

MINUTES
NOME PLANNING COMMISSION
REGULAR MEETING
May 2, 2006

Chairman Irene Anderson called the regular meeting of the Nome Planning Commission to order at 7:13 P.M on Tuesday, May 2, 2006 in the City Council Chambers in Nome City Hall located at 102 Division Street.

ROLL CALL:

COMMISSION
MEMBERS PRESENT:

Irene Anderson, Jonella Larson, Tom Sparks, Jerald Brown and Charlie Weiss.

COMMISSION
MEMBERS ABSENT:

Matt Johnson and Bryan Timbers were excused.

ALSO PRESENT:

Leslee Wessel, CITY CLERK; Pat Hahn, BUILDING INSPECTOR; Jim Vogel, CITY ENGINEER; Terrie Perkins, DEPUTY CITY CLERK.

AUDIENCE PRESENT:

Toby Schield, NJUS Water/Sewer Superintendent, Tony Cox, Frank Tadda, NEC, Cliff McHenry, NEC, Blaine Galleher, Tony Cox, Nikolai I. Ivanoff, AGC.

APPROVAL OF AGENDA:

Chairman Anderson called for any changes or additions to the agenda.

A motion was made by Commissioner Sparks and seconded by Commissioner Brown to approve the agenda with the addition of a Public Notice of Application for Permit from the Army Corps of Engineers, Alaska District.

Hearing no objections, the motion CARRIED.

APPROVAL OF MINUTES:

The minutes of the March 7, 2006, regular meeting minutes were presented for approval.

A motion was made by Commissioner Sparks and seconded by Commissioner Weiss to approve the regular meeting minutes of March 7, 2006 with corrections.

Hearing no objections, the motion CARRIED.

The minutes of the April 4, 2006, regular meeting minutes were presented for approval.

A motion was made by Commissioner Sparks and seconded by Commissioner Larson to approve the regular meeting minutes of April 4, 2006 with corrections.

Hearing no objections, the motion CARRIED.

COMMUNICATIONS:

1. Letter to Mike Barton, PE, Commissioner, Alaska Department of Transportation, from Randy Romenesko, City Manager, City of Nome, Subject: Nome Resolution Re. General Aviation Strip at Nome Airport.

Commissioner Brown reports that after this was reported on the radio he had several general aviation pilots calling stating they were not in favor of this move.

2. Public Notice of Application for Permit from US Army Corps of Engineers, Alaska District, Applicant: City of Nome, Agent: Lawrence Dugan, BEESC, Reference Number: POA-2006-703, Purpose: construct a road and pad for snow disposal site.

CITIZENS COMMENTS:

Blaine Galleher

Tony Cox and I are looking in to acquiring Panorama View Subdivision which is up there kind of straddling the road that goes to Anvil Peak. There is a loop road that runs off towards Sledge Island that goes through the subdivision and the vast majority of it is within City limits. What we are doing is requesting that the City assume responsibility for snow removal for that - being that it is within city limits. We met with Randy Romenesko a couple days ago and he advised us to come here and I got the impression that it was up to you maybe to make a decision and forward it back to him. I'm not sure - Irene kind of gives me a different look on that.

I don't know how many of you have been up there but a road is in place that makes the loop. Right now there is only one house up there that's within city limits actually on that loop road. The upper road itself snows in a little bit mainly because some of the obstructions that are upwind - that is not likely to decrease as the subdivision develops but on the lower road about 75 percent of the road is blown clear year round. In the near future there won't be much involved in snow maintenance. I think Nathan Barron has been kind enough to go up there a couple times this past winter with the loader and he blasts it out pretty quick for Earl who is living up there right now. In the near future - in the next five years or more I really doubt that there will be a whole lot involved.

We are considering upgrading (raising) the road. Drainage isn't a problem - it drains pretty freely now without any culverts or anything like that across the road. As properties are developed and they fill their lots - obviously there will be some culverts needed across their approaches. Jim Vogel takes a pretty active roll in approving any plans for that under the City's own permits so at the moment I'm not too concerned with that.

One other thing that Randy suggested is that in order for this to take place that we actually deed that road easement over to the City. Is that the case or...?

Commissioner Sparks responds that normally that is done when the subdivision is approved.

Mr. Galleher responds well this was so long ago it was when this subdivision was not even in the city limits. This was subdivided in 1982. I don't know when the City annexed that area – early 90's? It's been awhile – it's probably been within city limits for at least 10 years but it was subdivided and the road put in well before it was even in the city limits.

Right now the snow removal and access for water delivery is the obligation of the subdivision owner which hopefully will soon be us but being that it's within the city limits we are requesting that...

Commissioner Sparks continues I think that is an administrative thing I don't know that we would approve this – we are the platting authority for the City of Nome and ultimately someone can go to the City Council if they are aggrieved by us or municipal court but it seems like this is an administrative function more than....

Commissioner Weiss agrees and states that's my feeling – if it's a legal subdivision isn't that something the City Council has to decide and not the Planning Commission.

Commissioner Brown wonders if there is an area that would be designated as a snow storage or snow dump?

Mr. Galleher responds that's kind of a tricky question – Jim just addressed that issue a few minutes ago.

Jim Vogel, City Engineer, explains that that definitely would be one qualification that I would ask for is to designate – I haven't gone out to look at the lay of the land – I'm guessing two areas similarly to what we have in Icy View. Once the snow starts building up you can't store too much along side the road so you would probably have two areas that would be available to have snow storage in the winter.

Mr. Galleher states my one spontaneous response to Jim's comments is that the easement is fifty feet wide which is I'm guessing the equivalent of 5th Avenue. If our road top is only 24 feet wide that's twelve feet on either side of the road to blade snow off. My question to him was well how much storage do we have to provide? Are we supposed to anticipate the snow fall and the volume of the snow? My point is – I hate to designate a lot that's potentially for sale just simply as a snow dump in perpetuity.

It is noted that subdivision regulations are being re-developed that will require that new subdivisions make provisions for snow dumps.

Commissioner Sparks asks if they have approached the City about dedicating the easement to the City?

Mr. Galleher responds that City Manager Romenesko is the one that suggested that we needed to do that and he said we need to come here for you to decide on it.

Commissioner Sparks continues what mechanism is he suggesting ...like another subdivision being submitted to us?

Mr. Galleher states that easement is on the existing plat. It's in there; its fifty feet wide. At the time of the plat they drove rebar in on every single corner of every lot and right now there are probably at least 95% of them still there and this was in 1992. Finding the easement is no problem.

Commissioner Sparks asks who the legal owners of the easement are.

Mr. Galleher responds it's already built in – the lots are on either side of the easement. It's a fifty foot easement and ownership is the subdivision owner.

Commissioner Sparks adds so you need a mechanism to try to transfer in to City ownership.

Mr. Galleher responds this is all new to me but we would define that easement and basically we could give that plat and we would dedicate it.

Commissioner Sparks states this would be the ordinance process as you would be acquiring real property from the City of Nome. It doesn't go here – that would be my take on it.

Tony Cox

I was involved in the informal meeting with Randy. What was put forth to us was basically what Tom said – a dedication of right-of-way to the City which may have to be handled through a replat.

Mr. Galleher adds I don't know why it would have to be replatted – it's already there.

Commissioner Sparks explains if it is a replat you would come here but if it is a dedication of real property then it goes through....

Mr. Cox continues that City Manager Romenesko talked about certain stipulations/notes that may have to be on the plat itself, so that's where the replat came in. What those stipulations are...I don't know if there are standard notes that need to go on those sorts of things – I'm not quite sure that was kind of why we came here to get a better handle on that.

Chairman Anderson states our recommendation to you is to work with Jim Vogel, the City Engineer and other city staff.

Commissioner Weiss asks the question whether the City is responsible for infrastructure in this subdivision after the annexation in 1998.

Chairman Anderson states she is unsure of the "legalities" of annexing this subdivision and Commissioner Sparks comments that he believes they would be responsible for services. They are taxing your real property that is now located within the city limits. He adds further that these are administrative decisions and somewhat based on budgets etc...if more people are located up there – there would be more of a need for services such as snow removal.

Toby Schield

I got kind of "nailed" on my flood insurance – I sent the information to my insurance agent and what not - they kind of dropped the ball last August and I thought it was taken care of. They put me on national flood insurance and my payment went up about four hundred dollars. The question I have is – the flood insurance information is based on the rate maps set in 1983. This does not take in to account the seawall construction and any recent fill etc... so I am kind of wondering if we are paying for something that we wouldn't be required to do if there was a "re-do" of the flood insurance rate maps. This just came to my mind while I was sitting here as far as addressing you...I'm wondering if there wouldn't be something or somewhere down the road that we could investigate what it would

take to do that and what it would mean to the citizens of Nome to have it done. I know it would affect me positively. Thanks for your time.

Chairman Anderson notes that we have asked in an informal letter to FEMA or the Corps. to have those 1982 maps re-done but that's been a couple years ago.

This would be federal and funding would have to be available also.

REPORTS:

DEPUTY CITY CLERK

1. 2006 Building/Remodeling Permit Summary
 - a. Building permits issued in May: 5 (4 commercial, 1 residential)
 - b. Remodeling permits issued in May: -0-
2. 2006 Misc. Permit Summary
 - a. Misc Permits issued in May: 6 (2 demolition, 4 excavation/fill)

Commissioner Brown wonders if a permit has been issued for work done by property owned by H. Ebrel and Building Inspector Hahn reports that a permit is needed and he is working with Mr. Ebrel on issuing a permit.

CITY BUILDING INSPECTOR

Building Inspector Hahn updates the Commission on Greg Smith's project.

NJUS sewer and water superintendent, Toby Schield comments with regard to Mr. Smith's building project is that one of the things that came up after the fact of issuing the building permit is he is building over a utility easement which a variance would have to be given or a vacation of a certain portion of that easement is going to have to happen. It didn't come up at the time when the permitting was going on but being that it was one of the sewer and water projects under the grant program easements are granted to the utility for that. As far as him hooking up – he is just going to go down and intercept the existing service and come up outside his house so we don't have a problem with that but there is a concern about that easement. He has been notified and will be talking with John to resolve the issue.

CITY MANAGER

1. March 27-April 7, 2006

UNFINISHED BUSINESS:

NEW BUSINESS:

A. Major Subdivision, preliminary plat application for NSHC Nome Hospital Parcel, Tract A, a subdivision of MS 1311, MS 1800, MS 1893, Sections 25 & 36, Township 11 south, Range 34 west, Kateel River Meridian, Alaska , containing 38.81 acres.

Public Hearing opened: 7:44 PM

Chairman Anderson asks if there are any members of the Norton Sound Health Corporation available to discuss and present this preliminary plat application.

Chairman Anderson continues the preliminary plat application is within our packets and members of the audience have a copy of it also. Are there any other members of the public that would like to talk about this application?

Jim Vogel, City Engineer comments that John B. from our office has been working with the architectural team and they have sort of reached the point where things seem to be on hold as there are budget issues. At this time I don't think anything's been finalized as far as site planning or preliminary design.

Mr. Vogel continues as part of this platting process at some point there needs to be a clear definition of what their utility needs are and the corridors necessary to get it to them. My understanding is that this whole preliminary plat process is on hold because of budget discussions for the new hospital.

Public Hearing closed at 7:47 PM.

Chairman Anderson explains there are a number of conditions that are needed on a preliminary plat such as date and scale, north arrow, the name of who is the subdivider, name of the surveyor, names of adjacent land owners, mineral or us surveys, subdivision property lines, number and dimension and area of each lot. This is becoming one big tract – Tract A, changing part of mineral survey 1800, 1893 and 1311 in to one parcel. It needs to show topographical lines every two feet, those are there and two feet are marked. Locations of swamps, streams, flood plains, mean high tide lines, and surface drainage is available from the City and subsurface drainages. It's showing the seasonal creek flow and a pond and it needs to show dedicated rights-of-way, patent reserves, road easements, reservations, improving right-of-way and surface widths and purposes and it is not showing that. It's showing a traveled road. It's supposed to show existing facilities or structures of which there are none. Sewer water systems, utilities easements of record or in use, any excavations or bridges or culverts any other reasonable requests for information by the City Manager and or the Planning Commission and the proposed location of street water, sanitary and storms sewers, public improvements rights-of-way easements. This preliminary is suppose to have all of this stuff, certification of plat showing the owners, which is in the packet. Chairman Anderson continues in all cases where there is individual on site sewer disposal they would have to provide a test from DEC and then if they were going to have restricted covenants or other deeds that would have to be attached in this packet.

Commissioner Sparks adds I don't know how we can act on this preliminary plat without all of those items and number thirteen in our code – we don't know where they are going to put any of their easements...perhaps this is a little too premature.

Chairman Anderson states the procedure is that the City Manager would receive 12 of these copies and then the City Manager would obtain comments from the utility manager, fire department and any other utility company being part of the action that's going to happen on this land. The Planning Commission will hold a public hearing within 40 days of a completed submission. Did I hear you that you believe this is not a completed submission?

Commissioner Sparks responds I think before we act on this – right now we have topographic features, we have the corners, we can see where they are vacating some lines of some former mineral surveys and creating a new tract but we don't know how the utilities are going to line in.

We've got a memo from the utility manager expressing some concerns. So maybe they just need some more time to figure out where they are going here. I remember some public meetings I attended on this new hospital where they were showing this large parking area and open area, kind of a long that green belt and....

Commissioner Browns states now that's changed – they may end up having to put the hospital here instead of up here so they can get rid of all of these bridges and lower the cost. They won't need as much of a gravel pad.

Commissioner Sparks continues then we don't know where those utilities and structures may impact the city or may impact the adjacent land owners.

Commissioner Brown comments this is major subdivision because of the size but usually a major subdivision is a lot of lots and so you need to know where your roads are going, where your utilities are going, have an allowance for snow removal etc...but here you've got one owner, one lot so does that really apply. You've got the road here – 7th Avenue but I think that's the only road that we should be concerned with because that's the only road that abuts anything else – that's just my opinion.

Commissioner Sparks responds that's true – but the meeting that I went to they were talking about perhaps dedicating some areas to the City. They want the City to maintain some of those parking areas. If they (NSHC) is willing to take on all of those burdens then yeah we wouldn't have to look at it. It would just be a paper exercise of getting rid of lines but it may be more than that.

Commissioner Weiss adds why would the City take any land that wasn't dedicated and designate it to the City which would be another replat.

Commissioner Browns adds they would have to come back to us when they get to that phase.

Commissioner Sparks comments it kind of unfortunate that we don't have anybody here from their organization that can kind of tell us where they are at. NJUS has expressed some concerns over the deciding of the infrastructure which is going to be necessary and the lighting along 7th Avenue, increased traffic flows and other things and we don't know how those things are going to affect our community. I'm a little bit uncomfortable about this – I certainly don't want to slow down the project don't get me wrong there...

Commissioner Brown states I don't know if there is some sort of requirement that they get this settled before they can take the next step or...anything like that – it would be nice if they knew that.

Commissioner Weiss asks are they asking just to make one tract so they can go on with their project.

Chairman Anderson states it's a preliminary – they would have to come back anyhow, I certainly believe its going to be a very big process when they do their site control and their entire infrastructure planning of the campus.

Commissioner Brown states couldn't we make requirements – make the preliminary approval contingent on some requirements before – that they come to us before they take steps that would create this infrastructure that Tom's talking about.

Chairman Anderson adds one thing that I should mention is that Tom and I were here at a city transportation meeting last night with the DOT contract engineers who are working on the Bypass

Road. It sounds like their idea is expanding it wider and making it two hundred feet; one hundred foot centerline. It would have a direct affect on the southern boundary of this parcel.

There are still many questions about placement of utilities etc. and Chairman Anderson asks Mr. Schield if he has any information on this.

Mr. Shield responds that he heard they were possibly considering alternate sites to this, so I know that in consideration of the size of pipe and stuff we are taking up that way up the Bypass Road that we have been in contact with NSHC as far as what there kind of conceptual ideas for the area is, whether we are providing the pressure for their fire or whether they are going to have an on-site storage for fire fighting and that type of deal but as far as seeing anything – Jim have you seen anything as far as kind of what their layout is and how they would do that.

Mr. Vogel responds they have had several conceptual plans and they have had a series of meetings and apparently there's even been a meeting with the project folks back in Washington with IHS. I'm not speaking for them – this is like third hand information but it sounds like they are concerned with the project budget and they way the project was administered. I don't want to start rumors or anything – in fact, nothing has really been pinned down and how it's going to be served with water/sewer/power. If you take the preliminary platting guidelines seriously – we do ask them to identify these things. That's what we were doing when I replied and when John replied with our comments.

A motion was made by Commissioner Sparks and seconded by Commissioner Brown to approve the preliminary plat application as presented.

A motion was made by Commissioner Brown to amend the current motion to approve the preliminary plat with the condition that all of the issues brought up by the City be incorporated in the final plat before it comes back for final approval. Hearing no second the Motion dies.

Discussion:

Commissioner Sparks states that he would really like to see NSHC here so that we can work with them and get some ideas of what they intend on the property because it will affect the adjacent land owners because of drainage issue patterns and fill requirements and so forth and snow loads. There will be lots of things that will be affected – property owners in the vicinity, traffic patterns and we do have concerns expressed by NJUS so I would rather have them re-submit a preliminary plat where they can come in and work with us. That's my feeling on this.

Commissioner Browns states but we should give them pretty specific guidance as to what additional steps they need.

Commissioner Sparks responds that that is pretty much spelled out in code. Chairman Anderson adds everything that we've seen in writing by City staff and NJUS staff addresses item 13 in the requirements. It looks like all of the standards for items 1-12 have been met - but what is lacking is item 13.

The motion to approve the preliminary plat application as presented FAILS unanimously.

It is noted for the record that NSHC should be asked to come back to the City with a new application, be available to attend the public hearing, and that the new plat address the requirements/standards found in Nome Subdivision regulations 70.210 and more specifically item 70.210(a)(13).

There is a 5 minutes recess before continuing to Item B under New Business.

B. Major Subdivision, preliminary plat application for Nome Eskimo Community, Replat of Block 35, Lots 1-6 to Block 35, Lots 1-8, U.S.S. 451, Nome Townsite, City of Nome, Alaska.

Meeting reconvenes at 8:29 PM.

Public Hearing opened 8:30 PM.

Frank Tadda

Hi, I'm Frank Tadda, Housing Director for Nome Eskimo Community (NEC), I've been here before and I'll probably be here again. We went ahead at Jim and Randy Romenesko's recommendation to actually do the preliminary plat with a registered land surveyor. I was just discussing some of Jim's comments here as far as the water and whatnot. What I did reiterate to both Jim and Toby is that most of the design on here with the lots sizes and also the proposed easements were based on John Handeland's recommendations. Our intention based on what John has recommended is to bring the water easements down to the lower lots – the ones along First Avenue, from Third Avenue on these two easements between the proposed Lots 1 and 2 and then Lots 3 and 4. It was actually budgeted in the City's master plan for 2005 to extend the sewer line from N Street along First Avenue down far enough to pick up the sewer on the lower four lots. One of the things that I did tell John and in passing since I didn't talk to Randy as much but I did assure John that we did not expect NJUS to pick up the full tab on that we were willing to participate. Block 36 is owned by Sitnusuk – its an empty lot – who knows what they are going to do with it. At the time John told me that NJUS had put out a survey several years ago and none of the lot owners along that First Avenue responded. So I thought well since they are our applicants, our clients who would benefit from these lower four lots then that would only be fair that we split the costs somehow. He did send me a letter here about a month or two ago – I can't remember the dollar amounts but I think it was somewhere in the neighborhood of two-hundred thousand dollars for our share. I'm sure that's subject to change as things go along.

Our plan when we first bought these lots was kind of two fold; all of the lots were fifty by approximately two hundred feet and we at NEC wanted to avoid the scenario that we were stuck with up on 6th Avenue and a fifty foot lot does not give you much room to maneuver a house on. Interior lots you loose ten feet, corner lots you loose fifteen feet. This is my feeling, this is the administrations feeling, and this is NEC's Councils feeling. We want to be able to move the houses around as necessary. Cliff brought up the fact about the orientation for the solar possibilities and the other one I talked to was Tissy and the Council about the aesthetics. We aren't planning eight of the same style houses. The way things are looking we won't be building more than one or two, possibly three houses in a given year. I've got some architectural software that shows 500 pretty house designs. That's what our option is to come up with oh maybe half a dozen house designs that are efficient, that aren't architectural nightmares and are easy to build.

Cliff McHenry

5/2/06
Approved 6/6/06

Two of our clients – the family size will vary so there may be a two bedroom house adjacent to a three bedroom and as our clients come to us we will be building the houses to their specifications. We don't see having a bunch of modular homes all the same next to each other.

Mr. Tadda adds our intention is to build them with force account or local contractors. We aren't bringing anybody from Point McKenzie, Seattle or Key West. It will all be local hire from Nome.

Chairman Anderson points out that the sewer doesn't show on this preliminary plat.

Mr. Tadda responds the other plat that I had originally turned in to Terrie last fall I think shows that. That the sewer is along First Avenue from N Street and the water is from First.

Jim Vogel, City Engineer comments I don't know if you received the letter that I submitted yesterday but I reviewed the composite of the thing that Scot McClintock did and then Frank's previous submittal that had lot owners and the sewer and I've approved it – I just have a recommendation that they coordinate the final details with NJUS but otherwise I think its probably ready to roll.

Jim Vogel, City Engineer continues and hopefully we are getting the surface drainage stuff worked out down in that neck of the woods too.

Commissioner Sparks comments this is the second time we've seen this as a body and we have the dedicated easements, the lot lines are all in order and the lots are greater than the 5,000 square foot minimums and I like the idea of having a little larger lots to enhance the community and it seems like all we would need on the final plat is just the utilities.

Chairman Anderson asks if there are any other members of the public that would like to make comment.

Toby Schield adds my only comment would be about the easements going through there and since I've seen it – it has been laid out the way it had been discussed originally.

Mr. Tadda adds one of the things that I talked to John about and I haven't talked to him for at least 4 or 5 weeks is he was concerned about the funding for this years utility cycle and I said assuming approval of the plat we did not have any intention of building eight houses this summer. Assuming again approval, we have four lots we can build on if we even do that this year.

Public Hearing Closed 8:38 PM

A motion was made by Commissioner Brown and seconded by Commissioner Sparks to approve the major subdivision preliminary plat application from Nome Eskimo Community for Block 35 as presented.

Hearing no objection, the Motion passed unanimously.

Discussion:

Commissioner Sparks states I think everything is in order we just need to see the utilities on the final plat submitted.

Commissioner Weiss wonders what happens if the utilities doesn't come up with the money for the sewer for those bottom four. Mr. Tadda responds we would have to come up with more funds, possibly through IHS. We will have to cross that bridge when we get there.

COMMISSION MEMBERS REPORTS:

Commissioner Sparks comments we went to that road meeting last night and it seems like they have about half the money that they need for the project (Bypass). It is still early in the project and there is still lots of work to be done and they are working on the environmental portion right now.

Commissioner Brown has no comments.

Commissioner Weiss has no comments.

Commissioner Larson comments she is going back to school and will be leaving in July. She will be here for the June 5th and 6th meetings.

Chairman Anderson has no comments.

SCHEDULE OF NEXT MEETING DATE:

The Nome Planning Commission determined that the next regular meeting shall be held Tuesday, June 6, 2006, 7:00 P.M., and a work session is scheduled for Monday, June 5, 2006 at 6:00 PM.

ADJOURNMENT:

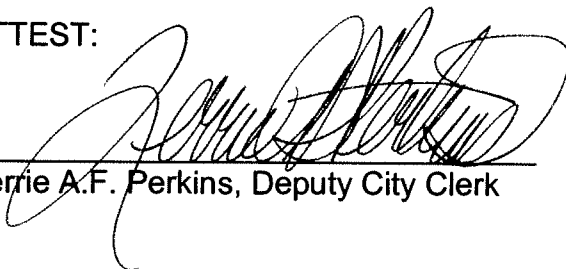
Commissioner Sparks moved and Commissioner Brown seconded a motion to adjourn. Hearing no objection, the MOTION UNANIMOUSLY CARRIED and the meeting ADJOURNED at 8:49 P.M.

SIGNED and DATED this 6th day of June, 2006.



CHAIRMAN IRENE ANDERSON

ATTEST:



Terrie A.F. Perkins, Deputy City Clerk