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**Minutes of the Regular Meeting  
Denali Borough Planning Commission  
Tri-Valley Community Center  
June 18, 2013**

**1) Call to Order**

Presiding Officer, Sid MICHAELS, called the planning commission regular meeting to order at 7:31 PM.

**2) Roll Call**

Planning commission members present were Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Molly MCKINLEY, and Sid MICHAELS. Mark MENKE and Baxter MERCER were absent. Mr. MERCER had informed the commission he would be unable to attend the June meetings.

**3) Public Comments**

There were no public comments.

**4) Approval of Agenda**

Patricia GRIGGS MOVED to approve the agenda, Molly MCKINLEY seconded. The VOTE to approve the agenda PASSED unanimously.

**5) Approval of Minutes**

Patricia GRIGGS MOVED to approve the May 21, 2013 Worksession, Public Hearing, and Regular Meeting minutes; Ryan JUSCZAK seconded. The VOTE to approve the May 21, 2013 minutes PASSED unanimously.

**6) Correspondence**

a) DOT Mr. Beck explanation of Local Planning Authority

Presiding Officer MICHAELS acknowledged the letter received from Mr. Beck. In his letter, Mr. Beck referenced AS 30.020 as his explanation describing how the Department of Transportation and Public Facilities (DOT) must abide by all local planning, zoning, and other local regulations when working within the jurisdiction of a municipality. Mr. Beck indicated that he would appreciate receiving a response from the borough that states the DOT project referenced does not violate any local regulations. The clerk informed the commission that the administrator had already submitted such a letter to DOT.

b) Lt. Governor Treadwell on Historical Commission

There was no discussion on this item.

c) DNR Approval Temp Use of Water – TWUP A2013-107

There was no discussion on this item.

**7) Plats and Conditional Uses**

Resolution PC 13-07 Preliminary Plat 10-002 Healy Small Tracts SD, Lot 7, Tract D-6 & Lot 3 Tract D-7 Sec 13 and 24, T12S, R8W, F.M. (Stone and Rosen – Hilltop Road)

This item was previously handled by the commission in 2010 via Resolution PC 10-03, which stipulated a two year time frame for approval of a final plat. The State of Alaska did not complete their work on the plat until after that time frame elapsed. The original staff report was amended to reflect that the state has now approved the vacation of the section line easement.

Patricia GRIGGS MOVED to adopt Resolution PC 13-07; Molly MCKINLEY seconded. The ROLL CALL VOTE to adopt Resolution PC 13-07 PASSED unanimously (5-0) with GRIGGS, JONES, JUSCZAK, MCKINLEY, and MICHAELS voting in the affirmative.

1 **8) Reports**

2 a) Mayor

3 1. The mayor and AGDC have been in almost daily contact regarding the proposed borehole drilling on  
4 borough property. The number of boreholes has finally been determined and as a result, AGDC will  
5 resubmit their application for a permit. Other aspects of this issue being reviewed relate to an  
6 indemnification clause for protection of the borough and the need for AGDC to have a signed  
7 confidentiality letter if it is going to share the borehole raw data with the borough. If it were to obtain  
8 this confidential information, the borough would be assuming some risk. The borough should  
9 carefully consider whether to pursue the information and what use the information might fulfill. The  
10 mayor suggested that he was in no rush to approve the permit and requested the commission keep  
11 this issue on their agenda for the July meeting, when more information from AGDC might be  
12 available.

13  
14 Senator Lisa Murkowski sent a letter thanking the administration and the borough assembly for  
15 backing the highway utility corridor for the pipeline route. Senator Murkowski has been promoting  
16 the Denali Park Improvement Bill, which in addition to legislating where the pipeline will be  
17 established, approves a land swap in the Kantishna area between the NPS and Doyon, which would  
18 allow for micro-hydro project, and changes the name of the highest peak in North America from Mt.  
19 McKinley to Denali.

20  
21 The mayor thanked the commission for considering passage of a resolution similar to that passed by  
22 the assembly in support of the pipeline route being along the highway utility corridor.

- 23  
24 2. The mayor visited the Panguingue Creek Subdivision a number of times recently to assess damage  
25 done to Antares Road. A landowner, attempting to create access to his property, dug up the  
26 permafrost, which resulted in an unusable roadbed affecting access for other homeowners. The  
27 Department of Natural Resources (DNR) had requested the individual submit a plan on how the  
28 damage would be mitigated, but there was no follow through on this request. On one occasion, the  
29 mayor met with representatives of the US Army Corps of Engineers and DNR, Robert Sackinger. The  
30 personnel were in the area to survey damage to the right-of-way and discuss options for remedying  
31 the situation. The state has kept the borough fully informed of developments regarding this issue.  
32  
33 3. The mayor visited the Little Panguingue Creek Gravel Pit, owned by the Denali Borough, where Great  
34 Northwest, the DOT highway contractor, has set up camp for the summer season. Great Northwest  
35 has requested permission to make improvements to the western face of the pit by shaping and  
36 seeding and utilizing organics obtained from the roadwork to revegetate. The western face can  
37 sustain no further development. The mayor is considering the request. A new road and new pad have  
38 been created. The fifty dollar permit authorizing the road camp needs to be renewed to the end of  
39 the summer. In the long term, this type of encampment might benefit the borough more if it were  
40 established on private land. Denali Septic has been servicing the temporary camp.

41  
42 This site has been considered a potential one for development of a shooting range. There is more  
43 good gravel that could be mined from the site; how much and how deep it goes is not yet  
44 determined.

45  
46 Great Northwest has offered to sell asphalt to the private sector out of the pit.

- 47  
48 4. The assembly passed a resolution approving of the expenditure of monies to complete a boundary  
49 survey for the municipal land referred to as Panguingue B and the Invitation for Bid Committee's  
50 selection of the surveyor. The borough received seven bids for the project ranging from less than  
51 \$35,000 to over \$100,000. Interior Surveying owned by Mr. Tim Venechuk was unanimously selected  
52 by the committee to complete the survey. Interior Surveying submitted the second lowest bid. Cost  
53 to survey was a weighted criterion in the scoring process. The cost of the survey came in under what

1 was budgeted for this project. The office is working on finalizing a contract to send to Mr. Gorski for  
2 his review.  
3

4 5. The mayor stated that he was sorry to have missed the last planning commission meeting. He was in  
5 Anchorage at an Alaska Railroad (AKRR) Board meeting where he offered support for the Port  
6 McKenzie Rail Extension Project and development of the Healy wye, which will allow daily service  
7 four times per day vs. the current two times per day. The mayor also promoted the selling of railroad  
8 lease land in the Tri-Valley Subdivision. The railroad is working on developing a land sale policy and it  
9 was proposed that the sale of this subdivision land would be an excellent place to begin as it appears  
10 to fit all the criteria outlined in the law allowing the sale of railroad land. The AKRR management  
11 team is fully in favor of the idea, but the AKRR Board sees issue with the proposal.  
12

13 6. The annual Park Road trip was a success. Assistant Superintendent Elwood Lynn accompanied the  
14 group into the park. The group was able to visit all four businesses established at the west end. There  
15 were good discussions between borough officials and business owners. Ms. GRIGGS, Mr. MICHAELS,  
16 some assembly and Anderson Council members attended.  
17

18 **b) Borough Planner**

19 The Presiding Officer thanked the planner, Marsha Lambert, for the 2012 Plat Index.  
20

21 The planner informed the commission that a couple of copies of Zoning 101 were purchased and are  
22 available for borrowing from the library.  
23

24 The planner created a map depicting what lands will be surveyed in Panguingue B. She is also working on  
25 creating maps to illustrate where all the current municipal land entitlements are located.  
26

27 Mr. Venechuk, who was unable to attend the meeting, asked Ms. Lambert to thank the commission for  
28 reviewing Resolution PC 13-07.  
29

30 **9) Communication and Appearance Requests**

31 Ms. Nancy Bale, of the Denali Citizens Council (DCC), has requested five minutes, during the July meeting, to  
32 present information about a publication developed by DCC entitled 'Alaska Citizen's Guide To Gas Permitting.'  
33 She would also be available to answer questions. The clerk distributed copies of the publication for the  
34 commission to review prior to next month.  
35

36 By unanimous consent, DCC will be put on the July agenda under Communication and Appearance Requests.  
37

38 **10) Unfinished Business**

39 **a) Discussion Alaska Gas-line Development Corp Borehole Drilling on Denali Borough-owned Lands**

40 Steve JONES stated that he was one-hundred percent behind the gasline project, but is opposed to the  
41 bypass alignment for the following reasons: borough access to Montana Creek, the alignment across the  
42 Montana Creek municipal land, and the added expense to be incurred to provide and purchase gas for  
43 certain areas in the borough. Mr. JONES identified an alternate to the bypass route, which would move  
44 the northern portion of the bypass a bit to the east and butt it up against the hill. Moving the route would  
45 protect the borough's land and the lakes in the area. Mr. JONES, who is very familiar with the terrain,  
46 claimed that it is beautiful country with huge economic opportunities for the borough in the future.  
47 Anything that the borough did to negatively impact that potential future would be a disservice to the  
48 borough; the alignment presently proposed does that disservice. Mr. JONES stated that if we give AGDC a  
49 permit to drill the boreholes the borough in essence would be signing onto the bypass route. Mr. JONES  
50 stated he is opposed to the borough taking that action. If Senator Murkowski's proposed highway  
51 alignment does not pass congress, then the borough can revisit the issue.  
52

53 Ryan JUSCZAK posed that the bypass route is a backup plan in case the highway utility corridor route fails  
to make it through congress or fails to obtain a presidential signature. As part of the process and to

1 ensure the backup route is ready to go in case of failure to secure the highway route, engineering data  
2 needs to be collected in a timely manner.  
3

4 Mayor Walker stated that he understood the concerns expressed and believes reason will win out in the  
5 end. The National Park Service (NPS) supports the highway utility corridor route, the local community  
6 supports it, and every single criteria stated by Ms. Levinton as factors in determining the best route points  
7 to the highway utility corridor route as the most logical as it will create less impact to the environment, it  
8 is cheaper, and it is easier in terms of access.  
9

10 Sid MICHAELS stated that he was instrumental in gaining the Montana Creek selection as part of the  
11 borough's municipal land entitlement and he strongly agrees with Steve JONES' comments. He considers  
12 the property to be very valuable. There is progress being made on the highway utility corridor route. Mr.  
13 MICHAELS stated that he is not impressed with the AGDC permit request going from 1, to 8, to 28  
14 boreholes; the situation does not instill a lot of confidence in the process. The borough should hold off on  
15 issuing the permit for boreholes, regroup, and reevaluate the situation, and give the highway route a  
16 chance. Mr. MICHAELS declared that he is opposed to the pipeline going across the Montana Creek area  
17 and would support advising the mayor to hold off issuing the permit.  
18

19 Steve JONES MOVED to ask the mayor to delay issuing the permit for borehole drilling on borough land to  
20 AGDC to allow the borough more time to gather additional information; Molly MCKINLEY seconded. The  
21 VOTE to ask the mayor to delay issuing the permit PASSED 4:1 with JUSZAK voting no.  
22

23 Steve JONES MOVED to request the mayor to ask AGDC to consider moving the bypass route to the east  
24 and north so that it bypasses Section 11 T14S R7W; Molly MCKINLEY seconded.  
25

26 This modification would involve the same distance, cross the same terrain, and minimize economic impact  
27 to borough property. Some discussion on strategy of when the best time to present this alternative  
28 bypass route to AGDC ensued. Should a modification to the bypass route be presented now when the  
29 borough does not want this route to begin with? And how would the modified bypass route impact  
30 boreholes that might be drilled along the present proposed route? It was determined that now is the best  
31 time to introduce the request to change the route.  
32

33 The VOTE to request the mayor to ask AGDC to consider moving the bypass route PASSED unanimously.  
34

35 **b) Draft 1 Chapter 4.01 Definitions (Proposed)**

36 There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.  
37

38 **c) Draft 3 Chapter 4.05 Real Property Acquisition**

39 There was no discussion on this issue. By unanimous consent, this item was postponed to the next meeting.  
40

41 **d) Draft 9 Chapter 4.10 Management of Borough Real Property**

42 Previous discussion held that adding a second leasing option to this chapter and a clause to ensure the  
43 option that most benefits the borough is selected. Steve JONES will bring new language to the next  
44 meeting. The clerk requested that the term "certain situations" be clarified because it is too broad. Steve  
45 JONES will work on modifying that language also.  
46

47 By unanimous consent, this item was postponed to the next meeting.  
48

49 **e) Draft 8 Chapter 4.15 Disposal of Borough Real Property**

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

52 **f) Draft 14 Chapter 4.25 Classification of Borough-owned Land**

53 Steve JONES recommended going back and reviewing the original effort to amend Chapter 4.25, from two  
54 years ago. He stipulated that he made this recommendation based on consideration of comments the

1 Presiding Officer made at the May meeting regarding the present Draft 14. JONES declared he would like  
2 something other than what is in code now because it too closely resembles a zoning ordinance. Molly  
3 MCKINLEY suggested putting this item at the top of the next worksession agenda.  
4

5 By unanimous consent this item was moved to the top of the next worksession agenda and postponed to  
6 the next regular meeting.  
7

8 **Draft Resolution Working Example Version 6**

9 There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.  
10

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

12 There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.  
13

14 **h) Draft 1 Chapter 9.21 Zoning Scenic Corridor (Proposed New Chapter)**

15 There was discussion regarding Section 9.21.030 Geographic Location and what the best way to describe the  
16 boundaries would be: section, half section and quarter sections or river/creek high water marks. Both  
17 methods are commonly used. The DNP&P boundary is the river, which alters over the time. It was suggested  
18 that the area has a lot of development potential and the aim of the chapter is to keep the area in its natural  
19 state. Steve JONES will provide a legal description for the area.  
20

21 By unanimous consent, this item was postponed to the next meeting.  
22

23 **i) Draft 1 Chapter 9.22 Zoning Airport Reserve (Proposed New Chapter)**

24 The Presiding Officer proposed postponing this chapter until the area identified to be an airport is defined.  
25 The point of the chapter is to preserve the area for an airport. Potentially, three separate areas could be zoned  
26 as an airport reserve in order to protect the integrity of the areas as potential airports without new  
27 development encroaching and making airport development impossible. The chapter needs the geographic  
28 location defined by legal boundaries and a clause that states if the land is not developed as an airport that it  
29 reverts back to unrestricted zoning. It was expressed that the noise and height limitations need to be enacted  
30 for the borough as a whole regardless of the zoning required for an airport. Steve JONES will work on writing  
31 up the legal description and the reversion clause.  
32

33 By unanimous consent, this item was postponed to the next meeting.  
34

35 **j) Draft 1 Chapter 9.30 Zoning Signage (Proposed New Chapter)**

36 It was suggested that Title 4 needs to be wrapped up before delving into issues associated with Title 9.  
37 Strategically, these three Title 9 chapters were introduced now rather than later to take advantage of the few  
38 people and businesses that might be impacted as a result of their passage. The signage chapter is not  
39 presently in ordinance form and it has a lot of content to discuss. The longer this issue is put off the harder it  
40 will be to pass something with substance. Good planning is proactive not reactive.  
41

42 By unanimous consent, this item was postponed until Chapter 9.10 is brought back before the commission.  
43

44 **11) New Business**

45 **a) Resolution PC 13-08 Supporting an in-state natural gas pipeline along the George Parks Highway Utility**  
46 **Corridor**

47 The resolution before the commission is an amended version of what passed the assembly in support of the  
48 highway utility corridor pipeline route. Steve JONES MOVED to adopt Resolution PC 13-08; Patricia GRIGGS  
49 seconded. The ROLL CALL VOTE PASSED unanimously (5-0).  
50

51 **b) DOT Parks Highway Rest Areas (Swan Lake) – Agency Scoping**

52 DOT granted an extension of one month to July 28, 2013 for submitting comments. Sid MICHAELS assisted by the  
53 clerk generated a draft letter addressing two essential components of highway rest area issues safety and  
54 health. Although only one of the three rest areas within this scoping occurs in the Denali Borough, the

1 comments pertain to all rest areas along the George Parks Highway. It is important to provide comment to  
2 address some of the borough's concerns and it gives the borough standing on this issue.  
3

4 Ryan JUSZCAK MOVED to send the letter to DOT; Patricia GRIGGS seconded. The VOTE to submit the letter  
5 PASSED unanimously.  
6

7 **c) DOT Parks Highway MP 231 Enhancements – Agency Scoping**

8 DOT granted an extension to the comment period on this issue until July 28, 2013. Steve JONES volunteered to  
9 draft a letter for this issue and will have it ready for the next meeting. NPS Assistant Superintendent Elwood  
10 Lynn shared a NPS draft letter with Mayor Walker, who will meet with Mr. JONES tomorrow to share and discuss  
11 the NPS talking points.  
12

13 By unanimous consent, this item was postponed to the next meeting.  
14

15 **12) Public Comments**

16 There were no public comments.  
17

18 **13) Commissioner Comments**

19 Patricia GRIGGS stated that she enjoyed the Park Road trip. Pat will be gone from Alaska in July or August.  
20

21 Molly MCKINLEY thanked Steve JONES for working on the letter to DOT with the mayor. Ms. MCKINLEY  
22 queried whether there were any updates on the Healy Pedestrian Safety Issue. Assemblyman Anastasia has  
23 posted a petition in support of the project and is engaging the Princess facilities in the Healy area.  
24

25 Mayor Walker thanked the commission for meeting on such a beautiful night and getting important business  
26 done.  
27

28 Sid MICHAELS made comment to the mayor that the commission needs two more members. It was a great trip  
29 into the park.  
30

31 Ryan JUSZCAK stated that he may or may not be at the July meeting.  
32

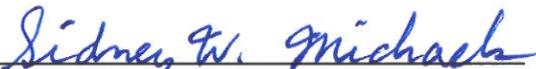
33 **14) Time and Place of Next Meeting**

34 The next meeting of the Planning Commission will be July 16, 2013 at 6:15 PM in the Tri-Valley Community  
35 Center.  
36

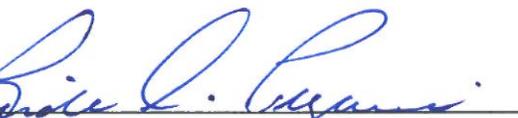
37 **15) Adjournment**

38 The Presiding Officer adjourned the June 18, 2013 Regular Meeting at 9:13 PM.  
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44 APPROVED:

  
Sid MICHAELS, Presiding Officer

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50 ATTEST:

  
Linda PAGANELLI, Deputy Clerk

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Date Approved:

