Minutes of the Public Hearing
Denali Borough Planning Commission
Tri-Valley Community Center
June 21, 2016

Call to Order

Presiding Officer Kesslyn TENCH called the Public Hearing to order at 7:15 PM.

Roll Call

Planning Commissioners present were Baxter MERCER, Kesslyn TENCH, Anne CAPISTRANT, Lee LIGHTFOOT, Susan BRAUN, Steve JONES, Barbara BREASE, and Sid MICHAELS. Absent: Mark MENKE. Mayor Clay Walker was present.

1. **Denali Borough Code Title 4 Draft Revision: Draft Version B and C**

   Otto Lake area resident James Gauvin stated that he attended the assembly work session that was held at Otto Lake and asked if a joint work session between the assembly and the planning commission would be scheduled to continue discussion on Title 4. Mr. Gauvin expressed his appreciation for the work that has been done but emphasized his belief that Title 4 still needs a lot of work and a lot of discussion. He stated that he hopes to see some action on PC Resolution 16-02 from the assembly.

2. **Denali Borough Sign Ordinance**

   There were no comments.

3. **PC Resolution 16-04; a resolution providing preliminary approval for Plat 16-03 Tract A, ASLS 87-125 located within Section 24, T12S, R8W, F.M. Vacate the 25' Public Access Easements on the northern, southern, and western property boundaries**

   Property owner Kevin Temple explained the reasoning for the public access easement line vacation request.

   Adjacent property owner Todd Shorey expressed his opposition to the public easement line vacation request.

4. **PC Resolution 16-05; a resolution supporting the LNG pipeline route through Denali National Park**

   There was no comment.

Adjournment

Presiding Officer Kesslyn TENCH adjourned the Public Hearing at 7:25 PM.

APPROVED: _____

Kesslyn TENCH, Presiding Officer

ATTEST: _____

Amber Renshaw, Deputy Clerk

Date Approved: _____

Minutes of the Regular Meeting
Denali Borough Planning Commission
Tri-Valley Community Center
June 21, 2016

Call to Order

Presiding officer Kesslyn TENCH called the regular meeting to order at 7:37 PM.

Roll Call

Planning commissioners present were: Kesslyn TENCH, Baxter MERCER, Lee LIGHTFOOT, Susan BRAUN, Anne CAPISTRANT, Barbara BREASE, Steve JONES, and Sid MICHAELS. Absent: Mark MENKE. Mayor Clay Walker was present.

Public Comments

There were no comments.

Approval of Agenda

Sid MICHAELS MOVED to approve the agenda. The motion was seconded. Baxter MERCER MOVED to amend the agenda by moving agenda item 9. Communication and Appearance Request to item 6. The motion was seconded. The VOTE by show of hands to amend the agenda was unanimous. The VOTE by show of hands to approve the agenda as amended was unanimous.

Approval of Minutes

Anne CAPISTRANT MOVED to approve the April 19, 2016 public hearing and regular meeting minutes as presented. The motion was seconded. The VOTE by show of hands was unanimous.

Communication and Appearance Requests

State of Alaska Department of Transportation representative re: Mile 231 Enhancement Project

Alaska Department of Transportation representative Lauren Little provided an overview of the Mile 231 Enhancement Project. The new bridge will be a 4-lane bridge with a separated walking path. The project is currently scheduled to begin construction in 2019.

Steve JONES asked Ms. Little if there is funding for an overpass or a hazmat vehicle/bus lane at the Mile 236 railroad crossing. Ms. Little stated that there will eventually be a solution for that railroad crossing but it is not on the list of projects in the near future.

PC Resolution 16-06; a resolution supporting the Mile 231 Enhancement Project

Sid MICHAELS moved to approve PC Resolution 16-06. The motion was seconded. The roll call VOTE was unanimous.

Correspondence

Letters received from Mary Beth Michaels and Sid Michaels regarding a proposed monofill by Central Monofill Services, EMI

Kesslyn TENCH acknowledged the receipt of the letters from Mr. and Mrs. Michaels. Ms. TENCH read her comment aloud. Ms. TENCH stated that this proposed project is not an agenda item at this time.

Sid MICHAELS requested and received 5 minutes to speak to this proposed project. Mr. MICHAELS reviewed statements from the April 2016 permit submitted by Central Monofill Services, EMI to the Alaska Department of Environmental Conservation Solid Waste Program that reference industrial waste, polluted soils, hazardous waste, and asbestos. Mr. MICHAELS expressed his concern of having this facility in our borough and what it may do to our land, soil, water, and habitat.

Mayor Walker pointed out that Central Monofill Services, EMI has submitted a new permit application in May with an abbreviated project scope from a Class 1 landfill to a lined monofill with an asbestos containment facility.

Mr. MICHAELS concluded his comments by stating that he and others in the Anderson/Clear area are very concerned and are disappointed that they have not yet received support from the borough in their opposition to this project.

<u>Plats and Conditional Uses</u>

PC Resolution 16-04; a resolution providing preliminary approval for Plat 16-03 Tract A, ASLS 87-125 located within Section 24, T12S, R8W, F.M. Vacate the 25' Public Access Easements on the northern, southern, and western property boundaries

Baxter MERCER MOVED to approve PC Resolution 16-04. The motion was seconded. There was discussion on the purpose of public access easements, the ramifications of vacating a public access easement for adjacent land owners, and if there is a compromise that could provide additional usable land for the land owner without burdening any adjacent land owners. The roll call VOTE failed unanimously.

<u>Reports</u>

Mayor

Mayor Clay Walker reported on the following items:

- The fiscal year 2017 Denali Borough budget has been approved
- State of Alaska revenue sharing funds will be reduced significantly from prior years
- Borough land management is set up as an enterprise and as such, may be able to support its own operation once we complete the Title 4 Code revision
- The finance committee has submitted a resolution to the assembly with a recommendation for the financial provisions section of the Title 4 Code revision
- The Alaska Department of Transportation has discussed the idea of establishing a hazmat vehicle/bus lane at the mile 236 railroad crossing that was brought up by the planning commission during the April meeting. Given the State financial situation, and

the logistical complications with this stretch of the highway being inside the Denali National Park boundary, DOT has asked that the borough wait for a plan to be researched before supporting any one idea

- Central Monofill Services, EMI has submitted a request to lease a parcel of land from the Alaska Railroad located in the Denali Borough near Clear, and has additionally submitted a permit to the Alaska Department of Environmental Conservation Solid Waste Program to operate a lined monofill and asbestos containment facility on this parcel of land
- The Denali Borough 25th Anniversary Celebration was well attended
- The assembly held a work session in the Otto Lake area prior to their June meeting to see borough property and meet with commercial operators in the area
- The Healy Transportation and Pedestrian Safety committee is scheduled to hold their final meeting and send their plan to the assembly for the July assembly meeting

Sid MICHAELS asked if there was any update on Resolution 09-06, the Healy Transfer Station, and the request for a material removal site at Mile 253. There was no new information.

Sid MICHAELS reiterated his concern regarding a monofill and asbestos facility being constructed on Alaska Railroad property in our borough and the need for the borough to oppose this project. Mayor Walker explained the permitting process and where this project is at in the process. Discussion continued.

Borough Planner

Denali Borough Land Planner Marsha Lambert reported that she has received numerous questions about public access along a road off the George Parks Highway near Dry Creek that is currently being used by a commercial operator. Ms. Lambert stated that she has requested clarification from the Department of Natural Resources on the easement determination for that road. At this time, Ms. Lambert recommends individuals wanting to utilize that road to talk to the commercial operator.

<u>Unfinished Business</u>

Denali Borough Code Title 4 Draft Version B and Version C

Steve JONES MOVED to amend by substitution Title 4 version B with the following amendments and forward to the assembly. The motion was seconded. Denali Borough Land Planner Masha Lambert pointed out that version B incorporates land classification into the management plan process.

- 4.01.050 change wording from “intent being” to “buffer may vary”
- In all commercial use definitions, change the words “services are offered” to “services that are offered”
- 4.10.005 H. move the words “blocking of scenic view, sunlight, causing flooding or blocking water access or flow” behind the word “radiation”
- Include Best Management Practices (BMP) in the definition section
- 4.10.010 D. change the words “three elements” to “two elements” and remove #2

- 4.11.020 D. #3. remove website address
- 4.11.020 D. #6. remove number 6 completely and renumber the sequence
- 4.11.020 D. #7. add the word “heavy” in front of the word “vehicular, remove the words “weekdays and Sundays”, change the word “is” to “if” and change the words “one mile” to “1000 feet”
- 4.11.020 G. remove the number “1” and the words “planning commission”
- 4.11.050 E. include a statement that the bond or deposit may be retroactive
- 4.11.050 I. remove “2. Revocation is necessary to further the management plan for the area” and incorporate #1 into the main statement
- 4.16.020 add the word “sale” to each method of disposal
- 4.10.010 D. 2. include the words “controls for invasive plants and herbicides” into the site-specific management standards and guidelines

Sid MICHAELS MOVED to amend version B section 4.17.100 to remove the words “exists and”. The motion was seconded. The VOTE by show of hands was unanimous.

The roll call VOTE on the main motion passed 7-1 with Sid MICHAELS opposed.

Denali Borough Sign Ordinance

Anne CAPISTRANT MOVED to postpone the Denali Borough Sign Ordinance to the next meeting. The motion was seconded. The VOTE by show of hands was unanimous.

<u>New Business</u>

PC Resolution 16-05; a resolution supporting the purposed LNG pipeline route through Denali National Park

Sid MICHAELS MOVED to postpone PC Resolution 16-05 to the next meeting. The motion was seconded. The VOTE by show of hands was unanimous.

<u>Public Comments</u>

There were no public comments

<u>Commissioner Comments</u>

Steve JONES stated he was happy to send Title 4 to the assembly.

Lee LIGHTFOOT stated that not having a quorum for the May meeting resulted in long and full agenda for the June meeting and he will try to attend meetings more regularly.

Susan BRAUN agreed that not having the May meeting created a full agenda for June and she will also try to attend more regularly.

Anne CAPISTRANT thanked everyone for their work on Title 4.

Baxter MERCER asked what authority the borough has over the proposed monofill project at this time since the project will be on railroad property.

Barbara BREASE commented that it is in the boroughs best interest to find out more about the proposed monofill project. Ms. BREASE thanked everyone for their work on Title 4 and thanked the borough land planner for talking to the Department of Natural Resources about the road off the George Parks Highway near Dry Creek being used by a commercial operator.

Sid MICHAELS stated that he was confused by the Title 4 process and didn't know which version to read. He reported that in 1993 another project was proposed to come into our area and the community successfully stood up against that project. He believes we need to oppose the monofill project now before the railroad decides to lease the land. The Anderson community is opposing the project and he hopes that the borough can come together to oppose the project. Mr. MICHAELS is concerned that if we don't stop this project now, it may not be able to be stopped.

Kesslyn TENCH thanked everyone for staying late to finish Title 4. She encouraged citizens to organize a committee to oppose the monofill project.

Time and Place of Next Meeting

July 19, 2016: Work Session at 6:15 PM; Public Hearing at 7:15 PM; Regular Meeting to follow the Public Hearing, at the Tri-Valley Community Center

Adjournment

Presiding Officer Kesslyn TENCH adjourned the meeting at 9:50 PM.

APPROVED: _____

Kesslyn TENCH, Presiding Officer

ATTEST: _____

Amber Renshaw, Deputy Clerk

Date Approved:_____