

Planning Commissioners

Terry Hoeffler, Seat A, Deputy Chair  
Paul Liedberg, Seat B  
Bill Rodawalt, Seat C, Chair



Rachel Muir, Seat D  
Andy Anderson, Seat E  
Julie Baltar, Seat F  
Izetta Chambers, Seat G

**REGULAR MEETING MINUTES  
May 21, 2013**

**I. CALL TO ORDER**

Terry Hoeffler, Deputy Chair, called the regular meeting of the Dillingham Planning Commission to order at 5:34 p.m in the City Council Chambers.

**II. ROLL CALL** (quorum is 4)

Members present:

Terry Hoeffler  
Andy Anderson  
Paul Liedberg, Seat B  
Julie Baltar, Seat F

Members Absent

Rachel Muir (excused)  
Bill Rodawalt, Chair, (excused)  
Izetta Chambers, Seat G

Staff in Attendance:

Jody Seitz, City Planner, Acting Commission Clerk

Guests:

Ken Reiswig, Delta Western  
Jim Jones, UAF BB Campus – left the meeting prior to the Public Hearing for UAF Science Center Plat

**IV. APPROVAL OF MINUTES**

**MOTION:** Paul Liedberg moved and Andy Anderson seconded the motion to approve the minutes of April 16, 2013

**DISCUSSION:** Julie Baltar corrected a typo on page 4 “talke”.

**ACTION:** Unanimous approval.

**V. APPROVAL OF THE AGENDA**

**MOTION:** Paul Liedberg moved to approve and Julie Baltar seconded the motion to approve the agenda.

**ACTION:** Unanimous approval.

**IV. COMMUNICATIONS**

**A. Public Comment**

- Planner's Report – Planner Seitz reviewed her report.
- Planner reports concerns from citizens over cemeteries:
- Discussed that it would require a survey
- That it could be political because people will want plots next to their loved ones.
- Planner mentions that she has received a complaint from a citizen about a burned down building next door to their home and that it is a blight on the neighborhood and detracts from her attempts to sell her property.
- Planner handed out her notes from the subdivision access committee

B. Citizen Comments – none.

## VI. PUBLIC HEARINGS

A. Delta Western Lease Lot

- Planner Seitz presented background information about the Lease lot and proposal for the oil spill containment facility and described the plat and uses of the neighboring lots.
- Requested hearing from the public about the plat.
- Ken Reiswig of Delta Western reviewed the report the company received from the EPA inspection last summer. They do not have enough secondary containment for their fuel tanks, of which there are 11. The options are to increase the size volume of the secondary containment. Could raise the wall around what they have by about 2 feet and accomplish the same thing But there is a lot of pipes that go over the wall and there would be a lot of interruptions in service.
- This would do the least amount to their operation and is probably the most cost effective for Delta Western.
- The use of the lease area appears to be minimal...for scraps of sheet pile and lumber.
- Describes the existing retaining wall...western edge of the proposed lot.
- They were short 27,840 ft<sup>3</sup> – enough to hold the vol of the largest tank to handle the highest normal rainfall you'd get and keep it within the retaining walls.
- Need additional 30,000 ft<sup>3</sup>.
- The wall goes around the whole tank farm – shows a picture.
- The alternatives are to raise the wall or decommission some tanks. That would give them less volume and hurts the operation. Raising the wall would cost considerable amount of money.
- Amount of land between the proposed lease area and the city dock. Hard to tell with the plat but not a zero lot line.
- Chair says planning commission still needs to hear from public safety, port and public works.

- Note that these reviews are in the Staff Report
- Plat should show more of where the measurements are being taken from.
- The symbol for property lines to be vacated is not distinguished well from other features like easements.
- Discussion about scale of map and measurements not corresponding to the scale. Also that it doesn't conform to either 50' to the inch or 100' to the inch.
- Question about compatibility with or competing uses for the area.
- Question about whether comprehensive plan has been consulted and waterfront plan section of that.
- That there are citizens who would like to use some of the area of USS 2541 as a park or green space or for parking.
- Commented that the area lends itself to industrial uses.
- Noted that the Curyung Tribe had plans for a processing plant on the City All Tide Dock.
- Mentioned that the Curyung Tribe's processing plant was not planned for this area.
- Discussed that the use of the area for this purpose would not impinge on port activities current or planned.
- The wall will be 12 feet at the beach and 7-8 feet tall at the north end of the wall.
- Requests that someone make a determination about what is the highest and best use of that ground.
- Planner mentioned that there was an extensive public advertising about the plat.
- Two actions here – one is approving the plat so that a disposal can be considered. The other is approving the lease and the Planning Commission can weigh in, but it is the City Council's determination.
- Would like to see a statement on this that the Planning Commission did not vet this proposal for highest and best land use and that that discussion was deferred to the City Council. Otherwise someone on the city council may think that someone else has done that.
- Agrees that this should be done.
- Points out that there is a finding required by code that the land is no longer needed for a public purpose which the city council must make prior to disposing of land and the city council process is a two meeting process.

**MOTION:** Paul Liedberg moved and Julie Baltar seconded the motion that the hearing for the Delta Western portion of Public Hearings close.

**ACTION:** Chair Terry Hoefflerle called for objections. No objection.

**MOTION:** Paul Liedberg moved and Andy Anderson seconded the motion to suspend the rules to take up Resolution 2013-08 Approving the Delta Western Lease Lot Preliminary Plat.

**DISCUSSION:**

- Notes that the Planning Commission did not mention the highest and best use of

the land, or consistency with the Comprehensive Plan

- Agrees that it is industrial property, however, cherishes every access to water, and the viewshed. Is supportive of this because of it being in an industrial area and it is needed by a company. It also does not block the viewshed.
- Notes that there has been no formal proposal from the Tribe for use of the Port land for their processing plant. Would hope they would voice concerns.
- Asks if there should be an easement along the water line.
- Commented that it is already City land
- Noted that if City wants to keep viewshed it might want to put that in the code.
- Asked if the land use on the new lease lot would be restricted
- Observed that a plat note to that effect could be added to the plat, ie. This area is strictly for the purpose of oil spill containment.

ACTION: Added two points to Resolution 2-13-08

9. *Clearly define the beginning and ending points of measurements.*
10. *Change the symbology of easements and property lines to be more distinctive from each other.*

ACTION: Andy Anderson moved the previous question.

*Reporter's Note: There was no second.*

CHAIR called for the vote: Unanimous consent.

#### B. Crystal Subdivision Public Hearing

There were no citizens to testify at the public hearing for Crystal Subdivision Preliminary Plat.

MOTION: Paul Liedberg moved and Julie Baltar seconded the motion to close the Public Hearing for Crystal Subdivision Preliminary Plat

ACTION: Chair Hoefflerle called for unanimous consent. So approved.

*Recorder's Note: There was no motion to suspend the rules.*

MOTION: Paul Liedberg moved and Andy Anderson seconded the motion to approve Resolution 2013-09 Approving Crystal Subdivision Preliminary Plat.

DISCUSSION:

- Charlee Rood is platted as both a right of way and as a long lot that ends in a temporary turnaround.
- The Dillingham code only provides for cul-de-sacs.
- Cul-de-sacs, by DMC 17.19.060 F in areas served by on-site water and sewer systems are limited to 1300 feet.

- The subdivider must either submit a request for a Variance to this part of the code, or must end the road at 1300 feet.
- The road is proposed to be 1913.43 feet long.
- Discussed that the terrain leaves no good options for subdivision design which would allow the subdivider to divide his property with useable lots and meet the road length requirement.
- Directed Planner to discuss easement between 29I1 and 29J1 with Nushagak and owner.

MOTION: Paul Liedberg moved and Julie Baltar seconded the motion to table Resolution 2013-09 until the next meeting, June 18, 2013.

ACTION: Chair Hoefflerle called for unanimous consent. So approved.

C. UAF Science Center

There were no citizens to testify at the public hearing for the UAF Applied Science Center final plat.

MOTION: Andy Anderson moved and Julie Baltar seconded the motion to table Resolution 2013-10 Approving Science Center Subdivision Final Plat until the next Planning Commission regular meeting, June 18, 2013.

**VII. UNFINISHED BUSINESS**

- A. Subdivision Access Committee: Terry Hoefflerle reported on the subdivision access committee meeting wrap up, stating the commission recommended approving private access easements with the following conditions: 1) Provide 50 foot easements; those subdivisions with one to 6 houses would have to have 8 foot improved surface; those subdivisions with 7 to 10 houses would have to have 14 foot improved surface. 2) Remove the qualification for all parcels to be gift deeded in DMC 17.07.090 Exception to road standards. 3) Amend 17.07.100 B 20 to state that access to adjacent parcels be required only in certain circumstances, when it is necessary for a public purpose

**DISCUSSION:**

- Commented that he felt the recommendations were good and that the community and landowners will benefit. He suggested that the commission try to act in advance, might cause the public to be more dispassionate.
- Stated it will still take some work to make sure the recommended revisions are properly written.
- Questioned whether public safety had been consulted.
- Did not want to see variances requested on the width of the subdivision roads improved surface.
- Wants to explore some things more in a dispassionate venue to be able to examine the pros and cons for the city and landowners.
- Consider public works, public safety and other entities
- We need the discussion of 50 years down the road, community planning.
- Wanted to make sure Nushagak was in the discussion.
- Requested that at the next meeting the Planning Commission outline the agenda for

what information it wants to consider and how we want to proceed. Wants to make sure whatever is sent to the code committee is well vetted.

- That there is a lot to consider in the width of a road, culverts, shoulders, compaction, and simply saying how wide the improved surface needs to be is not enough

B. Paul Liedberg reported on the Knik gravel pit. The City Council members heard enough complaints that they charged the Planning Commission with several issues: to find out what the city needs to do to address these concerns or does the state or another entity have authority to do that. There are a few things that have some oversight.

- 1) Reclamation plans – are required for every new one established after 1991, by state law but the Alaska Department of Natural Resources doesn't have enforcement authority. It relies on the local municipality to have something in place holding them to this.
- 2) There is nothing in City code or state law regarding clearing the vegetation from the sides of the road or the extended hours of operation.
- 3) Regarding impacts to the water table because it appears there is a small section where they are into the water table: ADEC regulates water quality and ADNR regulates water quantity. Although excavation below the water table is not recommended, there is no state standard developing gravel pits on private land regarding water quantity so they can do that without any oversight. The guy at ADNR doesn't recommend it due to the potential for contaminants getting into the water table.

Knik hadn't yet applied for its air quality permit from ADEC; They are required to apply for a water quality (stormwater) permit. They have applied for the water quality permit. It is also required to have a stormwater pollution prevention plan.

- Stated that the reclamation plan is the biggest thing for him. And the city could have something regarding vegetation. There is a noise ordinance, but in this case the City Manager did not feel it was practical to try to measure the noise problem.
- ADOT told him that because it is a private pit, they have no authority on how it is run.
- Julie Baltar stated that would check into whether federal money is contained within the project funding for the projects the Knik pit will serve.
- City can get copies of their permits and plans to see what they are supposed to be doing.

## **VII. PUBLIC COMMENTS/COMMITTEE COMMENTS**

Paul Liedberg requested to know if this was Terry Hoefflerle's last meeting and thanked him for his service and participation on the commission.

Terry Hoefflerle replied that it is his last meeting. That it had been an enjoyable way to spend his Tuesday evenings.

Andy Anderson – no comments.

Julie Baltar commented that she appreciated the Planning Commission training and the emphasis on what's in the best interest of the larger community. "It makes me think probably we need to go forward and take a closer look at some of the codes and make recommendations to the Code Committee. It is a lot of work.

Terry Hoefflerle wishes the commission well.

## **VIII. ADJOURNMENT**

MOTION: Paul Liedberg makes a motion to adjourn.

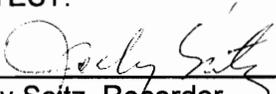
ACTION: Unanimous consent. 8:23 p.m



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Bill Rodawalt, Chair

ATTEST:



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Jody Seitz, Recorder