



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

July 30, 2020

From: Libby Jacobson, Planning and Zoning Technician

To: Haines Borough Planning Commission

**Re: Dusty Trails Conditional Use Permit #20-21 Reconstruction of Building E / C-MIS-0P-0100/ Lots 1-4, Block P & Lots 8-13, Block O, Mission Subdivision / Commercial Zone**

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### **Summary**

Dusty Trails Conditional Use Permit was approved on March 16, 2020. It was approved with the following condition:

1. A hazmat plan must be submitted and approved by the planning commission before demolition begins.

Letters and Test results were submitted by email to the Planning and Zoning Tech on July 16<sup>th</sup> 2020. The results are dated at March 26<sup>th</sup> 2018. Correspondence dated August 5<sup>th</sup>, 2020 states that the testing was an amendment to the original environmental report and not all this information was obtained by the applicant when they applied in March. The tests taken were for homogeneous materials (drywall and floor tile in the apartments) with the results being negative, non-detected amounts of asbestos fibers or lead in any of the samples.

### **Staff Recommendation**

Haines Borough Staff recommend that the Planning Commission review the results and consider whether the condition is satisfied for the hazmat plan required prior to the demolition of the buildings.



# HAINES BOROUGH, ALASKA

P.O. BOX 1209

HAINES, AK 99827

(907) 766-6400 FAX (907) 766-2716

BPS Architects  
3330 C Street #200  
Anchorage AK 99503

March 16, 2020

Re: Conditional Use Permit #20-2 reconstruction of Building E / C-MIS-0P-0100/ Lots 1-4, Block P & Lots 8-13, Block 0, Mission Subdivision / Commercial Zone

Dear Mr. Spangler,

Thank you for participating at the March 12, 2020 Planning Commission meeting. During the discussion, the commission determined that your proposal to demolish and reconstruct Building E with the Dusty Trails Apartment Complex on the above listed property meets the pertinent criteria set forth in Haines Borough Code (HBC) 18.50.

## **18.20.020 Definitions – Regulatory.**

*“Dwelling, multiple or multi-unit” means a structure built for residential occupancy and designed and constructed with two or more distinctly separate and independent dwelling units.*

Your conditional use proposal in the Commercial Zone has been **approved with the following condition:**

- 1. A hazmat plan must be submitted and approved by the planning commission before demolition begins.**

This permit was issued to construct a multiple unit dwelling in the commercial zone. Per the requirements of Haines Borough Code 18.30.010 (I), this permit is consistent with the comprehensive plan, its uses are harmonious with other activities allowed in the zone, and the development will not disrupt the character of the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Savannah Maily".

Savannah Maily  
Planning and Zoning Tech  
907-766-6400  
[sjmaidy@haines.ak.us](mailto:sjmaidy@haines.ak.us)

# a/e west consultants inc.

May 4, 2018

Dusty Trails Associates of Haines, LLC  
c/o Mr. Scott Niblack  
Chief Operating Officer  
Cordes & Associates, LLC  
7213 South Perth Way  
Aurora, CO 80016

Re: Addendum Letter  
Dusty Trails Apartments  
270 South 2<sup>nd</sup> Avenue  
Haines, AK 99827  
Comm. No. 2018-02-0010

Dear Mr. Niblack:

In accordance with our previously-accepted proposal, dated March 26, 2018, A/E West Consultants Inc. conducted a walk-through observation of the above-referenced property on April 11, 2018, and subsequently prepared a Phase I Environmental Site Assessment, dated April 17, 2018. At the request of the Client, a limited testing program for suspect asbestos-containing materials and lead-based paint was conducted at the subject property on April 20, 2018. Samples were collected from homogeneous materials, including paint finish, drywall, joint compound, construction mastics, and floor tile, individually sealed in plastic bags, and labeled; chain-of-custody forms were completed; and the samples were shipped to EMC Labs, Inc., Phoenix, Arizona, for laboratory analysis. Based on laboratory results, dated May 3, 2018, all of the materials tested negative, with no asbestos fibers or lead, detected in any of the samples. A copy of the laboratory test results is attached to this Addendum Letter.

We appreciate this opportunity to provide professional consulting services to you. If you have any questions, please contact our regional office located in Phoenix, Arizona.

Very truly yours,

A/E WEST CONSULTANTS INC.

  
Eugene L. Hunt, Principal  
Licensed Architect

ELH:cmcw

Enclosure

# EMC LABS, INC.

9830 S. 51st Street, Suite B109, Phoenix, AZ 85044  
 Phone: 800-362-3373 or 480-940-5294 - Fax: (480) 893-1726

Laboratory Report  
**0201489**

## Bulk Asbestos Analysis by Polarized Light Microscopy

NVLAP#101926-0

Client:	A/E WEST CONSULTANTS	Job# / P.O. #:	2018-02-0010	2018-02-0010
Address:	4455 E. CAMELBACK RD, STE E180	Date Received:	05/02/2018	
	PHOENIX AZ 85018	Date Analyzed:	05/03/2018	
Collected:	04/20/2018	Date Reported:	05/03/2018	
Project Name:	DUSTY TRAILS APTARTMENTS	EPA Method:	EPA 600/R-93/116	
Address:		Submitted By:	EUGENE L. HUNT	
		Collected By:		

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
0201489-001 ACM #1		LAYER 1 Drywall, White/ Brown	No	None Detected	Cellulose Fiber 10% Fibrous Glass 3% Gypsum Carbonates Mica 87%
		LAYER 2 Joint Compound, White	No	None Detected	Cellulose Fiber <1% Carbonates Perlite Mica Quartz 99%
		LAYER 3 Tape, White	No	None Detected	Cellulose Fiber 98% Carbonates 2%
		LAYER 4 Texture, White	No	None Detected	Carbonates Perlite Mica Quartz Binder/Filler 100%
0201489-002 ACM #2	BOILER RM	LAYER 1 Tile, Tan/ Brown	No	None Detected	Cellulose Fiber 17% Fibrous Glass 3% Gypsum Carbonates Quartz Binder/Filler 80%
		LAYER 2 Mastic, Yellow	No	None Detected	Cellulose Fiber <1% Carbonates Quartz Binder/Filler 99%

# EMC LABS, INC.

9830 S. 51st Street, Suite B109, Phoenix, AZ 85044  
Phone: 800-362-3373 or 480-940-5294 - Fax: (480) 893-1726

Laboratory Report  
**0201489**

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Project Name:	DUSTY TRAILS APTARTMENTS	EPA Method:	EPA 600/R-93/116	
Address:		Submitted By:	EUGENE L. HUNT	
		Collected By:		

Lab ID Client ID	Sample Location	Layer Name / Sample Description	Asbestos Detected	Asbestos Type (%)	Non-Asbestos Constituents
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Analyst - Kenneth Scheske



Signatory - Lab Director - Kurt Kettler

Distinctly stratified, easily separable layers of samples are analyzed as subsamples of the whole and are reported separately for each discernible layer. All analyses are derived from calibrated visual estimate and measured in area percent unless otherwise noted. The report applies to the standards or procedures identified and to the sample(s) tested. The test results are not necessarily indicative or representative of the qualities of the lot from which the sample was taken or of apparently identical or similar products, nor do they represent an ongoing quality assurance program unless so noted. These reports are for the exclusive use of the addressed client and that they will not be reproduced wholly or in part for advertising or other purposes over our signature or in connection with our name without special written permission. The report shall not be reproduced except in full, without written approval by our laboratory. The samples not destroyed in testing are retained a maximum of thirty days. The laboratory measurement of uncertainty for the test method is approximately less than 1 by area percent. Accredited by the National Institute of Standards and Technology, Voluntary Laboratory Accreditation Program for selected test method for asbestos. The accreditation or any reports generated by this laboratory in no way constitutes or implies product certification, approval, or endorsement by the National Institute of Standards and Technology. The report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the Federal Government. Polarized Light Microscopy may not be consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials.



9830 South 51<sup>st</sup> Street, Suite B-109 / PHOENIX, ARIZONA 85044 / 480-940-5294 or 800-362-3373 / FAX 480-893-1726  
 emclab@emclabs.com

**LEAD (Pb) IN PAINT CHIP SAMPLES**  
 EMC SOP METHOD #L01/1 EPA SW-846 METHOD 7420

<b>EMC LAB #:</b> L69223		<b>DATE RECEIVED:</b> 05/02/18			
<b>CLIENT:</b> A/E West Consultants		<b>REPORT DATE:</b> 05/03/18			
<b>CLIENT ADDRESS:</b> 4455 E. Camelback Rd, Ste #180 Phoenix, AZ 85018		<b>DATE OF ANALYSIS:</b> 05/03/18			
<b>PROJECT NAME:</b> Dusty Trails Apts		<b>P.O. NO.:</b> 2018-02-0010			
<b>PROJECT NO.:</b> 2018-02-0010					
EMC # L69223-	SAMPLE DATE /18	CLIENT SAMPLE #	DESCRIPTION	REPORTING LIMIT (%Pb by weight)	%Pb BY WEIGHT
1	04/20	APC-LB#1	Bedroom	0.010	BRL

^ = Dilution Factor Changed \* = Excessive Substrate May Bias Sample Results BRL = Below Reportable Limits # = Very Small Amount Of Sample Submitted, May Affect Result

This report applies to the standards or procedures identified and to the samples tested only. The test results are not necessarily indicative or representative of the qualities of the lot from which the sample was taken or of apparently identical or similar products, nor do they represent an ongoing quality assurance program unless so noted. Unless otherwise noted, all quality control analyses for the samples noted above were within acceptable limits.

Where it is noted that a sample with excessive substrate was submitted for laboratory analysis, such analysis may be biased. The lead content of such sample may, in actuality, be greater than reported. EMC makes no warranty, express or implied, as to the accuracy of the analysis of samples noted to have been submitted with excessive substrate. Resampling is recommended in such situations to verify original laboratory results.

These reports are for the exclusive use of the addressed client and are rendered upon the condition that they will not be reproduced wholly or in part for advertising or other purposes over our signature or in connection with our name without special written permission. Samples not destroyed in testing are retained a maximum of sixty (60) days.

**ANALYST:**   
 Jason Thompson

**QA COORDINATOR:**   
 Kurt Kettler

# a/e west consultants inc.

May 3, 2018

Mr. Scott Niblack  
Chief Operating Officer  
Cordes & Associates, LLC  
7213 South Perth Way  
Aurora, CO 80016

Re: Addendum No. 1  
Phase I Environmental Site Assessment  
Dusty Trails Apartments  
270 South 2<sup>nd</sup> Avenue  
Haines, AK 99827  
Comm. No. 2018-02-0010

Dear Mr. Niblack:

Please find attached the laboratory test results as an addendum to our original Phase I Environmental Site Assessment Report dated March 26, 2018, with regard to ACM (asbestos containing building materials) and lead based paint for the above referenced apartment complex.

The test were taken for homogeneous materials (drywall and floor tile in the apartments).

The test are negative, with non-detected.

We appreciate this opportunity to provide professional consulting services to you. If you have any questions, please contact our regional office located in Phoenix, Arizona.

Very truly yours,

A/E WEST CONSULTANTS INC.



Eugene L. Hunt, Principal  
Licensed Architect

ELH:cmcw

Enclosures, Test Results

**From:** Eric Spangler <erics@bdsak.com>  
**Sent:** Wednesday, August 5, 2020 1:24 PM  
**To:** Libby Jacobson <ljacobson@haines.ak.us>; Kyle Scalis <KyleS@criteriongeneral.com>  
**Subject:** RE: Dusty Trail - Haines Apartments Demo Info

**EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.**

Hi Libby,

The original environmental report we had did not have the testing. The testing was an amendment to the original environmental report which we recently received. We did not have all of this information when we applied in March.

Let me know if you need any additional information.

Thanks,

Eric Spangler

**BDS ARCHITECTS**

Cell: 907-360-5065

BDS is working from home on all projects during normal business hours. I am available via email or you are welcome to call my cell phone at 907 360 5065

**From:** Libby Jacobson <ljacobson@haines.ak.us>  
**Sent:** Wednesday, August 5, 2020 12:00 PM  
**To:** Kyle Scalis <KyleS@criteriongeneral.com>  
**Cc:** Eric Spangler <erics@bdsak.com>  
**Subject:** RE: Dusty Trail - Haines Apartments Demo Info

Hello,

We are in the review process of our packet for the upcoming Planning Commission meeting on August 13<sup>th</sup>. Can you inform the PC why the tests dated in 2018 were not submitted with the original application and approval which took place in March 2020.

Thank you!

**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:** Kyle Scalis <[KyleS@criteriongeneral.com](mailto:KyleS@criteriongeneral.com)>  
**Sent:** Wednesday, July 15, 2020 1:18 PM  
**To:** Libby Jacobson <[ljacobson@haines.ak.us](mailto:ljacobson@haines.ak.us)>  
**Cc:** [erics@bdsak.com](mailto:erics@bdsak.com); Kyle Scalis <[KyleS@criteriongeneral.com](mailto:KyleS@criteriongeneral.com)>  
**Subject:** Dusty Trail - Haines Apartments Demo Info

**EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.**

Libby,

Please see the attached approval letter with condition for full approval. I am also attaching test results that were performed at the Dusty trail site that show that no Hazardous materials were detected.

Please let me know if this will satisfy the requirement for a Haz mat plan as no hazmat materials are present at the Dusty Trail Site.

Please let me know if you have any questions or require any additional information.

Thanks,

Kyle Scalis  
Criterion General, Inc.

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