



Planning Commission Regular Meeting Agenda

Regular Meeting Thursday, June 13, 2013 – 6:30PM
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

MEMBERS

John Guinn
Chair
Term Expires
12/2013

Joy Shantz
Vice-Chair
Term Expires
12/2013

Rick Robb
Council Rep.
Term Expires
10/2013

Mike Walter
Committee Member
Term Expires
12/2013

Abe Palacios
Committee Member
Term Expires
12/2015

Cliff Linderth
Committee Member
Term Expires
12/2014

VACANT
Committee Member
Term Expires

Rachael Pitts
Ex-Officio Member

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (5 Minute Limit)
- IV. APPROVAL OF MINUTES OF THE MAY 9, 2013 MEETING AND THE SPECIAL MEETING MAY 23, 2013
- V. APPROVAL OF AGENDA
- VI. COMMISSIONER'S COMMENTS
- VII. UNFINISHED BUSINESS:
- VIII. NEW BUSINESS: A. Resolution 2013-01, Disapproving the Conditional Use Permit Application for a Sixty-foot Telecommunications Tower at 9116 Ptarmigan Street, Plat 80-2, Block 10, LOT 15, Bethel, Alaska , 99559.
- IX. ADJOURNMENT

City of Bethel, Alaska

Planning Commission

May 9, 2013

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on at 6: 30 pm in the City Hall conference room in Bethel, Alaska.

Chairman, John Guinn, called the meeting to order at 6:30 pm.

II. ROLL CALL

Comprising a quorum of the Commission, the following members were present for roll call: John Guinn, Joy Shantz, Mike Walter, Abe Palacios, Rick Robb, and Cliff Linderoth. Ex -Officio members present were the following: Rachael Pitts, Planning Director, and Betsy Jumper, Recorder.

III. PEOPLE TO BE HEARD

- None

IV. APPROVAL OF AGENDA

MOTION TO APPROVE THE AGENDA FOR MAY 9, 2013 MEETING

MOVED:	Joy Shantz	To approve the agenda for the May 9, 2013 meeting.
SECONDED:	Abe Palacios	
VOTE ON MAIN MOTION		
All in favor Motion passes; 6 yes and 0 opposed.		

V. APPROVAL OF MINUTES

MOTION TO APPROVE THE MINUTES FROM THE APRIL 11, 2013 Meeting

MOVED:	Abe Palacios	To approve the minutes of the April 11, 2013 meeting.
SECONDED:	Mike Walter	
VOTE ON MAIN MOTION		
All in favor Motion passes; 6 yes and 0 opposed.		

VI. PLANNER'S REPORT: Rachael went over the monthly planner's report. Rick wondered about the status of the proposed Nuisance rewriting/revisions that were done a couple of months ago.

V. MOTION TO FORWARD THE NUISANCE REWRITING/CHANGES OF THE BMC TO COUNCIL THAT THE PLANNING COMMISSION HAD PASSED PREVIOUSLY

MOVED:	Joy Shantz	To immediately forward the revised/changed BMC Nuisance
SECONDED:	Rick Robb	

		section to the City Council.
VOTE ON MAIN MOTION	All in favor Motion passes; 6 yes and 0 opposed.	

VII. COMMISSIONER'S COMMENTS: **Mike** stated he hopes the council approves his financial statement as is; he hopes he doesn't have to resign from the Planning Commission because of the overly intrusive questions on the financial disclosure form. **Joy** thought about downloading the old APOC form; she will turn in some sort of financial disclosure, and also stated she would like to see the specific listings of site plan permits issued. **Rick** stated he fought hard to simplify the financial disclosure forms to City Council.

VIII. UNFINISHED BUSINESS: None.

IX. NEW BUSINESS: A. Conditional Use Application from United Utilities, Inc., for a Telecommunications Tower and Utility Structure to be located at 9116 Ptarmigan Street, Bethel, Alaska 99559.

Russ McDonald of United Utilities spoke on the subject of wanting to install a cell tower in the Tundra Ridge area, specifically lot 15, block 10, plat 80-2 (9116 Ptarmigan St.). **William Ferguson**, a citizen of Bethel, expressed concerns, chief amongst them the devaluation of his residence next door and that the proposed lot is in a drainage area. Mr. Ferguson also expressed a concern with the lot size, i.e., is it big enough? And could/would the tower ever fall? A lengthy discussion ensued, bringing with it a myriad/plethora of questions, such as: could the tower length be shortened; should soil samples/engineering be done?; issues with the flight path, has anyone checked with the FAA?; is there any non-residential zoning in the Tundra Ridge area where the tower could be placed? The Planning Director stated that the conditional use permit could include the clearance of airspace approval by the DOT/Bethel Airport. Mr. McDonald stated a fence could be built around the structure. It was decided to table the issue until further information could be provided. A special meeting could be held too if need be to facilitate this issue to accommodate the short summer construction season. Commissioner Linderoth asked to be excused in the discussion/action item due to a conflict of interest. Chair Guinn accepted.

MOTION TO TABLE THE CONDITIONAL USE APPLICATION REQUEST FROM UNITED UTILITIES

MOVED:	Joy Shantz	To table the conditional use application from United Utilities, Inc. for a telecommunications tower and utility structure to be located at 9116 Ptarmigan Street, Bethel, Alaska 99559 until further findings are presented/answered:.
SECONDED:	Abe Palacios	
VOTE ON MAIN MOTION	All in favor Motion passes; 5 yes and 0 opposed.	

B. Request by the Yukon Kuskokwim Health Corporation for a right-of-way vacation, easement vacation, and additional easement at 700 Chief Eddie Hoffman Highway. The request was filed on March 14, 2013. Property is United States Survey No. 4117, Lot 5, approximately 28,296 square feet.

Commissioner Robb asked to be excused in the discussion/action item due to a conflict of interest. Chair Guinn accepted.

Rachael spoke of an issue that had arisen concerning this agenda item; the applicant had made a change to the original plan. After some discussion, it was decided to postpone until further information could be collected.

MOTION TO POSTPONE THE REQUEST BY YKHC FOR A RIGHT OF WAY EASEMENT

MOVED:	Joy Shantz	To postpone the request by YKHC for a right-of-way vacation, easement vacation, and additional easement at 700 Chief Eddie Hoffman Highway.
	Cliff Linderoth	
VOTE ON MAIN MOTION	All in favor Motion passes; 5 yes and 0 opposed.	

C. Zoning Change for a new Proposed Residential ("Snowridge") Subdivision, located East and West of Tundra Ridge Road, and South of Tundra Ridge Subdivision.

MOTION TO ACCEPT THE ZONING CHANGE

MOVED:	Mike Walter	To accept/approve the zoning change, from General Use, Preservation, and no designated zoning district, to Residential and Preservation zoning for the Snowridge Subdivision.
SECONDED:	Joy Shantz	
VOTE ON MAIN MOTION	All in favor Motion passes; 6 yes and 0 opposed.	

X. ADJOURNMENT, Motion to adjourn the meeting.

MOVED:	Abe Palacios	To adjourn the meeting at 7:45.
SECONDED:	Joy Shantz	
VOTE ON MAIN MOTION	All in favor Motion passes; 6 yes and 0 opposed.	

Next meeting will be on June 13, 2013.

John Guinn, Chairman

Betsy Jumper, Recorder

City of Bethel, Alaska

Planning Commission

May 23, 2013

Special Meeting

Bethel, Alaska

I. CALL TO ORDER

A special meeting of the Planning Commission was held on May 23, 2013 at 6:30 pm in the City Hall conference room in Bethel, Alaska.

Chairman, John Guinn, called the meeting to order at 6:30 pm.

II. ROLL CALL

Comprising a quorum of the Commission, the following members were present for roll call: John Guinn, Joy Shantz, Mike Walter, Abe Palacios, and Cliff Linderoth. Ex -Officio members present were the following, Rachael Pitts, Planning Director and Betsy Jumper, Recorder. Others present: Russ McDonald of United Utilities, and two engineers with United Utilities.

III. PEOPLE TO BE HEARD (5 minute Limit)

Citizen Lisa Meyers called in earlier in the day to the Planning Department and voiced her opposition against the tower – she heard they emit radiation. **Citizen William Ferguson** spoke out against the cell tower, stating GCI is only about economic gain; voicing concerns about his property being devalued and health issues cell towers can cause, including mental illness. He provided information about property devaluation in the state of California. Also, the Tundra Ridge covenants state that the Tundra Ridge neighborhood is strictly residential. **Citizen Tim Bee** voiced his concerns about living next door to a cell tower, specifically how it would affect his DISH Satellite television reception, and did not like the cell tower going in at a residential location. **Citizen Joanne Neck** stated she was not worried about the tower.

IV. UNFINISHED BUSINESS: A. Public Hearing: Conditional Use Application from United Utilities, Inc., for a Telecommunications Tower and Utility Structure to be located at 9116 Ptarmigan Street, Bethel, Alaska 99559.

The City Planner provided an introduction of the request.

The United Utilities Company employees gave a presentation about the proposed cell tower located in the Tundra Ridge subdivision. They indicated that the tower would augment present cell phone capabilities in the city. The new tower would allow better coverage in Tundra Ridge, Uivik, Larsen, and Kasayuli subdivisions. This is a chance for GCI to address complaints from customers that the cell phone reception is bad in parts of the city. They stated that there are no ill effects from the towers, and that they are designed to withstand high winds. The tower would not impair television reception in the neighborhood. Specifically addressed were some issues brought up by Commission members at the previous meeting on May 9th:

Can the tower be shortened? The tower would be most effective at 60 feet in height.
Are there issues with the airport flight path? Initial contact with TOWAIR indicates that the tower will not need to be registered.

Is there a different location to put the tower? At this time the present location is considered the best available. Finding a new location will add a year to the process.

Are the soils and drainage at the site adequate for a tower? The drainage is good at the site, it is not in the floodplain. The tower base in the existing soil will be adequate support.

Representatives of United provided information on the effects of a tower on property values, and issues of exposure to radio frequency fields.

The Planning Commission members discussed the topics at length.

The findings of the Planning Commission were:

1. This land use is not appropriate in Residential zoning.
2. The Tundra Ridge covenants permit commercial use on only a few lots, and not on this one.
3. The effects of such towers on health cannot be verified at this time.

(Cliff Linderoth asked to be excused from voting due to a conflict of interest; Chair Guinn accepted).

MOVED:	Joy Shantz	Approve the Conditional Use Application
SECONDED:	Mike Walter	
VOTE ON MAIN MOTION	0-4 Motion Fails; Guinn, Shantz, Walter, Palacios opposed	

VI. ADJOURNMENT, Motion to adjourn the meeting.

MOVED:	Joy Shantz	To adjourn the meeting at 7:50.
SECONDED:	Mike Walter	
VOTE ON MAIN MOTION	All in favor 5-0 Motion passes; 5 yes and 0 opposed.	

John Guinn, Chairman

Betsy Jumper, Recorder

Bethel Planning Commission Resolution

Bethel Planning Commission

Resolution No. 2013 – 1

A RESOLUTION OF THE PLANNING COMMISSION DISAPPROVING THE CONDITIONAL USE PERMIT APPLICATION FOR A SIXTY-FOOT TELECOMMUNICATIONS TOWER AT 9116 PTARMIGAN STREET, PLAT 80-2, BLOCK 10, LOT 15, BETHEL ALASKA, 99559.

WHEREAS, the Planning Commission has disapproved the request at a Special Meeting on May 23, 2013; and

WHEREAS, the Planning Commission has determined that the tower is not a compatible use with the neighborhood in Residential zoning; and

WHEREAS, the Tundra Ridge Covenants permit commercial uses on a limited number of lots, and not on the proposed lot; and

WHEREAS, the effects of such towers on the health of the public cannot be determined at this time;

NOW THEREFORE BE IT RESOLVED that the **PLANNING COMMISSION** has reviewed the request for the Conditional Use and has disapproved the request.

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this ____23rd__ day of ____May_____, 2013.

City of Bethel City Planning Commission Action:

Vote: In Favor: ____ Opposed: ____ Abstained: ____

ATTEST:

John Guinn, Chair
City of Bethel Planning Commission

Betsy Jumper, Recorder
City of Bethel Planning Commission

Bethel Recording District:
After recording please return to:
City of Bethel Planning Department
PO Box 1388
Bethel, Alaska 99559