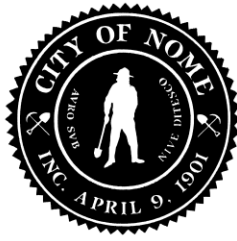


Mayor
John K. Handeland
City Manager
Lee Smith
Deputy City Clerk
Brad Soske



Nome Planning Commission
Kenneth Hughes III, Chair
John Odden
Gregory Smith
Carol Piscoya
Melissa Ford
Adam Lust

**NOME PLANNING COMMISSION
REGULAR MEETING MINUTES
Tuesday, June 03, 2025 at 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

102 Division St. • P.O. Box 281 • Nome, Alaska 99762 • Phone (907) 443-6663 • Fax (907) 443-5345

ROLL CALL AT 7:04p.m.

Members Present: C.Hughes; C.Piscoya; C.Lust; C. Smith
Members Absent: C. Odden, C. Ford
Also Present: Lee Smith, City Manager; Dan Grimmer, City Clerk, Erin Reinders, City Planner

APPROVAL OF AGENDA

A motion was made by C.Smith and seconded by C.Lust to approve the agenda as presented.

At Roll Call:

Aye: C. Hughes; C. Piscoya; C. Lust; C. Smith

Nay:

Abstain:

THE MOTION CARRIED

APPROVAL OF MINUTES

A. May 13, 2025 Nome Planning Commission Meeting Minutes,

A motion was made by C. Piscoya and seconded by C. Smith to approve the Regular Meeting Minutes as presented.

At Roll Call:

Aye: C. Hughes; C. Piscoya; C. Lust; C. Smith

Nay:

Abstain:

THE MOTION CARRIED

HISTORIC PRESERVATION COMMISSION ACTIVITIES

COMMUNICATIONS

CITIZENS' COMMENTS

Walter Rose, with BSRHA. Standing in for Eric Noit, Construction Manager. Asking if there has been any discussion on rezoning the Ruby Placer to residential. There is a rezoning request process to be followed, called the conditional use permit. Walter asks the planning commission for any suggestions or actions they can take at this time. BSRHA is working towards getting three triplex's and six single homes built.

Cliff McHenry, Building Inspector, hands out some information for Joe Burnham's appeal. He stated that Mr. Burnham started a project out there without any kind of permit. The city took action by sending a letter on 09/09/24 and Mr. Burnham did not comply until 10/28/24. There was no compliance with the Army Corps of Engineers.

Thomas Simonsson thanked the planning commission for taking action on this issue. He stated that It's been an eyesore to see all that junk being piled up in the neighborhood.

Sam Severin, City Attorney, noted that the members of the community are allowed to testify during the appeal. So if there is more comments on the Burnham matter they can be addressed here.

NEW BUSINESS

- A. Public Hearing for the Appeal of Joe Burnham of the City Determination of Zoning for Parcel 190.1.040,

Record of City Action for June 3, 2025 Appeal

Memo from Nome City Planner re: A Summary of Background, Findings and Recommendations,

NCO 18.160 Appeals,

Joe Burnham mentioned he was issued a stop order and under item #6, he did not need a fill permit. The property in question is grandfathered in to be a storage pad. Joe says he received a notice in February stating that if he does not removed certain items from the lot he would get charged \$250 a day and if not compliant it will be \$500 a day after a month passes. The DOT, gentleman from the state, said there was no overloading he can see, maybe the only one would a boat. Other than that, he seems to be okay. Joe says he moved stuff around at night because there is no traffic. The lot he has been using has had no problems in the nineteen years he's used it.

C. Lust asks Mr. Burnham if he knows that the property he has is a commercial zoning and that some items do not belong on the premises. It seems that there are secondary issues involved.

Sam Severin the city attorney stated that in the decisions to enforce one property and not another is quite normal. He mentions he will be here to answer any questions. He asks that Ms. Reinders, City Planner, speaks for the city of Nome at this time.

Erin Reinders, stated that they are here to discuss Mr. Burnham's appeal. There is a enforcement letter and the appeal, along with some photos and maps. There is also a memo, which serves as a response to the appeal that is on file. The memo summarizes the background and the appeal section comes straight from the zoning ordinance and it talks about what the appeal is. I am going to highlight a few items. First the sole issue of the commission is to decide whether if the city is in interpretation of its code. The need to look at the comprehensive plan and the ordinance for guidance. The comprehensive associates with a stand alone storage with industrial districts but not commercial districts. The commission is willing to work out any issues with Mr. Burnham. He is waiting on the FAA to see if he is able to build a warehouse that close to the airport.

Ryan Martinson and Rexodus Pomeranke offered words of support for Mr. Joe Burnham.

Out of public hearing at 8:03p.m.

A motion to grant the appeal for Mr. Burnham was made by C. Lust and seconded by C. Smith.

Discussion: Sam says it'll be helpful to deliberate to have a discussion about the findings. Written findings are required for this type of appeal. There is an ordinance that has never been complied with by anyone as the basis for denying this party. C. Lust asks the commission if he is in violation of the ordinance. There is nowhere to be found about grandfathering this property. Erin points out to the planning commission, they might want to consider the fact that there are some nuances on the property. C. Piscoya mentions that she does not agree to grant this appeal. The city may be willing to restart the process with Mr. Burnham and go from there. C. Smith supports following the path for the appellate to deny this appeal. The best way to bring these two parties together, should first deny the appeal, then work with city to work out a compliance agreement.

At Roll Call:

Aye:

Nay: C. Hughes; C. Piscoya; C. Lust; C. Smith

Abstain:

THE MOTION CARRIED

The appeal has been denied.

UNFINISHED BUSINESS

STAFF REPORTS

The Building Inspector made a report on active permits and projects within the City.

COMMISSIONERS' COMMENTS

C. Smith mentions the city needs their own enforcement officer with their own work vehicle. Thanks the city for being on tract.

C. Lust – no comment

C. Piscoya says the council cannot change the rules. Council needs to uphold NCO Code.

C. Hughes says activity in industrial use should require conditional use as well. He believes the city zoning prohibits use of property and he thinks the CU should go away.

SCHEDULE OF NEXT MEETING

July 8, 2025, have the abatement list on the next agenda.

ADJOURNMENT at 8:28p.m.

APPROVED and **SIGNED** this 8TH day of July, 2025.

KENNETH HUGHES III
Chairman

ATTEST:

DAN GRIMMER
City Clerk