



Haines Borough
Planning Commission Meeting
April 18, 2013
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Rob **Miller**, Lee **Heinmiller**, Don **Turner III**, Danny **Gonce**, and Robert **Venables**. **Absent:** Andy **Hedden**.

Staff Present: Xi “Tracy” **Cui**/Borough Planning & Zoning Technician III

Also Present: Joanne **Waterman**

3. **APPROVAL OF AGENDA**

Motion: **Turner** moved to “approve the agenda” It was seconded by **Gonce**. The motion carried unanimously.

4. **APPROVAL OF MINUTES** – March 14, 2013 Regular Meeting

Motion: **Venables** moved to “approve the March 14, 2013 Regular Meeting Minutes.” It was seconded by **Miller**. The motion carried unanimously.

5. **PUBLIC COMMENTS** – None

6. **CHAIRMAN’S REPORT** - None

7. **STAFF REPORTS**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS**

A. AP&T – 15’ Building Separation Conditional Use Proposal

Goldberg opened up the public hearing at 6:41 p.m.

Gonce recused himself, and stated that he can answer some general questions as needed on behalf of AP&T.

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

Miller asked if AP&T has obtained the approval from the state fire marshal.

Gonce answered the state fire marshal permit is in process.

Goldberg stated that the commission has seen several conditional use applications for the 15 feet building separation requirement that involved unoccupied structures. As it is now, the code would require a dog house and a garden shed to be separated by 15 feet. Since the 15 feet building separation is for public safety and fire-related concerns, the commission should consider amending the code that 15 feet building separation applies only if at least one of the buildings is for human occupancy.

Motion: **Miller** moved “to approve the AP&T building separation conditional use proposal with the stipulation that the state fire marshal approval be required prior to the

Borough issuing the approval.” It was seconded by **Turner**. The motion passed unanimously.

B. James & Shannon Green – Conditional Use Proposal

Goldberg opened up the public hearing at 6:48 p.m.

Venables asked **Green** if he has intention to subdivide and sell his property at some point in the future.

Green answered it is not his intention at this time.

Venables stated the property is in Commercial zone. He wondered what **Green** feels about the future disclosure that possible uses could allow the adjacent neighbors to perform commercial activities; it could be junk yards or power plant sites. He thinks it is very important to inform the future property owners to know about it.

Gonce asked **Green** what his long-term plan for the existing structure is.

Green answered the existing structure is a mobile home that will be torn down in the near future.

Miller asked if the commission approves a 2nd single family residence conditional use proposal, does it mean that the applicant is allowed to build another house on the same spot after the mobile home is torn down? Does the applicant need another conditional use permit?

Goldberg stated if the commission approves this conditional use permit, so the applicant is allowed to have two houses on the same lot.

Goldberg closed the public hearing at 7:52 p.m.

Motion: **Gonce** moved to “approve the James & Shannon Green 2nd Single Family Residence conditional use proposal.” It was seconded by **Miller**. The motion passed unanimously.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS

A. Historic District/Building Review

1. Joanne Waterman – Port Chilkoot Fire Hall Restoration

Waterman stated she is requesting for the Planning Commission to approve her restoration plan on the Port Chilkoot Fire Hall. The project will take a while; she will work with Terry Jacobson to jack up the building, pour stem wall for the entire building and replace the rotten portions around the bottom of the building. The estimated original height of the tower is about 60 feet, and the current height is 27 feet. She would like to raise the height. She said she doesn’t have any detailed drawings yet but she will come back to the Planning Commission with drawings/sketches either for a conditional use or a variance in the future.

Goldberg mentioned the Borough code allows the height to be up to 40 feet under the provisions of a conditional use permit granted by the Planning Commission.

Waterman mentioned she is very aware of her neighbors’ situation. She definitely does not want to block the view. She will pay close attention to materials used in the entire project so that the historic value is respected.

Goldberg asked **Waterman** about what the function of the Fire Hall will be in the future.

Waterman answered it is going to be a small, commercial retail store in the future, but she does not have any specific plans in mind right now. **Waterman** stated that the original fire hall does not have a chimney, but now it does. Her concern is the fire hazard that the chimney is, being very close to the tower, so her plan is to remove the chimney.

Motion: **Gonce** moved to “approve Joanne Waterman restoration plan on Port Chilkoot Fire Hall.” It was seconded by **Venables**. The motion passed unanimously.

More discussion ensued.

B. Haines Borough Code Amendments

1. Possible Changing Parking Regulations in HBC 18.80.040

Goldberg stated that **Studley** is in charge of the Veterans’ Village project. **Studley** showed him the preliminary plan, and told him the Borough parking regulations are too restrictive.

Turner mentioned that the Borough parking regulations require snow storage of 25 square feet for each parking space. Last year St. Lucy’s Haines Assisted Living almost lost off-street parking instantly because they did not have spaces to store the snow at all. Twenty-five square feet for snow storage is not very much. He does not think the Borough parking regulations are over restrictive.

Miller said he goes to H.A.L most Sunday nights. He has to park his car on the street, and he also has to move his car during the snow removal. He does not think H.A.L has enough parking spaces.

Gonce said he agrees that H.A.L does not have enough parking spaces.

Goldberg mentioned the Borough code does not allow adjacent on-street parking to count toward the parking requirement. He thinks the commission may consider allowing that.

Venables said **Studley** can request for the Planning Commission to approve a variance, but he does not feel that the commission should consider amending the code because of this case.

Waterman said there is a certain amount of contamination on 3rd Ave where the food center building was, and she believes it is still there. At one point the Borough talked with H.A.L because H.A.L owns the lot. The Borough was going to help them with extracting the contaminated soil, but it has not been done yet. **Waterman** stated she does have concerns about the parking spaces up there.

Goldberg concluded that the commission does not have intentions to change the parking regulations to benefit the Veteran’s Village project.

2. Temporary Residence Permit in HBC 18.60.020

Cui stated Ira **Henry** built a yurt without a land use permit. Due to the fact that unpermitted site work has taken place, he is being assessed a \$250 after-the fact fee, as required by Haines Borough Code. **Henry** had questions about the reason why a temporary yurt needs a land use permit, and there is no specific language in the Borough code requiring a permit for a yurt. Also, **Henry** is going to propose

a single family residence on the same lot. According to the Borough code 18.70.040, he is required to obtain a conditional use permit to keep his future house and the yurt. **Henry** would like to seek the Planning Commission's advice.

Goldberg said **Henry** can keep his yurt as a guest house (less than 800 square feet) while building his house. The Borough code requires a conditional use permit to keep a guest house in Rural Mixed Use zone.

Turner said part of the confusion is that temporary residences remaining over 30 days will require a temporary residence permit, per HBC 18.60.020, but the Borough does not have any application forms for that. **Turner** suggested that the Borough needs to create a new form for temporary residence permitting. Also, the Borough code allows a period of one year for a temporary residence permit, and one six-month extension of the temporary residence permit may be granted by the Planning Commission as long as the developer is complying with all requirements. However, the Borough code 18.20.020 defines "temporary use" means a building or structure that is capable of being immediately moved, or a use which is for a limited time up to six months. **Turner** suggested the commission clarify the definitions between "temporary residence" and "temporary use".

Waterman said she is concerned about the clarification between "temporary residence" and "temporary use". It is a frustrating situation to her because she gets people living in a trailer on her property every summer, and she has to apply for a temporary use permit every year and those people have to move out in six months.

Goldberg said the commission will have a discussion on the clarification of "temporary residence" and "temporary use" at the next regular Planning Commission meeting.

C. Project Updates – None

D. Other New Business – None

11. **COMMISSION COMMENTS** - None

12. **COMMUNICATION** - None

13. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, May 9th, 2013.

14. **ADJOURNMENT**– 8:01 p.m.