



Haines Borough  
Planning Commission  
Regular Meeting Agenda

COMMISSIONERS:

ROB GOLDBERG, CHAIR  
LEE HEINMILLER, VICE-CHAIR  
LARRY GEISE  
DON TURNER III  
BRENDA JOSEPHSON  
ROB MILLER  
JEREMY STEPHENS

Thursday, February 9, 2017 - 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: December 8, 2016
5. PUBLIC COMMENTS [Items not scheduled for public hearing]
6. CHAIRMAN'S REPORT
7. STAFF REPORT
  - A. Planning & Zoning Report
8. PUBLIC HEARINGS:
  - A. Height Restrictions – Possible Code Amendment – This item was requested by the Planning Commission during the December 8<sup>th</sup> meeting. Current height limits are generally set at 30 feet, but the amendment would increase limitations for some zones and give residents an option to apply for a conditional use permit to increase a building's height beyond the limitation.  
**Possible Motion:** Recommend the Assembly adopt the draft ordinance.
  - B. Conditional Use Permit – Highland Estates, Inc. - Resource Extraction near Skyline Subdivision (# C-SEC-26-0100). Highland Estates has a land use permit for site preparation on this 65 acre parcel, which permits clearing of land and providing access for survey work and future development. Highland Estates requests that a CUP be issued to allow removal of aggregate material from the site – approximately 7,500 cubic yards over a two-year period – for staging at a permitted 4<sup>th</sup> Avenue gravel site and for sale or personal use on waterfront properties. Routes, schedules, and mitigation plans are attached to the application.  
**Possible Motion:** Approve the permit with conditions.
9. UNFINISHED BUSINESS: None.
10. NEW BUSINESS:
  - A. Historic District/Building Review: None
  - B. Haines Borough Code Amendments: None
  - C. Project Updates:
    1. February 1<sup>st</sup> Lutak Dock Joint PC and PHAC Workshop Outcomes
  - D. Other New Business:
    1. Election of Officers. HBC 18.70.030 (A) directs the commission to annually elect a chair who has the ability to vote on any question and is considered as part of a constituted quorum and other such officers as it deems necessary or desirable in the discharge of its powers and duties.  
**Possible Motion:** We elect (Name) as (Position) for the 2017 Planning Commission.
11. COMMISSION COMMENTS
12. CORRESPONDENCE: None
13. SCHEDULE MEETING DATE
  - A. Regular Meeting – Thursday, March 9<sup>th</sup>, 2017 at 6:30 p.m.
  - B. Workshops
    1. Coastal Management Plan Revision Workshop – ?
    2. Comprehensive Plan Revision Workshop – Thursday, April 13<sup>th</sup>, 2017 at 5:30 p.m.
14. ADJOURNMENT



Haines Borough  
Planning Commission Meeting  
December 8, 2016  
**MINUTES**

**Draft**

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:31 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**; Vice Chairman Lee **Heinmiller**; Commissioners Brenda **Josephson**, Larry **Geise**, and Don **Turner III**.

**Staff Present:** Jan **Hill**, Mayor; Margaret **Friedenhauer**, Assembly; Brad **Ryan**, Facilities Director, Krista **Kielsmeier**, Assistant Manager; and **Holly Smith**, Borough Planner.

**Also Present:** Jeremy **Stephens**; .

3. **APPROVAL OF AGENDA**

**Motion:** **Turner** moved to approve the agenda, **Geise** seconded it; The motion carried unanimously.

4. **APPROVAL OF MINUTES** – November 10, 2016 Minutes.

**Motion:** **Josephson** moved to approve the November 10, 2016 minutes as amended and **Geise** seconded; the motion carried unanimously.

5. **CHAIRMAN'S REPORT**

Rob **Goldberg** remarked that the Supreme Court had recently upheld the Big Salmon appeal. Additionally, regarding the ongoing borough projects such as the Lutak Dock and the Wastewater Treatment Plant, **Goldberg** noted that the Planning Commission's job is to identify future and current needs of a project as determined by the Comprehensive Plan. Although the Commission is named as the "sole planning body" in the Borough Charter, it is not the Commission's job to design projects.

6. **STAFF REPORT**

- A. **Planning & Zoning Staff Report**

Holly **Smith** reported no permits issued for the November 5 – December 5 time period.

7. **PUBLIC HEARINGS:** None

8. **UNFINISHED BUSINESS**

- A. **Height Restrictions – Discussion Item** – This item was requested by the Planning Commission during the October 10<sup>th</sup>, 2016 meeting during which height restrictions were suggested to be increased from 30 feet to 35 feet to create a policy similar to other Southeast Alaskan height restrictions. **Heinmiller** indicated that the intent of the current code was to accommodate the historic concept of false-front buildings. **Josephson** noted that Sitka has a grade plane diagram in code and that Haines residents cannot apply for a variance to increase height limit. **Goldberg** stated that height restrictions code has produced conflict for the borough, but many residents have worked to conform, noting John and Lynn **Nowak's** correspondence. **Smith** suggested that height restrictions could be based on the slope of the surrounding land (height zones), but said

it would take time to create as Haines does not have digital elevation data. Commissioners amended the proposed height amendment to be based on zone:

<b>ZONE</b>	<b>HEIGHT LIMIT (in feet)</b>	<b>Special Conditions</b>
I/H	50	<b>May exceed 50 feet limitation only by provisions of a conditional use permit granted by the planning commission.</b>
I/L/C	50	
I/W	50	
C	30	<b>May exceed 30 feet limitation only by provisions of a conditional use permit granted by the planning commission.</b>
W	30	
SSA	35	<b>May be up to 50 feet under CUP and if historic building</b>
SR	30	<b>May exceed 30 feet under CUP</b>
MR	40	<b>May exceed 40 feet under CUP</b>
RR	35	<b>May exceed 35 feet under CUP</b>
RMU	35	
MU	35	
REC	35	
GU	N/A	
MBRR	N/A	
LRR	35	<b>May exceed 35 feet under CUP</b>

**Motion:** **Josephson** moved to adopt the height restrictions as amended and have a second reading with a public hearing. **Geise** seconded and the motion carried unanimously.

## 9. NEW BUSINESS

### A. Other New Business

- Chilkoot Lake Corridor Gate – Discussion Item** – Via teleconference, Haines Park Ranger Travis Russel answered questions regarding a barrier placed on a road leading into Chilkoot Lake State Park. The Commission expressed concern about lack of public notice before barrier construction, restricting access to private land, historic preservation during construction and prior to approval, and funding for the barrier. **Russel** explained that the barrier was a safety precaution and that the park would only be closed during emergencies. The Commission requested more information from State Parks, including SHPO documentation, justification for the barrier decision. **Josephson** requested a public records request from the state to see all communication between agencies regarding the barrier. Planner Holly **Smith** would work with State to gather requested information.
- Road Priorities** – Facilities Director, Brad **Ryan** presented the Commission with a Road Priorities Planning memo. The Commission directed **Ryan** to resubmit

the road priorities list, showing street type, surface condition, and snow removal priorities. **Ryan** noted that little CIP funding exists for road maintenance.

**3. Adopt 2017 Planning Commission Meeting Agenda Preparation Calendar.**

**Motion:** **Turner** moved to adopt the 2017 Planning Commission Meeting Agenda Preparation Calendar and **Geise** seconded; the motion passed unanimously.

**9. CORRESPONDENCE**

John and Lynn **Nowak** wrote to the commission on October 21, 2016 requesting no change to height restrictions in residential zones. If changed, new limits have the potential to impair viewsheds and “an overall feel of residential cohesiveness.” The Nowak’s reference other correspondence sent to the Commission during a September 10, 2015 meeting regarding Mr. Sickman and Mr. Nelson.

**10. COMMISSION COMMENTS:** None.

**11. SET MEETING DATES**

A. Regular Meeting — **Thursday, January 12, 2017 6:30 p.m.**

B. Workshops

1. **Comprehensive Plan Review** — **Smith** asked for time to review public comments before scheduling the next workshop. TBA
2. **Coastal Management Plan Review** — **Goldberg** suggested having the review at 5:30 pm before the next PC meeting on January 12, 2017. **Josephson** requested an update on workshop 1 progress prior to next workshop.

**12. ADJOURNMENT**– 7:48 p.m.

# Staff Report for February 9, 2017

## 1. Permits Issued Since December 5, 2016

PERMIT	DATE	OWNER/AGENT	TAX ID	SUBDIVISION	DEVELOPMENT	ZONE	Permit Type
16-74	12/6/16	Bob Jensen	3-STV-01-00D2	Billy Goat	Lot Line Adjustment	GU	Lot line adj
17-01	1/9/17	Greg Palmieri	3-CLR-26-0220	Woods Subdivision	Platting Action	GU	platting action
17-02	1/10/17	Robert Harris	3-HHY-33-0800	Harris Sub	Platting Action	GU	platting action
17-03	1/10/17	Shane Horton	C-785-00-0500 & 0700	Eagles nest	Platting Action	ILC	platting action
17-04	1/20/17	Haines Borough WWTP Addition	Haines Borough		12 x 12 Boiler Room Addition	ILC	Land Use
17-05	1/24/17	Tony Malone / Michelle La Brosse	C-GNG-00-02A2	Puckett	Site Prep / Timber Removal	RR	Land Use
17-06	1/25/17	Roger Schabel	C-SEC-26-0100	Skyline	Site Clearing / Resource Extraction	RMU	CUP

## 2. Planner's Projects

PRIORITY	PROJECT	SCOPE / TIMELINE	DESCRIPTION
<b>IN PROGRESS</b>			
1	GIS Needs Assessment	1 week	For CIP Request: GIS data and software needs, including water/sewer inf, 911 E Addressing, Parcel Topology, LiDAR
2	ROW Vacation Application	1 week	Although in code, the Lands Dept has not outlined a process/application for ROW vacations. Ryan Johnson & Sue Braaten
3	Enforcement Procedures - Fee	2 weeks	Dave Button. Create a system with Finance Dept to apply fees.
4	TWC Storm drain System Grant	1 week	Working with TWC for Alaska Clean Water Grant – Storm Drain System
5	Comprehensive Plan Update	3 weeks	Finish interviews, create draft for PC review/workshop
6	FEMA Floodplain Revisions	?	Current floodplain data is from 1983. Work with Federal agencies to update map.
<b>COMPLETED</b>			
	Braaten Property Ownership		FAA ROW is owned by Borough. Plan created to correct excess ROW
	Phase 1 Portage Cove Trails & Park		Community outreach, grant research, creating interactive classroom for grades 3-6
	Land Selection SB 273		Followed up on missing lands from EXI and Lynn Sister's uplands. Expect 3,178 transferred from State to Borough in Summer 2017
<b>WISH LIST</b>			
	Land Use Inventory		An assessment of buildable lands, parks and recreation, ownership, % usage, Density
	Housing Policy		Accessory Dwelling Units / Affordability / Workforce Housing /
	Public Transportation		Taxis, shuttles, ride sharing – biggest needs are ferry – town route and transport for Under Influence
	Downtown Revitalization		Where are we? Follow up with HEDC
	Participatory Budgeting		Survey tools that allow admin to shape spending narratives and engage public comment / awareness
	Public Information Campaign Plan		

HAINES BOROUGH, ALASKA  
 ORDINANCE No. 17-xx-xxx

**Draft**

**An Ordinance of the Haines Borough amending Haines Borough Code Title 18.80 Density and Dimensional Requirements to increase height restriction limits according to zone. The amendment also includes the provision of conditional use permitting when exceeding allowable height limits.**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Title 18.80: Density and Density and Dimensional Requirements of the Haines Borough Code is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED  
**STRIKETHROUGH** ITEMS ARE DELETED

**18.80.030: Setbacks and height.**

Setbacks and Height Restrictions by Zone								
Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
I/H	<del>30</del> <u>50</u>	0	50	0	0	N/A	N/A	N/A
I/L/C	<del>30</del> <u>50</u>	0	50	0	0	20	10	10
I/W	<del>30</del> <u>50</u>	0	50	0	0	20	10	10
C	30 <u>*</u>	0	50	0	0	20	10	10
W	30 <u>*</u>	0	50	0	0	20	10	10

Setbacks and Height Restrictions by Zone								
Zoning District	Height Limit (in feet)	Industrial Setbacks (in feet) ***		Commercial Setbacks (in feet)		Residential Setbacks (in feet)		
		From Street Lot Lines	From Residential Lots	From Street or Alley Lot Lines	From Other Lot Lines	From Street Lot Lines	From Alley Lot Lines	From Other Lot Lines
SSA	<del>30</del> <u>35*</u> **	N/A	N/A	10	5	20	10	10
SR	<u>30*</u>	N/A	N/A	N/A	N/A	20	10	10
MR	<del>30</del> <u>40*</u>	N/A	N/A	0	0	20	10	10
RR	<del>30</del> <u>35*</u>	N/A	N/A	0	0	20	10	10
RMU	<del>30</del> <u>35*</u>	0	50	0	0	20	10	10
MU	<del>30</del> <u>35*</u>	0	50	0	0	20	10	10
REC	<del>30</del> <u>35*</u>	N/A	N/A	N/A	N/A	20	10	10
GU	N/A	20	10	20	10	20	10	10
MBRR*****	N/A	N/A	N/A	N/A	N/A	25	25	25
LUTAK RR*****	<u>35*</u>	N/A	N/A	N/A	N/A	10	10	10

\* May exceed ~~30 feet~~ **height limit** only by provisions of a conditional use permit granted by the planning commission.

\*\* May be up to 40 feet under the provisions of a conditional use permit granted by the planning commission, but only if for a replica building replacing a building of that height that has been destroyed, and if all special provisions of the historic district and all other provisions of this title are met.

\*\*\* As long as all requirements of the state fire code or other applicable regulations are met.

\*\*\*\* The Chilkat State Park Road right-of-way is exempt from the setback requirements.

\*\*\*\*\* Exception: Properties located along the Lutak Spur road (from the Chilkoot River bridge to the end of the road) where there will be no minimum setback along the road front right-of-way. Setbacks will apply for all other property lines along the Lutak Spur road.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Janice Hill, Mayor

\_\_\_\_\_  
Julie Cozzi, MMC, Borough Clerk

Date Introduced:                    \_/\_/\_  
Date of First Public Hearing:     \_/\_/\_  
Date of Second Public Hearing:   \_/\_/\_





## HAINES VOLUNTEER FIRE DEPARTMENT

Box 849  
Haines, AK 99827

Phone (907) 766-2115 Fax (907) 766-3373 hvfd@mac.com

January 19, 2017

To the Members of the Haines Borough Planning Commission:

I am writing in concern of the proposed changes to the height restrictions in Haines Borough Code 18.30.030. After reviewing the draft amendment, I believe that the increase to building heights could place undue hardships on the Haines Volunteer Fire Department (HVFD) and, more importantly, would put Haines residents at greater risk of fire hazards. Therefore, I urge the Commission to vote no on the amendment.

Reasons for concern are as follows:

1. HVFD Ladders are only 24 feet in length. At this time, the maximum building height that we can safely accommodate is 30 feet.
2. HVFD does not have an aerial apparatus crew or a ladder truck. Each would require thousands of dollars in annual certification and training.
3. Insurance Services Office (ISO) rating would likely increase since the HVFD would be less capable of putting out fires on tall buildings. The Borough would need to compensate the increased insurance fees.
4. Changes to building height would likely trigger other requirements for residents to comply with fire safety.

With these reasons in mind, the HVFD does not support any changes to building height codes at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Brian Clay", is written over a horizontal line.

Chief Brian Clay  
Haines Volunteer Fire Department  
Box 849  
Haines, AK 99827  
(907) 766-2115  
hvfd@mac.com

**From:** [Tyler, David L \(DPS\)](#)  
**To:** [Brenda Josephson](#)  
**Cc:** [Holly Smith](#); [bclay@hbsd.net](mailto:bclay@hbsd.net); [Nakano, Lloyd M \(DPS\)](#); [Parks, Diana C \(DPS\)](#)  
**Subject:** Haines Borough Building Height Restrictions  
**Date:** Wednesday, January 25, 2017 6:54:15 AM

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Ms. Josephson,

Thank you for your letter seeking our opinion on the ordinance before your Borough Assembly. My take on this will mirror Chief Clay's pretty closely. There are a number of reasons which I will detail below.

First allow me to give you some of my background. I have over 30 years of experience in the fire service, most of which was considered "Road Side Rural", with combination volunteer/career departments. I have over 20 years of experience as a Fire Chief, and 6 years as the State Fire Marshal.

The Haines Volunteer Fire Department is a well-organized and functioning fire department, but, as is with any fire department there will be inherent limitations. Currently HVFD is able to meet the response demands of the community with the staffing and equipment available. However, once you start increasing the allowable size of structures within the response area there will need for operational adjustments along with additional equipment and staffing. As the buildings get larger and taller the fire load increases. Here is a bullet list of operational issues that HVFD would face.

- Currently HVFD relies on volunteers to respond. Larger structures require more firefighters to safely accomplish the tasks at hand.
- Mutual Aid available to HVFD is minimal at best.
- Equipment needs could change.
  - As Chief Clay mentioned HVFD only has ladders up to 24 feet. New ladders would have to be purchased, and then a means to deliver them to the emergency must be developed. I do not know if 35 foot ladders could be safely carried on your current apparatus.
  - For un-hydranted areas new water supplies would have to be developed for the increased fire loads. This could mean buried tanks or additional water tenders.
  - As you increase the number of responders you will need to increase the amount of response gear accordingly, i.e. turnouts, SCBA, etc.
  - Depending on the size and construction of these buildings more pumping capacity may be needed.
  - As equipment needs grow so does the need for storage. How long will the current fire stations be adequate?

Also, as the Chief mentioned, it is possible that your ISO rating could eventually be affected negatively. This could result in higher insurance premiums for property owners.

There are other potential options that could be weighed. The borough could require NFPA compliant sprinkler systems in these buildings. Properly maintain these systems become a part of the fire departments response. If properly designed, installed and maintained these systems could mitigate a lot of the concern for the fire department. Depending on the structure there is potentially a significant additional cost for these systems that would fall on the building owners.

These are just some quick thoughts on my part. If you have specific questions I would be happy to answer them in writing, or by phone. Let me know how we can assist you.

Best Regards,

**David L. Tyler**  
**Department of Public Safety / Division of Fire and Life Safety**  
**Division Director / State Fire Marshal**  
**(907) 269-5491**



Haines Borough Planning Commission  
Rob Goldberg – Chair  
Commission Members

October 21, 2016

Subject: Discussion of building height code revision

Dear Mr. Goldberg and Planning Commission Members:

It is our understanding that the Planning Commission is having discussions regarding a possible change to the building height code of 30' to a higher measurement.

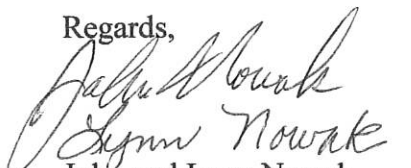
While we are not against change, it is our fervent belief that residential limits should be strictly maintained at the current 30' limit. It would be an injustice to existing homeowners who have adhered to this code only to have a new standard in force. Heights above 30' would create the very real potential to blot out a view or natural light they once had or could have had. It not only encompasses views but also an overall "feel of residential cohesiveness to now have an overheight structure in its midst.

At what point would any new standard be deemed obsolete and then seek to be raised even higher in the future? The current 30' height is appropriate for residential construction and should remain so. Homes can be built quite nicely within this limitation.

Please refer to the attached document regarding code issues last year in our neighborhood.

Thank you for considering the concern of us and many residents.

Regards,



John and Lynn Nowak  
Property owners below 30'

Haines Borough Planning Commission  
September 10, 2015 Meeting

Subject: Appeal on Skyline Estates Lot 1, Block C by John Sickman concerning 30' height limit

Dear Planning Commission Members:

The Borough's determination of Mr. Sickman's home project exceeding the Code of a 30' height should be upheld.



Mr. Sickman should be applauded for having architectural plans for his proposed home. Now would be the time to adjust those plans to meet Code and not to "tweek" Code as the building has not yet been started.

It would be prudent to recall the fiasco of 2013 and 2014 of another Skyline Estates building project, namely Paul Nelson's, that brought great concernation to both neighbors and the Borough. While we by no means are comparing the two projects, the issue of non-height compliancy remains.

We're sure that that Mr. Sickman and his home will be a valued addition to the neighborhood, but please remember that any exceedence of the 30' height limit by Code will not visually nor physically disappear once built.

Thank you for our concerns regarding this matter, and we truly hope that Mr. Sickman does not feel this a personal attack as we welcome him to Skyline Estates.

Regards,

  
  
Lynn and John Nowak  
Skyline Estates home owners



# HAINES BOROUGH, ALASKA

P.O. BOX 1209

HAINES, AK 99827

(907) 766-2231 \* FAX (907) 766-2716

3 February 2017

To: Planning Commission  
From: Brad Ryan, Interim Manager  
Re: **Conditional Use Permit (#17-06); Tax ID # C-SEC-26-0100; Roger J. Schnabel**

## SUMMARY

This memorandum serves as my recommendation under Haines Borough Code (HBC) 18.50.040 (A) for the above referenced permit (see attached application). Staff has evaluated the application against the criteria listed in borough code. With the exception of seven (7) items, it is my opinion that the development adheres to the pertinent criteria. In addition to the specifications already outlined by the applicant in the application and development plan, my recommendation is that a permit be issued if it meets the conditions as follows:

1. *Permitted Volume.* The permit is granted for extraction of not more than 7,500 cubic yards of aggregate material.
2. *Routes.* The development plan submitted by the applicant did not include final destinations of commercial sale. Currently, the final destination of one route is on Second Avenue. The applicant must submit a map which clearly delineates the proposed routes for transport before a permit is issued. Any modifications to the route must be submitted to staff in a timely manner and must receive approval from the Planning Commission prior to deviation.
3. *Roads.* Due to the likelihood of off-site impacts to Young Road from heavy load transport, the developer or owner is required to (1) repair roads as needed to their current condition as of the date the permit was issued; and (2) post a bond guaranteeing satisfactory completion of the required road repairs. To alleviate developer concerns over financial responsibility of normal wear and tear of roadways, the borough will submit a predevelopment inspection document with photos of current road conditions along the route(s).
4. *Drainage and vegetation.* Removal of vegetation and topsoil will change the runoff patterns of the hillside and increase probability of erosion or other mass wasting (creep, slump, flow, fall, or landslides) during large rainfall events. Runoff is a portion of precipitation that is not intercepted by vegetation, absorbed by land surface, or evaporated, and thus flows overland into a depression, stream, lake, or ocean (also takes place in the upper layers of soil). The developer has agreed to install controls to maintain water quality and flood control as needed. The developer will also use Best Management Practices (BMPs) outlined in their Operations Plan. In addition, the developer must submit a drainage plan with respect to storm water being discharged into the adjoining single family residential neighborhood. The drainage plan will include specific details about mitigation efforts before, during, and after the life cycle of the permit. The plan must be approved by borough staff before a permit is issued.
5. *Mitigation.* The applicant shall control dust, noise, and vibrations to the maximum feasible extent.
6. *Development schedule.* Blasting will occur between the hours of 10:00 am and 3:00 pm, Monday-Friday. Hauling will occur between the hours of 8:00 am and 5:00 pm, Monday-Saturday. Operations will not occur during (1) Federal, State, and Borough holidays; (2) Special Event days as determined by the tourism office; and (3) Cruise Ship days.
7. Unless otherwise provided by the Planning Commission, this permit will expire on March 1<sup>st</sup>, 2020.

Per HBC 18.50.040 (B), the Planning Commission may alter these proposed conditions or impose its own. This recommendation was written prior to public comment reception, so the Commission is encouraged to reconsider the conditions after the public hearing. Conditions may include, but are not limited to:

- Construction guarantees.
- Viewshed protection.
- Development schedules.
- Use restrictions.
- Public dedications.
- Other mitigation requirements that would reduce noise, dust, traffic volume, or risk of property damage.

## BACKGROUND

As described in the application, the owner currently holds a land use permit for site preparation at this location, which includes clearing, grubbing, and blasting to provide access for survey work and future development, and expires in October 2017. The applicant has had two land use permits for the use since 2013. The proposed conditional use permit would extend the allowances of their land use permit and include a provision for the removal of excess aggregate for commercial sale, personal use, or storage. This type of use is defined as a *resource extraction* when applied to code (HBC 18.20) and can be most easily characterized as a temporary *industrial, heavy* activity:

*“Industrial, heavy” means a use that has potential for significant negative impact on adjoining uses. This category includes uses that incorporate buildings that are large, tall, or unsightly; uses that generate offensive odors, noise, dust, smoke, fumes, vibration or glare; uses that involve large amounts of exterior storage; and uses that, because of their scale or characteristics, create nuisances or hazards such as heavy truck or other vehicle traffic, or other intense activity.*

*“Resource extraction” means a use involving clearing or grading of land or the removal, for commercial purposes, of native vegetation, topsoil, fill, sand, gravel, rock, petroleum, natural gas, coal, metal ore, or any other mineral, and other operations having similar characteristics.*

Considering the scale of development, it is debatable whether the applicant is already granted permission to remove excess material from his site under the provisions of his current land use permit. The code does not specify this type of activity under the definition for *development*. However, it is generally common for other properties to remove excess material after clearing without Borough approval. The requirement for a conditional use permit is triggered when the landowner uses the excess material for commercial sale.

The location of the site is zoned as *rural mixed use* where resource extraction is allowed under the provisions of a conditional use permit (HBC 18.70.030 and 18.70.040, respectively). The developer estimates 7,500 cubic yards of aggregate will be removed in a phased approach, which will occur over a three-year period. The proposed operational hours for hauling are 8:00 am to 5:00 pm, Monday-Saturday. During an October 2016 conference meeting, the owner clarified that there are only two areas of interest for clearing on his 65 acre parcel, though the size of the area is unknown. The applicant has noted that “clearing is required in order to get a better lay of the land which will allow an opportunity for planning for subdivision and development”.

There are two routes proposed for hauling, depending on the source of excess material – both begin at the top of Young Road. One destination would presumably end at Front Street, though the applicant has specified it would end on Second Avenue. The second destination would be the owner’s 4<sup>th</sup> Avenue permitted gravel pit. With the exception of Young Road and 4<sup>th</sup> Avenue, the roads are designated by the Borough and State as a truck route.

Deliberation for this recommendation stems from the rights of a landowner to develop his/her land while maintaining public health, safety, and quality of life for the public. Due to the scope of proposed development, economic viability and welfare should be considered for all landowners in the vicinity.

## REVIEW

Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. Before a conditional use permit is approved, the commission must find that each of the following is met. I have provided my thoughts on each one.

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

*The 65acre site, zoned Rural Mixed Use, is directly adjacent to and uphill from a residential neighborhood, zoned as Single Family Residential. The proposed areas of interest for extraction are*

located on the west side of the property, at least 1,000 feet from the nearest neighbor. Extensions to the existing logging roads will be created for access to the areas of interest. Potentials exist for noise, nuisances, or other dangers with drainage issues from removal of topsoil and vegetation and the truck volume on neighborhood roads (9 trucks per hour during peak hauling times). Safety measures should be implemented to reduce safety concerns to the surrounding neighborhoods.

The applicant has noted that the direct transport of aggregate material from the site to another commercial site will reduce nuisances and dangers from traffic. Moving the material to his gravel pit on 4<sup>th</sup> Avenue then moving it again for commercial sale or personal use would increase traffic volume. The application also states that dust will be controlled with water and will be applied as needed. Vegetation will be maintained around operations and used as buffers to reduce sight and noise impact.

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

It is unclear whether the values of the adjoining properties will be impaired by the use. In the short term, construction from the use will cause some disruption to the neighborhood. Proposed mitigation efforts by the developer will likely reduce disruption, but changes to drainage patterns and road surfaces will need to be monitored throughout development. In the long-term, the value of the properties will depend on the type of use following survey work. The applicant has suggested that development may result in a plan for subdivision into residential housing sites, which would likely increase the fair market value of adjoining properties.

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

No public services exist at the site location, but water/sewer infrastructure and Borough roads exist along the proposed routes.

Although the location of the proposed use is limited to an area absent of borough infrastructure, the transport of material (9 truck loads per hour during peak hauling times) are considered “off site impacts” to borough roads, specifically for Young Road, which is not a designed truck route. The Borough recommends that the applicant be responsible for any damage to road infrastructure beyond normal wear and tear.

There is a low probability that water/sewer infrastructure will be impacted by the proposed truck loads and traffic volume.

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

In general, the proposed development is consistent with the comprehensive plan, but may temporarily disrupt the surrounding land uses of the residential neighborhood during peak hauling times. Various goals, actions, and objectives can be applied to the use, both in support and opposition of the proposal.

<b>Support Goals</b>	<b>Opposition Goals</b>
Goal 10. Support responsible development of renewable and non-renewable resources within Haines Borough, including reuse of sand and gravel, unless reuse would cause more environmental damage than non-use from the area.	Goal 1. Sustain the quality of life that Haines residents rate as excellent, based on the outdoors and natural beauty, small town atmosphere. Recognize that quality of life keeps residents living in Haines and draws business and residents to the area.
Goal 3k. Increase number of family households with children under 18 over the next decade by 10%.	Goal 3. D. Expand tourism and outdoor recreation economy.
5b. Site commercial and light industrial development in logical locations to promote economic opportunity, satisfy current and future needs – prevent sprawl.	Goal 4. Provide safe, reliable transportation networks, aggressively maintain roads.
10a.1. Location of sand, gravel and rock extraction sites shall be permitted in the following order of	Goal 4D. Accomplish geotechnical investigations and surficial ground water flow improvements to address



*priority: (1) Existing; (2) Reused from abandoned development areas (unless reuse would cause more environmental damage than non-use from that area, (3) new upland sites already approved; (4) streams that do not provide fish habitat.*

*Lutak Slope ground movement.*

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

*There are public safety concerns associated with the activities within the requested conditional use permit. There will be increased heavy truck traffic that could potentially increase noise and dust. If the activities are properly controlled and the CUP has an expiration date to ensure that the activity does not become a chronic resource extraction site that would reduce the impacts to public safety, health, or welfare.*

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

*The location is not part of the Sawmill Creek Watershed or the Mt. Ripinsky Hazardous Slopes Management Area as identified in the Haines Coastal Management Plan. The area does not contain anadromous fish streams and the runoff or groundwater is not a source of drinking water. However, erosion and ground or surface water contamination are a concern and potential runoff should be controlled. Sediment control measures should remain in place until vegetation or other sediment control measures are in place to prevent longer term runoff. A drainage plan was not submitted with the application, but the applicant has agreed to use Best Management Practices (BMPs) as provided in the operations plan.*

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

*The applicant has identified the location of the blasting, but not the final destination from Second Avenue. Staff has no reason to believe that the applicant will not comply with conditions; The use is limited in scope and time frame the CUP should clearly outline the time and conditions of the permit.*

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

*No public comments were received prior to this review. Per requirements of HBC 18.30.020, all property owners within an area of 200 feet from the applicant's property and owners immediately adjacent to the proposed route were notified in writing of the application, the date of the hearing, and the use on January 30<sup>th</sup> (see attachment 2). If we receive additional comments prior to the February 9<sup>th</sup> planning commission meeting, we will include them in your packet.*

Sincerely,

Brad A. Ryan  
Haines Borough Interim Manager

Attachments:

1. Highland Estates Conditional Use Permit Application (#17-06).
  - Application Form
  - Attachment A: Preliminary Clearing Plan
  - Attachment B: Development Plan
2. January 30<sup>th</sup> letter to 63 Residents within 200 ft. of site and immediate frontage of the routes.



**Haines Borough**

Planning and Zoning

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

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

**APPLICATION FOR CONDITIONAL USE PERMIT**

Permit#: 17-06

Date: 1/19/17

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

<b>I. Property Owner/Agent</b>		<b>Owner's Contractor(If Any)</b>	
Name: Roger J. Schnabel		Name: Southeast Road Builders, Inc.	
Mailing Address: HC 60 Box 4800, Haines, AK 99827		Haines Borough Business License #: 140.1	
Contact Phone: Day Night (907) 766-2833/(907) 766-2578		Alaska Business License #: 228340	
Fax: (907) 766-2832		Contractor's License #: 23987	
E-mail: roger@seroad.com		Mailing Address: HC 60 Box 4800, Haines, AK 99827	
		Contact Phone: Day Night (907) 766-2833	
		Fax: (907) 766-2832	
		E-mail: roger@seroad.com	
<b>II. Property Information</b>			
Size of Property: 65.24 Acres			
Property Tax #: C-SEC-26-0100			
Street Address: North of Oslund Drive			
Legal Description: Lot (s) _____ Block _____ Subdivision _____			
<b>OR</b>			
Parcel/Tract <u>TL2601</u> Section <u>26</u> Township <u>30S</u> Range <u>59E</u>			
[Attach additional page if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area			
<input checked="" 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			
<b>III. Description of Work</b>			
<b>Type of Application</b> (Check all that apply)	<b>Project Description</b> (Check all that apply)	<b>Water Supply</b> Existing or Proposed	<b>Sewage Disposal</b> Existing or Proposed
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Single Family Dwelling	<input checked="" type="checkbox"/> None	<input checked="" type="checkbox"/> None
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Community well	<input type="checkbox"/> Septic Tank
_____sq. ft.	<input type="checkbox"/> Multi-Family Dwelling	<input type="checkbox"/> Private well	<input type="checkbox"/> Holding Tank
_____seating	Total # of Units _____	<input type="checkbox"/> Borough Water System	<input type="checkbox"/> Borough Sewer System
capacity if eating/drinking establishment	<input type="checkbox"/> Cabin	<input type="checkbox"/> Other _____	<input type="checkbox"/> Pit Privy
<input type="checkbox"/> Industrial	<input type="checkbox"/> Addition		<input type="checkbox"/> Other _____
<input type="checkbox"/> Church	<input type="checkbox"/> Accessory Structure		
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other <u>Site Clearing</u>		
	Aggregate Material		

Valuation of Work: Not Applicable
Current use of adjacent properties: Vacant land is located to the west and north of the 65 acre site that is currently being developed. A single residential neighborhood is located to the east of the development.
Attach the following documents to the permit application: <input checked="" type="checkbox"/> Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required) Pre-application Conference Date: 10/21/2016

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

**APPLICATION**

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

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.  
Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.  
The site is currently permitted for clearing, grubbing, and blasting to provide access for planning, survey work and engineering. As access work progresses excess aggregate will be created that will have to be cleared from the site. As currently permitted the material will be moved to a nearby Material Storage site located near 4th Avenue on C-208-TL-0400 for use as a recycled material and then moved again when sold commercially. Granting a source permit under this CUP will allow the excess material to be moved directly from the development for use on a commercial site allowing a reduction in noise, nuisances, and dangers caused by multiple handling of the same material. See attached Operation and Development Plan.
2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.  
The trend towards land use in the area is residential in nature. The site is currently being cleared to allow an opportunity to visualize and develop a plan for subdivision into residential housing sites. The activity that is occurring on this property does not detract from residential development on the adjacent properties. It is the intention of the developer to protect and enhance neighborhood desirability. Vegetation will be maintained to protect the view shed of neighboring properties.
3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.  
No public services are required for this activity.

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

The Comprehensive Plan supports responsible handling of inert materials. The comprehensive Plan specifically states a goal, objective, and strategy supportive of reuse of recycled materials.

See Attachment B:

"Goal 10. Support responsible development of renewable and non-renewable resources within Haines Borough."

"1.b. Reuse of sand and gravel from abandoned development areas, unless reuse would cause more environmental damage than non-use from the area."

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

All material removed from the site will be inert materials. The developer is an experienced, licensed, and insured professional in civil and heavy work. Experience in this area indicates a cut bank remains stable at 1/2:1 and all clearing, grubbing, and blasting will be performed in a manner that provides an opportunity for a desirable future residential development while minimizing impact to the current residents in the nearby neighborhood. All drivers hauling material off the site will be CDL certified and trucks will be in compliance with all safety devices in working condition. Granting this permit provides a safer mechanism/route for removal of material.

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

Run-off from the mountain moves as ground water. We have not experienced water penetrating out of the cut banks, therefore do not see water quality as a concern at this point. Storm water prevention controls will be installed to maintain water quality and allow for settlement and flood control as needed.

See the attached Operation and Development Plan for additional information.

#### IV. FEE

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

#### NOTICE

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

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

V. CERTIFICATION

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

*R. H. H. H.*  
 Owner or Agent

01/20/2017  
 Date 1/25/17

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

Office Use Only Below This Line

<input checked="" type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>1/25/17</u> <u>Person</u> <u>THS</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Permit Fee \$ <u>150.00</u> Receipt No. <u>026032</u> Received By: <u>T. O. Jensen</u> Date: <u>1/25/17</u>		Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit			
Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
This application meets all applicable Borough policies and a permit is issued, conditional on the <b>substantial completion of construction within two years</b> and the following special requirements:					
Planning Commission Chair:			Date:		

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

**ATTACHMENT A**

**SITE PLAN REQUIREMENTS**

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

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

# ATTACHMENT A PRELIMINARY CLEARING PLAN





**ATTACHMENT A  
AERIAL PHOTO**





**Highland's Estates, Inc.**  
**C-SEC-26-0100**  
**Skyline Subdivision**  
**Operation and Development Plan**

In the 1960's Chester Howard began access and development with a road towards the Northwest of Parcel TL2601 Section 26 as show on the Aerial Photo Attachment A. Chester abandoned his plan due to health reasons and lack of an overall plan for the parcel. Highland's Estates, Inc. is considering expanding on the work that Chester began by opening up the preliminary access road including additional areas in order to get a better lay of the land for subdivision and development.

Development of the land is currently occurring under Land Use Permit #15-82. Work authorized under this permit for clearing, grubbing, and blasting will result in excess material that will need to be removed from the property. Highland's Estates, Inc. also maintains a Conditional Use Permit #15-07 on parcel located near 4<sup>th</sup> Avenue on C-208-TL-040 which allows for storage of material as a recycled material. Without approval of the current CUP application the excess material will be moved to the permitted storage until it is used in other developments or commercial sold. At this time Highland's Estates, Inc. is applying for a Conditional Use Permit to allow material to be moved directly from the development for use on a commercial site. Granting this permit will allow for a reduction in impact to the nearby residents by reducing noise, nuisances, and dangers caused by multiple handling of the same material.

The Preliminary Clearing Plan Attachment A is attached. Clearing, grubbing, and blasting is necessary to open up the preliminary access road and additional area. The clearing is required in order to get a better lay of the land which will allow an opportunity for planning for subdivision and development.

The site is 65.24 acres and with the exception of the preliminary access road the site is undeveloped and heavily forested with areas of high elevations. The property is zoned Rural Mixed Use. Ditching is in place for hydrology control. There are no active run-off issues. The gravel appears porous and run-off from the mountain moves as groundwater. We have not experienced water penetrating out of the cut banks, therefore do not see water quality as a concern at this point. Storm water prevention controls will be installed to maintain water quality and allow for settlement and flood control as needed.

Suitable topsoil will be stockpiled on site for reuse on the property. All material removed from the site will be inert materials. The developer is an experienced, licensed, and insured professional in civil and heavy work. Experience in this area indicates a cut bank remains stable at ½:1 and all clearing, grubbing, and blasting will be performed in a manner that

provides an opportunity for a desirable future residential development while minimizing impact to the current residents in the nearby neighborhood. All drivers hauling material off the site will be CDL certified and trucks will be in compliance with all safety devices in working condition. Clearing work will be limited to the property lines. Vegetation will be maintained to protect the view shed of neighboring properties.

Operational hours for hauling activities will be 8:00 AM to 5:00 PM, Monday through Saturday.

Traffic patterns of hauling activities will be through two routes depending on the source of the excess material. Young Road to Second Avenue will be one route and the second route will be Young Road to Fourth Avenue.

No fencing and/or screening is anticipated. The property is private with no public access. The area is shielded with timber and brush.

Dust and noise will be minimized. Dust will be controlled with water and will be applied as needed. Watering equipment is readily available from Southeast Roadbuilders. Vegetation will be maintained around operations to reduce both visual and noise impacts. Noise and further impacts will be reduced by hauling excess material directly to other jobs sites preventing the trucking to the Fourth Avenue Material Storage site for staging before being trucked to other project sites.

Storm water prevention controls will be used to maintain water quality and allow for settlement and flood control. Best management practices (BMP's) will be used as needed to minimize the amount of soil exposed during activity and control storm water discharges and flow rates. Examples of effective BMP's include the following:

- Preservation of existing vegetation to limit site disturbance and to minimize soil erosion by identifying and protecting pre-existing vegetation on the site. Natural vegetation will be preserved in areas where no activity is planned or will occur at a later date.
- Vegetative buffer strips will be used to act as a living sediment filter that intercepts and detains storm water runoff. The buffer strips reduce the flow and velocity of surface runoff, promotes infiltration, and reduces pollutant discharge by capturing and holding sediment and other pollutants in the runoff water. Buffer strips are particularly effective at the top and bottom of a slope.
- Fiber rolls are long rolls of natural material such as straw or compost wrapped in a netting. The rolls are staked along the contours of disturbed slopes to shorten the slope and help to slow, filter, and spread overland flows. They can be placed along the toe, top, face, and at grade-breaks on disturbed slopes to capture organic matter that might otherwise be washed downslope. They can be placed at the perimeter of a project and around temporary stockpiles. They can also be used as check dams in unlined ditches.
- Check dams are used to protect narrow erosion prone waterways and reduce sediment. They can be placed in a series in ditches, swales, gullies or other minor drainage ways intended to be filled or stabilized at a later time.

- Surface roughening and terracing includes establishing a rough soil surface by creating horizontal grooves, furrows depressions, steps or terraces running parallel to the slope contour over the entire face of a slope. These measures are intended to aid in the establishment of vegetative cover from seed, to reduce runoff velocity and increase infiltration and to reduce erosion and provide for sediment trapping.
- Vegetative seeding on disturbed areas promotes growth to stabilize the soil once the vegetation is established.

Phasing of operations are based on the clearing of the property. The hauling of the material off site will be for excess material encountered during clearing operations. A total of 7,500 cubic yards of excess material is estimated to be on the property. All activity will occur on private property, which is 65.24 acres. The goal of the clearing of the property is to get a better lay of the land to allow for planning of subdivision and development that is consistent with the Haines Borough Comprehensive Plan.



HAINES BOROUGH, ALASKA

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

January 30, 2017

Re: Highland Estates, Inc. – Conditional Use Permit  
Site Clearing & Transport and/or Sale of Aggregate Material  
C-SEC-26-0100

Dear Land Owner,

Haines Borough records show that you own property in the vicinity of the above-listed property or thoroughfare of the proposed activity (see enclosed map). Property owner, Highland Estates, Inc., has requested the Planning Commission to approve a conditional use permit for the extraction, transport, and storage or sale of approximately 7,500 cubic yards of aggregate and related material. Transport of this material will follow a route from Young Road to either Second Avenue or a permitted gravel pit on Fourth Avenue.

The public hearing is scheduled on the agenda of the next Planning Commission meeting, which is **February 9<sup>th</sup>, 2017 at 6:30 p.m. at Assembly Chambers**. As an owner of property in proximity to this development, you are being notified that you are invited to attend and comment at the meeting. If you have any questions on the matter please contact the borough.

Sincerely,

A handwritten signature in blue ink that reads "Holly Smith".

Holly Smith  
Borough Planner  
Lands Department  
[hsmith@haines.ak.us](mailto:hsmith@haines.ak.us)  
(907) 766-2231 Ext. 23

Enclosure



