

D. OLD BUSINESS

1. Conditional Land Use Permit Modification; MS2015-005

Applicant: Sean Cude

Request: Modification to PC Resolution 2014-20 to allow excavation into the water table and for temporary localized dewatering.

**Location: 36498 Virginia Drive
Kalifornsky Area**



Memo:

TO: Jeremy Brantley – Chair KPB Planning Commission

FROM: Robert Ruffner – KPB Director of Planning

Mr. Brantley:

The Kenai Peninsula Borough Planning Department received the attached public comment prior to the noon deadline on 11/15/24 for inclusion in the desk packet prior to the 11/18/24 Planning Commission meeting. However, the public comment was not included in the desk packet and therefore was not available for consideration at the time the Planning Commission voted to go into adjudicative session. The comment is attached for your reference.

The public comment arrived by fax after business hours on Wednesday, 11/13/24. The coversheet did not reference the subject matter other than being sent to the KPB Planning Department. It also was not signed and it appears to be incomplete with the second page be cut off. Staff determined that it should be sent to the material site planner, and on Thursday, 11/14/24, it was sent by interoffice mail to the material site planner's office at the Kenai River Center. It was not received by the planner prior to the noon cutoff the following day (Friday, 11/15/24), and so it was not included in the packet. Therefore, we are providing it now for your consideration on how to proceed. Mr. Sherwood, the Planning Commission's legal counsel, is carbon copied.



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Fax

To Kepoi Peninsula From Chris ^{and Linda} Weber
Company Borough Planning Dept Phone number 352-433-3494
Fax number 907-914-2378 Fax number _____
Date _____ Total pages _____
Job number _____

Editable text area

To: Ryan Raidme
@ River Center

GRAVEL PIT
Comments
Virginia Dr.

Heidi
Text 2207

File Mon. Nov. 18, 2024 @ 7:30 PM

Sean Cade applicant

Kenji
Dear Planning Commission,

Nov. 9, 2024

We are Chris & Linda Weber and have resided at 36680 Virginia Drive, Kenai, AK 99611 since 2006. During that time we have witnessed many episodes of Sean Cade's subject property at 36498 Virginia Drive. We are adamantly opposed to any future development of the fit for the following reasons:

1) The reclaimed area (about 50%) was filled in with various toxic materials including but not limited to creosoted posts/poles. In addition pressure treated wood from boating debris to docks. Raw sewage and debris, metal & plastic auto parts, and basically anything anyone wanted to dump. No regulations and open all the time.

2) Going below water level - with the Kenai River, many area water wells this certainly would be detrimental and who would be accountable for problems that might happen? Who would be responsible?

3) Change of frequencies and egress would change to Virginia Drive. The heavy trucks destroyed our road to Ciechanowski Drive and the trucks came up an incline out of the fit and could not/would not stop before entering Virginia Dr. Also Virginia Drive has no other outlet and could pose problems for emergency vehicles to enter.