



Haines Borough
Planning Commission Meeting
June 13, 2013
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 Rob **Miller**, Andy **Hedden**, Don **Turner III**, Danny **Gonce**, and Robert **Venables**. **Absent:** Lee **Heinmiller**.

Staff Present: Xi “Tracy” **Cui**/Borough Planning & Zoning Technician III, Mark **Earnest**/Borough Manager

Also Present: James **Studley**, Bill **Kurz**, Joanne **Waterman**, Phyllis **Sage**, Mario **Benassi**, Dan **Egolf**, Dean **Lari**, and Mike **Howard**.

3. **APPROVAL OF AGENDA**

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

4. **APPROVAL OF MINUTES** – May 9, 2013 Regular Meeting

Motion: **Gonce** moved to “approve the May 9, 2013 Regular Meeting Minutes.” It was amended to correct “**Turner** seconded it” with “**Heinmiller** seconded it”, and to correct “The motion carried unanimously” with “The motion passed 6 to 1 with **Turner** opposed” in 10D1. **Venables** seconded it. The motion carried unanimously.

5. **PUBLIC COMMENTS**

Studley stated he applied for a building permit for boat storage, and is required to obtain a variance since the storage will be built 15-foot into the required 25-foot setback from Sawmill Creek. The code requires all development along state-identified anadromous fish streams to be consistent with the Haines coastal zone management program. Unless approved by variance, no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game (ADF&G). After contacting ADF&G, **Studley** was told that ADF&G has no authority to permit activities above the ordinary high water mark of an anadromous fish stream. Though there has been a provision under the Haines Coastal Management Plan allowing ADF&G biologists to comment on activities occurring above the ordinary high water mark of an anadromous fish stream, there is no longer a Coastal Management Program in Alaska. **Studley** said this section of code is out-dated, and needs to be changed.

Goldberg said the Planning Commission will consider his variance request at the next regular meeting. **Goldberg** stated that the Haines Coastal Management Plan should be removed from the code since it no longer exists.

6. **CHAIRMAN’S REPORT** –

Goldberg said he went to the Assembly meeting on Tuesday night. The Assembly has reviewed and advanced the three land use code changes, and they are in processing.

7. **STAFF REPORTS**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS**

A. **Stephen Samuel McPhetres – Carport Conditional Use & Variance Proposal**

Goldberg opened up the public hearing at 6:58 p.m.

McPhetres stated that he is requesting for the Planning Commission to allow the construction of a carport over the existing shed within the Borough code requirement of a 15-foot separation from his house and a 20-foot setback from Young Road and Barnett Drive.

Goldberg closed the public hearing at 6:59 p.m.

Motion: Venables moved “to approve **McPhetres**’ conditional use & variance proposal to build a 21’ by 20’ carport.” **Miller** seconded it. The motion carried unanimously.

9. **UNFINISHED BUSINESS** - None

10. **NEW BUSINESS**

A. **Historic District/Building Review**

1. **Joanne Waterman – Port Chilkoot Fire Hall Restoration**

Goldberg said the Planning Commission already approved her proposal at the last meeting. **Waterman** just wants to give the Planning Commission some updates.

Waterman stated the building has been jacked up and Terry **Jacobson** is going to work on the foundation soon. The windows, doors and sides of the building will be kept in the same traditional style. **Waterman** said a new exit door will be installed towards the back of the tunnel for safety purposes.

B. **Haines Borough Code Amendments – Title 18 Revisions**

1. **Sign Regulations in HBC 18.90.060**

Goldberg stated currently the code requires that signs cannot be bigger than 32 square feet. However, “Open/Closed” or credit card signs, “Traffic control, parking, directional or informational signs or device” are exempted from the sign regulations. That means someone can have an “Open” sign as big as he wants, and make it blinking. It is a loophole in the code.

Venables said that sometimes the traffic signs that are bigger than 32 square feet are needed for parking purposes. He didn’t see any problems with that.

Turner said the blinking “Open/Closed” signs should be allowed because small informational signs related to the operation of a business, such as “Open/Closed” or credit card signs are exempted from the sign regulations.

Cui asked how small can be considered as “small informational signs”.

Venables said the Borough staff can do some research on this.

Goldberg said the Planning Commission will clarify the size of “small informational signs” at the next regular meeting.

2. **Expanding “Setback Regulations in Townsite Service Area” Borough Wide**

Venables stated this issue should be addressed for public safety concerns. He would like to see the draft ordinance.

Goldberg said this item can be discussed at the next regular meeting.

3. Clarify & Define “Yurt” in HBC 18.60.020(H) Temporary Residence

Turner said he thinks the definition of yurt needs to be addressed, and the allowance of constructing a yurt should be clarified in different zone regulations.

Goldberg said this issue will be scheduled for the next regular Planning Commission meeting.

4. Disclosure of Zoning Regulations for Property Sales

Goldberg said he has talked to the Borough manager. The real estate agency is required by state law to disclose zoning regulations for property sales. However, if the property is sold privately, there is no way for the Borough to enforce that.

More discussion ensued.

C. Project Updates – None

D. Other New Business

1. ADOT & PF Haines Highway MP3.5 – MP12 Project

Earnest gave a brief introduction on this state project. ADOT&PF submitted the plans for the Planning Commission’s review and comment, and they are expecting to receive comments regarding the project’s compliance with the local planning and zoning ordinances.

Benassi said the project is in the bald eagle preserve area that just passes the 10-mile mark, and there are numerous wetlands which are for fish habitat.

Benassi stated that the Planning Commission should pay attention on the Haines Borough Comprehensive Plan. One of the goals of the comprehensive plan is to continue planning a wildlife style in Haines. However the state project is in conflict with that goal and the project does not address any issues regarding the bald eagle preserve. And there is another issue related to the speed limit. More animals will be killed if the highway speed limit gets elevated, and a high speed limit will also encourage people speeding that cause car accidents. There is a whole section in the Borough comprehensive plan regarding wetlands regulations, but none of those regulations have been addressed in the state project.

Goldberg said the Planning Commission will bring up this topic again at the next regular meeting and do some research to see if the project is in conflict with the comprehensive plan. The zoning between MP 3.5 and 12 on Haines Highway is general use, which allows any use and only requires a conditional use permit for high impact uses. The general use zoning is intended to allow as broad a range of land uses as possible.

Benassi said the ADOT&PF destroyed the salmon habitat in the past, and the impacts were severe. Haines has the only bald eagle preserve in the world. It is beyond money in value. As a community, the Borough needs to realize that.

More discussion ensued.

11. COMMISSION COMMENTS

Miller said currently the code requires the wastewater system to be inspected by a DEC-approved inspector every two years. The Borough should consider amending it since this cannot be enforced. He would like to discuss something more reasonable at the next regular meeting.

12. **COMMUNICATION** - None
13. **SET MEETING DATES** – The next regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, July 11, 2013.
14. **ADJOURNMENT**– 8:34 p.m.