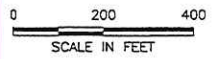


**Proposed Granite Creek  
Landfill Project**



SOURCE: GRANITE CREEK INDUSTRIAL AREA VICINITY MAP DRAWING  
CITY AND BOROUGH OF SITKA  
DEPARTMENT OF PUBLIC WORKS  
SITKA, ALASKA  
Date: FEBRUARY 2, 2002

0	11/05	IS	MCS	IS	ISSUED FOR PERMIT	
REV	DATE	DES	CHK'D	APR'VD	DESCRIPTION/ISSUE	



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Phone (425) 485-  
Fax, (425) 486-9



## **Granite Creek Landfill Project**

### **February 7, 2006**

This item was deferred from our last meeting at the request of the board. The hope was to have more board members present and also have the project consultant available to answer questions.

Unfortunately the project consultant is not able to attend Tuesday night's meeting however, the Public Works Director will be on hand to answer questions.

At the last meeting there were three board members present. It looks as though we will have four present on Tuesday night - Mr. Goss is out of town.

As mentioned at our last meeting, this request and the closure of the Kimsham Landfill coincide. The hope is that by spending another meeting on the issues, questions and concerns will be resolved in order to keep the landfill project on course.

## **Granite Creek Landfill Project**

### **January 17, 2006**

In order for the Kimsham Landfill to be officially closed a new alternative landfill needs to be opened. The Municipality has been granted an extension of the Kimsham Landfill through May 15, 2006.

A conditional use permit request has been filed by the Public Works Department to open a landfill at the upper end of Granite Creek Road. This landfill would be for the disposal of construction and demolition debris, asbestos waste, incinerator ash, and disposal of municipal solid waste. The Municipal solid waste component is a requirement for the closure of the Kimsham Landfill. The State requires that there be an emergency landfill in case barge transportation is disrupted.

Access to the landfill will be provided by two different routes: Granite Creek Road and the Harbor Mountain Bypass Road.

When looking at the circled area on the enclosed aerial map, the portion to the far left will be for biosolids, and then the area just to the right of that will be where the landfill will start. Also a point to be noted is the large knoll that is pictured in the aerial map is almost non existent due to the rock quarry work that has taken place.

Those companies holding a lease in the landfill area will complete the terms of their lease.

The Public Works Director will be at Tuesday's meeting and can answer any specific questions.

A motion recommending approval is suggested based on the following findings:

1. The granting of the proposed conditional use permit will not:
  - a. be detrimental to the public health, safety, and general welfare;
  - b. adversely affect the established character of the surrounding vicinity;  
nor
  - c. be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the Comprehensive Plan and any implementing regulation.
3. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.




# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## Memorandum

To: John Stein, Municipal Administrator  
Mayor Dapceвич and Members of the Assembly

From: Wells Williams, Planning Director 

Subject: Granite Creek Landfill Conditional Use Permit Request

Date: February 22, 2006

The Sitka Planning Commission is unanimously recommending approval of a conditional use permit for a municipal landfill in the Granite Creek area. The project has been in the works for several years and will facilitate the closure of the Kimsham landfill. The board's action was taken on February 7th.

The landfill is for the disposal of construction and demolition debris, asbestos waste, incinerator ash, and disposal of municipal solid waste. The municipal solid waste component is a requirement for the closure of Kimsham. The State requires that there be an emergency landfill in case barge transportation is disrupted. Access to the landfill will be provided by two different routes - Granite Creek Road and the Harbor Mountain Bypass Road.

The Planning Commission reviewed the proposal on January 17th and February 7<sup>th</sup>. While there was not any citizen input in January, there were a number of comments at the February meeting. Jay Stezenmuller and Gene Griffen expressed environmental concerns during the meeting. Brian Massey, Steve Morse, and Bill Paden indicated support and mentioned how long the project has been in development. Environmental Superintendent Mark Buggins and Public Works Director Rich Riggs were present and responded to technical questions. The comments are covered in more detail in the attached minutes.

The Planning Office is suggesting that the Assembly approval be contingent upon the passage of the zoning housekeeping ordinance which is on the Assembly agenda for First Reading on February 28<sup>th</sup>. While landclearing landfills and solid waste transfer facilities are conditional uses in the Industrial zone, landfills are not. The housekeeping ordinance will correct this inadvertent oversight in the complicated use tables.

### Recommended Action:

Approve the conditional use request contingent on the passage of the relevant section in Ordinance 2006 – 06.

Thank you.

**City and Borough of Sitka  
PLANNING AND ZONING COMMISSION  
Minutes of Meeting  
January 17, 2006**

**Present:** Chair Pat Hughes, Brian McNitt, Don Alexander, Planning Assistant Sara Russell, and Secretary Maria Finkenbinder

**Absent and excused:** Bob Goss, Tom Rogers

**Members of the Public:** City Public Works Director Rich Riggs, Lureen Stedman, Jean Frank, Harvey Brandt

Chair Hughes called the meeting to order at 7:00 pm.

**CONDITIONAL USE PERMIT  
LANDFILL AT THE UPPER END OF GRANITE CREEK RD.  
CITY AND BOROUGH OF SITKA**

*Public hearing and consideration of a conditional use permit filed by the City and Borough of Sitka for a landfill at the upper end of Granite Creek Road. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670.*

Ms. Russell explained that in order for the Kimsham Landfill to be officially closed, a new alternative landfill needs to be opened. The Municipality has been granted an extension of the Kimsham Landfill through May 15, 2006. The landfill at Granite Creek Road will be for the disposal of construction and demolition debris, asbestos waste, incinerator ash, and disposal of municipal solid waste (MSW). The Municipal solid waste component is a requirement for the closure of the Kimsham landfill. The State requires that there be an emergency landfill in case barge transportation is disrupted. She added that there are currently two leaseholders in two areas at the site but their lease will be up by the time their area will be filled.

Mr. Riggs said that site will be a class 3 facility which is primarily for inert wood waste, construction and demolition debris, and a contingency site for municipal solid waste. In the future, the Public Works Department plans to combine the two areas and install a tub mill grinder for composting similar to what is now being done in Ketchikan. The permit for the landfill has been filed with the DEC and its internal review is expected to be completed within the week. It will then be subject to a 50-day public comment period. Staff will plan a community forum or public meeting to discuss the closure of the Kimsham landfill and the opening of the Granite Creek landfill.

On Mr. McNitt's question regarding the MSW component of the landfill, Mr. Riggs stressed that it will only be used as an emergency option in case, for any reason, MSW can't be shipped out of the island. He said that if MSW is put in, it will immediately be closed with liners. He added they will make sure that they will have the materials to close it always on hand.

On Mr. Alexander's question regarding provisions for public safety, Mr. Riggs said that the site will be fenced in and gated.

Mr. Harvey Brandt, a member of the public, asked about the direction of the drainage and mentioned that over the years, he has seen substantial sediments coming down from the area. He expressed concern that it would be a "Trojan horse for a giant thing."

In reply, Mr. Riggs explained that bio-solids or sludge will be subject to lime treatment before it is released

to the environment. He added that there is a buffer between the landfill and the creek that would prevent draining directly to the creek. He pointed out that the Staff has done a lot of things to make sure that turbidity is reduced.

On Mr. McNitt's question if DEC needs the conditional use permit before the permit goes to public comment phase, Mr. Riggs replied in the negative but pointed out that their hope was to work on the DEC and the conditional use permits concurrently and not stagger it to the detriment of the Kimsham landfill closure. He added that the Staff had multiple meetings and correspondence with DEC. The consultant for the project will be in town for the Assembly meeting.

Mr. McNitt explained that he wants to know more about the back up plan on the MSW and would like to see the comments from DEC.

By unanimous consent, action on this agenda item was deferred till the February 7<sup>th</sup> meeting, pending additional information from DEC.

## **ADJOURNMENT**

The meeting adjourned at 8:50 pm.

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**Chair, Pat Hughes**

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**Secretary, Maria Finkenbinder**

**City and Borough of Sitka  
PLANNING AND ZONING COMMISSION  
Minutes of Meeting  
February 7, 2006**

**Present:** Chair Pat Hughes, Tom Rogers, Brian McNitt, Don Alexander, Planning Director Wells Williams, Planning Assistant Sara Russell, and Secretary Maria Finkenbinder

**Absent and excused:** Bob Goss

**Members of the Public:** City Public Works Director Rich Riggs, Environmental Supt. Mark Buggins, Jay Stelzenmuller, Gene Griffin, Brian Massey, Steve Morse, Bill Paden, Mike Binkie, Bob Fehlberg, Steve Clayton

**The evening's business:**

**CONDITIONAL USE PERMIT  
LANDFILL AT THE UPPER END OF GRANITE CREEK RD.  
CITY AND BOROUGH OF SITKA**

*Public hearing and consideration of a conditional use permit filed by the City and Borough of Sitka for a landfill at the upper end of Granite Creek Road. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670.*

Mr. Williams briefly discussed the highlights of the request, saying that the facility has to be online in order for Kimsham Landfill to be officially closed. It is a DEC requirement that an emergency landfill is available in case barge transportation is disrupted. He added that Klaudia Leccese of the Solid Waste Implementation Team (SWIT) supports the closure of the landfill and the conditional use permit for the Granite Creek landfill.

Mr. Riggs explained that the City's solid waste is currently sent to eastern Washington while wastewater sludge goes to Kimsham Landfill and scrap metal is processed. He pointed out that the impetus for the conditional use permit request is the the closure of Kimsham Landfill which he said, was a commitment that the City made. He said that a recreational use plan is now in place for the Kimsham Landfill site. He also said that the Granite Creek site has two lease areas that are active quarry sites, the boundaries of which were adjusted by the Assembly to accommodate the proposed landfill. The City continues to hold open meetings with SWIT and plans to hold a public meeting, independent of the regulatory meetings.

In addition, Mr. Riggs pointed out that the site has been previously permitted by the Planning Commission for land clearing. He said that they are aware of the importance of the creek but they have made improvements to address stormwater issues and have planned additional monitoring of the creek. He noted that included in the DEC permit application is a surface water monitoring plan. A class C landfill doesn't require a groundwater investigation. He also said that a copy of the DEC landfill permit application is available at the Kettleson Memorial Library.

Mr. Stelzenmuller expressed concern with the biosolids waste area, pointing out the possibility of pathogens polluting the creek. He suggested seeking another option for the biosolids waste.

Mr. Buggins explained that the wastewater sludge doesn't flow directly to the creek. It will meander through the muskeg area. He admitted that pathogens and coliform bacteria are present in wastewater but they are treating it with above class B treatment which is even required at the landfill. He pointed out the wastewater is being analyzed every two years for metal concentration and findings consistently indicate that the metal concentration in Sitka's wastewater is extremely low. He added that it has never

been an expressed concern from any regulatory agency.

Mr. Griffin said that there is a potential to degrade Granite Creek considering its distance to the creek. He raised questions if groundwater and geologic studies have been made or if other alternative sites have been considered. He felt that opening the Granite Creek landfill is a rush decision. He added that the City designated the area as wetlands. He apologized to the Kimsham residents but still maintained that the new site holds risks as there hasn't been a geologic studies made.

In response to Mr. Griffin's concern, Mr. Williams said that he is unaware that the area has been set aside by the Army Corps of Engineers as wetlands. He added that the area is partly zoned public where the most stringent regulatory process will apply. One or two elements of the site require conditional use permit while other elements are permitted. He also pointed out that there is a substantial depression around the site creating a bowl-shape grade which separates the facility from the creek.

Mr. Massey urged the Commission to approve the conditional use permit in order to move ahead with the closure of Kimsham landfill. He stressed that Kimsham landfill is located directly uphill from Keet Gooshi Heen and near Sitka High School. He said the Granite Creek site has been the direction of the City for the past five years as documents would show. He added that a vote for Granite Creek is a vote for the closure of Kimsham.

Mr. Morse echoed Mr. Massey's sentiments and pointed out that the closest building to the Granite Creek site is 1,600 feet away while the closest house to Kimsham is 160 feet away and Keet Gooshi Heen is 700 feet away.

Mr. Paden remarked that there is no perfect place on Baranof Island to put bio-solids, saying that there isn't a site that is not adjacent to wetlands or fish stream. He said that Kimsham had reached the end of its useful life and urged the Commission to recommend approval by the Assembly. He expressed confidence that the new site is undergoing a thorough review process by the State.

Mr. McNitt said that he was able to meet with Mr. Riggs, Mr. Buggins and the DEC to discuss his concerns about the landfill. He feels comfortable now, saying that the proposed site is way better than the present site. However, he expressed hope that the City will look into alternative methods of dealing with wastewater sludge including composting, instead of just letting it run to the ground.

**MOTION:**     **M/S Rogers/Alexander** moved to recommend Assembly approval of a conditional use permit filed by the City and Borough of Sitka for a landfill at the upper end of Granite Creek Road. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670. The recommendation for Assembly approval is based on the following findings:

1. The granting of the proposed conditional use permit will not:
  - a. be detrimental to the public health, safety, and general welfare;
  - b. adversely affect the established character of the surrounding vicinity; nor
  - c. be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the Comprehensive Plan and any implementing regulation.
3. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

5. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

**ACTION:** Motion **PASSED 4-0.**



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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April 7, 2006

City and Borough of Sitka  
Public Works Director, Rich Riggs  
100 Lincoln St  
Sitka, AK 99835

Dear Rich,

This letter is to inform you the Sitka Assembly approved the City and Borough of Sitka's request of a conditional use permit for operation of a landfill at the upper end of Granite Creek Road. This approval was granted at the February 28, 2006 Assembly meeting.

All work must be in general conformance with the plans that were approved by the Planning Commission and Assembly.

The permit must be activated within two years of the approval date, February 28, 2006, or the permit becomes void.

We appreciate your patience throughout this process and thank you for working with us on this matter. If you should have any questions, please feel free to contact me at 747-1814.

Sincerely,

Sara L. Russell  
Planning Assistant

Cleo Brylinsky as a Long Range Planning Commission member said she is convinced we need a planner.  
Main motion PASSED on a 6-1 roll call vote with Dapceвич voting against.

Reber Stein, speaking as a member of the long Range Planning Commission, shared that they have been meeting once a week with very few breaks. It is generally understood housing should cost no more than 30% of your income; \$55,000 is Sitka's media family income. The proposal for the old city shops from the LRPED report came down to a recommendation to seek RFPs for a planned unit development in that area. They are looking for innovative concepts.

The next items were taken up out of order.

**XI. NEW BUSINESS:**  
**Board of Adjustment**

MOTION, by Bailey to convene as the board of adjustment.

Motion PASSED by unanimous consent.

MOTON, by Bailey to move to change the order of the day and take up Items Q and R and then go back to Item P.

Motion PASSED on unanimous vote.

Item Q  
Landfill Granite Creek

MOTION, by Bailey to approve the conditional use permit for a municipal landfill in the Granite Creek area. This approval is contingent on the passage of Ordinance 2006-06.

Riggs offered this will be done with internal resources. Since this is going to be used as a backup for municipal solid waste when the barge for whatever reason doesn't make it in, and so far that has never happened. No hazardous waste will be accepted at this landfill.

There was discussion regarding the possibility of any other alternatives.

Brian Massey encourages the opening of Granite Creek and the closure of Kimsham.

Andrew Thoms would like to see more exploration into composting.

Tom Hart, as a member of SWIT, said they fully support the closure of Kimsham landfill and the opening of an emergency solid waste landfill. They had no recommendations regarding the Granite Creek site.

Motion PASSED on a 6-1 roll vote with Stelzenmuller opposed.

Reconvene

MOTION, by Bailey to reconvene as the Assembly in regular session.

Motion PASSED by unanimous consent.

Recess  
Item R  
Assembly Representative

Recess was taken from 10:00 p.m. from 10:05 p.m.

MOTION, by Holst to appoint Mr. Gary Paxton as the Assembly's representative to the Employee Relations Board.

**PUBLIC NOTICE  
\*\*\* REVISED \*\*\***

**Sitka Planning Commission Agenda  
Tuesday, February 7, 2006**

**Held in Centennial Hall, 330 Harbor Drive, Sitka, Alaska  
7:00 p.m.**

- I. Call to Order and Roll Call
  - II. Consideration of the Minutes from January 17, 2006
  - III. The Evening Business
    - A. Public hearing and consideration of a conditional use permit filed by the City and Borough of Sitka for a landfill at the upper end of Granite Creek Road. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670.
    - B. Discussion among the Planning Commission on the policy of granting zero setback variances
  - IV. Planning Director's Report
  - V. Public Business from the Floor
  - VI. Adjournment
- Published: February 1, 3, 2006**

**PUBLIC NOTICE**

**Sitka Planning Commission Agenda  
Tuesday, January 17, 2006  
Centennial Hall, 330 Harbor Drive, Sitka Alaska  
7:00 p.m.**

- I. Call to Order and Roll Call
  - II. Consideration of the minutes from January 3, 2006
  - III. The Evening Business
    - A. Public hearing on the draft update of the 1999 Comprehensive Plan. This hearing is a continuation of the previous hearings that were held on the document.
    - B. Consideration of a preliminary plat for a major subdivision creating five lots and dedicating Tongass Avenue and Seward Avenue right of ways on Japonski Island. The plat is filed by the Alaska Department of Transportation and Public Facilities. The property involves Lot 15 of USS 1496 and the existing Tongass and Seward Avenues.
    - C. Public hearing and consideration of a conditional use permit filed by the City and Borough of Sitka for a landfill at the upper end of Granite Creek Road. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670.
    - D. Public hearing and consideration of four variance requests to reduce all four side setbacks to zero feet for construction of a home seaward of ATS 15 at 726 Siginaka Way. This request is filed by Dennis Hicks.
    - E. Public hearing and consideration of a variance request filed by Ken Dinsmore to reduce a side setback to zero feet for construction of a garage at 4274 halibut Point Road. The property is also known as Lot 4 of the Ryman Subdivision.
  - V. Planning Director's Report
  - VI. Public Business from the Floor
  - VII. Adjournment
- Published: January 9, 11, 2006**

**LEGAL NOTICE  
ASSEMBLY AGENDA  
ASSEMBLY CHAMBERS**

**Centennial Hall - Maksoutoff Room - 330 Harbor Drive  
Tuesday, February 28, 2006  
6:00 p.m.**

**WORK SESSION**

**Lands**

**REGULAR MEETING**

**7:00 p.m.**

**I. CALL TO ORDER**

**II. FLAG SALUTE**

**III. ROLL CALL**

**IV. CORRESPONDENCE**

Government-to-Government Update with Sitka Tribe of Alaska

V. PRESENTATIONS - Proclamation Recognizing Sandy Jones posthumously

**VI. REQUESTS FOR AGENDA CHANGES**

**VII. CONSENT AGENDA**

All matters under Item VI Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approve the minutes of the February 14, 2006, assembly meeting.

B. Approve letter of invitation re: Sitka Family Justice Center

C. Appoint Kelly Ferguson to an unexpired term on the Health Needs and

Community Services Committee. Appoint Gandolfo (Jay) Badagliacca to an unexpired term on the Local Emergency Planning Committee

D. Award City Hall Roof Replacement to CBS Construction in the amount of \$219,607.

E. Approve three employee rewards (meter crew), under the City Rewards Program.

F. Approve Memorandum of Agreement with Sitka Tribe of Alaska for Indian Reservation Roads for IRR funding.

G. **Res. 2006-03:** In Support of the CBS to be the Host City for the 2007 Alaska Municipal League/Alaska Conference of Mayors combined Summer Meeting.

H. **Res. 2006-04:** In support of the CBS to be the Host City for the 2007 Alaska Municipal League Annual Conference.

I. **Ord. 2006-03:** Amending Subsection 1.24.040A of SGC to increase the enhanced 911 Surcharge amount from \$.75 to \$1.48 per month.

J. **Ord. 2006-04:** Adjusting the FY 2006 Budget for changes identified during the Second Quarter FY 2006 Formal Budget Execution Review.

K. **Ord. 2006-05:** Amending the SGC by repealing Chapter 9.08 Entitled "Refuse Collection and Disposal," and amending Chapter 15.06 entitled "Solid Waste Treatment and Refuse Collection" to consolidate Chapter 9.08 provisions as well as provide for an exemption from refuse collection services, tipping fees and charges at the transfer station, and for clarification and reorganization purposes.

L. **Ord. 2006-06:** Amending Title 22 Zoning of the Sitka General Code to make a number of clarifications and revisions.

VIII. PERSONS TO BE HEARD - Public Participation on Non-Agenda Items. (Not to exceed 3 minutes for any individual)

**IX. SPECIAL MUNICIPAL/COMMITTEE/COMMISSION REPORTS**

M. LRPED Update on Tourism Plan - Cleo Brylinsky

**X. UNFINISHED BUSINESS:**

N. Approve the relocation of electric facilities phase 2 of SMC Road upgrade project.

O. Approve items for affordable housing: 1) Advance \$50K from SE AK Economic Development Fund and authorize the expenditure of up to that amount for hiring of consultants for an affordable housing project on 14-acre city owned Jarvis St. tract. 2) Place a condition on the sale of the Old City Shops Site that requires that the site be used for development of "affordable housing". 3) Advance \$70,300 from SE AK Economic Development Fund and authorize expenditure of up to that for hiring of a housing planner to work directly with city administrator to manage Sitka municipal affordable housing strategy.

P. Statuses of the Thanksgiving Day 2005 storm claims regarding the land slide and flood issues (executive session).

**XI. NEW BUSINESS:**

**Board of Adjustment**

Q. Approve a Conditional Use Permit for Sitka Landfill

**Reconvene**

R. Select Assembly's Representative for the Employee Relations Board.

**XII. PERSONS TO BE HEARD - Any matter**

**XIII. REPORTS**

a. Mayor

b. Administrator

c. Attorney

d. Liaison Representatives

e. Clerk

f. Other

**XIII. ADJOURNMENT**

Colleen Pellett, CMC

Municipal Clerk

**Published: February 24, 2006**