION COMMENTS:
12. CORRESPONDENCE: None
13. SCHEDULE MEETING DATES
  - A. **Regular Meeting** – Thursday, January 10, 2013 6:30 p.m.
14. ADJOURNMENT



**Haines Borough  
Planning Commission Meeting  
November 8<sup>th</sup>, 2012  
MINUTES**

**Draft**

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 Rob **Miller**, Lee **Heinmiller**, Don **Turner III**, Danny **Gonce**, Andy **Hedden**, Robert **Venables**.  
**Staff Present:** Xi “Tracy” **Cui**/Borough Planning and Zoning Technician  
**Also Present:** Borough Manager Mark **Earnest**, Karen **Garcia** (CYN), Bill **Kurz**.
3. **APPROVAL OF AGENDA**  
**Motion:** **Venables** moved to “approve the agenda as amended,” and the motion carried unanimously.
4. **APPROVAL OF MINUTES** – October 11<sup>th</sup>, 2012 Regular Meeting  
**Motion:** **Heinmiller** moved to “approve the October 11<sup>th</sup>, 2012 Regular Meeting Minutes.” It was amended to correct the October 11<sup>th</sup>, 2012 Regular Meeting Minutes to remove the second paragraph in 10D3, and to correct “James Smith” with “Jean Smith” in the Chairman Report. The motion carried unanimously.
5. **PUBLIC COMMENTS** – None
6. **CHAIRMAN’S REPORT** –  
**Goldberg** mentioned that he received an email from Mr. Wilfong who is from ADNR. In the last regular meeting, the Planning Commission questioned whether the zoning ordinances would protect property owners from subsurface exploration on their properties if a mining claim is approved by the state. Mr. Wilfong said that zoning ordinances have no protections to the property owners from subsurface exploration on their properties.
7. **STAFF REPORTS**  
**Cui** reported recent permitting and enforcement activity.
8. **PUBLIC HEARINGS** - None
9. **UNFINISHED BUSINESS** - None
10. **NEW BUSINESS**
  - A. **Historic District/Building Review** - None
  - B. **Haines Borough Code Amendments – Park Governance**  
**Earnest** mentioned that there is no general section or chapter of “Park Governance” in the Borough code. Borough Assembly introduced a draft ordinance to generally provide for the governance of Borough parks. It is required for Planning Commission to review, provide suggestions and make comments.

**Goldberg** mentioned that the Parks and Recreation Advisory Committee (PRAC) was having meeting at the same time, and discussing the same topic. Ron Jackson said they have suggestions that need to be added into the proposed draft.

**Goldberg** suggested adding “park is specifically designated for recreation use” in Chapter 12.30.010.

**Motion: Gonce** moved “to postpone this item until the Planning Commission receives the comments from PRAC,” and the motion carried unanimously.

### **C. Project Updates – None**

### **D. Other New Business**

#### **1. Rezoning Survey**

**Goldberg** mentioned that a draft letter to property owners explaining the results of the survey is ready for Planning Commission to review. Most property owners who live on the Eagle Vista side of Chilkat Lake Road prefer a change of zoning from General Use to Rural Residential or Rural Mixed Use; while the majority of property owners on the west side of Chilkat Lake Road prefer to stay in the General Use Zone.

**Goldberg** suggested standardizing the Borough zoning code for the different zoning areas. For example, RR-3 means Rural Residential Zoning with three acres minimum. Goldberg said he would start to work on the language of zoning code.

**Venables** suggested removing “The results were interesting” in the letter. More mirror changes had been made.

The commission agreed to discuss a possible change of zoning for Eagle Vista at its January meeting.

#### **2. Chilkat River Bridge**

**Earnest** stated that the resolution will ask Governor, the Legislature, and the ADOT&PF to support the Chilkat River Bridge project. The Chilkat River Bridge will be designed and constructed to the highest possible industrial standard. The Chilkat River Bridge will be designed for 75 years of bridge life, and the Haines Highway will be designed for 20 years of highway life. These upgrades will provide a safe, consistent and efficient roadway. The Haines Highway Chilkat River Bridge project is very important for economic development opportunities that could provide a benefit to the Borough.

**Motion: Miller** moved to “Recommend the Assembly to adopt this resolution.” The motion carried unanimously.

#### **3. Federal and State Priorities**

**Earnest** gave a briefly introduction to the FY 2014 Legislative Priorities list. Earnest mentioned that this resolution is adopted annually in advance of submitting legislative funding requests for capital projects. Some projects need to be reviewed by engineers to estimate the cost. The Legislative Priorities list is based on history. It can be re-ordered and re-numbered. He also mentioned that the list was a working draft. A more detailed priorities list will be finished soon.

**Venables** suggested that the list needs to be refined and in compliance with the Comprehensive Plan. He mentioned that the list is more focused on the townsite development, and that areas outside of the townsite need to be considered as well.

Further discussion ensued.

**4. Downtown Parking**

No concrete recommendations had been made.

**5. Lutak Road Slump Area**

**Earnest** said that currently the Borough has not received recommendations from PND engineers about the surveys within the slump area. The possible ordinance and reports/recommendations will be ready for the next regular planning commission meeting.

**6. DOT&PF Sidewalk Project**

**Turner** questioned if the state road maintenance crew will take the responsibility of maintaining and clearing the snow on the new sidewalk.

**Venables** recommended a wide shoulder level with the road instead of a raised sidewalk with a curb. If that is not possible, a rolled curb instead of a stepped curb would be preferable.

**Turner** mentioned that the area to the south of the road is a swamp. He raised concerns about the drainage issue. If the ditch along the north side of the road is filled to create the sidewalk there must be adequate drainage for surface water to flow to the swamp.

**Heinmiller** mentioned that currently the caution lights do not extend to the area in front of the school. The lights should be timed to come on earlier, as students are walking to school before 8am, and also at lunchtime.

11. **COMMISSION COMMENTS** - None

12. **COMMUNICATION**

13. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, December 13<sup>th</sup>.

14. **ADJOURNMENT**– 8:01 p.m.

## Staff Report for Dec. 13, 2012

### 1. Permits Issued Since November, 2012

12-61	11/8/12	Chilkoot Indian Association		2-6	D	Presbyterian Mission	Build temporary driveway to the site and 18" culvert
12-62	11/21/12	Haines Assisted Living & St. Lucy's Senior Living	C-TNS-08-1100	14A	8	Townsite	Sign Permit
12-63	11/21/12	Southeast Alaska State Fair	C-735-02-0300				Construct pavilion next to the playground

2. **Enforcement Orders:** One enforcement order was issued since the November for unpermitted Land Use Violation on Mission Street (between 1<sup>st</sup> Ave and 2<sup>nd</sup> Ave). Site work has been taken place on Mr. Roger Schnabel's property without a land use permit. The violation letter has been sent out.



HAINES BOROUGH, ALASKA  
 P.O. BOX 1209  
 HAINES, AK 99827  
 (907) 766-2231 FAX (907) 766-2716

Date: December 7<sup>th</sup>, 2012

To: Haines Borough Planning Commission

From: Mark Earnest, Borough Manager

Re: Turner Construction Resource Extraction Conditional Use Permit Renewal

Dear Planning Commission,

Turner Construction is requesting for the Planning Commission to approve the renewal of their conditional use permit to operate the gravel pit on Allen road. In reviewing the Turner Construction resource extraction conditional use renewal it has been determined the proposal meets the intent of the conditional use and resource extraction criterion per Haines Borough Code 18.50 & 18.60.020A. Haines Borough has not received any citizen complaints, and no citations have been issued since 2009 related to Turner Construction's resource extraction operation.

I therefore recommend for the Planning Commission to reapprove Turner Construction's Resource Extraction conditional use permit with the same conditions issued on the previous permit to address concerns raised by the public, as follows:

- 3 year approval;
- Jake brakes are to be used only in an emergency;
- The hours of operation shall be Monday through Friday 9:00 a.m. until 5:00 p.m.;
- State standards of reclamation shall be met;
- No crushing, blasting or refueling shall take place;
- Turner Construction will not hold the Haines Borough liable for any activity within the pit.

Thank you for considering this recommendation.



# Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-2231 \* Fax: (907) 766-2716

RECEIVED  
NOV 28 2012  
HAINES BOROUGH

## APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: \_\_\_\_\_

Date: \_\_\_\_\_

Use this form for use approval by the Planning Commission for conditional uses.

I. Property Owner*	Owner's Agents (If Any)
Name: DON TURNER JR.	Name:
Mailing Address: PO BOX 709 HAINES AK	Mailing Address:
Contact Phone: Day Night 766-2687 766-2025	Contact Phone: Day Night
Fax: 766-3379	Fax:
E-mail: turnerconstruction@aptalaska.net	E-mail:

II. Property Information
Size of Property: 10.4 ACRES
Property Tax #: C-SEC-27-0300
Street Address: ALLEN ROAD
Legal Description: Lot (s) _____ Block _____ Subdivision <u>SEE ATTACHED MAP</u> OR Parcel/Tract _____ Section _____ Township _____ Range _____
[Attach additional page if necessary.]
Zoning: Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District <input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use <input type="checkbox"/>

III. Description of Work			
<b>Type of Application</b> (Check all that apply)	<b>Project Description</b> (Check all that apply)	<b>Water Supply</b> Existing or Proposed	<b>Sewage Disposal</b> Existing or Proposed
<input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/ drinking establishment <input type="checkbox"/> Industrial <input type="checkbox"/> Church <input checked="" type="checkbox"/> Other _____	<input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____
Valuation of Work: <input checked="" type="checkbox"/> RENEWAL OF COODITIONAL USE PERMIT 09.114			

Current use of adjacent properties:

Attach the following documents to the permit application:  
 Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: \_\_\_\_\_

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

SAME AS 09-114

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

SAME AS 09-114

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

SAME AS 09-114

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

SAME AS 09-114.  
WE ALSO HAVE A RECREATION  
PLAN ON FILE WITH THE STATE.

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

SAME AS 09-114

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

SAME AS 09-114

#### IV. FEE

A non-refundable fee of \$150 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

#### NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

**V. CERTIFICATION**

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**

*Dortner Jr.*  
Owner or Agent

11-28-12  
Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

<input checked="" type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>11/28/12</u> <u>In person</u> <u>XC</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Permit Fee \$ <u>150</u> Receipt No. <u>19152</u> Received By: <u><i>[Signature]</i></u> Date: <u>11/28/12</u>			Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit		
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
This application meets all applicable Borough policies and a permit is issued, conditional on the <b>substantial completion of construction within two years</b> and the following special requirements:					
Planning Commission Chair:			Date:		

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

# ATTACHMENT A

## SITE PLAN REQUIREMENTS

1. Drawing showing dimensions, including elevations, of lot on which activity/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.



HAINES BOROUGH, ALASKA  
P.O. BOX 1209  
HAINES, AK 99827  
(907) 766-2231 FAX (907) 766-2716

December 8, 2009

Don Turner Jr.  
Turner Construction Inc.  
PO Box 709  
Haines, AK 99827

Re: Conditional Use Permit Renewal 09-114  
C-SEC-27-0300

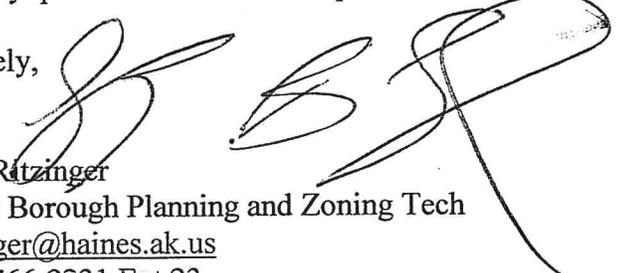
Dear Mr. Turner,

Your conditional use permit to extract resources on the above mentioned property has been approved with the following conditions:

1. Jake brakes are to be used only in an emergency.
2. The hours of operation shall be Monday through Friday 9:00 a.m. until 5:00 p.m.
3. State standards of reclamation shall be met.
4. No crushing, blasting or refueling shall take place.
5. Turner Construction will not hold the Haines Borough liable for any activity within the pit.

Your permit is valid until December 8, 2012. You will be required to renew your conditional use permit in order to continue resource extraction on the above listed lot at that time. If you have any questions on the matter please contact the borough.

Sincerely,

  
Steve Ritzinger  
Haines Borough Planning and Zoning Tech  
[sritzinger@haines.ak.us](mailto:sritzinger@haines.ak.us)  
(907) 766-2231 Ext 23

HAYNES

TL-2702

TL-2703

± 10.4 AC

C-27-0200

C-SEC-27-0300

TURNER

TURNER

This  
PROPERTY

EAST 2640 (COS. 17)

1-207-TL-2500

D. OLERUD

TL-25

± 1.27 AC

OLERUD

C-207-TL-1010

DEWITT

± 1.8 AC

TL-10

C-207-TL-1100

HEYWOOD

TL-11

± 119,200  
± 2.74 AC

C-207-TL  
BLACKI

± 97  
± 2



TL-13

TL-14

HAINES BOROUGH  
PLANNING AND ZONING/LAND USE PERMIT APPLICATION

Permit # 09-114

- SIGN \$25     LAND USE AND DEVELOPMENT \$50     CHANGE OF USE \$50
- VARIANCE/CONDITIONAL USE/PUD \$150     LOT LINE VACATION/ADJUSTMENT PLAT \$50
- SHORT PLAT \$75     REZONING/LONG PLAT \$200

Land Use Zone: (circle) GU LTK MB I/H I/L/C I/W C W SSA SR MR RR **RMU** REC

Location of project: Lot TL2703 Block \_\_\_\_\_ Subdivision/Tract/Survey Portion of VSS 785

Street Address Allen Road Property tax ID number C-SEC-27-0300

- Residential Development
  - Single Family
  - Duplex
  - Multi-Family (# of Units \_\_\_\_\_)
- Commercial Development
  - Type of Business \_\_\_\_\_
  - If eating or drinking establishment, give maximum seating capacity \_\_\_\_\_
  - Sign(s) How many? \_\_\_\_\_ (Attach Drawing)
  - Fire Marshal Plan Approval (Required)

If Change of Use: Existing/Proposed Property Use \_\_\_\_\_

If Subdivision: New Subdivision Name (must be unique) \_\_\_\_\_

Estimated Project Value \$ \_\_\_\_\_  
(To nearest \$1,000)

Development: (Explain) Gravel pit

**PERMIT REQUIREMENTS:**

- Connect to Public Water and Sewer if available [completed application required]
- Provide State approval of on-site water and/or septic system if public utilities not available - **permit will not be issued without this approval**
- Provide proof of legal and physical road access to property
- Provide plan for drainage, driveway(s), culvert size and placement
- Provide public access to recreational waters where required
- Provide adequate off-street parking as required
- Abide by existing height restrictions and setback requirements
- Abide by existing minimum lot size requirement
- In Highland Estates, underground utilities required where available
- If application for commercial use, written approval from State Fire Marshal's office required **before** Borough permit will be issued
- If permit is for a sign adjacent to a State Highway, set back a minimum of 60' from center line of the highway or applicant must notify local DOT
- If located in Historic District, permit processed by Planning Commission

I hereby request a variance from density, setback, parking or height limitations and have submitted a variance request form, attached hereto.

The information I have given in this application is true and accurate. I have been informed of the above-listed permit requirements and agree to abide by them, all Borough Codes, and all State and Federal regulations, including those regarding wetlands and tidelands. I AM AWARE THAT IF I BEGIN CONSTRUCTION PRIOR TO RECEIVING PERMIT APPROVAL I WILL BE ASSESSED A \$250.00 "AFTER-THE-FACT" FEE.

Don Turner Jr.  
Signature of Property Owner (Required)

Businesses/Laborers hired (Required)

Don Turner Jr.  
Printed Name of Property Owner

Owner Name

Box 709 Haines, AK 99827  
Mailing Address

Mailing Address

10-30-09    766-2687  
Date Submitted    Phone No.

Phone No.

**HAINES BOROUGH  
PLANNING AND ZONING/LAND USE PERMIT APPLICATION**

Page 2

SITE PLAN

Draw your site plan, to scale, on a separate sheet of paper. The site plan must include the following:

1. Drawing showing dimensions of lot on which activity/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, incl. widths.
3. Existing buildings/structures on the property, their location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction--including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off-street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If commercial structure include all signs planned, with a drawing showing the proposed size, lettering and dimensions, its location on the property, as well as dimensions of building wall on which or adjacent to which each sign will be placed. Maximum of 4 signs per business allowed. (See example.)
8. If variance or conditional use application, provide the names and addresses of all property owners within 200 ft. of your property (see Assessor's office)
9. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that a survey of the property be performed prior to submittal of the land use permit application and site plan. Setback requirements vary by district -- check with Borough planning staff for setback requirements in your area. Ordinance enforcement as adopted by the Haines Borough Assembly is administered by the Haines Borough Planning Commission. Any violation of permit procedures or of the ordinances enforced by the Commission has both civil and criminal penalties provided by law.

===== OFFICE USE ONLY BELOW THIS LINE =====

DECISION

This application meets all applicable Borough policies and a permit is issued, conditional on the **substantial completion of construction within two years** and the following special requirements: \_\_\_\_\_

\_\_\_\_\_  
BOROUGH MANAGER OR PLANNING COMMISSION CHAIR

\_\_\_\_\_  
DATE

NON-REFUNDABLE PROCESSING FEES

- [ ] \$25 - Sign    [ ] \$50 - Land Use    [ ] \$50 - Change of Use  
[ ] \$50 - Lot Line Vacation/Adjustment Plat    [ ] \$75 Short Plat  
[ ] \$200 - Rezoning/Long Plat  
[ ] \$250 - Fee for beginning work prior to permit being issued

[X] Fees paid \$ 150.<sup>00</sup>

Receipt No. 12461

Conne Staska  
Fees Received By

10-30-09  
Date Received



HAINES BOROUGH, ALASKA  
P.O. BOX 1209  
HAINES, AK 99827  
(907) 766-2231 FAX (907) 766-2716

December 3<sup>rd</sup>, 2012

First name Last name  
Address  
City, State Zip Code

Re: Turner Construction Resource Extraction Conditional Use Permit Renewal  
C-SEC-27-0300

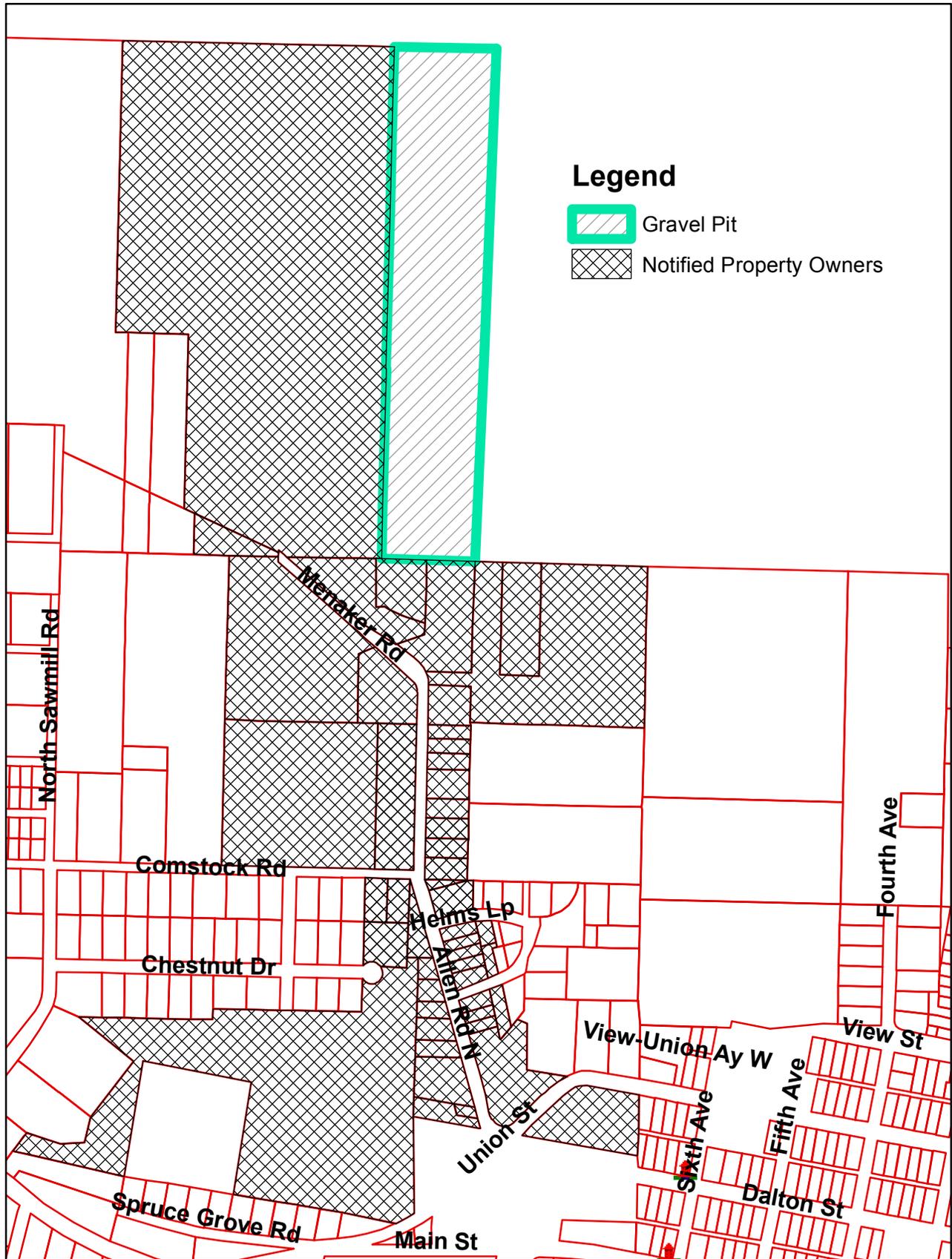
Dear Land Owner,

Haines Borough records show that you own property in the vicinity of the above listed property, which is owned and used by Turner Construction as a gravel pit. (Please see enclosed map.) The conditional use permit is due for renewal, and is on the agenda of the next Planning Commission meeting. The meeting will be held at the Haines Borough Assembly Chambers on December 13, 2012 at 6:30 p.m. As an owner of property in proximity to this development you are being notified that you are invited to attend and comment at the meeting. If you have any questions on the matter please contact the borough.

Sincerely,

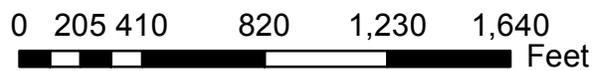
Xi Cui "Tracy"  
Haines Borough Planning and Zoning Tech  
[xcui@haines.ak.us](mailto:xcui@haines.ak.us)  
(907) 766-2231 Ext. 23

# Turner Construction Gravel Pit Conditional Use Permit Renewal



## Legend

-  Gravel Pit
-  Notified Property Owners



Created by: Tracy Cui  
Date: 12/06/2012

<u>First name</u>	<u>Last Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Postal Code</u>
ALAN/JEANNETTE	HEINRICH	BOX 406	HAINES	AK	99827
BRUCE	GILBERT	BOX 388	HAINES	AK	99827
CHARLES/TONI	DEWITT	BOX 128	HAINES	AK	99827
DAVE/CHARLOTTE	OLERUD	BOX 1069	HAINES	AK	99827
DON/HELEN	TURNER	BOX 709	HAINES	AK	99827
VIVIAN	MENAKER	BOX 669	HAINES	AK	99827
PETER/DIANA	LAPHAM	BOX 503	HAINES	AK	99827
ROBERT	HENDERSON	BOX 105	HAINES	AK	99827
TERRY/SALLY	HANSON	P.O. BOX 698	EMMETT	ID	83617
DWIGHT/LESLIE	DOWNER	BOX 1045	HAINES	AK	99827
c/o RANDY	KATZENMEYER	BOX 48	HAINES	AK	99827
ADRIANE R.	FRANKS	BOX 1314	HAINES	AK	99827
ALBERT/GEORGIA	SAMPSON	BOX 536	HAINES	AK	99827
DONALD/ANITA	HIGHSMITH	BOX 1497	HAINES	AK	998
THOMAS/ANN	QUINLAN	BOX 130	HAINES	AK	99827
DAVID/PATRICIA	PETERS	BOX 152	HAINES	AK	99827
AK Marine Line	SWAN BAY	P.O. BOX 3757	SEATTLE	WA	98124-3757
ARLENE	BROOKS	BOX 1084	HAINES	AK	99827
LORRAINE	KASKO	BOX 69	HAINES	AK	99827
DOROTHY	MEYERS ESTATE	BOX 317	HAINES	AK	99827
SEAN P.	BRYANT	BOX 1398	HAINES	AK	99827
BARBARA E.	BARBER	BOX 1062	HAINES	AK	99827
ORREN	BARBER	BOX 1002	HAINES	AK	99827
LESLIE/JANICE	KATZEEK	BOX 104	HAINES	AK	99827
ERIC M/JULIE A	FERRIN	BOX 1471	HAINES	AK	99827
LOUISE	HOMSTAD ESTATE	BOX 1421	HAINES	AK	99827
SUZAN JOAN	CRESSWELL	BOX 1453	HAINES	AK	99827
JEFF T.	BURRUSS	BOX 1177	HAINES	AK	99827
PATRICIA	BROWN	BOX 984	HAINES	AK	99827
CRAIG	HAGWOOD	BOX 43	HAINES	AK	99827
STANLEY	JONES	BOX 1249	HAINES	AK	99827
TOM/ELIZABETH	HEYWOOD	BOX 901	HAINES	AK	99827
JANSY/VINCENT	HANSEN	BOX 1667	HAINES	AK	99827
ALBERT D.	MORGAN	BOX 1374	HAINES	AK	99827
PHILIP J.	BUSBY	BOX 1293	HAINES	AK	99827
GERALD/KATHI	LAPP	BOX 1702	HAINES	AK	99827
JOHN	FLORESKE	BOX 518	HAINES	AK	99827
PHILLIP C.	LENDE	BOX 936	HAINES	AK	99827
JAMES/SHIRLEY	HAMP	BOX 1298	HAINES	AK	99827
ROBERT/TAMMY	PIPER	BOX 598	HAINES	AK	99827
RICHARD/BETTY	CLARK	BOX 445	HAINES	AK	99827
UA Land Management		1815 Bragaw Str	Anchorage	AK	99508-3438

## Xi Cui

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**From:** Celeste Grimes  
**Sent:** Thursday, December 06, 2012 12:03 PM  
**To:** Xi Cui  
**Subject:** RE: Turner Construction Gravel Pit Conditional Use Permit Renewal

Tracy,  
No citations were issued.

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**From:** Gary Lowe  
**Sent:** Thursday, December 06, 2012 11:50 AM  
**To:** Celeste Grimes  
**Subject:** FW: Turner Construction Gravel Pit Conditional Use Permit Renewal

Anything?

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**From:** Xi Cui  
**Sent:** Wednesday, December 05, 2012 9:25 AM  
**To:** Gary Lowe  
**Cc:** Julie Cozzi  
**Subject:** Turner Construction Gravel Pit Conditional Use Permit Renewal

Good morning, Chief Lowe.

This is Tracy. The Borough received a conditional use permit from Turner Construction last week. Turner Construction is requesting for the Planning Commission to approve the renewal of their conditional use permit to operate the gravel pit. Could you do me a favor to see if any citations have been issued since April 2009 (the time the previous permit was issued) related to Turner Construction's resource extraction operation on Menaker Road.

Thanks. Please give me a call or email me if you find anything.

*Xi Cui "Tracy"*

Planning and Zoning Technician III  
Haines Borough  
P.O. Box 1209  
Haines, Alaska 99827

## Turner Construction - Resource Extraction Conditional Use Public Hearing

### Applicable Haines Borough Code

#### **18.60.020 Specific approval criteria.**

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

A. Resource Extraction. A permit for the commercial extraction of a natural resource may be issued with such reasonable conditions as necessary. The use must meet all other pertinent requirements of this title and include an acceptable operation and reclamation plan that addresses the following concerns and assures that the adverse impact of the operation is minimized and the site will be left in a safe, stable and environmentally and aesthetically acceptable condition:

1. Methods and process of reclamation including stockpiling of topsoil for reuse;
2. Initial site conditions including existing land use, vegetation, soils, geology and hydrology;
3. Limits of operational areas;
4. Days and hours of operation;
5. Traffic patterns;
6. Fencing and screening;
7. Control of dust and noise;
8. Phasing of operations and reclamation steps;
9. Final condition of site including:
  - a. Relation to adjoining land forms and drainage features,
  - b. Relation of reclaimed site to planned or established uses of the surrounding area,
  - c. Demonstration that the final land form will have a viable land use compatible with land use trends in the surrounding area;
10. Methods to minimize potential conflict with existing uses that are significantly impacted by the development.

#### **18.50.040 Conditional Use - Decision.**

The commission shall hold a public hearing on the conditional use permit application. The commission may adopt the manager's recommendation on each requirement unless it finds, by a preponderance of the evidence, that the manager's recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the commission may alter the conditions on approval or requirements for guarantees recommended by the manager.

A. Before a conditional use permit is approved, the commission must find that each of the following requirements is met:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;
2. The development of the use is such that the value of the adjoining property will not be significantly impaired;
3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;

4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;

5. The granting of the conditional use will not be harmful to the public safety, health or welfare;

6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;

7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;

8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.

2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.

3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.

4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.

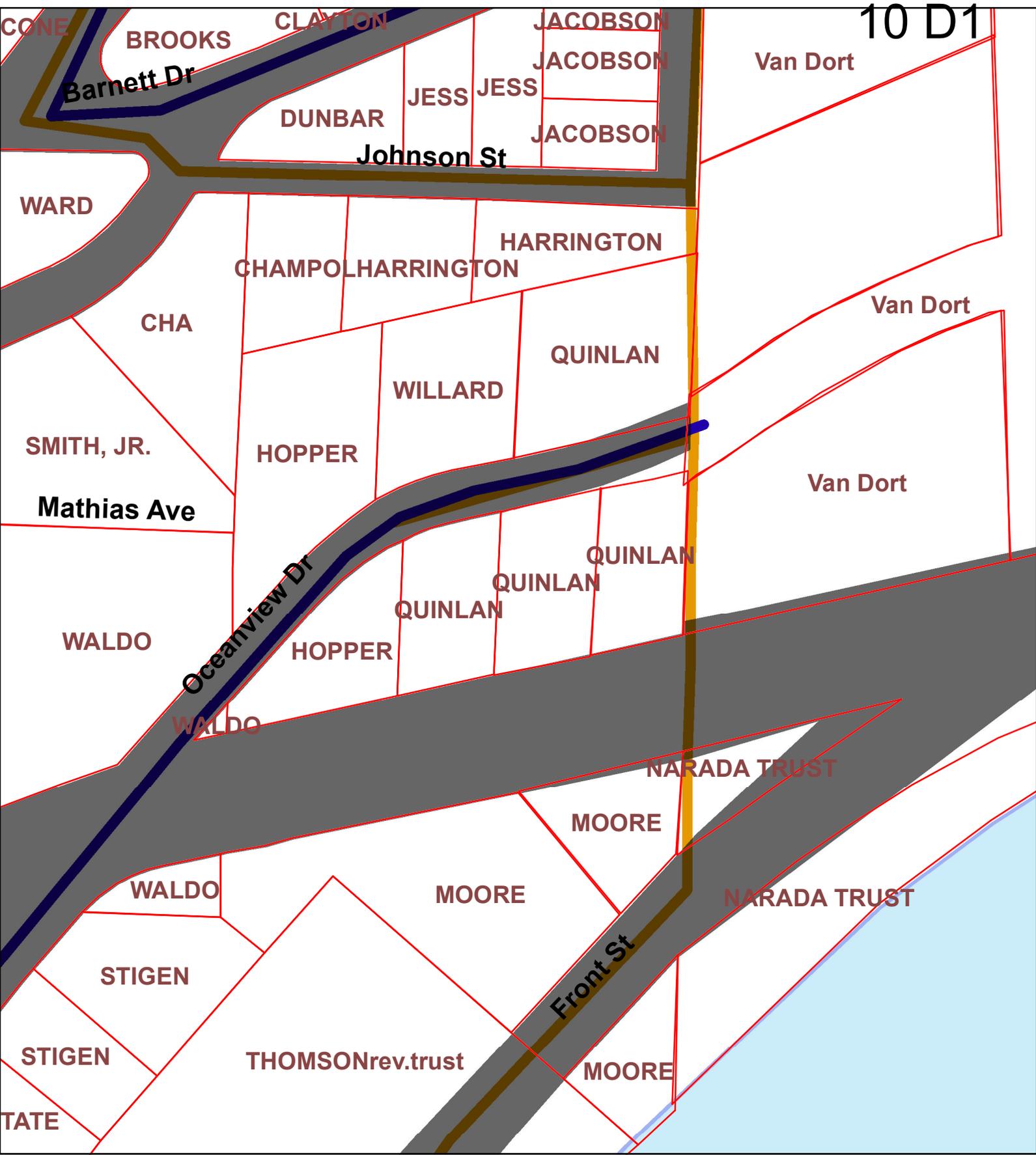
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.

6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.

7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.

8. Design. The conditions may require the adoption of design standards specific to the use and site.

10 D1



# Slump Area



Created by: Tracy Cui  
11/02/2012

<b>2013 Regular Planning Commission Meeting Agenda Preparation Calendar</b>					
<b>PC Meeting 6:30pm</b>	<b>Public Hearing (PH) Items to PZ Tech 5:00pm</b>	<b>PH notice to CVN &amp; Notification Letters out 5:00pm</b>	<b>Other Agenda Topics &amp; Items to PZ Tech 8:00am</b>	<b>PC Chair Approval - Agenda &amp; Packet Documents FINAL 10:00am</b>	<b>Agenda Packet Published &amp; Distributed 5:00pm</b>
	<i>[Thursday - 2 weeks before PC Meeting]</i>	<i>[Monday - 11 days prior to PC Mtg]</i>	<i>[Tuesday - 10 days prior to PC Mtg]</i>	<i>[Thursday prior to PC Mtg.]</i>	<i>[Friday prior to PC Mtg.]</i>
<b>Jan 10</b>	Dec 27	Dec 31	Wed. Jan 2 <sup>1</sup>	Jan 3	Jan 4
<b>Feb 14</b>	Jan 31	Feb 4	Feb 5	Feb 7	Feb 8
<b>Mar 14</b>	Feb 28	Mar 4	Mar 5	Mar 7	Mar 8
<b>Apr 11</b>	Mar 28	Apr 1	Apr 2	Apr 4	Apr 5
<b>May 9</b>	Apr 25	Apr 29	Apr 30	May 2	May 3
<b>Jun 13</b>	May 30	Jun 3	Jun 4	Jun 6	Jun 7
<b>Jul 11</b>	Jun 27	Jul 1	Jul 2	Wed. Jul 3 <sup>2</sup>	Jul 5
<b>Aug 8</b>	Jul 25	Jul 29	Jul 30	Aug 1	Aug 2
<b>Sep 12</b>	Aug 29	Fri. Aug 30 <sup>3</sup>	Sep 3	Sep 5	Sep 6
<b>Oct 10</b>	Sep 26	Sep 30	Oct 1	Oct 3	Oct 4
<b>Nov 14</b>	Oct 31	Nov 4	Nov 5	Nov 7	Nov 8
<b>Dec 12</b>	Wed. Nov 27 <sup>4</sup>	Dec 2	Dec 3	Dec 5	Dec 6

<sup>1</sup> Day adjusted due to the New Year's Day holiday

<sup>2</sup> Day adjusted due to the Independence Day holiday

<sup>3</sup> Day adjusted due to the Labor Day holiday

<sup>4</sup> Day adjusted due to the Thanksgiving Day holiday