

PLANNING AND ZONING MEETING MINUTES

Tuesday; August 14, 2007

I. CALL TO ORDER

August 14, 2007 Meeting was called to order by Tom Ferrazzi at 7:02 pm. The meeting was held in the Assembly Chambers of the Borough Building, Naknek, Alaska.

II. ROLL CALL

Present: Tom Ferrazzi, Matt Niedermeyer, J.C. Tudor, Jay King, Steve Jones, and Steve Morstad.

Also present: Yvonne Kopy; Planning Specialist and Tami Johnson: Administrative Asst.

Audience: Shelby Boothe; interim Borough Manager, Ralph Mancuso; Coastal Surveyor's, concerned property owner's of the Donna G Subdivision.

III APPROVAL OF AGENDA

STEVE JONES MADE A MOTION TO APPROVE THE AGENDA. JAY KING SECONDED.

ADDITIONS: UNDER VII. PETERSON SUBDIVISION AND KATMAI VIEW SUB. 2.

MOTION PASSED UNANIMOUSLY

IV. APPROVAL OF PRIOR MINUTES – June 12, 2007 as amended. Section VI., Communications, change: **Matt Niedermeyer was concerned about the septic and waste disposal. TO: Matt Niedermeyer was concerned about the three signatures.**

**J.C TUDOR MADE A MOTION TO APPROVE MINUTES OF JUNE 12, 2007 AS AMENDED, JAY KING SECONDED
MOTION PASSED UNANIMOUSLY**

V. PERSONS TO BE HEARD

A. None

VI. COMMUNICATIONS

A. Reports of Planning Specialist

1. Site Development Permits Issued

Delta Western

Yvonne has issued a permit to Pete LaPlante

Dominic Papetti

Has asked for an extension and been given. Yvonne stated the original permit stated for a two story house. Yvonne was in casual conversation and Dominic mentioned, "and may do some fish processing." Yvonne made a notation on the bottom of the site development permit. A letter was also sent with the site development permit again reminding him of procedures he must undertake in order for a commercial fish processing plant.

2. Mapping Update

There is extra money, are there any ideas. GIS can add more detailed and additional maps. Naknek final draft is in. Naknek Electric Association has it and are putting pole markers on it.

3. Dock Expansion Update

Yvonne is working on another Denali nomination application. J.C. Tudor asked if the land sale had been finalized, Yvonne replied that it was in B.I.A.'s hands.

B. Marv Smith Resignation

**A short discussion followed by Matt Niedermeyer making a motion to Get a plaque for Marv Smith, seconded by Steve Morstad
Motion passed unanimously.**

C. Lake Camp Road & Rapids Camp Road

**Shelby Boothe gave a short presentation. Light discussion followed.
Hearing no further comments moved on to next item.**

VII. PLATTING BOARD

A. Preliminary Plat – Peterson Subdivision

**J.C. TUDOR MADE A MOTION TO APPROVE THE PRELIMINARY
PLAT OF PETERSON SUBDIVISION**

STEVE JONES SECONDED

MOTION PASSED UNANIMOUSLY

B. Preliminary Plat – Katmai View Sub. 2

**J.C. TUDOR MADE A MOTION TO APPROVE THE PRELIMINARY
PLAT OF KATMAI VIEW SUB. 2
JAY KING SECONDED
MOTION PASSED UNANIMOUSLY**

VIII. OLD BUSINESS

IX. NEW BUSINESS:

A. Clearing & Grading of Land Permit

**MATT NIEDERMEYER MADE A MOTION FOR THE PLANNING
& ZONING SPECIALIST TO RECOMMEND TO THE BRISTOL
BAY BOROUGH ASSEMBLY THAT WE DELETE THE CLEARING
AND GRADING PERMIT AND USE THE SITE DEVELOPMENT
PERMIT FOR BOTH.**

**STEVE JONES SECONDED
MOTION PASSED UNANIMOUSLY**

B. Road Maintenance

Yvonne Kopy said Paug Vik wants to upgrade roads with the Borough taking over. No action taken. P&Z Commissioner will read the Ordinances for discussion at next months meeting.

C. Procedures & Special Development Permits – Donna G Zoning

Matt Niedermeyer felt he may have a conflict due to owning property in the Donna G Subdivision and also Dominic Papetti calling about having a well installed. Tom Ferrazzi excused Matt from voting on this issue.

Yvonne stated a permit had been issued to Dominic Papetti, with the Three signatures which were required. On his original permit he had drawn a two story house, which he had planned on putting on the lot. In talking with Mr. Papetti, he casually mentioned processing fish in the summer. She notated on the bottom of the permit the necessary permits in order to construct a processing plant. Mr Papetti has asked for an extension on his permit. Yvonne stated that the Donna G subdivision has not been zoned. Yvonne mentioned a petition which

had been given to her today from the residents of the Donna G subdivision, opposing fish processing activity in their subdivision. Yvonne stated he has followed all procedures for the permit including signatures required, cannot stop him unless he begins building other than what he has stated. We cannot discriminate and say we don't want you building in Donna G subdivision, unless he deviates from the site development permit.

J.C. TUDOR MADE A MOTION TO HAVE THE PLANNING & ZONING SPECIALIST TO ASK THE INTERIM MANAGER; SHELBY BOOTHE TO SPEAK WITH THE ATTORNEY CONCERNING WHAT P&Z CAN DO ON ZONING.

**STEVE JONES SECONDED
MOTION PASSED UNANIMOUSLY**

X. PUBLIC COMMENTS:

Roylene Gottschalk asked who signed off on the permit from waste water. She was told it had been Kevin. The original sign off was for residential sewer. Roylene and her sister Glenda Williams are here and we are four of the remaining Heirs to the Donna G 1 & Donna G 2 subdivision. I have submitted a petition, there are 20 signatures on here the only two I have not got are from Matt because I thought there was a conflict and one from a person who is out of town. These are residents and homeowners in the Donna G. I also have a copy from the four heirs to the majority of what remains in the Donna G 1 & 2. There is also been some issues regarding a problem with the sewer trespass and the situation that we had which we are working on resolving, but until we get these resolved we cannot make an informed decision on this. Everyone in this audience except two that I don't know will attest that the Donna G is a residential subdivision. There are fourteen children in this subdivision. If we were to allow this in, then we would have NO.1. traffic problems, we would have bear problems, we would have smell and noise and that would be very very disruptive. Our property value would take a hit. Subject of covenants came up. There was a verbal covenant when the original buyers purchased property. What we need to do as a group here and as the major owners, the family, needs to get it so we can zone it. But we can't do it after the fact. So if we allow Dominic Papetti to start this, then we're already toast before we even start the process of getting it zoned and bringing it before the planning and zoning. Mention of BIA being involved and having control of the zoning was discussed. Roylene stated the heirs property remains in restricted status.

Roylene read a letter from Archie Gottschalk to the mayor. She mentioned the original permit showed a house, then 3 phase was asked about and a grinder. Violet's is in restricted status as well as a number of others. The other ones were taken out of restriction. Roylene said we don't want in our back yard.

Yvonne said this is what we talked about last month where we can make an ordinance that says automatically, when native land is purchased by a non-native it accepts the zone of adjacent property or properties, however you want to word it. We talked about it last month and that's why I put it on the agenda again this month before Roylene came forward with her comments. It's an issue it's been an issue, there are several properties around the borough that are not native owned and not zoned. It's an issue we need to address for the entire borough. This is a specific issue for Donna G.

J.C. agrees with the audience 100%, but what can we do?

Yvonne said we can zone. I don't know if it will hold after the fact. He has purchased it as a nonzoned parcel.

Matt Niedermeyer asked about zoning. Can it be back zoned or unzoned?

Ralph Mancuso remembers a lawsuit years back when the Gottschalk family Sued the borough for overlaying zoning. Discussion followed.

Violet Willson stated she was given full authority when she purchased property that she could do what she wanted with her property – except No fish processing. When she bought her property, she worked with Donna and BIA.

Tanya Hansen pays a lot of taxes on her property. She has four of the 14 children in the neighborhood. They bought into the area because it was safe for kids. If a processing plant were in the area, there would be an increase in traffic, smell would attract bears, more strangers would be hanging around. A fish processing plant is not safe for the neighborhood.

Brooksy Allen asked can all the homes be residentially zoned? She wants to Start the process to zone the neighborhood residential.

XI. COMMISSIONERS COMMENTS

Matt Niedermeyer was glad to see so many members of the community at the Meeting.

Tom Ferrazzi welcomed Tami Johnson to the meeting, who was taking notes.

XII. NEXT MEETING DATE: September 11, 2007

XIII. ADJOURNMENT: 8:27 p.m.

Chairman

Tami Johnson
Office Assistant