

# MEMORANDUM

CITY & BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

DATE: May 22, 2012

TO: The File

FROM: Beth McKibben, <sup>BMC</sup> Senior Planner, Community Development

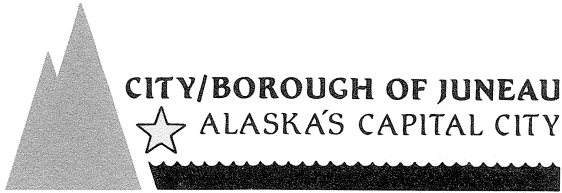
FILE No.: SGE2011 0003

SUBJECT: Corrected Notice of Decision (NOD)

Attached is a Corrected NOD from Beth McKibben, Senior Planner, to Coogan General LLC regarding the Conditional Use Permit for sand and gravel extraction activity along Montana Creek Road at the West Glacier Borrow Pit Lot 1, dated May 22, 2012. Also attached is the original NOD dated April 12, 2012. The following clerical errors were corrected:

- Page 1 of 3: Parcel Code No. has been corrected to read 4-B29-0-115-004-0
- Page 2 of 3: Attachments: The case number has been corrected to read SGE2011 0003

The effective date of the original NOD remains the effective date of the corrected NOD.



**PLANNING COMMISSION**

**\*\*\* CORRECTED \*\*\***

**NOTICE OF DECISION**

Date: May 22, 2012

File No.: SGE2011 0003

Coogan General LLC  
P.O. Box 34499  
Juneau, AK 99801

Application For: A Conditional Use Permit for sand and gravel extraction activity along Montana Creek Road at the West Glacier Borrow Pit Lot 1.

Legal Description: Glacier Lands Lot 1

Property Address: 5611 Montana Creek Road

Parcel Code No.: 4-B29-0-115-004-0

Hearing Date: April 10, 2012

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 6, 2012, and approved the sand and gravel operations to be conducted as described in the project description and project drawings submitted with the application with the following conditions :

1. The crusher location will be sited at the location noted on the site plan, or farther north on the site. It will not be raised higher than the prevailing berms. At no time shall the crusher be moved further south on the site.
2. The crusher can only be operated Monday –Friday between 7am and 6pm.
3. The hours of operation (other than the crusher) for sand and gravel extraction operations will be between 7am and 6pm, Monday through Saturday.
4. All blasting operations shall be conducted during the day light hours of operation. No Blasting operations will be permitted on Saturdays and Sunday or official Federal and State holidays.
5. The proposed project shall not generate sound levels, which exceed 65 dBa at the property line during the day or 55 dBa at night, per CBJ§49.15.330(g)(11).
6. A security gate will be used at the entrance of the driveway along Montana Creek Road.
7. Blasting operations be conducted by an Alaska Department of Labor certified powder-man and all operations shall conform to MSHA, ATF and OSHA standards as applicable and all other applicable standards.
8. All blasting operations shall be conducted during the day light hours of operation.

9. Warning signs with the time and date of the blast will be posted 24-hours prior to blasting on either side of the pit on Montana Creek Road.
10. 24-hour notice will be provided to the Juneau Flight Service Station and the Police and Fire Departments.
11. Public Service Announcements will be broadcast on local radio 24-hours prior to blasting.
12. Three air horn blasts will be made at 5 minutes prior to blasting.
13. No Blasting operations will be permitted on Saturdays and Sunday or official Federal and State holidays.
14. The applicant shall reclaim the quarry site with finished faces and established benches, and remove loose rock during the period between projects, even if the entire quantity of rock has not been removed.
15. The southern driveway be bermed, abandoned, and vegetated.
16. A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public way. This periphery strip shall not be altered except as authorized for access points. This section does not alter the applicant's duty to maintain subjacent support.
17. The applicant shall maintain the existing strip of trees and vegetated buffer adjacent to Montana Creek Road. In any area where the existing trees and vegetation are less than 15 feet then the applicant will build a 10 foot high berm.
18. On the southern property line the applicant shall install and maintain a berm at least 10 feet high.
19. If the bank of any extraction area within the permit area is above the high water line or water table, it shall be left upon termination of associated extraction operations with a slope no greater than the angle of repose for unconsolidated material of the kind composing it, or such other angle as the Commission may prescribe. If extraction operations cause ponding or retained water in the excavated area, the slope of the submerged working face shall not exceed a slope of 3:1 from the edge of the usual water line to a water depth of seven feet. This slope ratio may not be exceeded during extraction operations unless casual or easy access to the site is prevented by a fence, natural barriers, or both.
20. The duration of this permit shall be 10 years.

**Advisory Condition:**

1. Applicant shall post a warning sign at the exit notifying drivers to be safe and cautious and to maintain safe speeds.

Attachments: April 6, 2012 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding SGE2011 0003.


This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

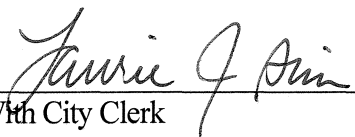
Effective Date: The permit is effective upon approval by the Commission, April 10, 2012.

Expiration Date: The permit will expire 18 months after the effective date, or October 10, 2013, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

  
Beth McKibben, Planner  
Community Development Department

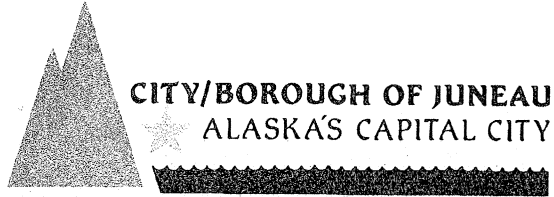
  
Mike Satre, Chair  
Planning Commission

  
Filed With City Clerk Date 5/23/2012

cc: Plan Review

*Corrected Notice of Decision SGE 2011-0003*

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



**PLANNING COMMISSION  
NOTICE OF DECISION**

Date: April 12, 2012

File No.: SGE2011 0003

Coogan General LLC  
P.O. Box 34499  
Juneau, AK 99801

Application For: A Conditional Use Permit for sand and gravel extraction activity along Montana Creek Road at the West Glacier Borrow Pit Lot 1.

Legal Description: Glacier Lands Lot 1

Property Address: 5611 Montana Creek Road

Parcel Code No.: 5-B13-0-119-000-0

Hearing Date: April 10, 2012

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 6, 2012, and approved the sand and gravel operations to be conducted as described in the project description and project drawings submitted with the application with the following conditions :

1. The crusher location will be sited at the location noted on the site plan, or farther north on the site. It will not be raised higher than the prevailing berms. At no time shall the crusher be moved further south on the site.
2. The crusher can only be operated Monday –Friday between 7am and 6pm.
3. The hours of operation (other than the crusher) for sand and gravel extraction operations will be between 7am and 6pm, Monday through Saturday.
4. All blasting operations shall be conducted during the day light hours of operation. No Blasting operations will be permitted on Saturdays and Sunday or official Federal and State holidays.
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6. A security gate will be used at the entrance of the driveway along Montana Creek Road.
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9. Warning signs with the time and date of the blast will be posted 24-hours prior to blasting on either side of the pit on Montana Creek Road.

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20. The duration of this permit shall be 10 years.

**Advisory Condition:**

1. Applicant shall post a warning sign at the exit notifying drivers to be safe and cautious and to maintain safe speeds.

Attachments: April 6, 2012 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding SGE2011 0004.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, April 10, 2012.

Expiration Date: The permit will expire 18 months after the effective date, or October 10, 2013, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner: Beth McKibben  
Beth McKibben, Planner  
Community Development Department

Mike Satre 4/12/12  
Mike Satre, Chair  
Planning Commission

Jaurie J. Stein  
Filed With City Clerk

4/12/12  
Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800)949-4232, or fax (360) 438-3208.