



HAINES BOROUGH, ALASKA  
P.O. BOX 1209  
HAINES, AK 99827  
(907) 766-4600 FAX (907) 766-2716

July 27, 2020

From: Libby Jacobson, Planning and Zoning Technician

To: Haines Borough Planning Commission

**Re: Chilkoot Indian Association Barrier of ROW on Chilkoot Street**

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**Summary**

Chilkoot Indian Association (CIA) is requesting a ROW permit to place a moveable barrier across Chilkoot Street as an "immediate and temporary measure," in hopes to later apply to vacate the ROW.

The subdivision, owned by CIA, has concerns of safety and wellbeing despite measures such as signs and speed bumps already have been implemented as drivers continue to speed.

The ROW is Borough owned and maintained. Chilkoot Street connects Fair Drive to Major Road.

**Staff Recommendation**

Borough staff recommend the denial of this permit, for the following reasons.

1. This is a Borough road and abandonment of a road, even on a temporary basis is not advised.
2. Traffic control may be addressed in other ways without closing the street.
3. It is not in the Borough's best interest to vacate the right-of way.
4. Emergency vehicle access would be impeded by this action.

**Location:**




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**Notifications Sent to Surrounding Property**

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Re: Summary of ROW Permit Submitted by Chilkoot Indian Association  
 Chilkoot Street, Chilkoot Subdivison ; Multiple Residential Use Zone

Dear property owner,

You have been identified as owning property within 500 feet of the above listed ROW. This is notification that there will be a public hearing regarding a Vacation of a Right of Way. This matter will be heard August 13, 2020 at 6:30pm in the Assembly Chambers. You are invited to provide testimony at the meeting or submit written comments to the Borough Planning & Zoning Tech at [ljacobson@haines.ak.us](mailto:ljacobson@haines.ak.us). For more information, please call the Lands Dept. at 766-6400 ex3 or visit <https://www.hainesalaska.gov/pc/planning-commission-53>

OWNER1	OWNER2	OWNER3	OWNER4
PORT CHILKOOT CO.	LEE HEINMILLER	BOX 271	HAINES AK 99827
SEAK STATE FAIR		BOX 385	HAINES AK 99827
CHUN WILLIAMSON		BOX 1296	HAINES AK 99827
HIGHLAND ESTATES		BOX 1129	HAINES AK 99827

HARRIET BROUILLETTE		BOX 422	HAINES AK 99827
JEWEL R. STEVENS		BOX 927	HAINES AK 99827
ROBERT MARTIN JR.	CHERI MARTIN	BOX 813	HAINES AK 99827

**Relevant Code:**

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**Haines Borough Code**

**10.02.180 Street closed to traffic.**

A. *The manager is authorized to close streets to traffic.*

B. *Whenever any street is closed to the use of traffic and the same so indicated by authorized signs or barriers, no vehicle shall proceed into the street or any portion thereof except as directed by the signs. Whenever a street is closed, notice shall immediately be given to the fire chief and police chief by the person who closed the street.*

**10.02.210 Authority to restrict pedestrians and operation of certain vehicles.**

*The manager is authorized to post signs where necessary:*

A. *To prohibit the operation of commercial vehicles on certain residential streets or highways where such operation would create exceptional hazardous conditions or cause undue public inconvenience.*

*When signs are erected giving notice thereof, no person shall operate any commercial vehicle at any time upon any of the streets or highways or parts of streets or highways so designated, except that such vehicles may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street or highway at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.*

B. *To prohibit pedestrians and nonmotorized vehicles on certain heavily vehicular – or pedestrian-traveled streets or highways or otherwise on sidewalks, walkways, or other borough property determined to be unsafe for pedestrian and/or nonmotorized methods of transportation use, or if such use is determined by the manager to be destructive to property. No person shall do any act in violation of such signs. (Ord. 04-03-052)*

**10.02.230 Specifications for traffic control devices.**

*All traffic control signs, signals and devices shall so far as practicable conform to the most recent version of the "Manual of Uniform Traffic Control Devices" published by the Federal Highway Administration, U.S. Department of Transportation. All signs and signals required hereunder for a particular purpose shall so far as practicable be uniform as to type and location throughout the townsite service area. All*

*traffic control devices so erected and not inconsistent with the provisions of state law or this chapter shall be official traffic control devices.*

**12.16.010 Obstructions prohibited.**

*It shall be unlawful for any person to block or obstruct the use of any street or alley, including sidewalk areas, or the free use thereof, without first obtaining permission from the manager. The foregoing prohibition does not apply to any marquee extending from a building over any sidewalk; providing, however, that no marquee shall extend closer than two feet from a line drawn vertically from the outside of any curbing or curb line provided for in this title.*



# Right-of-Way Permit

Permit Number

## Applicant Information

Name: CHILKOOT INDIAN ASSOCIATION (CIA)  
Mailing address: PO Box 490 HAINES, AK 99827  
Phone: 907-766-2323 FAX: \_\_\_\_\_  
Contact person (must be available 24 hours): JOHN WOOTON  
Contact phone: 907-767-5634 Cell: 907-314-0140 Email: jwooton@chilkoot-nsn.gov

## Contractor Information

Name: CHILKOOT INDIAN ASSOCIATION Contractor's License #: \_\_\_\_\_  
Mailing address: ditto above  
Liability Certificate: \_\_\_\_\_ Job Number: \_\_\_\_\_  
Phone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Contact person (must be available 24 hours): \_\_\_\_\_  
Contact phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

## Project Description

General Description of Project: CIA IS REQUESTING PLACEMENT OF A MOVEABLE BARRIER ON CHILKOOT ST. AT THE SOUTHERN MOST PROPERTY LINE OF THE SUBDIVISION. THIS IS FOR THE SAFETY & WELL BEING OF CHILDREN & RESIDENTS DUE TO THE FREQUENT SPEEDING IN THE SUBDIVISION.  
Site address: see above desc. & maps Nearest Cross Street: CHILKOOT ST. - CHILKOOT CT.  
Tax Parcel Number: n/a  
Desired Starting Date: 7-24-2020 Estimated Completion Date: 8-15-2022

Please Answer the Applicable Questions on the Reverse Side of this Form 

**IMPORTANT!** Attach your plans to this application, or provide a sketch of the proposed work using the last page of this form. Provide sufficient detail. Identify all roadway features (i.e. pavement, storm drainage, utilities, landscaping, north arrow, etc.) and how your work will impact them including any proposed grading changes. Provide relevant measurements and dimension. Include the location of all structures, existing or proposed.

## Applicant Signature

The undersigned owner/applicant hereby agrees to hold and save harmless the Haines Borough from any and all claims for damages, costs, expense or causes of action that may arise because of installation and maintenance of the improvements or other right-of-way use hereto applied for and further agrees to remove same upon notice from the borough and to replace public property damaged thereby. All construction or activities occurring within a borough right-of-way shall be in accordance with borough construction and road standards, specific and general permit conditions, and the permitted specifications.

Signature: John R Wooton Date: 7-24-2020

**Street or Sidewalk Use/Obstruction Permit (HBC 12.16)**

1. **Street Closed?:**  Yes  No    **Sidewalk Blocked?:**  Yes  No  
 [If either question is "Yes", attach a detour diagram and plot plan]

2. **Parking Lane Closed?:**  Yes  No [If "Yes", number of spaces eliminated: \_\_\_\_\_]

3. **Types of Vehicles/Equipment Parking:** \_\_\_\_\_

4. **Dates Needed:** From 7-24-2020 To 8-15-2022 **Times of Day:** From 12:00am To 11:59pm

**Utility and/or Excavation Permit (HBC 12.08)**

1. **Estimated Cost of Work in the Public Right-Of-Way:** \$ 3,000 X 50 %

2. **Type of Street Surface to be Cut:**  Asphalt  Concrete  Gravel  Dirt

3. **Scope Of Work** (check all that apply):  Above Ground  Underground  
 Sanitary Sewer  Water Line  Grading  Asphalt Roads  Storm Drain  
 Communications  Electrical  Other MOVEABLE BARRIERS

4. **Electrical, Communications, or Pipe Carriers must also complete Attachment A or B.**

**Driveway Permit (HBC 12.10)**

1. **Work:**  New Driveway  Driveway Repair

2. **Material:**  Asphalt  Concrete  Dirt  Gravel

3. **Total Dimensions:** \_\_\_\_\_ Length \_\_\_\_\_ Width \_\_\_\_\_ Culvert Size \_\_\_\_\_ Invert Elevation  
 If partially on private property, please indicate the borough ROW portion: \_\_\_\_\_ Length \_\_\_\_\_ Width

**OFFICE USE BELOW THIS LINE**

Application Received By: *Tubby Jacobson* Date: 7/27/20

Permit Fee: <u>Street/Sidewalk Use or Obstruction</u>	<u>Utility or Excavation</u>	<u>Driveway</u>
<input type="checkbox"/> Minor - \$0	<input type="checkbox"/> Unpaved Road Surface - \$100	<input type="checkbox"/> Repair - \$50
<input checked="" type="checkbox"/> Major - \$50	<input type="checkbox"/> Paved Road Surface - \$400	<input type="checkbox"/> New Construction - \$100

Payment Received: \$ \_\_\_\_\_ Receipt Number: \_\_\_\_\_ Check Number: \_\_\_\_\_

Inspection Fee, if applicable: \$ \_\_\_\_\_ Receipt Number: \_\_\_\_\_

Permit Expires On: \_\_\_\_\_ Final Inspection, in applicable: \_\_\_\_\_

ADDITIONAL CONDITIONS OF APPROVAL: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

07/24/2020

To the Haines Borough Planning Commission,

Chilkoot Indian Association is requesting that a road barrier be placed on Chilkoot St. between the Chilkoot Subdivision and Major Road; please see the attached map and barrier picture. As an immediate and temporary measure we are applying under the Haines Borough Right-Of-Way permit, but will be filing for a right to vacate permit for a permanent solution in the near future. This is due to the extensive and prolonged process for the vacation of right-of-ways.

The main reason for this is that the subdivision has tried relentlessly to control speeding in the subdivision thru the use of signs, speed bumps and word of mouth, but drivers continue to drive over the 15 mph speed limit, sprinting between speed bumps. There are children at play in the subdivision, playing ball, learning how to ride bikes, and elders at rest in this community. The barrier is for their safety and well-being.

This barrier could be moved by our heavy equipment quite easily and in a timely fashion in the case access thru the area were needed. The barrier would be placed in accordance with Federal Highways "Manual on Uniform Traffic Control Devices". Please accept our request for limiting the access to the Chilkoot Subdivision to keep our children and residents safe and at peace.

Thank You for your time & consideration,

*Chilkoot Indian Association*

The screenshot shows a web browser window with the title "Haines Borough Parcel Viewer". The address bar contains the URL: <https://hnsak.maps.arcgis.com/apps/webappviewer/index.html?id=7d6fb8af8e9c4d7490192fb6403114a1>. The browser's taskbar shows several open applications: "Getting Started", "GPS/GIS", "Chilkoot Lake Rd Corri...", "PROJECTS", "Solar", "Surveying", "Trimble", "Travel", "Equipment", "Weather", "GanttProject: free des...", and "AWESOME HACK!! BE...".

The application interface features a blue header with the text "Haines Borough Parcel Viewer with Web AppBuilder for ArcGIS". Below the header is a search bar labeled "TAX ID or LAST NAME" with a magnifying glass icon. To the left of the search bar are navigation icons: a home icon, a refresh icon, a print icon, and a share icon. The main map area displays an aerial view with red parcel boundaries. A label "Barrier Placement" is overlaid on the map with an orange marker. A scale bar in the bottom left indicates "400ft" and shows coordinates "-135.448 59.229 Degrees". The bottom right of the map area includes the text "Fed GIS, GeoEye, Maxar" and the "esri" logo with "POWERED BY" above it. The text "All rights reserved" is centered at the bottom of the map area.

The Windows taskbar at the bottom shows the Start button, a search bar with the text "Type here to search", and several open application icons: "Haines Borough Par...", "Haines Borough Par...", and "Barrier request at S...". The system tray on the right shows the time "9:35 AM" and the date "7/21/2020", along with notification icons.



Oh, and to clarify, the barrier they are proposing is actually on Chilkoot Street.

**Libby Jacobson**

Planning and Zoning Tech

Haines Borough

907-766-6400

[www.hainesalaska.gov](http://www.hainesalaska.gov)

[ljacobson@haines.ak.us](mailto:ljacobson@haines.ak.us)

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**From:** Will Hickman <[whickman@haines.ak.us](mailto:whickman@haines.ak.us)>

**Sent:** Thursday, July 30, 2020 9:19 AM

**To:** Libby Jacobson <[ljacobson@haines.ak.us](mailto:ljacobson@haines.ak.us)>

**Subject:** RE: Right of Way Permit Application for Chilkoot Subdivision Barrier

Libby,

I would need some more information, but it looks like they are planning to place a jersey barrier along Major Road to block off access from the subdivision. I don't see any reason the city would allow this to happen, as you mentioned the roads in the subdivision are a borough asset, maintained the same as any other paved road under the borough responsibility. The speed bumps they placed were according to a ROW permit, but as you may have experienced they are far too aggressive for a 15mph area and belong in a parking lot setting. I will touch base with the police department and see if they can observe if traffic speeds in the area.

Let me know if you need anything else, I do not approve of their proposal.

Will Hickman,

Public Works Superintendent

Haines, Alaska

907-314-3168

**From:** Libby Jacobson

**Sent:** Thursday, July 30, 2020 8:58 AM

**To:** Will Hickman <[whickman@haines.ak.us](mailto:whickman@haines.ak.us)>

**Cc:** Edward Coffland <[ecoffland@haines.ak.us](mailto:ecoffland@haines.ak.us)>

**Subject:** FW: Right of Way Permit Application for Chilkoot Subdivision Barrier

Hello Will,

Do you have any comments on this ROW permit application? Snow removal conditions, etc? Comments from Public Facilities are important in this matter.

Thanks!

**Libby Jacobson**

Planning and Zoning Tech

Haines Borough

907-766-6400

[www.hainesalaska.gov](http://www.hainesalaska.gov)

[ljacobson@haines.ak.us](mailto:ljacobson@haines.ak.us)