

PLANNING AND ZONING MINUTES

TUESDAY, AUGUST 12, 2008

I. CALL TO ORDER

The Planning & Zoning meeting of August 12, 2008, was called to order by Tom Ferrazzi the Chairman at 7:02 p.m. The meeting was held in Assembly Chambers of the Borough Building in Naknek, Alaska.

II. ROLL CALL

Present: Matt Niedermeyer, Steve Jones and Tom Ferrazzi. Jay King showed up at 7:07 p.m..

Excused Absence: Steve (Slim) Morstad and Harold Allen

Unexcused Absence: Elizabeth Eckert

Also Present: Yvonne Kopy, Planning Specialist and Tami Johnson, Clerk

III. APPROVAL OF THE AGENDA

MATT NIEDERMEYER MADE A MOTION TO APPROVE THE AGENDA AND STEVE JONES SECONDED. Yvonne Kopy wanted to add to the agenda under IX. New Business: B. Discussion of Commissioners and Alternates: Organizational Structure. MATT NIEDERMEYER MADE A MOTION TO APPROVE THE AGENDA AS AMENDED AND SECONDED BY STEVE JONES. MOTION PASSED UNANIMOUSLY.

IV. APPROVAL OF PRIOR MINUTES:

1. Regular Meeting of 6-10-08: STEVE JONES MADE A MOTION TO APPROVE THE PRIOR MINUTES OF 6-10-08 AND SECONDED BY MATT NIEDERMEYER. MOTION PASSED UNANIMOUSLY.

2. Special Meeting of 7-14-08: MATT NIEDERMEYER MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF 7-14-08 AND SECONDED BY STEVE JONES. MOTION PASSED UNANIMOUSLY.

V. PERSONS TO BE HEARD:

Hubert Von Palm RE: Zoning on his property in the Naknek River Subdivision Tax Map #20-026-629 Block 4 Lot 11: Mr. Von Palm stated he and his family have owned the green house in the Naknek River Subdivision for 18 years. All of his family have been coming here every summer. Now that their children are all grown, the house is too big and they want to sell. They have a realtor out of Soldotna and the question proposed to them is what other opportunities are there for this house business wise. Mr. Von Palm stated that a former manager said he could rent out the house and now his is told he cannot. The realtor has asked if a bed and breakfast could be made out of it? A bed and breakfast would bring in taxes for the Borough. He wants to sell to a family who would live in it year round and be able to run a B&B. The current zoning is restricted to single family residential and wishes to get it changed. Yvonne Kopy informed the Commissioners that clarification of what a home occupation is, needs to be defined and can be done with a text amendment without a re-zoning application. We could make an amendment to the text to define what a home occupation is and make recommendations and go to the Assembly.

VI. COMMUNICATIONS:

A. Reports of Planning Specialist

1. Site Development Permit Applications – Yvonne Kopy stated permits had been issued to the below listed applicants #1 had had a fire & #4 was just an extension.

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|-------------------------------|-------------------------|
| 1. James Johnson | Permit Issued 6/16/08 |
| 2. Sandor Manyoky | Permit Issued 6/30/08 |
| 3. Clinton & Isabelita Young | Permit Issued 7/14/08 |
| 4. Randall & Laurie Robertson | Extension Issued 8/1/08 |

2. Mapping Update: Yvonne Kopy stated we are waiting for finals from the State.

3. Dock Expansion Update: Yvonne Kopy stated construction will start in August on the dock.

4. Fitness/Walkway Path Update: Yvonne was hoping Elizabeth Eckert would be here to ask what had been said concerning input from The Elder's Action Group.

B. Fax from T. Verrett, BBB Attorney per "spot zoning", Heidi Wolf's Request & Chairman voting: Yvonne Kopy stated she has a written communication from Heidi as well as a discussion with Lorren. They need to file a new application with a letter of intent. When she receives this then we have 15 days to act and depending on when it is received, we may need to have a special meeting or may not. We cannot do anything until this is received. Tom Ferrazzi stated he had gone into training and his understanding was; he was to remain

impartial and run the meeting impartially and only vote in a tiebreaker situation, but apparently not. Yvonne Kopy stated according to Tim the attorney from here on in, Tom votes. Tim also stated he had some trouble understanding the Ordinances; regarding zoning procedures.

VII. PLATTING BOARD:

None

VIII. OLD BUSINESS

A. Ordinance No. 2008-05 Title 13 Streets & Sidewalks: Yvonne Kopy stated she had hoped that Donna from N.E.A. & Todd from BBTC would be here tonight. Yvonne will make an appointment to talk with them on this. A short discussion followed. Tom Ferrazzi stated he's not comfortable taking any action on this without NEA or the phone co. input. Tom stated this would be postponed until the next meeting.

B. Discussion on study of impact on Naknek River and development in upper river: Lake Camp area; Rapids Camp area; Pikes Lake and Ridge area: Matt Niedermeyer asked if Pike Lake Subdivision had covenants and could the Commission get a copy of them? A short discussion followed. Yvonne Kopy stated there had been discussion as to doing some studies or a workshop on this. She will talk to the Park Service about large vessels and will talk to Southeast and see what they do for house boats. Tom Ferrazzi stated he would like to see a map of the areas as to what is Native Allotment and what we can zone. Tom also stated that all landowners should be contacted to ask for their intentions. Yvonne said all had been contacted and more phone calls than people attending the meeting, had been received. Most people responded with wanting commercially zoned.

IX. NEW BUSINESS

A. Violations in the Naknek River Subdivision: Hummerick, Lucas, Kern & Peloza: Yvonne Kopy stated letters had been sent out in 2006 and gave them 12 months. Yvonne stated these are violations and asked what to do? Tom Ferrazzi asked what is the penalty? Yvonne stated it is a misdemeanor. Matt Niedermeyer suggested a firmer letter might be appropriate. Yvonne stated that maybe this winter we should look into amending the text for 83-8.

B. Discussion of Commissioners and Alternates: Steve Jones asked why are there 7 members compared to the Assembly of 5 members? If we keep two alternates, they do not have voting rights. We need to make clear if we keep two alternates, how do we decide who is an alternate? Thought it was by seniority, but found out it is not the case. Matt Niedermeyer stated this is an appointed

board not an elected one. Yvonne Kopy stated that the last two appointed members were appointed by the Mayor as commissioners and not as alternates as the records show. Two seats are up this year and it is prime time to make any changes. Alternates were appointed to help make a quorum, but we haven't had a lack of quorum in the past four years. Tom Ferrazzi stated that in his opinion it is working good the way it is, the more people we have up here, the more opinions we have and I think this is too important of a board to not have as many opinions as we can get to make better decisions. Yvonne stated she is responsible for letting alternates know who they are and she will take this on. Matt Niedermeyer stated that in the future, it is on seniority and a memorandum from the Mayor may be necessary. Matt Niedermeyer would like the board to remain status quo. STEVE JONES MADE A MOTION TO CHANGE THE SEATS ON THE COMMISSION AND STRUCTURE IT BY SENIORITY KEEPING TWO ALTERNATES AND SECONDED BY JAY KING. MOTION PASSED UNANIMOUSLY.

X. PUBLIC COMMENTS:

Betty Durand suggested that for the alternate situation, that when taking roll call, it is mentioned as to the 5 members and who the 2 alternates are at that time.

Shelby Boothe stated that this is a thankless job and the Planning & Zoning Commissioners are doing a good job and a fine service for your community.

Eddie Clark stated there is a fine line trying to keep our community going and growing and planning & zoning is an important part of our community.

XI. COMMISSIONERS COMMENTS:

XII. NEXT MEETING DATE:

The next meeting will be September 9, 2008. Jay and Tom will be gone.

XIII. ADJOURNMENT:

The meeting was adjourned by general consensus at 8:29 p.m.

Tom Ferrazzi, Chairman

Tami Johnson, Clerk