



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Planning Commission

Tuesday, April 18, 2017

4:30 PM

Assembly Chambers

1. Call To Order/Roll Call

Present: 6 - Chris Fry, Dave Kensinger, Richard Burke, Otis Marsh, Tor Benson and Carli Byrer

Excused: 1 - Yancey Nilsen

2. Approval of the previous meetings minutes

None

3. Amendment and approval of agenda

Commissioner Burke suggests that item 9 (b), Request from Chris Ford be addressed before item 9 (a), Consideration for variances from Richard Burke.

The motion to amend the agenda passed unanimously.

4. Public Hearing

The motion to approve opening all the public hearings passed unanimously.

- a) Public hearing on construction of a pedestrian trail between Haugen Drive (adjacent to Fir Hall) and Severson's Subdivision (Odin Street).

Ronn Buschmann spoke on his own behalf in support of the trail. Buschmann stated that he would give an easement across his property for this trail. Buschmann stated that he discovered that the property values are now being rated according to their walk-ability and that values go up with closer location of trails and paths. Commissioner Byrer asked if the easement was going to come off of Buschmann's driveway. Buschmann responded that it is not and that it comes right up to the end of Noseeum Street.

Rick Braun spoke on his own behalf in support of the trail stating that he got a petition signed from property owners in his neighborhood to see how many of his neighbors are in favor of this. Braun stated that he got support from all his neighbors. Braun stated that he felt the trail would be a great addition to the community and to his neighborhood and he would use this trail regularly due to physical issues that make it painful to walk on streets or sidewalks, stating that uneven ground or through the woods, it's no problem and it's great exercise. Braun feels that folks on both ends of the trail will love to use it. Braun stated that he felt that this would be beneficial for the tourists as well as being an easy walk.

Sandy Dixon spoke as the EMS and Volunteer Fire Department Director. Dixon wanted to voice her concerns about the trailhead being at the Fire Station. Dixon state that they already run into issues with parking for volunteers when there is an emergency and she's aware that it's very attractive because the parking lot is empty most of the time, or only one or two vehicles there; however, in an emergency, the volunteers need a place to park and they can't really park on the highway when they need to get there quickly. Even when there are training sessions with the public, they are taking up all of the spaces, so that's her concern as well as the increased traffic around the building.

Susan Harai, the Transportation Director of Petersburg Indian Association (PIA), explained that PIA is beginning the process of this particular trail all over again and that they would really like to have Borough support on this, but even with the Borough support, this is not a done deal. It still needs to be accepted through the Board of Indian Affairs DOT. Originally, the original route was all on Borough property and BIA was okay with that, but this revised version crosses airport property, so there is a tribal liaison that works with the State of Alaska and will be pursuing, with Borough support, an easement of right-of-way that is long-standing. This is not finished, even with Borough approval, but that PIA would continue to work with their liaison to get this put through. Commissioner Fry expressed concern about property on Queen Street and how the trail would go along side that property. Is that one thing that could be addressed before construction? Also, Fry asked about pedestrian's crossing Haugen and if there would be a cross-walk installed, due to potentially high foot traffic. Harai stated that PIA has design plans for a sidewalk that goes down 12th and up Howkan to Hammer & Wikan to Haugen already as it's dangerous for the kids living up in the Airport Subdivision trying to get to and from the school bus. Fry also addressed the parking issue at the Fire Hall stating that perhaps PIA would be interested in tying that into the parking up at the airport. Harai stated that PIA can also design and construct a parking lot in cooperation with the Fire Hall on Borough property. Harai state that the first thing that needs to happen is to see if the State will work with PIA on this. It's still up to the State. Commissioner Kensinger asked if they had been in contact with the State in regards

to using the right-of-way. Harai stated they had received a letter from the State stating they were willing to lease the property. So there is communication on-going with the State.

Joe Bertagnoli spoke on his own behalf as well as for some of his neighbors. Bertagnoli addressed the issue of parking by recommending that their be parking on the other end of the trail. Kensinger stated that people wouldn't need parking since the trail is for access; however it was stated that people drive to other trails to hike them and not necessarily use them for access. Bertagnoli read into the record a letter from Alice and Thomas Cumps opposed to the Queen Street portion of the trail due to it being in their backyard and that there is already issues with trash and dog poop. Cumps' expressed concerns about not only foot but automobile traffic. Questions were raised regarding specifics of the maintenance and construction of the trail. Bertagnoli also read questions from Molly Taiber, regarding construction materials, elevation difference in ravine(s), who will maintain and could funds be used to maintain our current existing parks.

Harai stated that the Tribal Transportation Program is funded through the Federal Highway bills. So they have money for maintenance of trails, roads; anything that has to do with the harbors, anything that has to do with transportation. The grant funds cannot be used to maintain playgrounds. Right now, PIA has an maintenance agreement to put a lift on the Hungry Pt. trail using 6" of gravel throughout the whole gravel trail, right now and that will probably be done next fall, as the crew is working on finishing up the boardwalk and they have about 150' to go. The highway bill program has been in existence since the 1970's with Alaska coming into the picture in the 1990's, and in the 2000's the tribe began acquiring lands and partnerships to start the grant - so it's got longevity. They have to fund American reservations and they do it through the highway bill. Landless natives have the same rights as natives that live on reservations and so that's why they've added the Borough's roads and Forest Services roads and trails to their inventory so that they can have a partnership with these organizations to keep these things open. So it's really just a working relationship between what the Borough wants and what PIA can do and then it's a win-win. As far as maintenance of the trails, as long as you work together, they'll be maintained because they have money and they need to employ their tribal members to do something with the money which is either maintenance or construction that is transportation related. So we've had maintenance agreements through Public Works since at least 2009 and with the Forest Service since 2000 so it's already been years and the program didn't start until 2005 and it took some time to get the long range transportation plan going; it took a while to get the road inventory and the trail inventory; and last year we added the harbors so that's where we're at. Regarding the materials, the design hasn't really been looked at yet, we've just recon'd it to make sure that we could do it. It depends on if you want it handicapped accessible, it just depends on what the Borough wants, but most likely, it will be a combination of gravel and boardwalk and bridges over any steep parts or creeks. All the designs always go through public review and they have to be signed by BIA and they also go through the process, so it's a 30 day notice, it's advertised and we go through the public hearing and whatever comments the public has, we try to incorporate it, so it takes a long time to do these things.

Rick Braun spoke again about parking. Roads on both ends of the proposed trail, starting with the Severson Subdivision end, those roads are designed to be 28' wide with parking on both sides. Braun walks on a lot of the walkways now and drive to those sites and stated that at the most there will be two, maybe three cars there. Braun feels there would not need to be a big

parking lot and those roads at the trail heads are wide enough to accommodate a car of two along side as these are not high traffic areas and shouldn't be a huge inconvenience to the neighbors, he doesn't believe; except for at the Fire Hall and probably should have a small parking lot there.

- b) Continuation of public hearing for an application from Jerry and Stacey Dahl, Jay and Cherise Lister, and Olivia Olsen for a rezone of 10 lots located at 708, 710, 712, 804, and 806 S. Nordic Dr. (PID #:01-010-052, -053, -054, -055, -056, -057, -058, -059, -060, and -061) from Industrial to Commercial-1.

Marj Oines spoke on her own behalf and asked what the difference between "Industrial" and "Commercial". Commissioner Fry explained that Industrial allows you to do more things on the property than you can on Commercial; there are a fewer restrictions, though as when it comes to Residential lot. Director Cabrera explained that Industrial is designed for manufacturing and high intensity uses and Commercial is more about retail and services and professional services. Cabrera stated that she thinks the issue here is about residential, so in a commercial district, you're allowed to develop residential including hotels, lodges and rooming houses and things like that, where under industrial, particularly in that area, could be limited. Currently it's allowed as a conditional use permit, but it's not a "by right" use- you can't just go ahead and do it without getting a permit.

- c) Public hearing for an application from Richard Burke for variances from the front yard and side yard setback requirements and the maximum lot coverage requirement for the purposes of constructing a wood shed and two-story addition with covered porch in a single-family residential district at 300 North Third Street (PID#:01-007-262).

Marj Oines spoke on her own behalf stating that she and Richard are neighbors and he is a good neighbor to her and she hopes she has been as a good neighbor to him. Oines stated that she just has some concerns - Oines reported that she has lived in her house for fifty years plus, and it's just a small house built in the 1940's and that the house just across the street was built in the 1970's and looks like it's a three story building, a residential house but the pilings go up from the ground up about four feet, at least and then there's two stories above that. And so when that went in, it was like oh, things are getting bigger, and so now Richard's got the one house and it seems like it's the same - She feels like she's moving to New York, a little bit with everything getting higher and higher, but she thinks everything is up to code, it's just that it's strange to have these taller buildings all around, and she likes the open spaces that she has had. So her concern is, after seeing Burke's design of his deck being too close to the street, but since he's changed it, she thinks that will be okay. But now she's got concerns of the second story of the new building and could it be lower, instead of two stories. She stated she likes the design, but now all of the sudden, all these big buildings are going up right by her little one and his garage - she was hoping he could lower it. She didn't know how high it was going to be but that Mr. Burke had told her it was eight feet. Oines was wondering if it could be no higher seven feet, or something like that. She stated that when you walk up the street it would be more open and that with the garage there and with that big hedge that goes up Cronlund's street, but that's been there for as long as I've been there, which is fifty plus years, so that's like part of the countryside. So if the woodshed could be lower, that would help.

Commissioner Benson asked about the revised drawings and asked for explanation on what those revisions were, exactly. Richard Burke stated that he noticed that he'd left out some dimensions and he also had to shrink the..at this point, Director Cabrera addressed the Chair requesting that Mr. Burke address the Commission as any other applicant would be required to do. Mr. Burke apologized and then identified himself, stating that he was speaking on his own behalf, stating that the extra set of sheets he had handed out - after seeing the letter from Doug Cronlund - he shrank the woodshed, since Mr. Cronlund had requested that the woodshed be eight feet or less so he shortened it, but he also noticed that he had not really given any rectangular dimensions of the structure and feels that that is really important to show what he's really trying to do. Also, Burke had not indicated anywhere the square footages of everything and that's what's in that table on the top. Benson asked that in the original plans, the dimensions were 8' x 14' but now it's going to be 8' x 9'? Burke responded that it's going to be 8' x 14.5'; shortening it by six inches off the house side because he was concerned the meter guy might have trouble fitting through a 2.5' wide gap and thought that 3' would be a little bit better. He also moved it a foot away from the property line so the snow doesn't drop on to the neighbors lot. And his drawings didn't indicate it, but he plans to construct a ditch along the side and the back of it to catch any of the water. Benson asked that the "City" recommended a 5' setback but Burke is thinking of a 3' setback? Burke responded that the "City" was talking about a setback off the road and that he had measured the Cronlund's hedge and it's 3' off the road and that he'd actually like to line-up that wall with the hedge so that it's just one plane and that it further shrinks the building a little bit. Burke also intends to scalp some of the rock off the driveway to lower the

building and lower off the driveway to help with that and the Cronlund's hedge makes it very dangerous to back-up his driveway, so that's why he's proposing putting this building here and that he's going to hang a mirror from the corner so that he can see up the road, stating that at least once a week he almost gets hit as he backs out of his driveway because he can't see up the hill and so that portion of the driveway is basically useless to him as far as parking. So he is going to shift the driveway culvert down to be more in line with the section of the driveway that he's actually using. Benson asked about the use of the woodshed building asking if it is multi-use or just a woodshed. Burke responded that there is a stall in there for parking his ATV as he doesn't want the ATV, when plowing the snow in the winter, dripping snow in the garage and would rather it drip it on the driveway but still be sheltered so he doesn't have to brush the snow off the seat. Benson asked what height is the woodshed and Burke answered that he was proposing no more than 8' and that's just the wooden part of the structure but that he's lowering it in the ground making it effectively shorter. Commissioner Fry asked if he is using the foundation for the new house from the house he's tearing down and Burke answered in the affirmative stating that he is going to use it but hide the steel eye beams that were used.

Oines readdressed the Commission asking if it was possible to not have the woodshed and the wood on the north side (of the red <indicating the drawing>). Burke responded that he's got it where it is so that the wood catches the west-facing sun because it dries out the firewood so much faster than if it was hidden where it only catches the morning sun which isn't very warm. The wood dries a lot slower that way. Oines responded that Burke has the whole length of his house where he already has wood, and seeing wood is not a problem. Benson stated that Public Works is recommending a 5' setback from Excel Street, not knowing how firm they are on that, but that that is their recommendation. Burke responded that Public Works is recommending that because of snow plowing and that there are things he can do to armor the building, such as stacking rock at the base of the building that wouldn't be hurt by the snow plowing effort - on his side of the ditch. Commissioner Byrer asked Burke, in the time that he's lived there, if the snow plows had clipped the Cronlund's hedge and Burke stated he had not. Byrer reasoned that if the plows hadn't clipped the hedge, then they probably would not clip Burke's shed, to which Burke agreed, stating that he understands the risk if they should clip it.

- d) Public hearing for an application from the National Outdoor Leadership School (NOLS) for a conditional use permit to allow bunkhouse/dormitory in an industrial district at 908 South Nordic Drive (PID #01-010-041). Withdrawn 3/9/2017

WITHDRAWN 3/9/2017

Closing of the public hearings

The motion to close all the public hearings passed unanimously.

5. Visitors' views related to agenda items

None

6. Visitors' views unrelated to agenda items

None

7. Report of staff members

None

8. Unfinished Business

- a) Review and recommendation of construction of a pedestrian trail between Haugen Drive (adjacent to Fire Hall) and Severson's Subdivision (Odin Street).

Commissioner Byrer expressed concerns about the parking in Severson's Subdivision and even with what Mr. Braun stated about only having one or two cars parked along side the street, being a property owner there, it would get old very quickly. Regarding the signatures that Mr. Braun submitted, many of them are from Tango Street, which is two streets away from this trail and there were not any people on Odin, there were not any people on Queen and there weren't any people on Noseeum - the streets that are being affected. Byrer stated that she thought the trail is a good idea, she doesn't think it's a good idea, given the property owners adjacent to this trail are not in favor of it, having heard from Aaron Phillips and others during the previous meeting. Byrer thought that the opinions of those directly affected by the trail carry more weight than the people who would be using it. And that is why she is proposing that the Commission not accept it. Discussion. Commissioner Burke stated that he sides with Director Dixon about the concern for parking at the Fire Hall saying that in the case of an emergency, there has to be available parking to the responders. Fry stated that the Commission could make recommendations that if they do accept it, that certain issues be addressed in the process of putting the trail in so that rather than outright denying it, they would want to make sure that these issues are addressed and that these peoples' interests are protected and that the Commission address the issue of parking at the Fire Hall so there's not a problem developing there and add that in there motion. Discussion. Kensinger expressed the opinion that a trail cannot not be constructed for concerns of illegal activities it doesn't necessarily mean that it will be used strictly for those activities and that would be an enforcement issue. Discussion.

The motion to approve, as ammended, recommending to the Borough Assembly the PIA Trail to Seversons subdivision with 5 in favor and 1 against.

Yes: 5 - Commissioner Fry, Vice Chair Kensinger, Commissioner Burke, Commissioner Marsh and Commissioner Benson

Opposed: 1 - Commissioner Byrer

Excused: 1 - Commissioner Nilsen

PIA Trail to Seversons

Attachments: [PIA dox](#)

- b) Review and recommendation on an application from Jerry and Stacey Dahl, Jay and Cherise Lister, and Olivia Olsen for a rezone of 10 lots located at 708, 710, 712, 804, and 806 S. Nordic Dr. (PID #:01-010-052, -053, -054, -055, -056, -057, -058, -059, -060, and -061) from Industrial to Commercial-1.

Commissioner Byrer stated that looking at the minutes from the Harbor Board, she believes they decided to retain their zoning classification and that is why this commission waited to hear from them before making their recommendation and the Harbor Board has made it pretty clear. Kensinger asked if anything would prevent someone from putting up a restaurant, a beauty shop or any kind of commercial activity; they just can't live there. Fry stated that there could be a "care-taker" unit, just not multi-family. Kensinger reviewed that the only things that are not allowed are putting up hotels, condos, or something to that nature. Cabrera confirmed that. Discussion. Burke expressed disappointment that none of the interested parties had attended the meeting today to discuss their plans for this and stated that since there was no explanation as to what their motivation for this request is, that the Commission could not approve an application for unspecified use. Discussion.

Motion to approve recommending to the Borough Assembly the application from Jerry & Stacey Dahl, Cherise Lister and Olivia Olsen to rezone a portion of S. Nordic Drive failed unanimously

Opposed: 6 - Commissioner Fry, Vice Chair Kensinger, Commissioner Burke, Commissioner Marsh, Commissioner Benson and Commissioner Byrer

Excused: 1 - Commissioner Nilsen

S. Nordic Rezone dox

Attachments: [S. Nordic Rezone dox](#)

- c) Consideration of an application from the National Outdoor Leadership School (NOLS) for a conditional use permit to allow bunkhouse/dormitory in an Industrial district at 908 South Nordic Drive (PID #01-010-041).
WITHDRAWN 3/9/2017

WITHDRAWN MARCH 9, 2017

9. New Business

- b) Consideration of a request from Chris Ford for a twelve month extension on a setback variance at 201 Hogue Alley (PID#:01-007-700).

Commissioner Marsh asked if there were any reasons not to extend the variance with Commissioner Fry stating that there probably were not. Commissioner Benson was unaware of the history of this application so Director Cabrera gave a brief the history of this property and Mr. Ford's reasons for requesting the extension.

The motion to approve the extension to the Variance Application for Chris Ford passed unanimously.

Ford Variance extension

Attachments: [FORD_VAR_Extension](#)

- a) Consideration of an application from Richard Burke for variances from the front yard and side yard setback requirements and the maximum lot coverage requirement for the purposes of constructing a wood shed and two-story addition with covered porch in a single-family residential district at 300 North Third Street (PID#:01-007-262)

Cabrera recommended that each item be voted on individually. Commission agreed. Starting with the side yard set back and construction of the storage structure as amended. Inspector Bertagnoli asked if the letter from Doug Cronlund was taken into consideration. Fry answered in the affirmative as Burke has changed.

Burke variance

Attachments: [Burke dox](#)

Item "A": Approving the variance from the 10' side yard setback requirement to allow for construction of a storage structure approximately 3' from the property lines, including eaves.

Commissioner Fry stated that the 3' addresses the snow issue and doesn't think this one is a major problem for him. Director Cabrera also wanted to bring to the Commissions attention that since Mr. Burke would not be required to submit a building permit due to the size of the structure, the Commission would have to go by the submitted plans, so she is assuming that Mr. Burke will provide the most recent profile of the structure which has the 8' overall height and also the 3-12 pitch on the roof. Inspector Bertagnoli asked if the letter from Doug Cronlund was taken into consideration and his concern of Mr. Burke's eaves extending over his property. Fry answered in the affirmative as Burke has changed the language to include that the 3' would include the eaves. Discussion.

The motion for Item "A" passed unanimously.

Item "B": Approving the variance from the 10' side yard setback requirement to allow for construction of a storage structure approximately 3' from the property lines, including eaves.

Commissioner Benson stated that he gathered that Mr. Burke's plan is now for 3' Director Cabrera clarified that the request is for 3' and the recommendation is that Mr. Burke follow the recommendations from Public Works for the 5'. Kensinger clarified further that this is the setback from Excel Street that they are talking about right now and not the back lot line. Discussion.

The motion to approve Item "B" passed unanimously.

Item "C": Approving the variance from the 20' front yard setback requirement (Excel St.) to allow for construction of a covered deck approximately 15.5' from the property line.

Director Cabrera reported that, if she's reading the revised drawings correctly, she doesn't think the applicant needs that variance. Discussion. It was determined that due to clarification of the revisions of the drawings, this application is still required, therefore Cabrera stated that she would amend that it is just for construction of a covered deck that is on the more recent drawings and not a two story addition.

The motion to approve Item "C" passed unanimously.

Item "D": Approving the variance from the 20' front yard setback requirement (N. Third St.) to allow for reconstruction of a covered porch approximately 17.5' from the property line.

The motion to approve Item "D" passed unanimously, without comment.

Item "E": approve variance from the 35% maximum lot coverage requirement to allow for construction of a two-story addition with covered deck to cover approximately 39% of the lot.

Commissioner Benson said that to his understanding, when they are rewriting the zoning codes, the "City" is allowing a larger percentage than 39%. Cabrera agreed that this issue is being looked at for changing. Discussion.

The motion to approve Item "E" passed unanimously.

10. Discussion items

a) Airport Parking

Commissioner Burke spoke, following up on the request for more information on the proposed parking area up across the street from the Airport. Burke reported that right now, there is approximately room for 35 cars parking long-term at the airport. Also, received an estimate for \$55,000.00 to \$65,000.00 for the construction of a parking lot in the area previously discussed. Commissioner Fry asked how big of a lot that would be and Burke responded that it would be approximately 150' x 300' which would add room for approximately 35 additional spaces. Discussion. The Commission is in agreement that there are multiple sources for funding this project, but that this project would require Borough Assembly approval. Discussion. Multiple avenues of funding were discussed. It was suggested that this topic be added as an action item on the next agenda.

- b) Review of proposed zoning code - Article 4.3

Cabrera reviewed the changes proposed in article 4.3 dealing with subdivisions and required public improvements if you subdivide. Review.

ART 4.3

Attachments: [ART_4.3](#)

11. Adjournment

Next meeting is scheduled for May 16, 2017 at 4:30pm

The motion to adjourn passed unanimously.

Commission Chair

Date