

November 12, 2015

To: Haines Borough Planning Commission
From: David Sosa -Borough Manager
Re: Manager's Recommendation
Big Salmon Ventures LLC Conditional Use Permit for Heliport
Lot 10, Sundberg Subdivision II

On July 27, 2015, Big Salmon Ventures LLC submitted a Conditional Use Permit (CUP) application through its agent Scott Sundberg. The application was determined to be complete because it contains substantially all of the information required by HBC 18.40.130(A)(1)-(9): site description, proposed development, time frame for development, site plan drawn to scale, owner has signed with contact information, legible, fees paid, and applicant statement regarding compliance with conditions. Per HBC 18.50.030(D), I have completed a review of the permit application with staff.

Recommendation: I recommend a permit be granted. Big Salmon Ventures LLC has legitimate business reasons for seeking to develop the property as a heliport and many of the factors to be considered by the planning commission in deciding whether to approve the conditional use permit even for a trial period could be viewed differently from my conclusions. Last winter a test was conducted to assess noise levels and determine feasibility of operations. The results of that test were returned and demonstrate that while noise levels during operations are high, the overall impact is moderate. Several complaints were made during operations and all were instigated. None of the complaints were substantiated.

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.

Some residents of the housing development near to the proposed heliport have expressed concerns about noise. As listed above, noise levels were monitored during the test and, while high during operations, the overall impact was moderate. Additionally, there are other activities in the area that generate noise at levels equal to or higher than the levels produced by aircraft taking off and landing

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

This is necessarily subjective both in general terms and in specific terms. Real estate appraisal guidelines indicate the value of the adjoining property is not affected due to the proximity of a heliport. The value is based on sales in the area.

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

I believe this requirement is met.

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

The proposed use does not seem to be consistent with surrounding land uses because the proposed development is next door to residential properties. That said, the applicant does claim that situating a heliport in this location would reduce flight times and overall aircraft noise by reducing the time spent flying over borough and state lands to get to the skiing areas. Additionally, the applicant's proposed conditions including times and days of operation and voluntary shut down for special neighborhood events may enable this use to coexist with the residential neighborhood. This is something the trial period did demonstrate. Additional provisions that can be inserted into a permit can include **limiting the number of takeoffs and landings each day to 10 and requiring engines to be shut down if on the deck times will exceed two minutes.** The borough's comprehensive plan does encourage a heliski management plan that addresses safety, neighborhood quality, heliports, routes and areas of use, monitoring, quality experience, etc. (Objective 3D).

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

Test operations at the same facility over last winter did not produce any adverse public safety, health, or welfare concerns

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.

I believe this condition is not applicable to this application or if literally applicable has been met.

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.

Any permit could be immediately suspended or revoked should any of the conditions not be adhered to. These conditions include restrictions on operating hours, times of year the property would be used as a heliport and voluntary shut downs for special events and a commitment to a specific flight path with GPS verification. The applicant is to be commended for agreeing in advance to these conditions but the planning commission may decide they do not overcome the issues of concern brought by the neighborhood residents.

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

See attached comments from property owners.