



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Minutes Planning Commission

Tuesday, February 6, 2018

12:00 PM

Assembly Chambers

1. CALL TO ORDER:

2. ROLL CALL:

Present: 5 - Dave Kensinger, Yancey Nilsen, Chris Fry, Sally Dwyer and Richard Burke

Excused: 2 - Otis Marsh and Tor Benson

3. ACCEPTANCE OF AGENDA:

The motion to approve the agenda as presented passed unanimously.

4. APPROVAL OF MINUTES:

The motion to approve the minutes of the December 19, 2018 meeting passed unanimously.

Minutes of the Planning Commission Meetings of December 19, 2017

Meeting minutes December 19, 2017

Attachments: [Meeting Minutes 12.19.2017](#)

5. PUBLIC COMMENTS:

Mark Jensen spoke on his own behalf regarding the code revisions. Mr. Jensen stated that he had heard the public service announcement on the radio this morning and that all it said was that the Commission was going to take public comment on zoning and asked that more detailed information be assimilated to the public as to what the revisions may be. Commissioner Burke stated that he, too, heard the PSA and that it indicated that the public hearing on the revisions pertained to the downtown area so he called them and corrected the information to reflect that the revisions pertained to all of service area 1.

6. CONSENT CALENDAR:

7. PUBLIC HEARING ITEMS:

- A. An application from Karen and Mark Severson for variances from the 10’ side yard setback requirement and the 35% maximum lot coverage requirement for the property located at 109 Cornelius Road (PID#:01-031-580). The variances would allow the applicant to expand an existing net shed.

Commission Chair Chris Fry stated that he thought the Commission had agreed to allow the Severson's to go within 5' of the property line but require them to stay within the 35% maximum lot coverage at the December 19, 2017 meeting. As well as looking for the findings of fact from the last time this application was approved, which are included in the current packet. Commissioner Kensinger stated that he didn't see anything different from the application that was submitted a couple of years ago, with the exception being the concern of snow sliding onto the Weaver's property and that the Severson's would need to put snow clips on the roof, as well as stay 5' back from that property line. Commissioner Kensinger also wanted to note what Sam Bunge spoke on earlier regarding the reason for more space for setbacks but since this is a non-living space, he doesn't know if there would be an issue if there were a fire on this property. Discussion. Building Inspector Joe Bertagnoli requested clarification as to where that 5' would be measured from; not the post holding the roof up, but the actual span of the roof eave. It was clarified by Commission Chair Fry in the affirmative of the eaves being the point of measurement.

The motion to approve as amended was moved by Richard Burke, seconded by Dave Kensinger the application from Karen and Mark Severson for variances from the 10' side yard setback requirement and the 35% maximum lot coverage requirement for the property located at 109 Cornelius Road (PID#:01-031-580). The variances would allow the applicant to expand an existing net shed, with the condition of having snow clips on the roof and the 5' setback to be measured from the eaves.

Yes: 5 - Vice Chair Kensinger, Commissioner Nilsen, Chairperson Fry, Commissioner Dwyer and Commissioner Burke

Excused: 2 - Commissioner Marsh and Commissioner Benson

Motion to amend

The motion to amend was made by Yancy Nilsen, seconded by Sally Dwyer to include adding snow clips to the roof and maintaining a 5' setback from the property line, measured from the eaves of the structure, the application from Karen and Mark Severson for variances from the 10' side yard setback requirement and the 35% maximum lot coverage requirement for the property located at 109 Cornelius Road (PID#:01-031-580). The variances would allow the applicant to expand an existing net shed, to include adding snow clips to the roof and maintaining a 5' setback from the property line, measured from the eaves of the structure.

Yes: 5 - Vice Chair Kensinger, Commissioner Nilsen, Chairperson Fry, Commissioner Dwyer and Commissioner Burke

Excused: 2 - Commissioner Marsh and Commissioner Benson

Severson-ALL

Attachments: [Severson-ALL](#)

B. Proposed Petersburg Development Code

John Murgas spoke on behalf of himself and Island Ventures LLC, his business. Mr. Murgas expressed confusion over the language and concern over the zoning implementation schedule, stating that he thought that two public meetings was too aggressive. Mr. Murgas stated that he thought that the issue of tiny houses ought to be addressed more in-depth, giving examples that tiny houses could alleviate issues with the tight housing situation, especially for low-income people and retired people as well. Mr. Murgas stated that he had recently visited California in a community of tiny houses with pretty tight spacing. Mr. Murgas felt that something like that should be considered for our community. Mr. Murgas appreciates the current wording; however didn't think it would make much of a dent in our current situation. Mr. Murgas went on to address the subdivision language stating that he had purchased property out at Scow Bay and began the process to sub-divide for 13 lots zoned industrial, paid considerable money for filing and hiring a professional engineer, got all the approvals and put it out to bid. However the bids did not come close to paying for the income that he would realize for selling the lots so he abandoned selling any of them. The way the old code is written and the new code as well, doesn't allow for realizing income off the lots compared to the costs to develop. Mr. Murgas went on to say that what he is faced with now, is turning that property into a conservation easement which would be a permanent reduction in available industrial properties for the communities. What is really in demand here is smaller lots zoned industrial for storage of gear. People are not interested in sewer and water, they do want electricity, but not all the other requirements that come along with the major sub-division just makes that property too expensive. Mr. Murgas felt that the Commission needs to pay more attention to the major sub-division and how it would be somehow more amenable to especially commercial fishing people to be able to purchase property without having to put in sewer and water and road improvements like they would in a residential development.

Commissioner Kensinger asked Mr. Murgas specifically what were the impediments on his property? That he would have to put in sewer and water? Mr. Murgas answered that and putting in the road. He had hoped to sell one acre lots in the \$30,000.00-\$45,000.00 price range but would have to sell the lots at \$60,000.00 to pay for those improvements.

Commissioner Kensinger asked Director Cabrera if there were any distinction in the code if you develop property between residential and industrial. Director Cabrera answered that currently, no and as proposed, no.

Eric Grunberg spoke on his own behalf regarding the proposed code revisions stating that he appreciates the outreach the Commission has been doing and wanted the chance to make a public comment. Mr. Grundberg stated that he has read through all the documents and wanted to give some feedback. Mr. Grundberg stated that what he did like was how the Commission is trying to reflect not what the code is now but the actual use and he thinks that is a good thing; for example Scow Bay Loop Road, Hungerford Hill - the zonings are wrong there, Hammer Slough area and that the Commission is going for the historical commercial there and would just encourage the Commission to do the whole slough that way and not just portions of it. Mr. Grundberg agreed that it is definitely time for Petersburg to update the codes and that this is a really good start. Also, Mr. Grundberg said that he has lived in Washington State and California and that working with the

Community Development department has been a positive experience where the employees are actually trying to work with the public rather than against them and he really appreciates that relationship and hopes that will continue during this process also.

Richard Burke spoke on his own behalf regarding his amendment that is included in the packet regarding accessory dwelling units. Mr. Burke stated that his concerns are that the way the code is currently worded is that the size of the accessory dwelling is restricted by the size of the existing home on the property and he feels that as property size increases the size difference between the accessory dwelling unit and the primary dwelling unit on the property matters less and less. Mr. Burke gave the example of a 1,400 square foot house on a one acre lot - under the way the code is currently worded, without the amendment, it would limit the size of the accessory dwelling unit approximately 500 some feet. On a lot that size, is that really that important. Mr. Burke stated that he made the amendment to increase the size up to 800 square feet and not greater than 80% of the size of the primary structure. Mr. Burke has also broken this down by different lot sizes. Discussion. Director Cabrera stated that Mr. Burke does raise an interesting fact as most people down south would want to build their primary residence first and save their money and then later build their dream home; so what Mr. Burke is talking about makes sense because we might actually have the reverse happening more often, so she thought it made sense to make an adjustment to allow for the

Commissioner Kensinger reported that he will make the proposal to reduce from 520 to 1,200 square feet for the home occupation allowance. Commissioner Kensinger stated that his reasoning for that is that 400 square feet is 20x20, and then if somebody has something larger, he would request that the person go through the planning and zoning process because right now you can just have a home occupation business, the way the new code is, and not have to go and get a permit from Planning & Zoning, so if they want to have something that is going to take more than 400 square feet, then they have to go through this process and get approval. Commissioner Kensinger continued that if they are going to want to have an employee, they will also have to go through the Planning & Zoning process, which is already in place. Director Cabrera interjected that either an employee or if they are having customers come to the house, and that's the way the code currently operates.

Director Cabrera reviewed several of already discussed items and stated she would prepare additional amendments based on testimony heard today as well as written testimony received, including the request from Mr. Harvey Gililand regarding the historic district in Sing Lee Alley allow woodworking and welding, small scale, in that section as well as his comment about specific roofing allowed in the area. Discussion. Comment on urban farming was received and she will work on that. Discussion.

Code Amendments

[Attachments:](#) [Code Amendments](#)

Gilliland email testimony

Attachments: [Harvey Gilliland email. 1.29.18](#)

- C. An application from Island Ventures LLC to lease approximately 5,400 sq ft of tidelands at Scow Bay Turnaround to construct a temporary boat ramp.

Director Cabrera stated that the Harbor Board has voted to support Mr. Murgas' lease application.

Commissioner Kensinger stated he thought it was a good idea and that he understands some of the constraints, but is definitely supportive, stating he hopes the Mayor and Assembly would make the lease payment as low as possible.

A motion was made by Vice Chair Dave Kensinger, seconded by Commissioner Sally Dwyer, to approve recommending to the Assembly the lease application from Island Ventures, LLC. The motion carried by a vote of

Yes: 5 - Vice Chair Kensinger, Commissioner Nilsen, Chairperson Fry, Commissioner Dwyer and Commissioner Burke

Excused: 2 - Commissioner Marsh and Commissioner Benson

Island Ventures Lease Application

Attachments: [Island Ventures Lease Application](#)

- D. An application from Roger Sampson and Cheryl Keegan for a variance from the front yard setback requirement to allow construction of a garage 5’ from the property line at 208 Mitkof Highway (PID#:01-030-075).

Roger Sampson attended the meeting via telephone.

Commissioner Dwyer asked if this area was zoned commercial or industrial. Commissioner Dwyer then asked why the exception of putting a 1,650 foot garage with an 1,800 square foot house is okay. Director Cabrera stated that it is still a single-family residential and does not have size limits on structures, we just have a maximum lot coverage and as long as you stay within that, you can build up to that level. Discussion. Commissioner Fry asked if the State had submitted any comments on this proposed variance. Director Cabrera stated that no comments were received from anyone. Discussion. Chairman Fry asked Mr. Sampson how close that front corner is to the property line. Mr. Sampson stated that it is 6 feet from the property line and stated that he drew an arrow to show that the neighbor to the North is 8 feet and his neighbor to the South is 1 foot 2 inches. Mr. Sampson stated that he's trying to maintain the alignment so that he does not disrupt the neighbors' views. Discussion. Commissioner Kensinger asked Mr. Sampson why he chose that location for the garage. Mr. Sampson reported that he is going to use this garage for storing his 32' boat including the outboards, tongue of the trailer and truck. Mr. Sampson stated that this placement allowed him to pull off the road and not become a safety hazard on the highway. Also, he would have to get a Corp of Engineers approval on a permit. Discussion.

A motion was made by Vice Chair Dave Kensinger, seconded by Commissioner Yancey Nilsen, to approve the variance application from Roger Sampson and Cheryl Keegan. The motion carried by a vote of

Yes: 4 - Vice Chair Kensinger, Commissioner Nilsen, Chairperson Fry and Commissioner Burke

Opposed: 1 - Commissioner Dwyer

Excused: 2 - Commissioner Marsh and Commissioner Benson

Sampson.Keegan.dox

Attachments: [Sampson Keegan All](#)

- E. Request from Borough Manager on behalf of Mayor Jensen

Commissioner Kensinger stated that he agreed with the Mayor stating, that this is not an unusual request and since there wasn't a quorum at the last P&Z meeting, this particular item has only had 2 readings. Discussion. Director Cabrera stated that three readings are not required for this process. Discussion. Another meeting has been set for Tuesday, February 20th at 6:00pm with a call-in show with the radio station.

Request from Borough Manager on behalf of Mayor Jensen

Attachments: [Giesbrecht_email](#)

8. NON-AGENDA ITEMS:

- A. Commissioner Comments
- B. Staff Comments

9. ADJOURNMENT:

The motion to adjourn passed unanimously.

A Special meeting will be held on Tuesday, February 20, 2018 at 6:00pm for public comments on the Proposed Petersburg Development Code.

The next regularly scheduled meeting is March 6, 2018 at 12:00 PM

Commission Chair

Date