

**Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
May 21, 2013**

1) Call to Order

Presiding Officer, Sid MICHAELS, called the planning commission regular meeting to order at 7:33 PM.

2) Roll Call

Planning commission members present were Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Molly MCKINLEY, Mark MENKE, Baxter MERCER, and Sid MICHAELS.

3) Public Comments

Steve Anastasia, Assemblyperson, of Healy, Alaska

- **Pedestrian safety** in the Healy area, specifically pedestrians crossing the Dry Creek Bridge and the four corners area created by Ranch/Healy Spur Roads and the Parks Highway is a concern. In conversations with the mayor, it was thought that presenting a package approach to the Department of Transportation and Public Facilities (DOT) to mitigate hazards in both these areas may be the best way to resolve these safety issues. Mr. Anastasia suggested the mayor would be bringing something to the commission regarding the proposed package. There will also be a petition to get local support for this effort.
- There have been discussions regarding the development of a **recreation center** in the Healy area to service borough residents. A preliminary plan for the recreation center has been developed. Mr. Anastasia would like to present this plan to the commission to gain their feedback.

Hannah Ragland of Panguingue Creek Subdivision

- The Friends of Stampede postponed their Stampede Road garbage cleanup effort due to lingering snow.
- The Panguingue Creek Homeowners Association annual meeting was held on Sunday, May 19. There was discussion regarding the classification chapters, proposed and codified, and interest expressed for the community to comment on and participate in the public process to classify the tracts within the subdivision and the Panguingue B area. The timing of involvement is questioned as the public does not know whether to invest time in making proposals based on the classification chapter now in code or wait until after the assembly addresses the newly proposed classification chapter.
- Thank you for all the work you are doing.

4) Approval of Agenda

Molly MCKINLEY MOVED to approve the agenda, Patricia GRIGGS seconded. It was noted that there was a typographical error in Time and Place of the next meeting, which should read June 18, 2013, and under Unfinished Business item E. Chapter 4.20 should be deleted from Unfinished Business. By unanimous consent Chapter 4.20 was removed from the agenda. The VOTE to approve the amended agenda PASSED unanimously.

5) Approval of Minutes

Ryan JUSCZAK MOVED to approve the April 16, 2013 Worksession, Public Hearing, and Regular Meeting minutes; Molly MCKINLEY seconded. It was noted there was a typographical error in the footer; the date should be April 16, 2013 instead of March 19, 2013. The VOTE to approve the April 16, 2013 minutes PASSED unanimously.

6) Correspondence

a) DOT Parks Highway MP 163-305 Passing Lanes

The borough received a copy of the Abbreviated Design Study Report for the passing lanes project. In a letter, electronically sent to the commission, the DOT seeks Local Planning Authority (LPA) from the Denali Borough for the passing lanes project located within its boundaries. It was noted that granting LPA for

1 DOT in the borough had not been requested in the past as far as memory serves. The request appeared to
2 be at odds with the fact that DOT controls the highway right-of-way. If the borough opts to not respond
3 the LPA will automatically be granted 90 days from the date the letter was received. The clerk produced a
4 memo with possible talking points for a response to DOT developed during a conversation with Mr. Beck,
5 Engineering Manager of the passing lanes project. Mr. Beck suggested that if the borough responded, it
6 could include in the letter a statement of appreciation for DOT's responsiveness to the borough's
7 comments and the written response we received informing us of how the department acted on those
8 comments. Mr. Beck would forward the letter to other state department heads in hopes of encouraging
9 them to replicate these efforts going forward.

10
11 Baxter MERCER MOVED to ask the mayor to respond to DOT by granting them the LPA and to thank them
12 for their responsiveness to the borough's comments; Patricia GRIGGS seconded. The VOTE to have the
13 mayor respond to DOT PASSED unanimously.

14
15 b) DOT Temporary Use of Water Permit

16 The DOT submitted an application for temporary use of water within the Denali Borough to the
17 Department of Natural Resources (DNR). The permit request period is for May 1 to October 1, 2013. The
18 commission took no action on this issue.

19
20 c) DNR Final Decision – Healy Small Tracts SD

21 DNR sent the borough notice of reaching a final decision on a section-line easement vacation in the Healy
22 Small Tracts Subdivision; the State of Alaska approved the action.

23
24 In 2010, the Denali Borough Planning Commission approved Resolution PC 10-03 in support of providing
25 preliminary approval for the vacation of the section-line easement. The resolution required the final plat
26 be adjudicated by the Denali Borough Planning Office within two years of the date of passage. The two
27 year time frame elapsed prior to the state approving the required paperwork.

28
29 A solution to rectify this issue is to have the planner submit an amended Staff Report for Plat 10-002
30 explaining the delay and the state's action and approval of a second resolution by the commission. The
31 resolution would be publicly noticed for the next public hearing and regular meeting agendas. The
32 suggestion to waive the two year time requirement was rejected because it is written in the code.

33
34 The June e-packet will contain all the information originally before the commission in 2010. The clerk
35 stated that she will email a signed resolution to the surveyor, Mr. Tim Venechuk, if it is approved.

36
37 **7) Plats and Conditional Uses**

38 Resolution Planning Commission 13-06 Utility Easement Vacation Plat 13-001: Lot 43, Block 5, Tri-Valley SD

39 The commission had before them the Staff Report, Resolution PC 13-06 granting preliminary approval of
40 the utility easement vacation, letters of non-objection from Matanuska Telephone Association and
41 Golden Valley Electric Association, and the plat, which requires signatures from the lessor and the lessee,
42 the Alaska Railroad (AKRR) and Usibelli Coal Mine (UCM) respectively.

43
44 It was expressed that a letter from the AKRR and UCM assuring the commission that they had no
45 objection to the action prior to the commission approving the plat would have been a more comfortable
46 situation. Mr. Venechuk produced the plat, which was signed by the two parties. It was noted that the Tri-
47 Valley Subdivision is a unique situation because of the leased land and ownership issues. In the future,
48 letters of non-objection from all affected parties would be appreciated.

49
50 Baxter MERCER MOVED to approve Resolution PC 13-06; Ryan JUSCZAK seconded. The ROLL CALL VOTE to
51 approve Resolution PC 13-06 PASSED unanimously with GRIGGS, JONES, JUSCZAK, MCKINLEY, MENKE,
52 MERCER, and MICHAELS voting affirmatively.

1
2 **8) Reports**

3 a) **Mayor**

- 4 • The mayor could not attend tonight's meeting, but provided a written report to the commission.
5 The following topics were covered in the report:
- 6 ○ The mayor is attending the AKRR Board meeting in Anchorage where he will positively
7 comment on the new wye development in Healy and the Point McKenzie rail extension.
8 He will also seek to forward the borough's opinion that transfer of railroad leased land
9 in the Healy Reserve, specifically the Tri-Valley Subdivision, to private ownership is in
10 the best interest of the people of Healy, the borough, and the state.
 - 11 ○ Please consider the Community Mapping proposal. The assembly awaits the
12 commission's recommendations.
 - 13 ○ Thank you to Baxter MERCER for his volunteer time spent representing the borough at
14 the Tri-Valley Community Library Community Matters Fair.
 - 15 ○ On April 24, the mayor attended the Interior Alaska Transit Corridor Project
16 implementation meeting in Fairbanks. The next step in the process is to identify a
17 volunteer Executive Board representing the three interior highway corridors. If you or
18 someone you know is interested in serving on this board, please contact the mayor.
 - 19 ○ Schlueter Services, a for-profit company has been issued a DOT grant and will begin
20 service between Wasilla and Fairbanks twice weekly. Although not requested, the
21 group did indicate that a match to the DOT grant showing community support for the
22 service is required. The group intends on providing year-round service.
 - 23 ○ The mayor met with DOT Director Titus and Planner Birkholz. DOT projects and
24 roadside trails were discussed. The mayor expressed a desire to include more trail
25 related goals in Chapter 5 of the Comprehensive Plan.
 - 26 ○ While at DOT, the mayor also broached the topic of improving highway safety through
27 the commercial and residential community of McKinley Village. Speed reduction would
28 help. The assembly will be considering a resolution on this matter in June and the
29 planning commission may want to consider one also.
 - 30 ○ The mayor supports the purchase of a webinar on Zoning 101 and would participate in
31 the training if the purchase is approved by the commission.
 - 32 ○ The Denali National Park & Preserve road trip to Kantishna is slated for June 15, 2013.
33 All commissioners and a guest are invited to attend.
 - 34 ○ Alaska Gas-line Development Corporation (AGDC) has applied for a Special Use Permit
35 to drill boreholes on municipal land. There is no objection to issuing the permit. The
36 borough's preferred route for the pipeline is the highway not the by-pass, which would
37 go into the Yanert River Valley. The assembly passed Resolution 13-06 supporting the
38 highway route; this resolution will accompany the permit. The commission proposed
39 introducing a similar resolution for the next meeting.

40
41 b) **Borough Planner**

42 The AKKR is revising their rail plan and is hosting open houses throughout the railbelt to obtain input from
43 interested parties. The commission is interested in receiving updated information on this project.
44

45 **9) Communication and Appearance Requests**

46 There were no communication or appearance requests.

47
48 The Presiding Officer provided notice to the commission that the AGDC has asked to appear before the
49 commission at the June 18, 2013 worksession. The group is scheduled to appear at 6:15 PM and is being allotted a
50 20 minute time slot for their presentation.
51

52 **10) Unfinished Business**

1 a) **Draft 1 Chapter 4.01 Definitions (Proposed)**

2 There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.

3
4 b) **Draft 3 Chapter 4.05 Real Property Acquisition**

5 There was no discussion on this issue. By unanimous consent, this item was postponed to the next meeting.

6
7 c) **Draft 8 Chapter 4.10 Management of Borough Real Property**

8 Molly MCKINLEY MOVED to amend Draft 8 of Chapter 4.10 in the following ways:

- 9 • 4.10.010 C) change the word mayor's to administrator's; and
- 10 • 4.10.050 F) and G) change the word parcel(s) to property; and
- 11 • 4.10.050 J) change land to real property; and

12 Patricia GRIGGS seconded. The VOTE to amend Chapter 4.10 as described PASSED unanimously.

13
14 Steve JONES MOVED to amend 4.10.050 J) by adding the following language after the last sentence in the
15 paragraph: In certain situations, such as high density developments like hotels, the borough may prefer to
16 negotiate a lease for a sum equal to a percentage of after sales gross income produced by the borough real
17 property being leased. If this type of lease payment is chosen, the percentage shall not be for less than three
18 percent of after sales gross and to add "J" to the first sentence in 4.10.050 A) to read as follows: Except as
19 provided in subsection J or K of this section,. Molly MCKINLEY seconded. The VOTE to amend Chapter 4.10 as
20 described PASSED unanimously.

21
22 Steve JONES stated that he will review and expand upon the newly inserted language in 4.10.050 J. By
23 unanimous consent, this item was postponed to the next worksession and regular meeting.

24
25 d) **Draft 8 Chapter 4.15 Disposal of Borough Real Property**

26 By unanimous consent, this item was postponed to the next meeting.

27
28 e) **Draft 2 Chapter 4.20 Financial Provisions for Land Sales and Leases**

29 This item was dropped from the agenda. See 4) Approval of the Agenda above.

30
31 f) **Draft 13 Chapter 4.25 Classification of Borough-owned Land**

32 Steve JONES MOVED to amend Draft 13 of Chapter 4.25 to add to Procedural Requirements Section 4.25.030
33 E) a graphic reviewed by the commission, which provides a format for use in classifying borough-owned land,
34 and to insert the following language: "Any special situations shall be noted at this time. The following format
35 will be used in classifying borough-owned lands:" Molly MCKINLEY seconded. The VOTE to amend Draft 13
36 Chapter 4.25 was unanimous.

37
38 There was discussion as to whether this item should be placed on the June worksession agenda. Some
39 deemed the chapter was ready to move to the assembly others did not agree with this assessment. Baxter
40 MERCER MOVED to put this item on the June worksession agenda; Patricia GRIGGS seconded. The VOTE
41 to put Draft 14 Chapter 4.25 on the June worksession PASSED unanimously.

42
43 By unanimous consent, this item was postponed to the next meeting.

44
45 **Draft Resolution Working Example Version 6**

46 There was no discussion on this item. By unanimous consent, this item was postponed to the next
47 meeting.

48
49 g) **Letter to the Assembly (re: recommended amendments to Title 4)**

50 This item cannot be tackled until the commission is nearer to wrapping up recommended changes to Title
51 4. By unanimous consent, this item was postponed to the next meeting.

1 **h) Land Management and Resource Extraction Fee Schedules**

2 Molly MCKINLEY submitted for inclusion in the meeting's packet additional information on fee schedules
3 from the Fairbanks North Star and Haines Boroughs. In general, the proposed fees for the Denali Borough
4 (DB) are commensurate with the other boroughs' fees with the exception of the fees for a Special Use
5 Permit, where the DB proposed rates are much lower. The commission is pleased that a schedule is being
6 developed and did not have input on the particulars. The fee schedule should be a document that can be
7 amended without having to change the DB Code. The revamp of Title 4 now includes multiple references
8 to a fee schedule. It was suggested that the commission review where in Title 4 the commission has made
9 references to the fee schedule and provide this information to the administrator. The letter to the
10 assembly could outline the need to have an approved fee schedule.

11
12 Steve JONES MOVED to send the fee schedule, which has been reviewed by the commission with no
13 changes made and no objections, to the administrator; Ryan JUSCZAK seconded. The VOTE to pass the fee
14 schedule onto the administrator PASSED unanimously. This item will not appear on next month's agenda.

15
16 **i) Draft 2 Chapter 9.10 Subdivisions**

17 By unanimous consent, the commission agreed to remove this item from the regular meeting agenda until
18 after they have completed work on Title 4.

19
20 **j) Draft 1 Chapter 9.21 Zoning Scenic Corridor (Proposed New Chapter)**

21 The southern and northern boundaries of the proposed corridor need to be defined bearing in mind that the
22 boundaries need to be palatable to the public. Steve JONES will work on 9.21.030 Geographic Location. There
23 is a variance clause contained within the proposed corridor. By unanimous consent, this item will appear on
24 next month's worksession and regular meeting agendas.

25
26 **k) Draft 1 Chapter 9.22 Zoning Airport Reserve (Proposed New Chapter)**

27 The DB will need the expertise, cooperation, and perhaps financial assistance from the State of Alaska to get
28 this project moving. Steve JONES stated that he has talked to the state and the Federal Aviation
29 Administration (FAA). The state would prefer three site options for an airport. The state and the FAA strongly
30 support zoning around airports. Until a defined airport site is selected, the commission should delay zoning
31 land for the airport reserve. It was suggested that the commission could zone three separate sites as airport
32 reserves to protect them from development that might hamper future airport development. It was stated that
33 the borough needs to define guidelines for the development of an airport not necessarily a specific location. It
34 was suggested that these guidelines would most appropriately be contained in Chapter 9.10. The commission
35 does not have the expertise to select airport sites, but could engage the FAA for assistance and guidance in
36 accomplishing this task. The Healy Airstrip has proved to be inadequate for landing and taking off for many
37 flights especially medical emergency services.

38
39 Steve JONES thanked Marsha Lambert, planner, for the maps she created to support this agenda item.

40
41 By unanimous consent, this item was postponed to the June worksession, public hearing, and regular meeting
42 agendas.

43
44 **l) 12-02-12 Jones Nomination for Classification Proposal Letter (Scenic Corridor & Airport Reserve)**

45 There is one parcel of municipal land associated with the proposed airport reserve that could be classified. At
46 this time, as the site for the airport is unknown the land need not be classified.

47 Steve JONES MOVED to withdraw the nomination for classification letter; Patricia GRIGGS seconded. The VOTE
48 to withdraw the letter PASSED unanimously.

49
50 **m) Draft 1 Chapter 9.30 Zoning Signage (Proposed New Chapter)**

51 There was no discussion on this issue. By unanimous consent, this item was postponed to the next meeting.
52

1 **11) New Business**

2 a) **Discussion DCCED/Department of Community and Regional Affairs Community Mapping**

3 Regarding the Community Mapping Project the commission determined the cost is high, the borough already
4 has a mapping program that is working reasonably well, the system the state would use to create the maps is
5 not compatible with the one used by the DB, and there is access to Google Earth. By unanimous consent, the
6 commission respectively declines at this time the offer from the Department of Community and Regional Affairs
7 for the opportunity to participate in the Community Mapping program.

8
9 b) **Discussion Alaska Gas-line Development Corporation Borehole Drilling**

10 The commission supports the mayor in issuing a Special Use Permit for the drilling of boreholes on municipal
11 land and a request that the data, soils engineering, from the borehole drilling be shared with the borough. By
12 unanimous consent, the commission supports the mayor granting this request.

13
14 c) **Discussion Training On-Demand Webinar "Zoning 101"**

15 Training on this issue should be postponed until such time as the commission is able to catch up on items
16 already on their agenda. By unanimous consent, the commission agreed to remove this item from the regular
17 meeting agenda until after they have completed work on Title 4. The purchase of a couple of copies of the book
18 with the same title was supported by the commission.

19
20 **12) Public Comments**

21 Hannah Ragland of Panguingue Creek Subdivision

22 Ms. Ragland mentioned that the water use application notice, which the commission chose not to act on, from
23 DOT to DNR proposes using water from Panguingue Creek, which is also being used as a source of water for
24 the larger construction project occurring this summer. It is good that the state is keeping the borough notified
25 of these water use issues and that the commission notes them on their agenda.

26
27 Steve Anastasia of Healy, AK

28 The commission has an impressive amount of items on their agenda; there is a lot to clear off. Mr. Anastasia
29 stated that there is often discussion regarding economic development and bringing a diversified economy to
30 Healy, but it always stops with talk; for example, the idea of a vocational school being established in the
31 borough. At this time, there is no way to get any of these things in place because the borough has nothing to
32 offer except land. Once the commission has cleared some of the items from their agenda, Mr. Anastasia
33 encouraged the commission to think about what kinds of foundational services or economic opportunities we
34 can foster in the borough to make it a more desirable location for growth. Mr. Anastasia said that in his
35 opinion the borough does not offer anything, although there are great seasonal opportunities. An issue that
36 should be addressed is how to get people to stay in the community rather than being so transient. He
37 conceded that the winters are harsh, but offered that the lack of opportunities is paramount.

38
39 **13) Commissioner Comments**

40 Marsha Lambert, planner, reminded the commission the committee review of the bids submitted for the
41 boundary survey of Panguingue B is scheduled for June 3, 2013 at 6 PM. Ryan JUCSZAK and Mark MENKE
42 volunteered to be on the committee along with the mayor.

43
44 Ryan JUSZAK referred to comments made by Mr. Anastasia regarding a safety zone project in Healy and noted
45 a resolution from the commission requesting lower speeds could be submitted to the DOT.

46
47 Molly MCKINLEY noted that pedestrian traffic in the Healy area is terrifying for both the pedestrians and the
48 drivers and noted that as a private citizen she could request action from DOT. A resolution from the
49 commission would be more effective. Ms. McKinley thanked Baxter MERCER for going to the Community
50 Matters event at the library. The Chamber of Commerce created a new brochure this year for the summer
51 tourist season.

1 Steve JONES suggested that until a catastrophic accident occurs, DOT will not act. The borough could adopt
2 Public Safety Powers and set the speed limits on the highway; without those powers the only recourse is to
3 keep requesting action.
4

5 Baxter MERCER stated that incorporating into a second class city an entity would gain the power to set highway
6 speed limits. Mr. Mercer announced that he will not be in attendance for the June meetings.
7


8 **14) Time and Place of Next Meeting**

9 The next meeting of the Planning Commission will be June 18, 2013 at 6:15 PM in the Tri-Valley Community
10 Center.
11

12 **15) Adjournment**

13 The Presiding Officer adjourned the May 21, 2013 Regular Meeting at 9:26 PM.
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

37
38 APPROVED: 
39 Sid MICHAELS, Presiding Officer
40

41
42
43
44 ATTEST: 
45 Linda PAGANELLI, Deputy Clerk
46
47

48 Date Approved: 
49