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**Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
September 18, 2012**

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1) Call to Order

Presiding Officer, Sid MICHAELS, called the planning commission regular meeting to order at 7:35 PM.

2) Roll Call

Planning commission members present were Anne CAPISTRANT, Patricia GRIGGS, Steve JONES, Molly MCKINLEY, Mark MENKE, Sid MICHAELS, and Rick WEIBEL. Bill MITCHELL was absent.

3) Public Comments

Hannah Ragland – Resident Panguingue Creek Subdivision

Ms. Ragland thanked the commission for all their hard work on Title 4 of the Denali Borough Code. She indicated that she will be submitting written comments on Title 4 Chapters in the near future.

Ms. Ragland encouraged the commission to submit comments to the Department of Natural Resources (DNR) on the Draft Review Yukon-Tanana Area Plan (YTAP). Speaking personally and on behalf of Friends of Stampede and in the capacity as board member for Denali Citizens Council (DCC), Ms. Ragland stated that retaining the classification, as presented in the draft plan, of Habitat/Public Recreation-Dispersed for the proposed Stampede State Recreation Area (SSRA) is supported. These classifications allow the state to retain ownership of the land and provide status for both recreation and habitat protection. A Public Facilities - Retain classification would not provide these kinds of protection. The recreation area bill states that there will be minimal infrastructure development. Ms. Ragland encouraged the commission to recommend classification for SSRA as presented in the draft plan. Ms. Ragland referenced the communication sent to the commission from DCC President Charlie Loeb as providing more details on this issue. The plan has a section detailing legislatively designated areas and this would be appropriate language to use in the commission's resolution.

Speaking for herself, Ms. Ragland noted that in the Proposed Resolution 12-02 Version B there is language proposing a regional airport/industrial area with the proposed classification as Public Facilities-Retain. Ms. Ragland cautioned against using the term industrial as it could produce unknown negative consequences and could be misinterpreted by the state as a desire on the part of the commission to classify the land as industrial.

DCC appealed the state's gas license questioning whether development of this resource was appropriate in all the areas covered by that license. The judge found in favor of the State of Alaska. DCC is considering what if any action to take going forward regarding this decision. In the meantime, DCC hired a new employee to produce an educational pamphlet, A Citizens Guide to Gas Development, detailing what gas licensing might involve in the State of Alaska. More information is available on the DCC website.

Thank you for all the work you are doing.

4) Approval of Agenda

Rick WEIBEL MOVED to approve the agenda, Anne CAPISTRANT seconded. The VOTE to approve the agenda PASSED unanimously.

5) Approval of Minutes

a) Molly MCKINLEY MOVED to approve the minutes from the July 17, 2012 Public Hearing; Rick WEIBEL seconded. The VOTE to approve the Public Hearing minutes PASSED unanimously.

- 1 b) Rick WEIBEL MOVED to approve the minutes from the July 17, 2012 Regular Meeting; Anne CAPISTRANT
2 seconded. The VOTE to approve the Regular Meeting minutes PASSED unanimously.
3 c) Rick WEIBEL MOVED to approve the minutes from the August 21, 2012 Public Hearing; Molly MCKINLEY
4 seconded. The VOTE to approve the Public Hearing minutes PASSED unanimously.
5 d) Patricia GRIGGS MOVED to approve the minutes from the August 21, 2012 Regular Meeting; Rick WEIBEL
6 seconded. The VOTE to approve the Regular Meeting minutes PASSED unanimously.
7

8 **6) Correspondence**

- 9 a) Denali Citizens Council – Charlie Loeb
10 Mr. Loeb, President of DCC, submitted a letter to the commission discussing YTAP, Eight-mile Lake,
11 Stampede Corridor, and the Wolf Townships.
12

13 **7) Plats and Conditional Uses**

14 There were no plats or conditional use issues before the commission.
15

16 **8) Reports**

- 17 a) Mayor
18 The mayor provided the commission with a written report as he was unable to attend tonight's meeting.
19 The following items were touched upon in the report: Swan Lake survey currently being completed,
20 Annual Work Plan accepted by the assembly, nomination of two parcels, Mercer permit for grazing LAS
21 20704 and Wallace permit for grazing LAS 24549, for classification, GCI plat, Ahtna's intent to annex a
22 portion of Matanuska-Susitna Borough into the Denali Borough, and oral and written comments provided
23 to DNR on the YTAP.
24

25 Commission discussion points:

- 26 • The planning commission should consider drafting a response to the Ahtna proposal to detach
27 land from the Matanuska-Susitna Borough and annex it into the Denali Borough. The proposed
28 area is near the Summit Airstrip; annexation would move the entire airstrip into the Denali
29 Borough. There are approximately 1100 acres, around the Summit Airstrip that due to land
30 ownership, are inaccessible and gaining a parcel or two in the area would be beneficial. In the
31 1990's, a similar effort by Ahtna failed even though 100% of the affected residents of the area
32 approved of the attempt. The Matanuska-Susitna Borough was opposed to the
33 detachment/annexation. It was concluded that the effort should be supported but that
34 expectations of success should be tempered. Ultimately, this decision will be made in the best
35 interest of the State of Alaska.
- 36 • It was determined that it would be premature for the commission to schedule public hearings on
37 the proposed classification of two parcels. The administrator will hold hearings first and make
38 recommendations to the commission, which will then schedule a hearing.
39

40 b) Borough Planner

- 41 • Marsha Lambert, planner, reported that GCI was scheduled to come into the Planning Office to
42 get the final plat signed. A plat is required because a public utility easement has been created.
43 Golden Valley Electric Association (GVEA) provided a letter of no objection to the proposed
44 easement. The Department of Transportation and Public Facilities (DOT) has been notified of the
45 new easement, but Matanuska Telephone Association (MTA) has not been. The easement is in
46 three sections starting and ending on borough land, with the middle section contained within the
47 DOT right-of-way. The cable was to be buried along the edge of the gravel pit, but was placed
48 approximately 70 feet beyond the edge of the pit.
49

50 The section of the September 2011 Regular Meeting minutes pertaining to GCI's request for the
51 utility easement were referenced for purposes of clarifying past actions on this issue by the

1 commission. The minutes reveal that GCI was issued a special use permit to bury the cable with
2 the understanding that a plat would eventually need to be approved by the commission.
3 Presiding Officer MICHAELS stated that the public utility easement plat needs to go through the
4 entire process, with a report from the planner indicating that the plat meets the requirements of
5 the Denali Borough Code of Ordinances and a draft resolution. It would be prudent to ensure
6 that GVEA and MTA were contacted.
7

8 This item will appear on next month's Public Hearing and Regular Meeting agendas.
9

10 **9) Communication and Appearance Requests**

11 There were no communication or appearance requests.
12

13 **10) Unfinished Business**

14 a) Draft 11 Chapter 4.25 Classification of Borough-owned Land

15 Rick WEIBEL MOVED to substitute Proposed Draft 12 for Draft 11; Patricia GRIGGS seconded. The VOTE to
16 substitute PASSED unanimously.
17

18 Anne CAPISTRANT MOVED to amend Draft 12 by deleting Section 4.25.020 Definitions in its entirety;
19 Patricia GRIGGS seconded. The VOTE to delete Section 4.25.020 PASSED 6:1 with MICHAELS opposed.
20

21 Anne CAPISTRANT MOVED to amend 4.25.030 Procedural Requirements F. to read: A decision of the
22 Planning Commission may be appealed to the assembly as per Denali Borough Code 5.25.170. Molly
23 MCKINLEY seconded. The VOTE to amend 4.25.030 F. PASSED unanimously.
24

25 i. Draft Resolution Working Example Version 4

26 Anne CAPISTRANT MOVED to substitute Proposed Working Example Version 5 for Version 4; Rick
27 WEIBEL seconded. The VOTE to substitute Version 5 for Version 4 PASSED unanimously.
28

29 This item will appear on next month's Worksession, Public Hearing and Regular Meeting Agendas.
30

31 b) Draft 4 Chapter 4.15 Disposal of Borough Real Property

32 Patricia GRIGGS MOVED to substitute Proposed Draft 5 for Draft 4; Rick WEIBEL seconded. The VOTE to
33 substitute PASSED unanimously.
34

35 Molly MCKINLEY MOVED to amend 4.15.100 Land Conveyance B. by deleting the word "that" and items 1.
36 and 2.; Anne CAPISTRANT seconded. The VOTE to amend 4.15.100 as described PASSED unanimously.
37

38 This item will appear on next month's Worksession, Public Hearing and Regular Meeting Agendas.
39

40 c) Draft 4 Chapter 4.10 Management of Borough Real Property

41 Rick WEIBEL MOVED to substitute Proposed Draft 5b for Draft 4; Anne CAPISTRANT seconded. The VOTE
42 to substitute 5 for 4 PASSED unanimously.
43

44 Steve JONES MOVED to delete the word borough from 4.10.030 Annual work plan A. Patricia GRIGGS
45 seconded. The VOTE to delete the word borough was unanimous.
46

47 Anne CAPISTRANT MOVED to delete the language in 4.10.050 L. Land Survey and replace it with the
48 following: If a survey is required to complete a proposed lease, the administrator may require the lessee
49 to pay for the survey. Steve JONES seconded. The VOTE to replace the language in 4.10.050 L. as
50 described PASSED unanimously.
51

52 This item will appear on next month's Worksession, Public Hearing and Regular Meeting Agendas.

1 d) Letter to the Assembly (re: recommended amendments to the code)

2 Presiding Officer MICHAELS recommended that the letter provide an explanation to the assembly as to
3 what changes have been made and why. The draft letter will be reviewed again after work on Title 4 is
4 nearer completion. Anne CAPISTRANT stated that she liked the mayor's idea of scheduling a joint
5 worksession with the assembly regarding the commission's recommended changes to Title 4 and
6 suggested that perhaps the worksession would preclude the need for a letter.

7
8 This item will appear on next month's agenda.

9
10 e) Draft 2 DBC Chapter 9.10 Subdivisions

11 Steve JONES MOVED to postpone this item to the next meeting; Anne CAPISTRANT seconded. The VOTE to
12 postpone PASSED unanimously.

13
14 f) Draft Yukon-Tanana Area Plan Discussion

15 There are two drafts, version A and B, of proposed Resolution 12-02 before the commission. Steve JONES
16 produced the original draft; Sid MICHAELS and the clerk worked on a second version in order to get it
17 down to a one page document. Steve JONES stated that he was comfortable with the commission working
18 with the revised version B. DNR has assured the borough that their input will be accepted and standing
19 on the issue will be established.

20
21 Steve JONES MOVED to amend the third WHEREAS to change the recommended classification of the
22 Stampede State Recreation Area from Public Facilities - Retain to Habitat/Public Recreation - Dispersed
23 (Ha/Rd); Patricia GRIGGS seconded. The VOTE to amend the recommended classification to Habitat/Public
24 Recreation – Dispersed PASSED unanimously.

25
26 Steve JONES MOVED to amend the fourth WHEREAS from Regional Airport/Industrial Area to Regional
27 Airport and associated industrial development; Anne CAPISTRANT seconded. The VOTE to amend as
28 described PASSED 6:1 with Molly MCKINLEY opposed.

29
30 Two maps, Stampede State Recreation Area and Regional Airport location, are part of Resolution 12-02.

31
32 Anne CAPISTRANT MOVED to adopt the amended Version B of Resolution 12-02 with the two maps; Steve
33 JONES seconded. The ROLL CALL VOTE to adopt Resolution 12-02 was unanimous with CAPISTRANT,
34 GRIGGS, JONES, MCKINLEY, MENKE, MICHAELS, and WEIBEL voting in the affirmative.

35
36 The clerk will prepare a cover letter and send the resolution, maps, and a CD with photographs of the
37 proposed regional airport landscape to DNR.

38
39 It was determined to keep the Yukon-Tanana Area Plan on the commission's agenda to allow for further
40 discussion of all items related to the state's area plan including the Regional Airport and the Stampede
41 State Recreation Area.

42
43 g) Discussion of a Regional Airport

44 There was no further discussion of the regional airport under this item.

45
46 h) 2012 Alaska Planning Association Conference

47 Travel Authorization forms and information on the conference were emailed to the commission on September
48 19. All completed forms are due in the borough office by October 1st. If anybody needs assistance preparing
49 their paperwork, call the office.

1 **11) New Business**

2 a) Draft 1 Chapter 4.01 Definitions (Proposed new chapter)

3 Anne CAPISTRANT MOVED to use Draft 1 of Chapter 4.01 as the working document for proposed amendments
4 to be sent to the Denali Borough Assembly; Rick WEIBEL seconded. The VOTE to use Draft 1 of 4.01 was
5 unanimous.

6
7 b) Draft 1 Chapter 4.05 Real Property Acquisition

8 Anne CAPISTRANT MOVED to use Draft 1 of Chapter 4.05 without definitions as the working document for
9 proposed amendments to be sent to the Denali Borough Assembly; Patricia GRIGGS seconded. The VOTE to
10 use Draft 1 of 4.05 was unanimous.

11
12 c) Draft 1 Chapter 4.20 Financial Provisions for Land Sales and Leases

13 Anne CAPISTRANT MOVED to use Draft 1 of 4.20 as the working document for proposed amendments to be
14 sent to the Denali Borough Assembly; Rick WEIBEL seconded. The VOTE to use Draft 1 of 4.20 was unanimous.

15
16 The three New Business items, Chapters, 4.01, 4.05, and 4.20, will be on the Worksession, Public Hearing, and
17 Regular Meeting agendas in October.

18
19 **12) Public Comments**

20 **Hannah Ragland – Resident Panguingue Creek Subdivision**

21 Ms. Ragland thanked the Planning Commission for the changes they incorporated into the Yukon-Tanana Area
22 Plan Resolution 12-02. The Healy Basin Gas permit allows for special setbacks from the Nenana River, but if
23 the area is classified as industrial the setbacks do not apply. It was important to clarify that the industrial
24 development is associated with the regional airport. Thank you for all your work.

25
26 **13) Commissioner Comments**

27 Mark MENKE apologized for missing the last meeting without providing notice to the commission.

28
29 Sid MICHAELS reported that he will be out of state from October 1 to the morning of October 16. He suggested
30 that he would be more likely to be able to attend the next meeting if the time was changed from 1 PM to 6:15
31 PM. The commission was amenable to this change.

32
33 **14) Time and Place of Next Meeting**

34 October 16, 2012 at 6:15 PM Worksession, Public Hearing, and Regular Meeting in the Tri-Valley Community
35 Center

36
37 **15) Adjournment**

38 The Presiding Officer adjourned the September 18, 2012 Regular Meeting at 9:19 PM.

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40
41 APPROVED:


42 Presiding Officer

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47 ATTEST:


48 Deputy Clerk

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51 Date Approved: 