Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
September 17, 2013

1) Call to Order

The Deputy Presiding Officer, Molly MCKINLEY, called the planning commission regular meeting to order at 7:30 PM.

2) Roll Call

Planning Commissioners present were Patricia GRIGGS, Steve JONES, Ryan JUSCZAK, Molly MCKINLEY, and Baxter MERCER. Sid MICHAELS notified the commission at the August meeting he would not be in attendance; Mark MENKE was absent.

3) Public Comments

Kristen Friesen of 1 Ranch Road, Healy, Alaska

Ms. Friesen thanked the commissioners for their service. She distributed a synopsis of her area of concern titled: Concentration of Recreational Users Along Ranch Road and Dry Creek Areas: Risks and Options. Photos of impacted areas were also shared.

Ms. Friesen's primary focus was the Healy Homestead located on the northwest corner of Ranch Road and the George Parks Highway. The facility, which at one time was a hotel with guests, who came and went, has since been transformed into a residence unit for 400-500 seasonal Princess employees, who work at the Princess Hotels in the Nenana River Canyon. The projection is that Princess will house an additional 400+ employees in the Healy area, in or near the Healy Homestead facility, during the 2014 summer tourist season. Ms. Friesen noted that the seasonal residents work all different shifts and thus recreational and leisure activities (bonfires, drinking, eating, etc.) are pursued off campus at all hours of the day along Ranch Road and down onto Dry Creek.

Ms. Friesen stated that the planning commission has a role in helping to initiate a conversation about the impacts these seasonal employees are having on Healy and private property owners and to assist in developing ways to ameliorate these impacts. Ms. Friesen stated she cares about our community, her property, and the people who are here only in the summer. She does not want it to become an issue of us vs. them; she defended the employees' rights to pursue recreation and applauded their desire to be in the out-of-doors. However, loud noises at all times of night, retching persons on her front lawn, social trails being developed throughout nearby wooded areas, temporary shelters being erected in the woods, garbage including food debris amassing, and most prominently, the hazard of fire near private homes demand some action.

Three weeks ago there was a human caused fire started on uninhabited private land, approximately a half mile from the Friesen home, which required attention from the Tri-Valley Volunteer Fire Department (TVVFD). (The TVVFD also responded to a fire in the same vicinity, started by employees, in 2012.) The fire really hit home as to the impacts and hazards arising from the seasonal housing facility. Once the employees leave the property, there is no supervision. Other public safety issues created by the facility include the following:

- Increased pedestrian traffic crossing the George Parks Highway, which has no crosswalks,
- Increased pedestrian traffic walking two, three, or more abreast down the length of Ranch Road, and
- The laundry facility located on the Healy Homestead property, which washes all the linens for the Princess properties in the canyon, operating 20 hours a day/seven days a week; how is this impacting the water table and what if any impacts does all that soapy water produce.

Ms. Friesen visited the ARAMARK property located in the Nenana River Canyon where employees are housed on property along with the overnight guests. There she found large recreation rooms with multiple options for indoor recreation, an activity schedule promoted by management, and opportunities for outdoor activities down by the

river for these employees. The major difference is that the employees that are on their employer's property are better monitored and supervised and stay within a smaller geographic area.

Some steps that have been taken to attempt to mitigate the many negative impacts arising from the situation at the Healy Homestead facility include the following:

- Ms. Friesen has contacted Princess management to share information and concerns,
- She has requested from Princess the opportunity to train seasonal employees,
- Private property signs have been erected, and
- Security cameras have been installed by some homeowners.

Ultimately, Ms. Friesen would like to see a formal group (Task Force) established to identify what the community's concerns are and "evaluate measures to create success for both residents and employees." Princess, as the employer, shoulders a lot of the responsibility for the situation and is a necessary entity to assist in mitigating the negative impacts that have been piling up as they have moved and propose to move more of their employees to the Healy community. In addition to the formation of a Task Force, Ms. Friesen proposed additional mitigating measures that might be pursued:

- Provide transportation for employees to the canyon for recreation alternatives,
- Promote a painted crosswalk across the George Parks Highway,
- Develop a walking lane on Hilltop/Ranch Road, and
- Princess could establish an area dedicated to recreation for their employees that creates a positive experience for employees and holds the employees and the employer accountable for activities.

Ms. Friesen stated that Princess management has been somewhat responsive. They have had the troopers in to speak to their employees about private property, but not about community rights. TVVFD personnel have also done outreach with managers of the facility. Ms. Friesen has witnessed local teens harassing employees of Princess and reported it to management. She suggested that the manifestation of these actions may be due to frustration because for five years no one has attempted to address this issue. Local kids hear their parents talking about the impacts and changes, but there is no public discussion or solution forthcoming to rectify the issue.

Deputy Presiding Officer MCKINLEY mentioned the highway crossing issue has come before the commission on previous occasions and stated that the management of Princess may need to address enhanced training and education for their employees and the liability issues related to adverse impacts. MCKINLEY thanked Ms. Friesen for her presentation.

Ms. Friesen stated that without zoning what occurs in Healy is a free-for-all and she feels we can do better for our community.

Mayor Walker is hoping to address some of these issues via a pedestrian safety committee to identify concerns and devise a plan of potential remedies. Steve JONES offered that the Department of Transportation and Public Facilities has been responsive, via erecting signage, to shooting incidents in a gravel pit in the past. Ms. Sonja Schmidt visited with the mayor regarding the issue of seasonal employees and suggested some possible actions: cross-cultural outreach, English tutoring, library volunteerism, local hosting for dinners, church outreach, evening programs, and adopt an Eastern European that the community in partnership with local groups might take to assist in alleviating some of the issues.

As Ms. Friesen came to the commission to request that they act on this issue, the clerk asked for clarification as to which entity is most appropriate to take this project on the commission or the administration? Mayor Walker identified himself as the individual that will be taking the lead.

4) Approval of Agenda

Steve JONES MOVED to approve the agenda, Baxter MERCER seconded. The VOTE to approve the agenda PASSED unanimously.

5) Approval of Minutes

Baxter MERCER MOVED to approve the August 20, 2013 Worksession, Public Hearing, and Regular Meeting minutes; Ryan JUSCZAK seconded. The VOTE to approve the August 20, 2013 minutes PASSED unanimously.

6) Correspondence

The Deputy Presiding Officer noted that the following correspondence was received by the commission via email over the past month:

a) Department of Natural Resources (DNR) Oil and Gas Exploration Proposed Regulations Comment Extension
   i. The comment period was extended by one month.
   ii. The borough administrator submitted a comment to DNR expressing hope that public input would not be diminished under the new regulations.

b) DNR Oil and Gas Net Profit Share Lease Proposed Amended Regulations

c) Matanuska Telephone Assn (MTA) Overhead Telecommunications Line Upgrade – Request Letter of Authorization
   i. The borough is unsure of the expanse of the use area that will be improved by this upgrade.
   ii. Marsha Lambert and the mayor visited the Golden Valley Electric Association borough leased site.
   iii. The mayor is amenable to authorizing this upgrade.
   iv. Steve JONES stated that he has issues with granting a right-of-way because it gives the entity establishing the right-of-way control over that area. He has no issue with MTA requesting/using the utility easement.

7) Plats and Conditional Uses

a) Case File 13-004: Subdivide into XXXXX one-acre lots Lot 3 - T12S R8W Sec 23 - ASLS 89-97. SW of the south end of Killian Rd (Shieber and Von Tersch) **Resolution No. PC 13-10**

At the August meeting, the representative requested a delay of this issue to September. The original request was to divide a five-acre lot into five distinct parcels; the new request is to divide the property into four parcels. The new configuration allows for enough land to develop water and septic systems on each of the parcels. Marsha Lambert, planner, revised the Staff Report to reflect the changed request and proposed an amendment to the NOW THEREFORE BE IT RESOLVED statement in Resolution No. PC 13-10 to read: "the Denali Borough Planning Commission is providing preliminary approval to crate 4 lots from a five acre lot by subdividing Lot 3, ASLS 89-97 located within Section 23, Township 12S, Range 8W, Fairbanks Meridian, Alaska."

Baxter MERCER MOVED to amend the NOW THEREFORE BE IT RESOLVED clause in Resolution No. PC 13-10 to read as quoted above; Ryan JUSCZAK seconded. The VOTE to amend the resolution PASSED unanimously.

Patricia GRIGGS MOVED to approve the amended Resolution No. PC 13-10; Baxter MERCER seconded. The ROLL CALL VOTE to approve the amended resolution PASSED unanimously with GRIGGS, JONES, JUSCZAK, MCKINLEY, and MERCER voting in the affirmative.

b) Case File 13-005: Vacation of Utility Easement (Septic placed in easement) Tri-Valley SD Lot 3 Block 4. (Leuders) **Resolution No. PC 13-11**

The request is for the vacation of a 15' utility easement where a septic system was installed prior to the formation of the borough. The utility companies and landowners provided letters of non-objection to the vacation of this easement. This is the fifth vacation of an easement request this summer resulting from improper use of the easement. An access easement is treated differently from a utility easement.

Ryan JUSCZAK MOVED to approve Resolution No. PC 13-11; Baxter MERCER seconded. The ROLL CALL VOTE to approve the resolution PASSED unanimously with GRIGGS, JONES, JUSCZAK, MCKINLEY, and MERCER voting in the affirmative.

8) Reports

a) **Mayor**

- The mayor thanked the commission for being here tonight, for having a quorum, and for doing the borough's work. There are 27 seats that need to be filled between the assembly, the school board, and the commission and the borough is having a hard time filling them all. With candidate packets due September 19, at this time nobody has filed for the open assembly seats. The mayor encouraged commissioners to recruit persons to serve.
- The mayor apologized for missing the last commission meeting. He was attending the Alaska Municipal League Mayor's Conference in Valdez, which was informative and productive.
- The mayor and planner attended the September Anderson City Council meeting. The council, which has platting authority for these borough lands, approved the Swan Lake plat. He informed the council that he will be asking for assistance in developing a management plan for the Swan Lake parcel and will be soliciting public input on developing a prioritization list of municipal entitlement lands to be surveyed by the borough. Survey instructions have taken an average of two years for the state to develop. Over the next two to three months, the mayor will begin the public outreach effort to develop the priority list starting in Anderson and eventually working his way down to Cantwell.
- The mayor hosted a town hall meeting at the Panguingue Creek Fire Hall on September 5 to address the issue of classifying two prior grazing permit areas, now part of the borough's municipal land entitlements, off the Stampede Road. The turnout was good with some constructive comments forthcoming. The mayor and the planner have walked much of the area; getting out and seeing the land is valuable and the commissioners were encouraged to get out in the field too. A boundary survey is not going to tell us much about the land itself. The mayor stated that he was not ready to make a classification recommendation to the commission at this time.
- The Alaska Railroad (AKRR) wye turnaround was to cross the Tipple Road, but the alignment has been changed and it will now remain on the south side of the road. The mayor will be meeting with AKRR personnel next week.
- The mayor would like to move the Temporary Use Permit 4.10.070 language presently proposed in the commission's rewrite of Chapter 4.10. It would allow use for up to five years, which would add a bit of leeway over what is presently in code. He would like to propose the change to 4.10.070 and a draft fee schedule to the assembly. MCKINLEY queried the commission as to how it felt about the mayor's proposal. There was no objection to the mayor taking 4.10.070 to the assembly.

Ryan JUSCZAK questioned the mayor on the woodcutting presentation given to the assembly and whether this issue would be coming to the commission. Research was accomplished by the prior administration for cutting wood on the back end of the landfill.

b) **Borough Planner**

The planner had nothing to report at this meeting.

9) Communication and Appearance Requests

There were no communication or appearance requests for this meeting.

10) Unfinished Business

a) **Discussion Alaska Gas-line Development Corp (AGDC) Borehole Drilling on Denali Borough-owned Land**

Senate Bill 157 (S 157), Denali National Park Improvement Act, passed out of the US House and is now on the President's desk. There has been a lot of back and forth with AGDC. The mayor opened a 30-day public comment period requesting input on the borehole issue; he received one written comment. The Anderson (2) and Stampede (5) boreholes were authorized. On September 3, after speaking with a representative from Senator Murkowski's office, who indicated there was not much hope for optimism

for the bill, the mayor approved the permit to drill boreholes on the Denali Bypass Route. The mayor informed AGDC that he had reservations about the bypass route and attached the commission and assembly's resolutions, stating the Denali Borough's preferred route is the highway utility corridor, with the authorization. The permit is for boreholes only and is valid for one-year. S 157 was approved by the US House of Representatives one week later. The bill also authorizes a land exchange between the National Park Service and Doyon for development of a micro-hydro project.

b) **2013 American Planning Association – Alaska Chapter Conference**
The clerk sent an email to the commissioners outlining what needs to be done by what date in order to be able to attend the conference. Teri Lewis, Administrative Assistant, will be assisting commissioners in making their travel and conference arrangements. All paperwork needs to be in the office by October 14; if not received by that date, it will not be approved. MERCER, JONES, and MCKINLEY expressed interest. JUSCZAK and GRIGGS may be able to attend.

c) **Draft 1 Chapter 4.01 Definitions (Proposed)**
There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.

d) **Draft 3 Chapter 4.05 Real Property Acquisition**
There was no discussion on this issue. By unanimous consent, this item was postponed to the next meeting.

e) **Draft 11 Chapter 4.10 Management of Borough Real Property**
There was no discussion on this issue. By unanimous consent, this item was postponed to the next meeting.

f) **Draft 8 Chapter 4.15 Disposal of Borough Real Property**
There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.

g) **Draft 14 Chapter 4.25 Classification of Borough-owned Land**
Patricia GRIGGS MOVED to have a committee of the commission composed of three members (JONES, MERCER, and MCKINLEY) formed to attempt to reconcile the various versions of Chapter 4.25 presently before the commission with the first meeting to be convened on October 1 and potentially thereafter; Baxter MERCER seconded. The VOTE to approve the formation of the committee was unanimous. The first meeting of the committee will be on October 1, 2013 @ 1 PM in the Tri-Valley Community Center.

By unanimous consent, this item will appear on next month's worksession, public hearing, and regular meeting agendas.

Draft Resolution Working Example Version 6
There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.

h) **Letter to the Assembly (re: recommended amendments to Title 4)**
There was no discussion on this item. By unanimous consent, this item was postponed to the next meeting.

i) **Draft 2 Chapter 9.21 Zoning Scenic Corridor (Proposed New Chapter)**
By unanimous consent, this item was postponed to the next worksession, public hearing, and regular meetings.

j) **Draft 1 Chapter 9.22 Zoning Airport Reserve (Proposed New Chapter)**
Steve JONES stated that he will bring sunset clause language to the next meeting.
By unanimous consent, this item was postponed to the next worksession, public hearing, and regular meetings.

11) New Business

There was no new business before the commission.

12) Public Comments

There were no public comments.

13) Commissioner Comments

Patricia GRIGGS commended Molly MCKINLEY for making it to the meeting after traveling all day; it allowed the commission to have a quorum and meet and it is greatly appreciated.

Steve JONES requested that the mayor bring any updates regarding the public safety/Princess employee issue to the next meeting and/or over the winter as things develop.

Baxter MERCER stated that members of the TVVFD met with the Princess General Manager, at her request regarding the Princess Properties in the canyon and the employee issues in Healy. Princess is fully aware of the fire department's concerns regarding the issues surrounding their employees.

Ryan JUSCZAK apologized for being late to the meeting.

Molly MCKINLEY will not be in attendance at the October meeting.

14) Time and Place of Next Meeting

The next meeting of the Planning Commission will be October 15, 2013 at 6:15 PM in the Tri-Valley Community Center.

The commission discussed changing the November 19 meeting to November 12 to avoid conflict with the Alaska Municipal League Conferences. Baxter MERCER MOVED to change the date of the November Regular Meeting to the 12th of November; Patricia GRIGGS seconded. The VOTE to change the November meeting was unanimous. The time of the meeting will be determined at the October meeting.

15) Adjournment

The Deputy Presiding Officer adjourned the September 17, 2013 Regular Meeting at 9:19 PM.

APPROVED: Sidney W. Michaels
Sid MICHAELS, Presiding Officer

ATTEST: Linda L. Paganelli
Linda PAGANELLI, Deputy Clerk

Date Approved: 10.15.13