

Planning Commission Minutes

Regular Scheduled Meeting December 13, 2001

PUBLIC WORKS BLDG., SECOND FLOOR CONFERENCE ROOM

7:30 PM

I. CALL TO ORDER

Meeting was called to order at 7:35PM

II. ROLL CALL

Present: J. Guinn, C. Albright, P. Jennings, J. Hamilton, D. Notti

Excused: None

Unexcused: M. Charlie

Others Present: Bret Burroughs, Representing Tunista Properties

John Malone, Planner, City of Bethel

Sandra Moseley, Admin, Assistant, Recorder of Minutes

III. APPROVAL OF MINUTES

MM J. Hamilton/C. Albright Approve the minutes of the November 8 meeting.

Unanimous

IV. APPROVAL OF AGENDA

J. Hamilton requested the addition of Item C under new business pertaining to The Commissions meeting time.

MM J. Hamilton/C. Albright Approve the agenda as amended.

Unanimous

V. COMMUNICATIONS

None additional – included in meeting packets.

VI. PLANNERS REPORT

Mr. Malone reported:

Code Enforcement: The party involved in the violation that is the subject of the enforcement letter enclosed with your meeting packets has produced the required Fire Marshall's Certificate for their site improvements. A Site Plan Application is still pending for these improvements. Remediation of the code enforcement action last summer that was referred to

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the Corps involving the filling of lake shore ground at H-Marker Lake has been approved by the Corps. The landowner will remove the fill and car tires used to contain the fill, back to the 25 foot waterline setback specified in the enforceable policies section of our Coastal Management Plan.

State of Alaska Hazard Mitigation Plan: I also included an email informational msg in your meeting packet from the Office of Governmental Coordination pertaining to the states pending Hazard Mitigation Plan. I'm pleased to report that for the hazards that pertain to our community we have mitigation policies in place (example of this would be our Flood Hazard ordinance), and land use ordinances.

Citywide Orthophoto Mapping Project: Nicole and I attended a training on November 30th with the CAD staff at ASCG. This was most instructive and informative. ASCG has now completed the entry of a little over 300 plats and US Surveys in a master AutoCad database (296 plats plus the US Surveys) currently of record in the Bethel Records Office. As anticipated, many were found with numerous errors that needed to be reconciled and noted in order that they would fit as intended. ASCG has six remaining plats left to insert that are particularly troublesome due to platting inaccuracies, and copy quality. They also created a database in MS Excel of all these plats and surveys with a Remarks column that records these discrepancies and inaccuracies found in the CAD retracements. We are adopting this as our master index plat file. The ASCG staff provided us with an AutoCad file of their completed master database so far. We anticipate starting to use this shortly in developing two additional, and long needed products; redoing the current master address map and updating the land use districting maps. The current 1990 land use districting stops at the airport. What still remains to be completed by ASCG in the mapping project is breaking this master database into 1" = 100 feet grid maps and overlaying and reconciling these on the aerial photos.

Dedicated rights-of-ways and public easements on previously platted ANCSA and Indian Homestead Subdivision plats: ONC has now completed the rededication of the ROW's and public easements for Blueberry Fields Subdivision. These have been approved and finalized by our office. The apparent delay in this project, that I previously reported, is a result of their (ONC and/or the BIA) appraisers to extract accurate square foot data from these plats. The rededications require an appraisal. It is the appraised value that these beneficiary landowners need acknowledge they are dedicating for public purposes. As originally reported, this step was omitted by the Trustee (BIA) when these plats were originally approved by the BIA. As previously reported, all land sales have been frozen in these subdivisions until these new public dedication filings have been executed by both the city and the beneficiary land owner and approved by the BIA.

Corps of Engineers East Ave. Seawall Rehab and Extension of Brown's Slough Bulkhead: On November 19, pursuant to the Alaska Coastal Management Program, the Office of the Governor, OMB, Division of Governmental Coordination issued its Final Consistency Determination for this project. Through this centralized evaluation and comment process all agencies of state government that may have some jurisdiction over the project get to comment and make stipulations and conditions as to what will constitute permitted or non

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permitted activities in the project. The only stipulated condition in this Final Consistency Determination came from the Dept. of Fish and Game. This stipulation states, "No water work or discharge of materials into fish bearing waters between the months of October through April".

Application to the State for Conveyance of Additional Tide and Submerged Lands: The application to DNR for conveyance to the city of the remaining tide and submerged lands below Brown's Slough bridge and those situated in front of the old hospital site was submitted on November 6th. The lands in front of the old hospital site up to the west boundary of Mumtretlek Subdivision received bank protection during the last Corps project in 1995-97. These were not conveyed by the state to the city in the 1997 conveyance of most of the river frontage tide and submerged lands because they were not surveyed at the time. With this addition along the river front, the city will control all the tidelands from the small boat harbor entrance to the petro port, and 100 feet out into the river channel. DNR has issued a favorable preliminary finding and decision for this transfer. This finding and decision has been formally noticed to the public and is in the public comment period.

Phase II City Subdivision Piped Sewer and Water: Five of the ten to be acquired easement acquisition packets have been sent to the landowners. We received 21 changed drawings last Friday from the engineers. These changed drawings involve those properties located around the lake in Tract B (between Akiachak St and Napakiak Dr.). These changes move the main lines outside the landowners lots around the parameter of Tract B. Thus relieving the requirement of having to acquire additional easements from these landowners.

Replacement of Ridgecrest Forced Main Sewer Line— alternative routing: This office has begun negotiations with the land owner for the new routing between 6th and 7th Avenues.

Final Plat, Lots 8-12, Block 6, Tract C-2, Mumtretlek Sub. There still has been no further communication from Grant Shimanek of the Moravian Church since my last reporting to you last month. The Public Works director again reports that there has been no request for a final inspection of the public improvements related to this subdivision. Our office had anticipated having the final plat before you at the November meeting.

LKSD/DOE&ED Proposed Land Exchange: As you can see from the letter from DNR enclosed with your meeting packets, what I have asserted for several years to the Dept of Education and Early Development, they do not have the authority to convey the school lands proposed in our agreed exchange, has now been verified by DNR. It also sounds, from the tone of the letter, that DNR is not overly anxious to take our land exchange on as a priority.

Information Technology – Nicole Dahl:

Currently 5 systems are infected with Nimda, CIH, and Funluv virus. She could not get rid of Nimbda without pulling infected machine off the network and completely reformatting

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and reinstalling all their software. A primary clue to Nimda is email documents appearing on your desktop screen.

She attended a demo and meeting with Caselle Finance Software. This software is very intuitive, and menu driven. The drawback is it would not use our available IBM AS/400 server, and runs in MS Access database as a backend where it holds the data. Caselle has plans in the coming year to run this application on SQL server as well. This is a much better option as Access is not scalable, and tends to run slower the more records it holds. At this point she is not recommending changing the platform in the finance department.

She has also connected the Div. of Motor Vehicles (DMV) office to our wide area network (WAN), and to a connection port to the State of Alaska server (provides direct access to the central DMV database).

VII. PEOPLE TO BE HEARD

None at this time.

VIII. COMMISSIONERS COMMENTS

None at this time.

IX. OLD BUSINESS

NONE

X. NEW BUSINESS

ITEM A. REQUEST TO VACATE THE UNDEVELOPED PORTION OF 3RD AVENUE BETWEEN THE INTERSECTION OF WILLOW ST/RIDGECREST DR. AND DULL LAKE.

ACTION ITEM

Chair Guinn asked Mr. Malone to introduce the item.

Mr. Malone reported we would treat this application as we would any other right-of-way vacation, i.e. if approved, the land from the center line of the right-of-way would go to the abutting land owner with the exception that he would recommend placing a 20' preservation district down the center, 10' on each side of the center line of the right-of-way, to preserve the drainage to Dull Lake. He further stated that the petition was received too late (Dec 4th) to meet the noticing requirements for a public hearing. Commissioner J. Hamilton asked about the setbacks of certain buildings on the drawing exhibit. She wanted to know if all these met the setback requirements on Lots 7 & 8. Mr. Malone reported that the one building that did not meet setback had been removed. Commissioner J. Hamilton wants to be assured that there are no obstructions of drainage. Mr. Malone stated that he would have a resolution ready for the Commission's January meeting.

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MM D. Notti/C. Albright To proceed with a resolution as the reasons to vacate the public right-of-way contained in the petition appears to be supported by the ordinance.

Unanimous

ITEM B. RECOMMENDATION TO PUBLIC WORKS COMMITTEE ON THE DEFERRED ORDINANCE SECTIONS 17.24.228 THROUGH 17.24.280. THESE SECTIONS PERTAIN TO THE MANDATORY INSTALLATION OFF PIPED SEWER AND WATER IN ALL NEW SUBDIVISIONS. THESE SECTIONS BECOME EFFECTIVE ON JANUARY 1, 2002.

DISCUSSION ITEM

Chair Guinn asked Mr. Malone to introduce this item.

Mr. Malone stated that he had included in the meeting packets his May 5, 2001 memo packet to the City Manger, Public Works Director and City Engineer on the deferment of the effective date of these sections until January 1, 2002. He further stated that the Public Works Committee had again been given this May 5th memo packet at their last meeting. The Public Works Director reported that his committee has so far made no further recommendations for the Council as to modifying these sections.

Commissioner D. Notti stated that this may effectively stop any new subdivision development because of the costs involved. Mr. Malone offered that it was a matter of who should be responsible for these costs, the city or the developer. He further stated that there were several ways a developer could approach this from a surety bond, closed community system with central holding/lift stations, to the new provision provided in the platting ordinances for a formal contract between the developer and the city which could provide for a phased development of this portion of the developers public improvements requirements.

Mr. Malone added that this was obviously a sensitive area for developers and that is why the Planning Commission had recommended that its effective date be deferred to provide additional public hearing and comment time. So far no one has approached the city with an alternative recommendation to the current ordinance requirements that all new subdivisions comply.

ITEM C: DISCUSSION - TIME OF MEETING. ADDED TO AGENDA.

Commissioner J. Hamilton would like to change the time of the meeting from 7:30PM to 6:30PM. She recalled that the current meeting time was established to accommodate past Commissioner Tom Werner who was a pilot and usually did not get off work until the early evening.

Discussion followed between staff and commission members. No one had an objection to an earlier meeting time.

MM D. Notti/C. Albright to change time of meeting to 6:30PM.

Unanimous

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XI. ADJOURNMENT

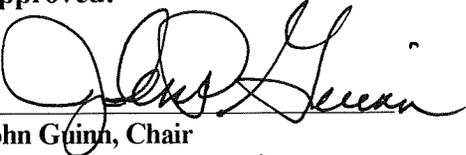
M/M J. Hamilton/C. Albright Motion to adjourn.

Unanimous

Meeting adjourned at 8:10PM

Minutes Prepared by Sandra Moseley, Administrative Assistant

Approved:



John Guinn, Chair

Date: 1/12/02