



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

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**PLANNING COMMISSION  
REGULAR MEETING  
WEDNESDAY, APRIL 1, 2015  
Homeowner's Lounge, BTI Bldg.**

**MINUTES**

**1. CALL TO ORDER**

Charlene Arneson called the meeting to order at 6:00 pm.

**2. ROLL CALL**

**Commission members present and establishing a quorum:**

Charlene Arneson	Seat A	Present
Terry Bender	Seat B	Present
Ed Hedges	Seat C	Present
Jean Swingle	Seat D	Present
Dyanna Pratt	Seat E	Present

**ADMINISTRATION PRESENT**

Jennifer Rogers, Deputy City Clerk  
Scott Korbe, Public Works Director

**PUBLIC PRESENT**

Joe Shen	David Goldstein	Dan Jenke
Wayne Shen	Bonnie Lymer	

**3. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Ed Hedges made a motion to approve the April 1, 2015 Regular Meeting Agenda as is.

**SECOND:** Jean Swingle

**VOTE:** Motion passed unanimously

**DISCUSSION:** None

#### **4. APPROVAL OF MINUTES**

**MOTION:** Dyanna Pratt made a motion to approve the Special Meeting Minutes of March 4, 2015 as is.

**SECOND:** Jean Swingle

**VOTE:** Motion passed unanimously

**DISCUSSION:** None

#### **6. ADMINISTRATIVE REPORTS**

City Manager, Mark Lynch, was not present for this meeting. Scott Korbe reported that Mark is on vacation, but is available by phone.

#### **7. NEW BUSINESS:**

**Planning Commission Chair, Charlene Arneson, closed the Regular Meeting at 6:03 pm and opened the Public Hearing for the Variance Requested by Joe Shen to Install an Overhead Electrical Extension on Lot 5, Block 3 to property on Eastern Avenue, Lot 3 Block 5 of Whittier Subdivision, Phase One.**

Charlene Arneson asked the applicant to state the reason for the variance request.

Dan Jenke, with Southfork Construction, stated that he submitted an application for power for Lot 3, Block 5 and emailed it to Chugach Electric. Power is needed on the property for two reasons. First reason is there are problems with glaciation of the creeks. The second reason is to add a security light. During the development process, Dan stated that Scott Korbe told him that he would need to apply for a variance. Two days after the application for a variance was submitted, Chugach installed the power line without their knowledge. Dan Jenke apologized for this, and accepted all the blame because he wasn't aware of Chugach's procedure.

Dan added that they ran the wire there, but did not install a thawing device. He asked that the Commission grant the variance because they have a hardship; it is more than 25 times more expensive to bore underground. He also reported that there is no utility easement on those two particular lots. The poles connecting to the school and BTI are over loaded.

He once again asked that the Commission grant the variance. If there was another option, they would use it.

Representing the City of Whittier and City Manager is Public Works Director, Scott Korbe. He stated that Southfork Construction has been in compliance. There was residential blasting in the area. They did a substantial amount of work to get an acceptable blasting plan. They were consulted on a couple of occasions concerning the electrical. Wayne Shen was given specifications by WMC on the dos and don'ts of electricity. Scott reviewed the steps he went through with Wayne. Scott believes that Chugach really did install the overhead electrical extension without notifying Joe Shen.

Scott Korbe disagreed with Dan Jenke regarding the utility easement on the property; there is one present which is a drainage easement that runs along the frontage. The electricity could have been installed there, but then they would run into the cost. It would be cost prohibitive for residential to do this. We can localize running power strings by placing the pole there; and they can go from lot to lot on the Eastern side of Eastern Avenue and limit the crossings.

The curb crossing does not infringe upon the movements of large vessels; they will have unrestricted access to

travel up Glacier Street to access Billings, Kenai and Portage without having to cross it. Through the traffic pattern, you can get to every parcel of property without encompassing an electrical wire.

Charlene Arneson introduced herself and the commission members.

Charlene asked if there were any who are in favor of the variance. There were none.

Charlene asked if there were any who are against the variance.

Bonnie Lymer stated that she wasn't for or against the variance, but simply wanted to state that she was unaware of the Public Hearing. She was informed by Charlene that the Public Hearing was posted.

Terry Bender wanted to know the plans of what is being built on the lot. She was reminded that we are meeting specifically to review the variance.

**Charlene closed the public hearing and opened it to the commission members.**

Charlene explained that through the years, they haven't been doing things according to the ordinance. Somehow she missed how they were supposed to have two meetings; she thought that having a meeting within a meeting was two meetings. So they will have a second meeting to vote on the variance. Charlene added that she'd like to consult with the lawyer on how we can simplify this in the ordinance.

Terry Bender asked if they will be able to decide on the culvert and what's being built there at the second meeting. Charlene replied that right now we are only discussing the electrical. Terry clarified that she is asking what will be addressed at the second meeting. Terry Bender replied, "So we're voting on this without knowing what's being built there?" Charlene replied that the variance at hand only addresses the electrical.

Scott Korbe asked the commission to finish the variance before addressing any other topics relating to the property and future variance applications.

Jean Swingle asked if in the future, if other utilities are placed underground such as water, at that point, would the electrical be moved underground. Scott Korbe replied that they cannot be in the same trench. There are set distances; water and sewer have to be a minimum of 10 ft. apart. Electrical will have to be 6-8 ft. apart. They would have to open up a new trench. Dan Jenke added that everything on the property and from the pole will be underground; they just couldn't tear the street out without a high cost. He believes that the cost would have exceeded the estimated \$20,000.

Scott Korbe added that every utility underground is parallel to the street or perpendicular to the street.

Terry Bender asked who would be responsible for damage caused by an electrical line that goes down. Charlene replied that the responsibility lies with Chugach Electric.

Dyanna Pratt asked what the options are if by chance the property owners next to Joe Shen want power lines on their lots. Scott Korbe replied that one of the poles lie on the easement line. There is an easement all along Eastern Street that can be used for overhead power on that side. They would still need to go through the variance process if they decide to go above ground.

We have the ability on one crossing to mandate it. The pole is a communal pole; all power lines would connect

with Joe's and goes down the street. Scott Korbe added that they would still need to maintain minimum height requirements.

There was discussion about whether or not Joe Shen would receive his money back if others attached to his pole within the next five years. Dan Jenke confirmed that yes, he will receive his money back if this happens. Scott reminded the commission that the city doesn't deal with the franchise utilities. The only say we have is whether or not the electricity can be placed above ground or underground.

Dyanna asked if it's necessary to wait 15 days to vote on this because it looks like they're ready to proceed with their plans. Charlene read WMC 17.28.020 which states that a public hearing shall be scheduled and not less than 15 days prior to the hearing...Charlene read the rest of the code.

Dyanna Pratt stated that 15 days is a long time for these guys to wait. Charlene asked Jennifer Rogers when the meeting can be scheduled. Jennifer replied that 15 days from today is April 16<sup>th</sup>. Charlene added that it's best to follow the ordinance this time and have the attorney look into changing this so we can do it all at once.

The Hearing is scheduled for Thursday, April 16<sup>th</sup> at 5:15 pm in the Council Chambers, P-12 Bldg.

Charlene Arneson closed the Public Hearing at 6:30 pm and re-opened the Regular Meeting.

## **8. NON-ACTION BUSINESS**

### **A. Tank Farm**

Nothing to report

### **B. Land Trades with Alaska Railroad**

Nothing to report

### **C. Hazard Mitigation Plan**

Charlene wanted to thank Dave Schofield for all the work he's put into this.

### **D. Smitty's Cove Park**

Nothing to report

### **E. Whittier Historic Railroad Plaza**

A one year extension has been granted to complete this project.

### **F. Tideland Zoning**

Nothing to report

### **G. CVP Fund Projects**

Nothing to report

### **H. Shotgun Cove Land**

Nothing to report

### **I. Street Addresses**

Jean Swingle is still working towards assigning local addresses and learning how to have these local addresses recognized in the national database. Jean has assigned addresses to several buildings in town, one being the harbor which is 1037 W. Harbor Loop. Scott suggested that if the address issued to the Whittier Boat Harbor is assigned, Jean should notify Dyanna Pratt to assign the address to that property.

Scott reminded the commission members that we are assigning structures, not vacant lots. They have been advised not to assign addresses to vacant lots, depending on the location. The typical standard is the entrance and egress to the building itself. He also suggested that a detailed list is developed to recreate the same standard in the future, if needed.

Scott Korbe reported that there are two types of systems; there is the lot and block system and there are street addresses. Lot and block is a legal description.

Charlene stated that we've adopted the Anchorage Driveway Standards and wants to make sure that it's in the ordinance. Scott added that they have had some issues in town with the entrance and egress to people's property and filling of proprietary parking. In order to solve the problem, it was decided that the Anchorage Municipal Standards worked really well for Whittier as it provided length and width for commercial, residential and gives site distances. It is at the discretion of the Public Works Director on siting this.

**9. CORRESPONDENCE**

None

**10. PUBLIC COMMENT**

None

**11. COMMISSION COMMENTS**

**12. NEXT MEETING AGENDA ITEMS**

- 13. NEXT MEETING ATTENDANCE PLANS: Special Meeting on April 16 at 5:15 pm.  
Regular Meeting on May 6, 2015 at 6:00 pm**

**MOTION:** Ed Hedges made a motion to adjourn the meeting.

**SECOND:** Jean Swingle

**VOTE:** Unanimous

- 14. ADJOURNMENT: Charlene Arneson adjourned the meeting at 6:45 pm.**

**ATTEST:**

  
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Jennifer Rogers  
Deputy City Clerk

  
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Charlene Arneson  
Commission Chairperson