



Haines Borough Planning Commission Regular Meeting Agenda

COMMISSIONERS:

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

Thursday, December 12, 2013 - 6:30 p.m.

Assembly Chambers, 213 Haines Hwy.

1. CALL TO ORDER / PLEDGE TO THE FLAG
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: November 14, 2013
5. PUBLIC COMMENTS [Items not scheduled for public hearing]
6. CHAIRMAN'S REPORT
7. STAFF REPORT
 - A. Planning & Zoning Report
 - B. Follow-Up Gina St. Clair Appeal
 - C. Borough Attorney Memo – Appeal Procedure on Einspruch Appeal From Planning Commission Decision
8. PUBLIC HEARINGS: None
9. UNFINISHED BUSINESS: None
10. NEW BUSINESS:
 - A. Historic District/Building Review:

[The Planning Commission will sit as the Historic District Committee and hear the following agenda items pertaining to properties and buildings in the Significant Structures Area or Historic District zones.]

 1. Nicholas Trimble – Deck & Walkway Expansion – Action Item – Trimble has requested the Planning Commission approve walkway expansion at Fort Seward Lodge. **Possible motion:** Approve the Fort Seward Lodge walkway expansion project.
 2. Chilkoote Enterprises Inc. – Installation of Handrail & Ramp – Action Item – REACH Inc., on behalf of the tenant, requested the Planning Commission approve installation of an access ramp with handrails to the front entrance of their office for wheelchair use. **Possible motion:** Approve the proposed ramp with handrails plan.
 - B. Haines Borough Code Amendments:
 1. Public Water & Sewer Services Connection in HBC 18.100.092(A)(2) – Discussion Item – Currently the code requires property owners to connect to the public utility within six months when it becomes available. There is one issue staff wants the Planning Commission to consider: it is difficult to enforce that because property owners do not want to connect to public utility if their own private wells and septic systems work fine.
 2. Appeals to the commission in HBC 18.30.050 – Discussion Item – Currently the code does not allow the Planning Commission to grant a postponement. Amending code may allow the Planning Commission to consider a request for a postponement under certain circumstances.
 - C. Project Updates: None
 - D. Other New Business:
 1. Possible Rezoning of Sawmill Road Area – Discussion Item – Since Bart Henderson withdrew his rezoning petition, the Planning Commission would like to have a work session to talk about rezoning the Sawmill Road area.
 2. Planning Commission Seat B Appointment and Seat E Re-appointment – Action Item – A request for appointment to serve on the Planning Commission submitted by Heather Lende, and a request for re-appointment to serve on the Planning Commission submitted by Rob Goldberg are forwarded to the Planning Commission for review. **Possible motion:** Recommend for the mayor to appoint Heather Lende to serve Seat B, and re-appoint Commissioner Rob Goldberg to serve Seat E for a three-year term ending November 2016.
 3. Planning Commission Chair and Vice-Chair Appointments – Action Item – The Planning Commission is required to appoint a Chair and Deputy Chair per HBC 18.30.040(A). **Possible motion:** Appoint _____ as Planning Commission Chair and _____ as Planning Commission Vice-Chair.
 4. 2014 Regular Planning Commission Meeting Agenda Preparation Calendar – Action Item – 2014 Regular Planning Commission Meeting Agenda Preparation Calendar will be reviewed by the Planning Commission. **Possible motion:** Approve 2014 Regular Planning Commission Meeting Agenda Calendar.
11. COMMISSION COMMENTS
12. CORRESPONDENCE
13. SCHEDULE MEETING DATES
 - A. Regular Meeting – Thursday, January 9, 2014 6:30 p.m.
14. ADJOURNMENT



**Haines Borough
Planning Commission Meeting
November 14, 2013
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 Don **Turner III**, Andy **Hedden**, Lee **Heinmiller**, Rob **Miller**, Danny **Gonce**, and Robert **Venables** (called in).

Staff Present: Julie **Cozzi**/Interim Borough Manager, Stephanie **Scott**/Borough Mayor, Jila **Stuart**/Chief Fiscal Officer, Carlos **Jimenez**/Director of Public Facilities, and Xi “Tracy” **Cui**/Borough Planning & Zoning Technician III.

Also Present: Gina **St. Clair**, Daniel **Humphrey**, Nick **Trimble**, and Debra **Schnabel** (Liaison)

3. **APPROVAL OF AGENDA**

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

4. **APPROVAL OF MINUTES** – October 10, 2013 Regular Meeting

Motion: **Turner** moved to “approve the October 10, 2013 Regular Meeting Minutes.” **Hedden** seconded it. The motion carried unanimously.

5. **PUBLIC COMMENTS**

Trimble said he submitted a land use permit application several days ago, and requested Planning Commission approval of his deck and walkway expansion project at Fort Seward Lodge.

Goldberg said this topic will be on the next meeting’s agenda because **Trimble** has passed the submission deadline for this meeting. The Planning Commission will consider his proposal at the next regular meeting.

6. **CHAIRMAN’S REPORT**

Goldberg said the rezoning petition from Bart **Henderson** has been withdrawn.

Henderson’s intent was to adjust a lot line and sell one of the proposed lots to Alaska Mountain Guides. However, there are two zones in the proposed area. The lot line adjustment will result in both proposed lots within split zoning. This was why **Henderson** initially submitted his rezoning petition to the Borough. After doing research on this issue, **Cui** discovered that there is no prohibition by law on a lot line adjustment resulting in lots within multiple zoning districts. Thus, **Henderson** has withdrawn his rezoning petition and went through his lot line adjustment application.

Goldberg said at some point, the Planning Commission should take up the rezoning issues in Sawmill Road area. He will put it on the next meeting’s agenda.

Goldberg announced Debra **Schnabel** is the new Planning Commission liaison.

7. **STAFF REPORTS**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS**

A. **Gina St. Clair – Appeal from Denial of Plat Application – C-207-TL-0620**

Goldberg opened the public hearing at 6:42 p.m.

St. Clair said she was told by Borough staff that she did not need to provide the utilities because she was only creating two lots. However, her application was denied by the Borough, because the Borough code requires any lot resulting from a subdivision that is within 200 feet of public water and sewer systems is required to have utility connections extended from the water and sewer mains to the property line. She believes the code needs to be amended. Also, the cost for extending the mains will exceed 200% of the property value, which makes her unable to sell her property.

Humphrey said the site is not suitable to install water and sewer lines because of the drainage issue.

St. Clair asked why this code did not apply to other people who created a subdivision in this neighborhood. One five-acre piece of land on the other side of North Sawmill Road was subdivided into 4 lots. The developer was not required to have public utilities connected.

Goldberg said **Cui** has looked into that. That subdivision was created in 1997, prior to the consolidation of city and borough. Third-Class Borough might have different regulations at that time.

Stuart pointed out that according to the Borough attorney's memo, the cost of extending utilities is not an appropriate factor to consider. Also, there are other different ways to subdivide the land, which make the investment more affordable. For example, the developer can divide the property into smaller lots; or ask the neighbors for participating in a Local Improvement District (LID) to bring down the total cost.

St. Clair said dividing into two lots is the optimal way to develop the land. There is only one buildable spot on the upper lot.

Goldberg closed the public hearing at 6:53 p.m.

Motion: **Hedden** moved to "hear this appeal." **Miller** seconded it. The motion passed unanimously.

Goldberg said he had a meeting with Borough staff. They looked at maps, and talked about two different routes for bringing utilities into these two lots. Moose Lane seems to be the most logical way to go because it is an existing road, and the service lines can pick up more customers. The other route is to extend the existing service lines from the bottom of **St. Clair's** property up north. However, this portion of North Sawmill Road is undeveloped and very steep (approximate slope is 16%).

Venables asked about the outcome from discussions with property owners in the vicinity of **St. Clair's** property who may be interested in participating in an LID.

Jimenez said he spoke to two owners, who were interested; **Cui** said she spoke to one owner, who was not interested because of the high cost.

St. Clair said her potential buyer was interested.

Turner said the Borough attorney clearly stated that the Planning Commission does not have legal authority to grant exemptions from the requirement to extend utilities to

subdivisions where utility service is “available” within 200 feet of an existing property line of the parcel being subdivided.

Motion: **Miller** moved to “confirm the Borough’s decision.” **Turner** seconded it. The motion passed unanimously.

Miller said he personally felt sympathy for the developer. He thinks the Planning Commission can consider amending the code.

Humphrey said this section of code is very poorly written and structured.

Goldberg asked what the Borough can contribute on an LID.

Stuart said it may not be appropriate to use public funds to pay for all or most of the cost of extending utility mains, but the Assembly may decide the public interest is served by offsetting part of the cost of utility extensions. For example, Title 3 states “borough funds from the sale of borough lands may be invested through the creation of local improvement districts to fund projects that will improve the lives of borough residents.” Also, the Borough levies 1.5% sales tax to be used for Capital Improvement Projects within the Borough. If a local improvement district is established, the Borough can finance the cost of improvements, including utility extension, over years with terms set by the Borough Assembly.

Goldberg said according to the future growth map in the Comprehensive Plan, **St. Clair**’s property is not in one of those eight potential utility extension areas. **Goldberg** asked the Borough staff what will be the estimated cost for extending utility mains.

Jimenez answered it will be about \$80/foot, not including cutting trees and clearing the land.

St. Clair said it will be good if the Borough can develop the road and extend the utility mains at the same time.

Goldberg said it may cost more and makes it unaffordable. It will be nice to see the estimated cost for both options.

Scott said the Borough needs to come up with reliable documents and estimation.

Goldberg said he will put the topic “possible development of a LID” on the next Planning Commission meeting agenda.

More discussion ensued.

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** – None

11. **COMMISSION COMMENTS**

Miller said his term as a Planning Commission member is ending, and he is not going to re-apply to retain the seat because he is not going to be in town much of the time during the coming year. He wanted to tell everyone how much he enjoyed serving on the Planning Commission, and he intends to re-apply after having his surgery done.

12. **COMMUNICATION** - None
13. **SET MEETING DATES** – The next regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, December 12, 2013.
14. **ADJOURNMENT**– 8:27 p.m.

Staff Report for December 12, 2013

1. Permits Issued Since November, 2013

NUMBER	DATE	OWNER/AGENT	PIN	LOT	BLK	SUBDIVISION	DEVELOPMENT	ZONE
13-94	11/5/13	Ransom Russell	C-MEA-01-0400	4		Meadowland Sub.	Shop	RR
13-95	11/5/13	Jennifer Ford	C-HGL-04-0500	5	4	Highland Estates Sub.	SFR Addition	SR
13-96	11/5/13	Henderson Family Prop.	C-SMR-00-0100 & C-SMR-00-0200	1 & 2		Sawmill Rd.	Lot Line Adjustment	IH & RMU
13-97	11/12/13	Alaska Mountain Guides	C-PTC-09-0100	1A	9	Port Chilkoot Sub.	Installation of Stop Waste Valve - ROW	C
13-98	11/13/13	Chilkoot Indian Association		2-6	D	Presbyterian Mission Sub.	Driveway - ROW	C
13-99	11/27/13	Jack Smith Jr.	1-HHY-06-0100	1 & 2		Boyce Sub.	Lot Line Adjustment	GU

2. Enforcement Orders

- Mark Mitcheltree installed an 8" diameter culvert and built an access to his property without a right-of-way permit. According to HBC 12.08.120, roadway cross-culverts and driveway culverts shall be a minimum diameter of 18 inches, unless special circumstances are approved by the Borough. An enforcement letter was sent out on November 14, 2013.

3. 2013 Alaska – American Planning Association (APA) Conference

I attended the AK-APA conference in Anchorage on November 18 and 19, 2013. The conference was very educational. It was a great opportunity to share information, network with fellow planners. I encountered new planning terms and concepts; gained knowledge; and developed a greater understanding about the working of government. I think one of the most valuable learning points is that I learned how to better communicate and more efficiently work with the Planning Commissioners. Preparing staff report, doing research, creating maps, communicating with public, and reviewing documentation will be very helpful for the Planning Commissioners on making decisions.

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MEMORANDUM**TO:** HAINES BOROUGH ASSEMBLY**FROM:** BROOKS CHANDLER
BOROUGH ATTORNEY**DATE:** December 4, 2013**RE:** APPEAL PROCEDURE ON EINSPRUCH APPEAL FROM PLANNING
COMMISSION DECISION

Mayor Scott asked I provide you with legal advice regarding the above-referenced appeal. Based on our review of the materials previously submitted to the Planning Commission, the most recent appeal letter, relevant provisions of the Borough code and applicable court cases we have concluded as follows:

1. Mr. Einspruch did not have a due process right to a postponement of the Planning Commission consideration of his appeal.

2. There is no legal basis which requires a “de novo” appeal proceeding.
3. The notice of appeal filed by Mr. Einspruch did not comply with the requirement that the grounds for appeal be stated “with particularity”.
4. The Assembly is required to conduct a public hearing on the appeal but no new evidence may be provided during the public hearing.
5. The Assembly is not legally required to allow either Mr. Einspruch or Borough staff to argue for or against granting the appeal.

Based on these conclusions we have the following recommendations

1. If Mr. Einspruch , Borough staff or the public attempt to present facts to the Assembly that were not presented to the Planning Commission the Assembly should refuse to allow the additional information to be presented.
2. The Assembly should provide an opportunity for planning staff, Mr. Einspruch and the public to argue for or against granting the appeal based on the information available to the planning commission.
3. In the future, the assembly and the commission should decline to hear appeals where no grounds for appeal are specified.

The basis for these conclusions and recommendation are discussed in greater detail below.

FACTS

On August 8, 2013, property owner Mr. Einspruch submitted a land use permit application with the required \$50 application fee to the Borough. On August 26, 2013, the Borough staff discovered the construction described in the permit application started before the land use permit had been issued. On August 27, 2013, planning staff assessed a \$250 after-the-fact fee pursuant to HBC 18.30.070. On September 6, 2013, Mr. Einspruch filed an appeal of this enforcement order¹. No basis for the appeal was identified in the notice of appeal.

On October 1, 2013 Mr. Einspruch requested the Planning Commission postpone consideration of his appeal to its November meeting. The stated reason for the request was that Mr. Einspruch was out of state “for the winter” and could not prepare and present a presentation

¹ These facts are taken from the Planning Staff narrative and have not been independently verified.

to the planning commission before October 10. Mr. Einspruch also indicated he “may” retain a lawyer to represent him before the commission. On October 7, the Borough Clerk wrote Mr. Einspruch advising him that the Borough code required the Commission to consider the appeal at its next meeting but indicating any materials he wanted them to consider would be included provided they were submitted to the borough clerk by 5 p.m. on October 10. Mr. Einspruch did not submit any additional material and did not attend the Planning Commission meeting at which his appeal was considered.

The Commission did take up the appeal at the October meeting and made three decisions. First, (although not by separate motion) the Commission determined it did not have authority to delay consideration of the appeal. Second (again not by separate motion) the Commission decided to hear the appeal. Third, the Commission failed to pass by unanimous vote a motion to "recommend the Assembly stay the \$250 after-the-fact fee being assessed to Fred Einspruch for constructing a carport without a land use permit."

Mr. Einspruch filed a timely appeal of this decision but once again did not specify any basis for the appeal. It is not possible to determine from the face of his appeal letter whether he claims the Commission should have postponed consideration of his appeal to a later meeting or wrongly decided the appeal or both. No reason the Commission’s decision was incorrect was stated in the notice of appeal. For purposes of this memorandum it is assumed the appeal includes both claims of error.

At its November 12 meeting the Assembly considered whether to hear the appeal. Mr. Einspruch was present at this meeting by telephone. He stated the Assembly should hear his appeal because the planning commission declined to postpone consideration of the appeal until their November meeting which meant he did not have an opportunity to present his case and was denied due process. Assemblymember Berry made a motion to “Rehear the Commission’s decision on Fred Einspruch” and it was seconded. This motion was “clarified” by the Mayor² as follows: “To rehear the entire decision. Which was to recommend the assembly stay the \$250 after-the-fact-fee being assessed to Fred Einspruch for constructing a carport without a land-use permit.” The motion passed and the appeal has been scheduled for consideration at the December 10 assembly meeting.

Later an issue was raised as to whether this would be an appeal “on the record” (in which case the information the Assembly considers is limited to the information presented to the Planning Commission) or a “de novo” appeal (in which case additional information not provided

² It is not known if this clarification was made solely by the Mayor or was accomplished with the acquiescence of the original maker of the motion.

to the Planning Commission could be presented to the Assembly by either Mr. Einspruch or Planning Department staff). This procedural issue is what is addressed by this memorandum. This memorandum does not discuss the substantive merits of the appeal.

LAW

Borough Code.

Appeals to the planning commission from enforcement orders or fines are governed by HBC 18.30.050. An appeal is commenced “by filing with the clerk, within 10 days of the date of the decision appealed, a written notice of appeal stating with particularity the grounds for the appeal”. Once an appeal is filed, the commission is required to undertake a two part process. First the commission decides whether to even consider the appeal³. There is not an absolute right to an appeal. Whether to hear an appeal is entirely up to the commission and they may decline to do so for any reason. Before making this determination “a]ny aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should” hear the appeal. It is entirely up to the person whether they choose to appear at the meeting.

If the commission decides to hear the appeal they proceed to “immediately do so at that meeting”⁴. The evidence heard by the commission is “limited to a review of the record, although further argument may be allowed”⁵. Again, whether anyone who files a notice of appeal is allowed to speak to the planning commission about the appeal is entirely at the discretion of the planning commission. Exactly what constitutes “the record” is not specified.

Appeals to the assembly from decisions of the planning commission are governed by HBC 18.30.060. An appeal is commenced “by filing with the borough clerk, within 10 business days of the date of the decision appealed, a written notice of appeal stating with particularity the grounds for the appeal”. Once an appeal is filed, similar to the process before the planning commission, the assembly is required to undertake a two part process. First, the assembly decides whether to even consider the appeal. This decision is made at the next regular assembly meeting after the notice of appeal is filed. At that meeting “[a]ny aggrieved person, including the developer, may appear at that meeting and explain to the borough assembly why it should rehear the commission’s decision”. Just as there is not an absolute right to an appeal before the commission there is not an absolute right to an appeal before the assembly. Whether to hear an appeal is entirely up to the assembly and they may decline to do so for any reason or no reason.

³ HBC 18.30.050(A).

⁴ HBC 18.30.050(B).

⁵ HBC 18.30.050(B)(1).

If the Assembly decides to hear an appeal “[t]he evidence shall be limited to a review of the record, although further argument may be allowed”⁶. This is identical to the standard used by the planning commission. What constitutes “the record” is not specified. Whether to allow either Mr. Einspruch or staff to “further argue” the appeal is entirely at the discretion of the assembly.

This section of the code does contain a requirement not found in HBC 18.30.050. The Assembly is required to hold a “public hearing” on the appeal. Whether this means simply that the Assembly consider the appeal in public or provide members of the public an opportunity to speak to the Assembly is not specified.

Court Cases

De novo review results in a complete trial “as if the agency proceedings had never occurred”⁷. *De novo* review of an administrative appeal is rarely granted⁸. One situation justifying *de novo* review is when the party appealing has been denied due process in earlier proceedings. Even then a *de novo* appeal is a matter within the discretion of the body hearing the appeal. Factors to be considered when deciding whether to grant a *de novo* appeal include whether the “record” is sufficient to allow meaningful review of the action appealed from and whether important evidence offered by a party to the appeal has been arbitrarily excluded from the record or the decision maker is biased.⁹

There is no due process right to postponement of consideration of an appeal. There are number of court cases in which the denial of a request for a continuance has been upheld even when a judge had the discretion to grant a continuance¹⁰. In this case, the planning commission did not have the discretion to grant a continuance. Borough code mandated that the appeal be heard at the October commission meeting. In summary, due process does not include the right to have appeals scheduled at a person’s convenience due to their being out of town “for the winter”.

ANALYSIS

Mr. Einspruch is not entitled to a *de novo* appeal. Although he claimed the refusal of the

⁶ HBC 18.30.060(B)(1).

⁷ *State v. Lundgren Pacific Constr. Co.*, 603 P.2d 896, 899 (Alaska 1979).

⁸ *Southwest Marine, Inc. v. State*, 941 P.2d 166, 179-180 (Alaska 1997); *South Anchorage Concerned Coalition, Inc. v. Anchorage*, 172 P.3d 774, 780 (Alaska 2007)

⁹ *Treacy v. Anchorage*, 91 P.3d 252 (Alaska 2004); *City of Fairbanks v. Lees*, 705 P.2d 457, 460 (Alaska 1985).

¹⁰ *Greenway v. Heathcott*, 294 P.3d 1056, 1066-1072 (Alaska 2013); *Azimi v. Johns*, 254 P.3d 1054, 1059 (Alaska 2011) (quoting *House v. House*, 779 P.2d 1204, 1206 (Alaska 1989)).

planning commission to postpone consideration of his appeal was a denial of due process this claim is meritless. There is no due process right to any appeal before the Commission. HBC 18.30.050(A) specifically makes consideration of an appeal discretionary. Even when an appeal is heard the plain language of the ordinance mandates that the commission consider the appeal “on the record” allowing additional “argument” at the discretion of the commission.

We have considered whether the Assembly’s action was a finding Mr. Einspruch’s due process rights were violated by the commission regardless of the fact such a decision would have no basis in law. The summary information we were provided did not include any indication there was any statement by any Assembly member as to why they were voting in favor of hearing the appeal. Moreover, the “clarification” of the motion by the Mayor is evidence of a desire to consider the appeal on the merits and not because of a perceived due process violation. It certainly is possible the inability of Mr. Einspruch to appear before the commission influenced the Assembly decision. But being “influenced” to vote to allow an appeal is different than a finding that due process rights were violated. Accordingly, we interpret the Assembly decision to grant the appeal to be an exercise of the Assembly’s discretion in accordance with HBC 18.30.060 not a finding that due process rights were violated by the commission. As indicated above, HBC 18.30.060 limits the appeal to “the record” while providing the Assembly the discretion to allow Mr. Einspruch and planning staff to “argue” for or against granting the appeal based on the materials previously presented to the planning commission.

“The record” is not defined in the borough code. But the common sense definition of “the record” in the context of an appeal is that it is limited to the material provided to the planning commission. If the Assembly prefers allowing persons to present new evidence to the assembly not made available to the planning commission, HBC18.30.060(B)(1) should be amended and the reference to appeals being limited to the record should be removed.

Conclusion and Recommendations

For the reasons stated above, the Assembly should not allow additional evidence to be added to the record by either staff or Mr. Einspruch. Whether to allow staff and Mr. Einspruch to present argument to the Assembly is a matter for the Assembly to decide, however, we believe the best practice is to provide this opportunity to those participating in the appeal.

We believe the reference to a “public hearing” in HBC 18.30.060 requires allowing public comment on the appeal. This is a relatively close question. An alternative interpretation that the phrase “public hearing” simply mandates that the appeal proceedings occur in public is possible. But in our opinion close questions of this nature should be decided in favor of public participation. The best way to reconcile the requirement of holding a “public hearing” with limiting Assembly consideration of the appeal to “the record” is to only allow the public to make

statements urging the Assembly to grant or deny the appeal without presenting new factual information that was not made available to the planning commission. This could be a challenging wire to walk.

We recommend that in the future the commission and the assembly decline to hear appeals which have not been stated “with particularity” as required by borough code. In making this recommendation we are mindful of the fact that citizens should be able to pursue an appeal without having to hire a lawyer or getting caught up in legal technicalities. Nevertheless, if someone feels an error has been made they should be able to identify what they believe was done wrong. This is not a high bar to meet. The process will actually work better if those involved in considering an appeal are provided advance notice of what is claimed to have been done incorrectly by either staff or the planning commission. If the Assembly feels otherwise the proper manner in which to change current policy is to amend this portion of the code.

Let me know if you have any additional questions on this topic.



Haines Borough

Planning and Zoning

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

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

APPLICATION FOR LAND USE PERMIT

Permit#: _____

Date: _____

I. Property Owner/Agent		Owner's Contractor(If Any)	
Name: <i>Nicholas Trumble</i>		Name:	
Mailing Address: <i>PO Box 307</i>		Haines Borough Business License #:	
Contact Phone: Day Night <i>907-766-2009</i>		Alaska Business License #:	
Fax: <i>907-766-2009</i>		Contractor's License #:	
E-mail: <i>nick@sealn-heli.com</i>		Mailing Address:	
		Contact Phone: Day Night	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property: <i>43,104 sq ft</i>			
Property Tax #:			
Street Address: <i>38 Mud Bay Rd</i>			
Legal Description: Lot (s) <i>2</i> Block <i>C</i> Subdivision <i>Port Chilkoot</i>			
OR Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.]			
Zoning: Waterfront Single Residential Rural Residential Significant Structures Area Rural Mixed Use Multiple Residential Heavy Industrial Waterfront Industrial Commercial Industrial Light Commercial Recreational Mud Bay Zoning District Lutak Zoning District General Use			
III. Description of Work			
Type of Application (Check all that apply) Residential Commercial <i>460</i> sq. ft. _____ seating capacity if eating/drinking establishment Industrial Church Other _____	Project Description (Check all that apply) Single Family Dwelling Change of Use Multi-Family Dwelling Total # of Units _____ Cabin Addition Accessory Structure <u>Other</u> <i>Deck</i>	Water Supply Existing or Proposed None Community well Private well Public Water System Other _____	Sewage Disposal Existing or Proposed None Septic Tank Holding Tank Public Sewer System Pit Privy Other _____

Valuation of Work: <u>\$4500</u>
Written Explanation: <u>Deck/Walkway Expansion</u>
Attach the following documents to the permit application: Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

IV. FEE

A non-refundable fee of \$50 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

IV. 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. 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.**

Walter E. Tule
Owner or Agent

11/7/13
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.

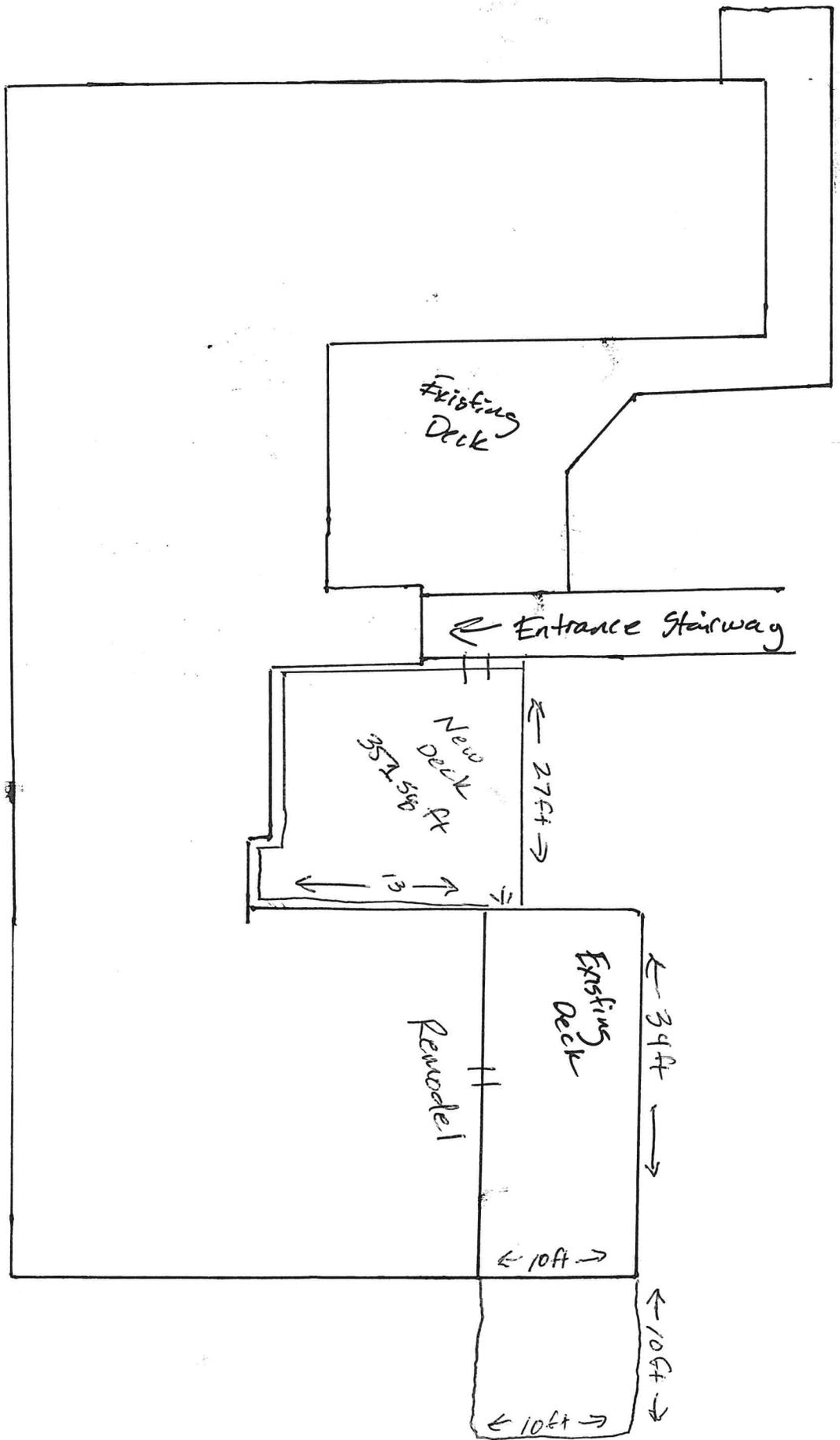
Office Use Only Below This Line

Applicant Notified Application is Complete and Accepted _____					
		(Date)	(Notified via)	(Initials)	
Non-Refundable Building Permit Fee <u>\$50.00</u>			Information/Documentation		
Receipt No. <u>21437</u>			Req'd	Rec'd	
Received By: <u>Tule</u>				State Fire Marshal	
Date: <u>11.8.13</u>				State DEC	
				Variance/Conditional Use Permit	
				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 substantial completion of construction within two years and the following special requirements:					
Borough Manager			Date		

Notice of Right to Appeal: All decisions of the Borough Manager are appealable per HBC 18.30.050

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

1.39



221.94

21.30 WEST 349.48

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18.70.050 Historic buildings – Districts.

1. Fort William H. Seward Local Historic District.

a. Description of Appearance. The principal structures are: the barracks, officers' homes, quartermasters, hospital, fire hall, warehouses and the Port Chilkoot Dock. The structures are situated around the parade grounds set against a backdrop of majestic mountain peaks of the Chilkat Range, overlooking the scenic beauty of the waters of Portage Cove, a portion of the upper Lynn Canal.

b. Statement of Significance. Fort William H. Seward was established in 1898 and garrisoned in 1904; the principal buildings of Fort William H. Seward are the best surviving structures of the 11 military posts erected in Alaska to police the gold rushes of 1897 to 1904. The United States was involved in the boundary dispute with Canada and Fort William H. Seward was the only army post in Alaska between World Wars I and II. In 1945 the fort was closed and declared surplus. On April 4, 1947, a group of veterans arranged under the Port Chilkoot Company, through the War Assets Act, to purchase the fort. In the ensuing three years, it was determined that the quitclaim deed provided by the U.S. government was exercised three days after the expiration of the War Assets Act. An act of Congress was then required to formalize the transaction with Port Chilkoot Company. The act was passed in 1952. Fort William H. Seward was listed as part of the National Historic Site Register in 1972 and thereafter became a national historic landmark in 1978.

c. Geographical Area Defined. The boundaries of the Fort William H. Seward local historic district shall be defined as the exact boundaries certified by the United States National Park Service under authority of the Historic Sites Act adopted by Congress in 1935 and designated as a national landmark in 1978.

18.60.020 Specific approval criteria.

G. Historic Buildings. All development occurring within the significant structures area, or changes to any of the surveyed historic buildings, shall comply with specific requirements. When the commission determines that the development is one of the surveyed historic structures or the development has a material effect upon the general character of the district and any of the individual structures therein, the following shall apply:

1. Every reasonable effort shall be made to provide a compatible use for property that requires minimal alterations of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The developer shall be encouraged to retain the distinguishing original qualities or character of a building, structure, or site and its environment. The removal or alteration of any historic material or distinctive architectural features should be avoided whenever possible.

3. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

4. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site, shall be treated with sensitivity.

5. Deteriorated architectural features shall be repaired rather than replaced whenever possible. In the event replacement is necessary, the new materials should match the material being replaced in composition, design, color, texture and other visual qualities wherever possible. Repair or replacement of missing architectural features should be based on accurate duplications rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

6. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any rehabilitation project.

7. Contemporary design and use of contemporary materials for alterations and additions to existing buildings and properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, and character of the property, neighborhood or environment.

8. Wherever possible, additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure should not be impaired.

9. The commission shall have the authority to place design standards and requirements upon the developer prior to the issuance of the permit in order to enforce the historic preservation and rehabilitation standards herein. A design review committee may be appointed by the planning commission which shall consist of the following representatives: the planning commission chair, a planning commission member appointed by the commission, one member of the borough assembly as appointed by the assembly, and one at-large member who is a property owner in the SSA, appointed by the commission chair, specific to each application. The commission shall refer to the document "Fort William H. Seward, Haines, Alaska, Design Guidelines and Standards" prepared by Ron Kasprisin of the Alaskan Northern Studies Program, Department of Urban Design and Planning, University of Washington, Seattle, 1998, when setting out the design standards to be followed for buildings in the significant structures area. (See also [HBC 18.70.050](#).)

NOV 18 2013
Haines Borough



Haines Borough
Planning and Zoning
103 Third Ave. S., Haines, Alaska, 99827
Telephone: (907) 766-2231 * Fax: (907) 766-2716

APPLICATION FOR LAND USE PERMIT

Permit#: _____

Date: _____

I. Property Owner/Agent		Owner's Contractor(If Any)	
Name: <i>Chilkoot Enterprises</i>		Name: <i>OWNER</i>	
Mailing Address: <i>P.O. BOX 271</i>		Haines Borough Business License #:	
Contact Phone: Day Night <i>766-2160 Lee Reinmiller</i>		Alaska Business License #:	
Fax: <i>766-2471 - Judy Reinmiller</i>		Contractor's License #:	
E-mail: <i>eagledown@hotmail.com</i>		Mailing Address:	
		Contact Phone: Day Night	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property: <i>29,300</i>			
Property Tax #: <i>C-PTC-01-0100</i>			
Street Address: <i>23 Fort Seward Drive</i>			
Legal Description: Lot (s) <i>1</i> Block <i>I</i> Subdivision <i>Port Chilkoot</i>			
OR Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input checked="" 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			
III. Description of Work			
Type of Application (Check all that apply) <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial _____sq. ft. _____seating capacity if eating/drinking establishment <input type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	Project Description (Check all that apply) <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 checked="" type="checkbox"/> Other <i>Sidewalk handrail</i>	Water Supply Existing or-Proposed <input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input checked="" type="checkbox"/> Public Water System <input type="checkbox"/> Other _____	Sewage Disposal Existing or-Proposed <input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input checked="" type="checkbox"/> Public Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____

Valuation of Work:
Written Explanation: <i>Install handrail along handicap access and walkway</i>
Attach the following documents to the permit application: <input type="checkbox"/> Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

IV. FEE

A non-refundable fee of \$50 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

IV. 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. 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.**

Lee Plummer
 Owner or Agent

11-18-2013
 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 type="checkbox"/> Applicant Notified Application is Complete and Accepted					
		(Date)	(Notified via)	(Initials)	
Non-Refundable Building Permit Fee \$ <u>50.-</u>		Information/Documentation			
Receipt No. <u>21537</u>		Req'd	Rec'd		
Received By: <u>C. Staska</u>		<input type="checkbox"/>	<input type="checkbox"/> State Fire Marshal		
Date: <u>11-18-13</u>		<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 substantial completion of construction within two years and the following special requirements:					
Borough Manager			Date		

Notice of Right to Appeal: All decisions of the Borough Manager are appealable per HBC 18.30.050

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

November 13, 2013

Lee Heinmiller, President
Chilkoot Enterprises Inc

RE: Lease with REACH Inc: Building #23 Fort Seward Dr Haines

To Mr. Heinmiller,

This letter is to request your written authorization to alter the premises at #23 Fort Seward Drive.

The alteration requested is to add a ramp with handrails to improve accessibility to the front entrance for wheelchair use. Attached to this letter is a draft sketch of the proposed ramp by a local contractor. Note that the structure shall float freely on the property surface and will begin in the area of the current front ramp. If any concrete sidewalk connections are required by the Borough, they would not be added until later in 2014.

We propose to add this ramp to the premises at no cost to you, on the provision that you waive enforcement of lease paragraph 5(a) with respect to the ramp. In other words, upon expiration of the Lease, you agree that REACH shall have the right to remove the ramp or to leave it in place at this premises at REACH's sole discretion, and in either case at no cost to REACH. If concrete is added, it shall remain in place at no cost or obligation to REACH. Should REACH choose to leave the ramp in place, you would accept the ramp and/or concrete as being part of "reasonable wear and tear" of the premises without further charge or restriction to REACH.

If you are agreeable, please sign and return the bottom of this letter so that we can get the ramp in place before winter really sets in. We would start construction within four weeks of receiving your signed acceptance.

Executed as an amendment to the lease on behalf of The Tenant,

By Millie Ryan
Millie Ryan, CEO, REACH Inc.

Dated: November 14, 2013

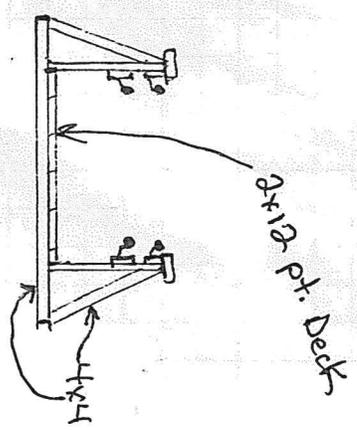
Pursuant to that lease between Chilkoot Enterprises Inc. and REACH Inc. entered into February 2003 for Building #23 Fort Seward Dr, Haines, Alaska, paragraph 5 (c), Landlord gives written permission for Tenant to make material or structural alteration(s) to the premises, to wit, to add an access ramp and, at REACH's sole discretion potentially a concrete sidewalk connection, to the front of the premises, connecting at the existing ramp.

Lee Heinmiller
Chilkoot Enterprises, Inc. by
Lee Heinmiller, President

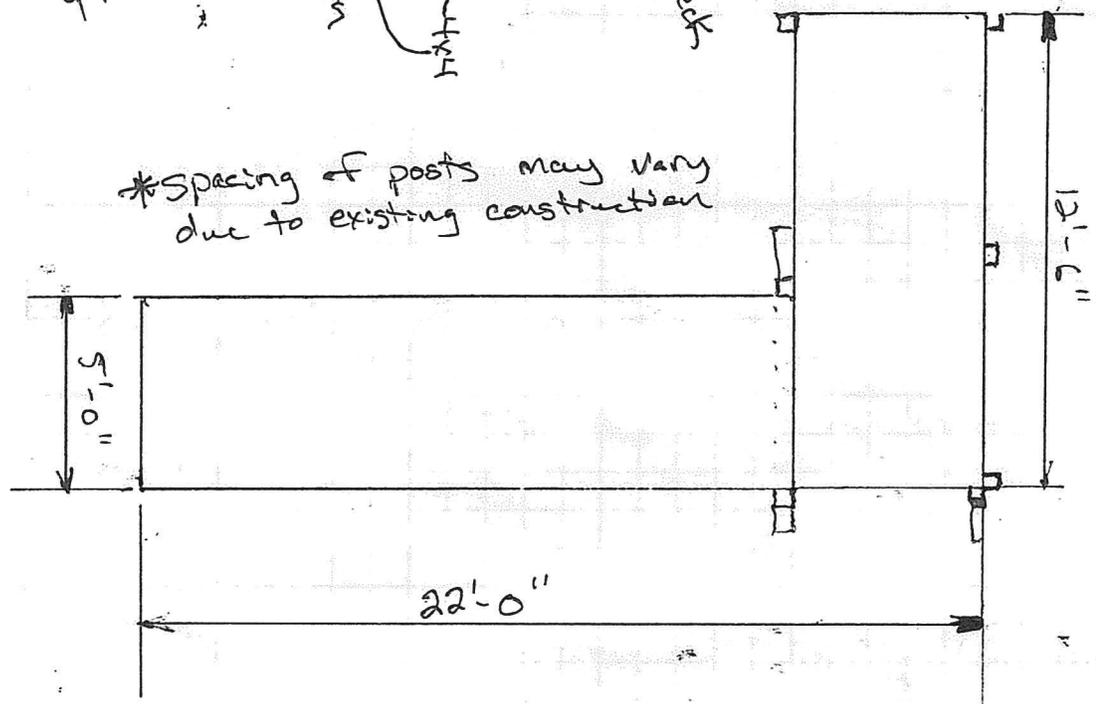
Dated: November 18 2013

* This ramp will comply to ADA regulations for specific code requirements
 MGA.

This cross section is roughly to scale.



* Spacing of posts may vary due to existing construction



* any concrete (required sidewalk connections) would have to wait until Spring of 2014 and will be done for further fees.

* this structure is to float freely on the surface at appropriate ADA grade.

* All lumber is to be AWW (Pres. treated) lumber fastened with commercial grade fasteners (galv.).

I submit this bid for construction, based on design submitted, for the price of \$3500.00

(Handwritten signature)

18.70.050 Historic buildings – Districts.

1. Fort William H. Seward Local Historic District.

a. Description of Appearance. The principal structures are: the barracks, officers' homes, quartermasters, hospital, fire hall, warehouses and the Port Chilkoot Dock. The structures are situated around the parade grounds set against a backdrop of majestic mountain peaks of the Chilkat Range, overlooking the scenic beauty of the waters of Portage Cove, a portion of the upper Lynn Canal.

b. Statement of Significance. Fort William H. Seward was established in 1898 and garrisoned in 1904; the principal buildings of Fort William H. Seward are the best surviving structures of the 11 military posts erected in Alaska to police the gold rushes of 1897 to 1904. The United States was involved in the boundary dispute with Canada and Fort William H. Seward was the only army post in Alaska between World Wars I and II. In 1945 the fort was closed and declared surplus. On April 4, 1947, a group of veterans arranged under the Port Chilkoot Company, through the War Assets Act, to purchase the fort. In the ensuing three years, it was determined that the quitclaim deed provided by the U.S. government was exercised three days after the expiration of the War Assets Act. An act of Congress was then required to formalize the transaction with Port Chilkoot Company. The act was passed in 1952. Fort William H. Seward was listed as part of the National Historic Site Register in 1972 and thereafter became a national historic landmark in 1978.

c. Geographical Area Defined. The boundaries of the Fort William H. Seward local historic district shall be defined as the exact boundaries certified by the United States National Park Service under authority of the Historic Sites Act adopted by Congress in 1935 and designated as a national landmark in 1978.

18.60.020 Specific approval criteria.

G. Historic Buildings. All development occurring within the significant structures area, or changes to any of the surveyed historic buildings, shall comply with specific requirements. When the commission determines that the development is one of the surveyed historic structures or the development has a material effect upon the general character of the district and any of the individual structures therein, the following shall apply:

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7. Contemporary design and use of contemporary materials for alterations and additions to existing buildings and properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, and character of the property, neighborhood or environment.

8. Wherever possible, additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure should not be impaired.

9. The commission shall have the authority to place design standards and requirements upon the developer prior to the issuance of the permit in order to enforce the historic preservation and rehabilitation standards herein. A design review committee may be appointed by the planning commission which shall consist of the following representatives: the planning commission chair, a planning commission member appointed by the commission, one member of the borough assembly as appointed by the assembly, and one at-large member who is a property owner in the SSA, appointed by the commission chair, specific to each application. The commission shall refer to the document "Fort William H. Seward, Haines, Alaska, Design Guidelines and Standards" prepared by Ron Kasprisin of the Alaskan Northern Studies Program, Department of Urban Design and Planning, University of Washington, Seattle, 1998, when setting out the design standards to be followed for buildings in the significant structures area. (See also [HBC 18.70.050](#).)

18.100.092 Requirements prior to final plat approval.

A. Utilities.

1. Water and Sewer. The subdivider, at the subdivider's own expense and prior to final plat approval, in accordance with the approved preliminary plat, shall construct, per borough specifications, all water and sewer utilities to service each lot individually within the subdivision to be created. The subdivider may elect to provide performance and payment bonding as allowed in HBC [18.100.125](#) in order to have authorization to proceed to a final plat procedure.

2. When, in the opinion of borough staff, no public sanitary sewer and/or water service is available within 200 feet of any exterior property line of a new subdivision in which all lots are one acre or larger in area, the developer may request an exemption from the requirements to connect to public utilities. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of HBC [13.04.080](#)(G) pertaining to on-site wastewater disposal, shall apply. If exempted from the requirement to connect to public utilities, a plat note must be placed on the plat stating that public water and/or sewer are not available to the subdivision and that all future property owners in the subdivision must provide written Department of Environmental Conservation (DEC) approval of their on-site wastewater system design prior to a land use permit being issued. Upon installation and before closure, the wastewater disposal system must be inspected and approved by a DEC-approved inspector. The wastewater disposal system must also be inspected by a DEC-approved inspector, at the property owner's expense, every two years, in the spring of the year, with a written approval of the system submitted to the borough by June 1st of the year.

When public sanitary sewer and/or water service becomes available, property owners will be required to connect to the public utility within six months.

18.30.050 Appeals to the commission.

An appeal made to the commission of a decision by the manager shall be requested by filing with the clerk, within 10 days of the date of the decision appealed, a written notice of appeal stating with particularity the grounds for the appeal.

A. The commission shall decide at its next regularly scheduled meeting whether to rehear the manager's decision. Any aggrieved person, including the developer, may appear at that meeting and explain to the commission why or why not it should rehear the manager's decision. If the commission chooses to rehear the decision, it may choose to rehear the entire decision, or any portion thereof.

B. If the commission decides to rehear a decision, or any portion thereof, it shall then immediately do so at that meeting and make its decision.

1. Findings of fact adopted expressly or by necessary implication shall be considered as true if, based upon a review of the whole record, they are supported by substantial evidence. Substantial evidence means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. If the record as a whole affords a substantial basis of fact from which the fact in issue may be reasonably inferred, the fact is supported by substantial evidence. The burden of proof shall be on the appellant to demonstrate the facts and resolution of the issues on appeal by substantial evidence. The evidence shall be limited to a review of the record, although further argument may be allowed.

2. In all decisions the burden of proof shall be on the party challenging the decision of the manager. The commission may confirm the manager's decision, reverse the manager's decision, or change the conditions which the manager placed on approval. The commission shall support its action with written findings.

C. A decision by the manager shall not be stayed pending appeal, but action by the appellee in reliance on the decision shall be at the risk that the decision may be reversed on appeal.

D. The commission's decision may be appealed to the borough assembly pursuant to HBC [18.30.060](#). (Ord. 04-05-078; Ord. 05-02-091)

HBC 18.70.060 Rezoning.

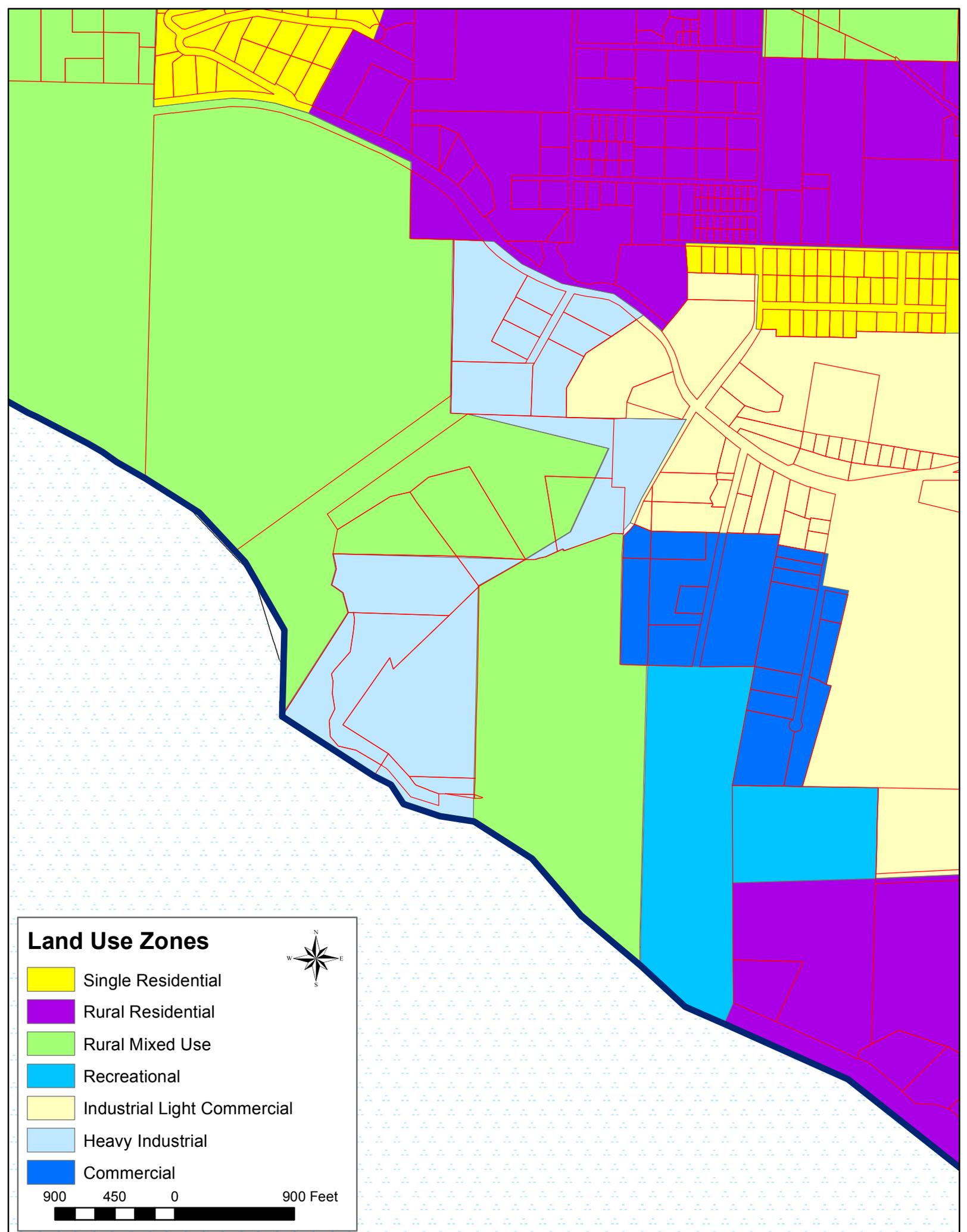
A. Initiation. A rezone may be initiated by a formal recommendation by the planning commission to the assembly, a notice of intent to introduce an ordinance for rezoning by the borough assembly, or a petition by 51 percent of the land owners in the petition area. The clerk shall forward a petition proposing a change to the planning commission.

B. Restrictions on Rezoning. Rezoning covering less than one acre may not be considered, unless the rezoning constitutes the expansion of an existing contiguous zone. Rezoning which are substantially the same as a proposed amendment that was rejected within the previous 12 months may not be considered. Any rezone causing a commercial, industrial, development, or business transition zone to be created abutting a residential zone, shall require new structures on the appropriate zone abutting the residential zone to be set back a minimum of 10 feet from the existing residential zone, and shall conform to any other setback requirements of such zone.

C. Procedure. A rezoning shall follow the procedures set forth in Chapter [18.50](#) HBC for conditional use permits, except that the planning commission shall have 60 days from the date of the proposal to make its full report to the assembly. During this time, the planning commission shall provide public notice and hold one public hearing on the proposed zoning change and declare its findings by a formal motion. The commission's decision shall constitute a recommendation to the borough assembly. As soon as possible after the commission recommendation, but allowing 10 days for any official protest, the borough assembly shall post public notice and hold a public hearing on the proposed rezoning. At such hearings, the recommendation of the commission shall be rebuttably presumed to be correct, which presumption may be overcome with a preponderance of the evidence. A rezoning shall be adopted by ordinance, and any conditions thereon shall be contained in the ordinance. Upon adoption of any rezoning, the manager shall cause the official zoning map to be changed to reflect the operation of the ordinance.

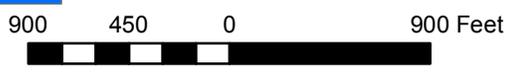
D. Protest. A petition to protest a change of zone area or classification must be filed with the borough clerk within 10 working days of the commission's decision to make a recommendation to the assembly on a rezoning. The clerk shall forward a petition protesting the assembly's decision on the zoning change back to the assembly for reconsideration. A petition protesting the assembly's decision on a zoning change must be signed by at least 25 percent of the landowners in the zone. The assembly may change the protested decision only upon the vote of a supermajority of the assembly. This decision will be final.

E. Assignment of Costs. All administrative costs, processing fees, commission fees, recording fees, mapping costs, survey costs and other associated expenditures shall be borne by the land owner(s) or developer(s) requesting the rezoning in prorated amounts as determined by the manager. (Ord. 05-12-134)



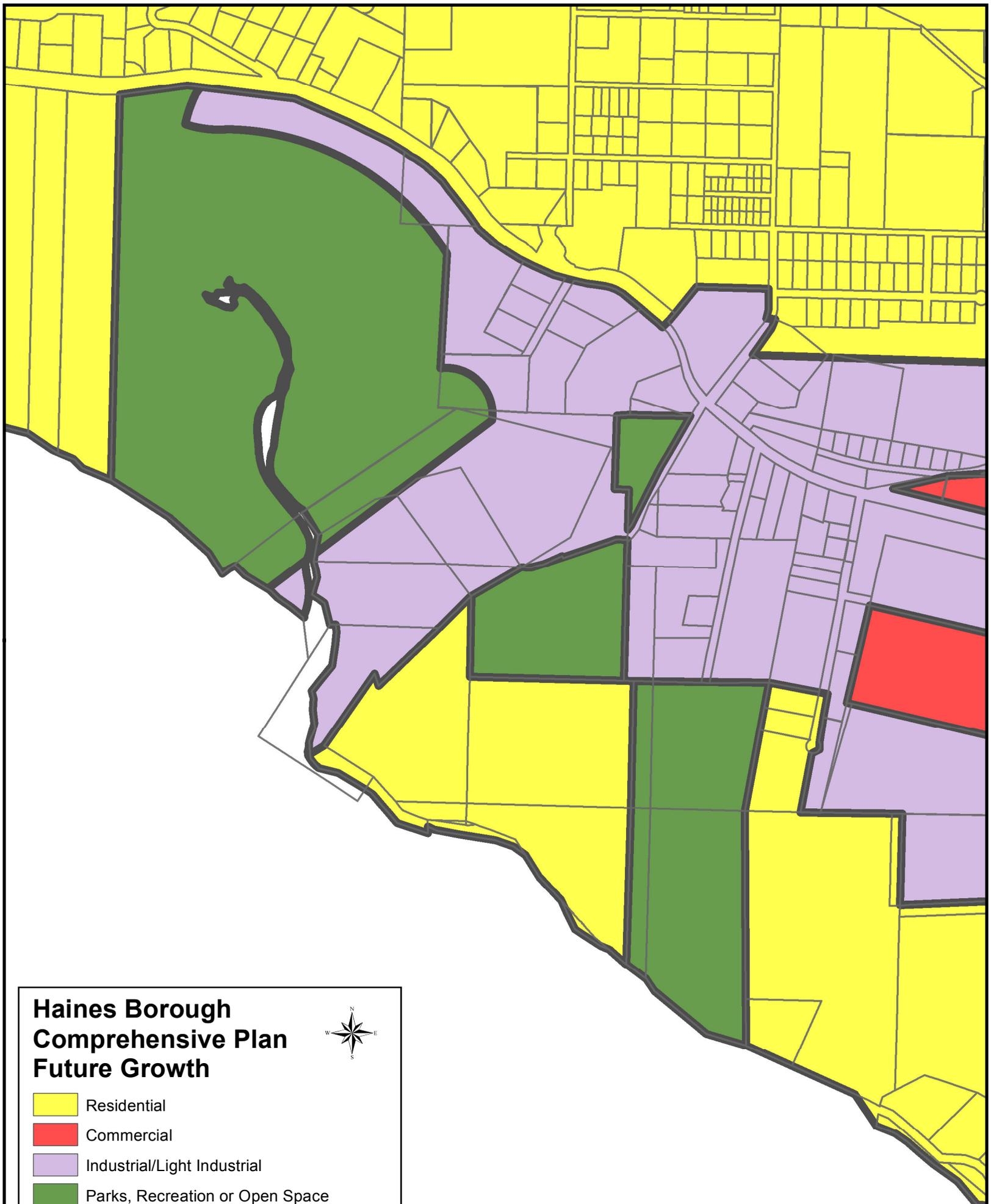
Land Use Zones

- Single Residential
- Rural Residential
- Rural Mixed Use
- Recreational
- Industrial Light Commercial
- Heavy Industrial
- Commercial





0 150 300 600 900 1,200 Feet



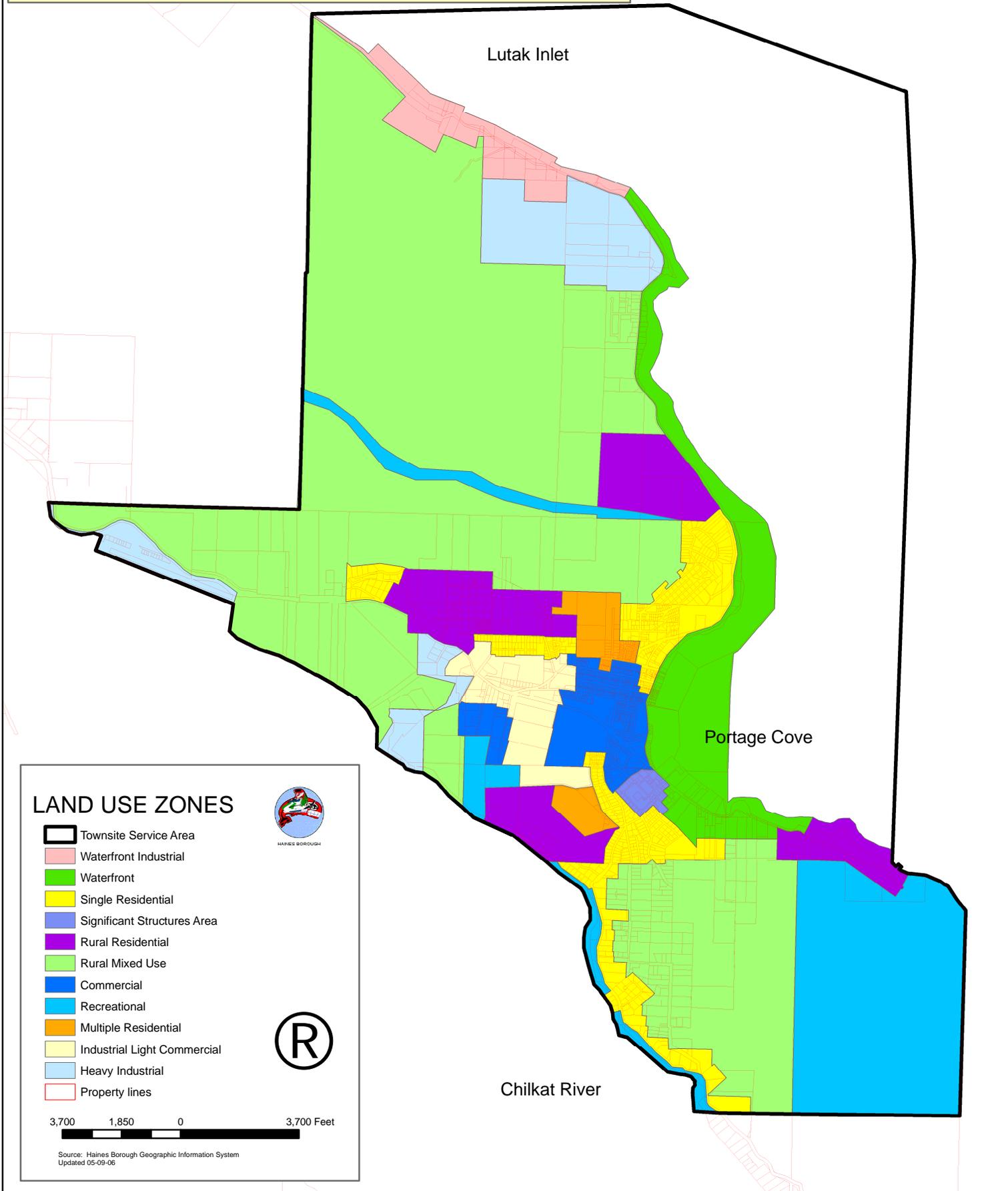
Haines Borough Comprehensive Plan Future Growth



-  Residential
-  Commercial
-  Industrial/Light Industrial
-  Parks, Recreation or Open Space

900 450 0 900
Feet

The Official Zoning Map of the Haines Borough, Alaska Townsite Zoning District



LAND USE ZONES

- Townsite Service Area
- Waterfront Industrial
- Waterfront
- Single Residential
- Significant Structures Area
- Rural Residential
- Rural Mixed Use
- Commercial
- Recreational
- Multiple Residential
- Industrial Light Commercial
- Heavy Industrial
- Property lines



3,700 1,850 0 3,700 Feet

Source: Haines Borough Geographic Information System
Updated 05-09-06

Haines Borough Application for Board Appointment



RECEIVED Haines Borough
OCT 15 2013
Clerk

- Appointment** (I am not currently on the board)
- Reappointment** (I am currently a member of the board)

Check the board, commission, or committee for which you are applying :

<input checked="" type="checkbox"/>	Planning Commission		Boat Harbor Advisory Committee
<input type="checkbox"/>	Tourism Advisory Board		Fire Service Area Board #1
<input type="checkbox"/>	Chilkat Center Advisory Board		Fire Service Area Board #3 (Klehini)
<input type="checkbox"/>	Parks and Recreation Advisory Board		Letnikof Estates Road Maintenance Service Area Board
<input type="checkbox"/>	Museum Board of Trustees		Riverview Road Maintenance Service Area Board
<input type="checkbox"/>	Library Board of Trustees		Historic Dalton Trail Road Maintenance Service Area Board
<input type="checkbox"/>	Public Safety Commission		Four Winds Road Maintenance Service Area Board
<input type="checkbox"/>	Temporary (Ad-hoc) Board/Committee _____		

Name: Heather Lende

Residence Address: 2 Mile Mud Bay Road

Mailing Address: PO Box 936

Business Phone: Home 766-2852 **Home Phone:** Cell 314-0273

Fax: 766-3162 (Lutak Lumber) **Email:** hlende@aptalaska.net

I declare that I am willing to serve as a member of the designated board, commission, or committee. Please enter my name for consideration of appointment by the mayor, subject to confirmation by the assembly. I am a registered voter of the State of Alaska and have resided within the Haines Borough for at least thirty (30) days preceding this date or the date of appointment.*

 10-15-13
Signature of Applicant Date

PLEASE BRIEFLY DESCRIBE YOUR QUALIFICATIONS (You may attach a resume):

As a 29-year resident, home, business and landowner I know and love Haines.

I would bring a much needed female perspective to the all male planning com.

I have 4 granddaughters growing up here and care about their future.

* HBC 2.60.020 - A member of a committee, board or commission shall be a resident of the borough as defined below...a person qualifying as a borough resident shall: A) Continue to maintain the person's principal place of residence within the corporate boundaries of the borough and have done so for at least 30 days immediately preceding the date of the person's appointment by the mayor; and B) Physically occupy said residence for at least 30 days immediately preceding the date of the person's appointment by the mayor.

Heather Lende

Writer Heather Lende, 54, was born and raised in New York and is a 29 year resident of Haines, Alaska where her family owns Lutak Lumber & Supply. She has written the New York Times bestselling *If You Lived Here, I'd Know Your Name* and *Take Good Care of the Garden and the Dogs*. Her third book, *Finding the Good* is scheduled for release in 2015. She has contributed essays and commentary to NPR, The New York Times, Washington Post, Sunset Magazine, Country Living, CNN, Psychology Today and more, as well as to several anthologies and literary journals. She's been a columnist for Woman's Day magazine and the Anchorage Daily News. She is a contributing editor to The Salmon Project and writes obituaries for the Chilkat Valley News. Heather has a BA in History from Middlebury College and an MFA in Creative Writing from the University of Alaska Anchorage. She serves on the board of the Haines Borough Public Library, Hospice of Haines, the Haines Arts Confluence and her church, St. Michael and All Angels Episcopal Mission. (In the past she has served on the KHNS, Chilkat Valley Preschool, Arts Council, Lynn Canal Community Players, ACTFEST, and Community Foundation boards, as well as the Haines Borough Assembly and School Board.) Heather is also a competitive cyclist, avid outdoorswoman, practices yoga, and sings in the Haines Acappella Women's Choir. She has received many accolades for her work and support of the Haines community. She is most proud of a few-- *If You Lived Here* is a National Geographic Traveler best travel book of all time, she was named best columnist in the state by the Alaska Press Club, chosen as the Haines Chamber of Commerce Citizen of the Year, and has twice received the Haines High School's Honorary Block H Award. Heather is married to Chip Lende and they have five children and four grandchildren.

Michelle Webb

From: Rob Goldberg [artstudioalaska@yahoo.com]
Sent: Thursday, October 31, 2013 9:40 AM
To: Stephanie Scott; Julie Cozzi; Michelle Webb; blackdoghp@yahoo.com
Subject: Planning Commission Seat

Categories: Agenda Business

To: Mayor Stephanie Scott, Acting Manager Julie Cozzi, Acting Clerk Michelle Webb and Assembly Members,

I would like to retain the seat I have occupied on the Planning Commission since 2002. Much has been accomplished during that time, but there is still much more to do.

Thank you for your consideration.

Sincerely,
Rob

Rob Goldberg and Donna Catotti
Catotti and Goldberg Art Studio
PO Box 1154 Haines, AK 99827 USA
907-766-2707
artstudioalaska.com

2014 Regular Planning Commission Meeting Agenda Preparation Calendar					
PC Meeting 6:30pm	Public Hearing (PH) Items to PZ Tech 5:00pm	PH notice to CVN & Notification Letters out 5:00pm	Other Agenda Topics & Items to PZ Tech 8:00am	PC Chair Approval - Agenda & Packet Documents FINAL 10:00am	Agenda Packet Published & Distributed 5:00pm
	<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>
Jan 9	Dec 26	Dec 30	Dec 31	Jan 2	Jan 3
Feb 13	Jan 30	Feb 3	Feb 4	Feb 6	Feb 7
Mar 13	Feb 27	Mar 3	Mar 4	Mar 6	Mar 7
Apr 10	Mar 27	Mar 31	Apr 1	Apr 3	Apr 4
May 8	Apr 24	Apr 28	Apr 29	May 1	May 2
Jun 12	May 29	Jun 2	Jun 3	Jun 5	Jun 6
Jul 10	Jun 26	June 30	Jul 1	Wed. Jul 2 ¹	Jul 3
Aug 14	Jul 31	Aug 4	Aug 5	Aug 7	Aug 8
Sep 11	Aug 28	Fri. Aug 29 ²	Sep 2	Sep 4	Sep 5
Oct 9	Sep 25	Sep 29	Sep 30	Oct 2	Oct 3
Nov 13	Oct 30	Nov 3	Nov 4	Nov 6	Nov 7
Dec 11	Wed. Nov 26 ³	Dec 1	Dec 2	Dec 4	Dec 5

¹ Day adjusted due to the Independence Day holiday

² Day adjusted due to the Labor Day holiday

³ Day adjusted due to the Thanksgiving Day holiday