

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

4/13/2021

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, April 13, 2021, by Chair Sharli Arntzen, and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Sharli Arntzen, Jacquie Meck, Michael Medford, Michael Martin, Jos Govaars, and Licha Kelley-King

ABSENT: Joseph Mainardi

STAFF PRESENT: Planning Director Richard Harney, Planner Jonathan Lappin, Planner Alethea Johnson, and Platting/ Zoning Clerk, Jeremy Weber

PRESENTATION OF MINUTES - Meeting Minutes of March 9, 2021

M/S Meck/Medford to approve the Meeting Minutes of March 9, 2021 as presented.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Medford, Kelley-King, Martin, and Meck

MOTION DECLARED CARRIED

SPECIAL ORDERS

An Oath of Office was completed by Sharli Arntzen.

Planning Commission Appointments for Chair and Vice-Chair:

M/S Govaars/Meck to approve Sharli Arntzen as Planning Commission Chair.

Sharli Arntzen was approved as Planning Commission Chair by unanimous consent of the Commission.

M/S Meck/Medford moved to approve Jos Govaars as Planning Commission Vice-Chair.

Jos Govaars was approved a Planning Commission Vice-Chair by unanimous consent of the Commission.

Michael Medford was appointed to Code and Planning Committee by unanimous consent of the Commission.

Michael Martin was appointed to Code and Planning Committee by unanimous consent of the Commission.

MOTION DECLARED CARRIED

CORRESPONDENCE

1. Correspondence from Marge Dwyer in Opposition to Case 21-009
2. Correspondence from Bret Serlin in Favor of Case 21-009
3. Correspondence from Robert & Emily McClory in Opposition to Case 21-009 with Petition
4. Correspondence from Ken & Rosie Berry in Opposition to Case 21-009

PERSONS TO BE HEARD - None

UNFINISHED BUSINESS/ PUBLIC HEARINGS - None

NEW BUSINESS/PUBLIC HEARINGS

Chair Arntzen described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. She then read the agenda published on April 9, 2021 into the record.

Case 21-007 is a request for a preliminary plat to create two lots from Lot 1 of the Dawson Subdivision, according to Plat #2002-16, K.R.D.; located at the southeast intersection of Cambria Drive and Vallenar Lane, City of Ketchikan. Filed by William Goodale on March 12, 2021. (Resolution 4297)

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant sought to subdivide one lot into two to allow for a future sale of one of the lots.

The applicant William Goodale was not in attendance. Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Medford/Govaars to adopt Resolution 4297A.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Medford, Martin, Kelley-King and Meck

MOTION DECLARED CARRIED

Case 21-008 is a request for the vacation of a portion of Millar Street right-of-way with a

major variance for an existing residence to remain and encroach into the front yard setback on Lot 7, Block 1, U.S. Survey 1378; located at 1412 Millar Street, City of Ketchikan. Filed by Trygve Westergard on March 12, 2021. (Resolution 4298 & 4299)

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant had requested the vacation of 136 square feet of right-of-way to eliminate the encroachment of an existing residence over the property boundary.
- The residence was built by a previous owner in the 1920's and Millar Street was developed around the structure.
- The proposed vacation would not alter the existing travelway.

The applicant Tryge Westergard was not in attendance.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Govaars/Medford to adopt resolution 4298A approving the Vacation of Right-Of-Way.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Mainardi, Medford, Martin, and Meck

M/S Govaars/Martin to adopt resolution 4299A approving the Major Variance.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Kelley-King, Medford, Martin, and Meck

MOTION DECLARED CARRIED

Case 21-009 is a request for a Conditional Use Permit to locate a telecommunications facility on US Survey 1705, KR D; located at (203 Shoup Street) known as 467 Misty Mountain Rd, City of Ketchikan. (Resolution 4301)

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant proposes to install several 9-foot-tall antennas within a fenced area of approximately 5,000 square feet.

Planner Johnson clarified that the FCC rules governing telecommunication limited the reasons for denying telecommunications infrastructure based on health concerns. Per the FCC Code the facility would need to have a clear physical safety concern; The FCC Code did not provide for denial based on health and safety concerns relating to radio

frequency emissions.

Planner Johnson stated that the proposed facility would not directly increase service to residents in the Ketchikan Gateway Borough. The purpose of the antennas was to monitor and control low level orbiting satellites that were part of Starlink, a now global internet provider.

Planner Johnson clarified that the applicant originally looked at four sites and had narrowed the search down to two.

The applicant's representative, Brett Serlin, stated that Starlink's goal was to provide internet service to areas that are underserved due to the high cost of infrastructure. He explained that the proposed facility was for navigational purposes of circling satellites. He stated that the applicant was leasing the property from the City of Ketchikan.

Mr. Serlin communicated to Chair Arntzen that the noise emitted would equal 45 decibels, the equivalent of a quiet conversation. He further explained that traffic to the facility would be minimal and equate to maybe one visitor per year.

Director Harney explained that his concerns about road standards on Shoup Street would be brought to Public Work's attention.

Mr. Serlin clarified that the site was chosen based on access, aerial visibility, and existing infrastructure such as fiberoptics and electricity.

Marge Dwyer, a Shoup Street resident spoke in opposition.

Ken Berry, a Shoup Street resident spoke in opposition.

Robert McClory, a Shoup Street resident spoke in opposition.

Todd Bright, a Hugli Avenue resident spoke in opposition.

Joe Berry, a Shoup Street resident spoke in opposition.

Rosie Berry, a Shoup Street resident spoke in opposition.

Charles Arulengo, a Forss Avenue resident spoke in opposition.

Mr. Serlin responded that there was no deceit and that the applicant had gone through all the required permitting processes. He explained that KPU and the City would benefit financially from the lease on the facility. He also clarified that the trees left in place were expected to muffle any noise from the facility and the road would be restored to pre-construction conditions, or better. He explained that the Ketchikan site was the second location being considered in Alaska, and that the recent KPU underwater fiberoptic line was a big driving factor to locate the facility in Ketchikan. He further explained that the Starlink system would eventually compete with KPU and it could potentially offer lower costs for Ketchikan residents.

Mr. Serlin stated that the applicant chose the site based on Starlink's experts and could not speak for all the reasons the site was selected besides those expressed earlier.

Mr. Serlin asserted that the applicant would not want to see the case postponed and that a condition on the road condition might be acceptable.

Mr. McClory stated that there are roughly 45 households in the neighborhood, and he did not hear anything related to ongoing maintenance of the road.

Mr. Serlin reiterated that the applicant planned to have facility maintenance tech visit the site once a year.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Meck/Kelley-King to adopt resolution 4301B, denying the request:

Recess to discover findings for denial was called.

M/S Meck/Kelley-King to withdraw motion to adopt resolution 4301B.

M/S Meck/Kelley-King to postpone the case to the next scheduled meeting.

Commissioner Medford felt a postponement was the best option for the applicant to conduct a neighborhood meeting prior to the Commission's decision. He requested staff to look at covenants, deed restrictions, and plat notes that may affect the subject property.

Commissioner Govaars expressed disapproval of the request because he thought that such a large tract of land was better utilized for other uses such as housing. In addition, he asserted that road standards should be maintained by the Borough. Commissioner Govaars was reluctant to postpone the case, but due to neighborhood outcry thought it was the best choice.

Commissioner Kelley-King said she believed it was important to listen to the community and make decisions based on their opinions.

Chair Arntzen stated her preference to hear about the impacts related to such cases and that it was necessary to know what effects the proposed use would have on adjacent property owners. In this case she felt the biggest potential impact was noise. She also expressed concern that the notice was misleading based on the address given and requested that the case be re-noticed with the Shoup Street address for the next meeting.

Director Harney stated that deed restrictions, plat notes and other covenants were usually civil matters and were not enforced by the Borough; however, he explained that since the subject property was publicly owned, staff would investigate those for the Commission.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Kelley-King, Medford, Martin, and Meck

MOTION DECLARED CARRIED

Withdrawn by Applicant - Case 21-010 is a request for a Conditional Use Permit to locate a telecommunications facility on Lot 7, Tract A, Phase II of the Unsubdivided Remainder of Tract A and Tract B, USS 1860; located at 5200 Block of North Tongass Highway, City of Ketchikan.

Withdrawn by Applicant - Case 21-011 is a request for a Conditional Use Permit to locate a telecommunications facility on the Unsubdivided Remainder of Tract 3001, According to the Plat Alteration of Lot 1, Block 1, and the Unsubdivided Remainder of Tract 3001 of the Narrows View Commercial Park Subdivision; located at 157 ABC&D View Drive, City of Ketchikan.

Case 21-012 is a request for a Conditional Use Permit to locate a telecommunications facility on Lot 1 and Lot 3 of the Sleeping Lady Subdivision; located on the west side of Sleeping Lady Court, City of Ketchikan. (Resolution 4304)

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant proposes to install several 9-foot-tall antennas within a fenced area of approximately 6,750 feet.

Planner Johnson clarified for Commissioner Martin that the lots had been left undeveloped for roughly six years. She explained that Goal 1112 of the Comprehensive plan supported telecommunications infrastructure. Although the goal specifically referred to fiberoptic technology, it also provided for advancements in the field of communications technology.

Director Harney confirmed for Commissioner Martin that the subdivision was created in 2015.

The applicant's representative Bret Serlin was in attendance.

Joe Berry spoke in support of this site.

Marge Dwyer spoke in support of this site.

Rosie Berry spoke in support of this site.

Robert McClory spoke in support of this site.

Mr. Serlin explained that the biggest disadvantage with the site was visibility due to the large mountain located behind the site.

Hearing no additional public testimony, Chair Arntzen declared the public hearing closed.

M/S Medford/ Martin to adopt resolution 4304A:

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Kelley-King, Medford, Martin, and Meck

MOTION DECLARED CARRIED

CONSENT AGENDA - None

REGULAR BUSINESS - None

REMARKS

DIRECTOR'S REPORT

- Housing Discussion Efforts Update
- BuyAlaska and Voyij.com
- Community Discussions Groups
- Niblack Mine Update

Director Harney stated for Chair Arntzen that the discussion groups are open; however, the beginning discussion groups mostly included industry leaders.

Chair Arntzen stated she would like the meeting to be publicized and that recordings of these discussion would be available.

Director Harney explained that recordings were available, and that public noticing would not be taking place during the initial discussion groups; however, as the discussions progressed noticing would take place. He also urged the Commissioners to be mindful of public impressions of their public duties if they choose to participate in any of the discussion groups.

The Code and Planning Committee held a meeting on April 27, 2021.

Director Harney stated the Southeast Conference had requested an economic visioning forum for the community to be held on April 26 at the Ted Ferry Civic Center.

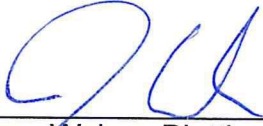
COMMISSIONERS' COMMENTS

Commissioner Meck stated she always learns something during every meeting.

ADJOURNMENT

M/S Medford/Martin moved to adjourn.

With no objection, the meeting adjourned 9:05 p.m.



Jeremy Weber, Platting/ Zoning Clerk
Planning Commission/Platting Board



Sharli Arntzen, Chair
Planning Commission/Platting Board