



OCT 09 2026
CBJ Manager's Office

OFFICE OF THE MUNICIPAL CLERK

155 Heritage Way, Room 215
Phone: (907)586-5278 Fax: (907)586-4552
email: city.clerk@junEAU.gov

Notice of Appeal

This appeal is governed by [CBJ 01.50](#), the Municipal Appellate Code. This code establishes the standards and procedures for appeals.¹ Anyone who files an appeal should be familiar with the appellate code. The clerk can give you a copy of the code.

Attach a copy of the decision being appealed. Do not attach any other documents, exhibits, or additional pages to this form, except for any pages needed to continue the answers to the requested information below. The clerk will accept this form only if the appropriate filing fee is attached. The fee to file an appeal to the assembly is \$500.00. To be timely, an appeal must be filed within 20 days of the date the decision being appealed is filed with the clerk.

Action Being Appealed

Board decisions are appealable: board recommendations and most staff decisions are not.

☐ Agency Appealed From:

Planning Commission, Community Development

☐ Description and Date of Decision:

USE2026-0003: A proposal for a conditional-use permit(CUP) to provide for the stabling of farm animals (200 chickens and 30 farm animals) for personal use in a D-3 zone.

NOD on Sept 9, 2026 and filed with City Clerk on Sept 22, 2026 for USE2026-0003 stabling farm animals

Concerned Parties

Identify the people who have an interest in the action being appealed: yourself and others.

☐ Party Filing Appeal Mailing Address Telephone Fax Email

All addresses Juneau, AK 99801

Maureen Hansen	4915 Wren Drive	907-790-3220	mhansen.pbiz@gmail.com
Gwen Baluss	10236 Heron Way	907-500-2771	gwenbaluss@yahoo.com
Gerry Landry	10236 Heron Way	907-321-2206	gerrylandry@yahoo.com

Blake Hass	4938 Hummingbird Ln	269-757-4108	blakehass2010@gmail.com
Danielle Hass	4938 Hummingbird Ln	907-723-3530	Dtorrence10@gmail.com
Cari Atkinson	4940 Hummingbird Ln	907-723-2511	cariatkinson907@gmail.com
Neil Atkinson	4940 Hummingbird Ln	907-723-9168	Takucana@outlook.com
Ray Pastorino	4935 Wren Dr	907-500-2390	rpastorino46@gmail.com
Daniel Coleman	4942 Steelhead St	907-419-0270	dan@colemans.me
Tania Danielski	4942 Steelhead St	907-419-0243	tdanielski@me.com
Leona Coleman	10101 Silver St	541-777-0254	the1coleman@yahoo.com
Amy Kathleen VanderJack	10121 Silver St.	907-957-4670	vanderja@alaska.net
Charles Curtis	4925 Steelhead St.	907-723-1773	budque@gmail.com
Linda Curtis	4925 Steelhead St.	907-957-2377	ms.lindabeth@gmail.com
Peggy Mattson	1027 Arctic Circle	907-209-4876	rpmattson907@gmail.com
Mary Soltys	4956 Wren Drive	907-321-4210	soltys@alumni.stanford.edu
Tim Gray	4956 Wren Drive	907-321-2095	Tgray@alaska.net
Sheryl Weinberg	4920 Hummingbird Ln	~~907-321-1879~~	slwrddh@gmail.com
Richard Hebhardt	4920 Hummingbird Ln	907-321-7070	hebhardtrd@gmail.com
Michelle Klawonn	4989 Steelhead St	907-723-2601	Michelle.klawonn@gmail.com
Claude McMillan	4931 Wren Dr	907-723-9636	chipmcmillan@gmail.com
Deborah Rudis	4638 River Road	907-723-9981	ddrudis@gmail.com

□ Parties Who Won the Decision Appealed Mailing Address Telephone Fax Email

Southeast Endeavors LLC, Shawn Kantola
8287C Garnet ST, Juneau, AK 99801
(907) 209-3900
shawnkantola@yahoo.com

1 01.50.070 STANDARD OF REVIEW AND BURDEN OF PROOF. (a) The appeal agency may set aside the decision being appealed only if:

- (1) The appellant establishes that the decision is not supported by substantial evidence in light of the whole record, as supplemented at the hearing;
 - (2) The decision is not supported by adequate written findings or the findings fail to inform the appeal agency of the basis upon which the decision appealed from was made; or
 - (3) The agency failed to follow its own procedures or otherwise denied procedural due process to one or more of the parties.
- (b) The burden of proof is on the appellant. (Serial No. 92-36 □ 2 (part), 1992).1

-over

2026 - Appeal Form
Page 2 of 2

Issues on Appeal²

Concisely describe the legal and factual errors that form the basis for your appeal. Do not argue them: argument will be heard later.

1. Denial of Procedural Due Process (CBJ 01.50.070(a)(3))

- The Planning Commission committed a procedural error by altering the project description throughout the review process from what was listed in Staff Report Attachment A - Application Packet page 2 of 2.
- The public notice flyer omitted the quantity of animals requested, providing insufficient information for neighboring properties to accurately assess the issue.
- The Planning Commission denied procedural fairness by not adequately considering public testimony expressing opposition and requesting stringent conditions in the final permit. At the 8/11/2026 meeting, Ms. Rintala stated public testimony would be taken into account.
- The Planning Commission proceeded with the approval despite acknowledging missing information. At the 8/11/2026 meeting, Ms. Derr noted the need for a continuance to gather specific numbers to avoid a disservice to the applicant and community. No further specifics were provided at the next meeting. At the 9/8/2026 meeting, Ms. Cole agreed that the "intensity of the use is in their purview and has not been dealt with conclusively within the staff report,"

2. Lack of Substantial Evidence (CBJ 01.50.070(a)(1))

- The record lacks written documentation justifying the permit authorization of 8.3 to 16.7 times the poultry and 1.3 to 5 times the farm animals currently allowed in city code, nor does it explain why the specific 5-month and 7-month seasonal windows were selected. The Community Development September 1, 2026 memo does not support the approved quantities.
- The decision fails to address the cyclic nature of raising animals for slaughter, allowing a potential annual poultry headcount between 200–400 birds.
- The Staff Report's 93% vegetative cover estimate on page 5 of 11 conflicts with the site plan layout, where buildings and driveways occupy at least 50% of the lot.
- Staff Report Attachment C includes a Post-Development Drainage map from ProHNS

indicating natural drainage from the east subbasin is primarily sheet flow to the Southeast Alaska Land Trust mitigation wetlands, yet there is no documentation indicating drainage was revised during building construction to comply with 18 AAC 60.010(a).

- Staff Report Attachment G site plan illustrates drainage from building pads into wetlands but fails to show drainage from animal pens/coops and does not address feed/manure storage areas.
- There is no clear documentation indicating compliance with AS 46.03.810 (Air and Land Nuisances).
- The record lacks documentation on whether the required USACE permit (Staff Report Attachment O) was applied for and approved.
- The record lacks written documentation researching or supporting the conclusion of "no impact" on existing property values or how neighborhood harmony will be maintained. CBJ 49.15.330(f)(2)

3. Legal Errors and Code Conflicts

- Condition 1 conflicts with CBJ 49.15.330(g)(11).
- Condition 3 conflicts with CBJ 49.15.330(f)(2) because it fails to address impacts on the neighborhood from transiting predators and vermin other than bears (e.g., ravens, crows, mice, rats, voles, ermine, mink, weasels, owls, hawks, eagles).
- Condition 8 fails to specify what constitutes liquid or solid waste versus manure.
- Condition 9 is unenforceable as it specifies no unit of measure for "odor," no limit for allowed frequency (weekly, monthly), and no time limit for remedy of issue.
- Condition 11 fails to address runoff water per 18 AAC 60.010(a) and the minimum distances from a waterbody stated in 18 AAC 60.040(b).
- Condition 12 is silent on the request for roosters which conflicts with CBJ 49.25.300 Use Category 14.253.
- Condition 13 lacks clarification on what is included as a "farm animal" and whether the count applies to adults only, adults and juveniles, or all ages.
- The record lacks written documentation supporting a "Does Not Expire" term for a precedent-setting issue, and there are no conditions addressing expiration upon a change of ownership or future subdivision of the lot.

4. Failure to Conform to the Comprehensive Plan (CBJ 49.15.330(f)(3))

- Policy 2.1: The Staff Report uses "homesteading" to meet the plan, yet the property is in a residential area with city water & sewer, not "agricultural land" per 11 AAC 55.050. The applicant denies commercial interest, meaning "the community" is not served beyond one family.
- Policy 2.1 IA 10: Requires careful evaluation of environmental impacts, but no documentation is available to support such an evaluation.
- Policies 7.1, 7.5, 7.7: The Staff Report responses indicate a lack of knowledge regarding the sensitivity of the adjacent Montana Creek Wetlands, which are jurisdictional wetlands protected as a mitigation site under the Clean Water Act.
- Policy 7.15: The Staff Report response admits bear attractants will increase and notes "mixed conformance." The approved conditions only mitigate issues for the applicant, not the neighborhood where bears will transit, conflicting with CBJ 49.15.330(f)(1).
- Policy 10.2: The Staff Report response explicitly states the project is an "outlier," demonstrating non-conformance.
- Policy 10.3: Not addressed in the Staff Report, conflicts with (CBJ 49.15.330(f)(2)).

- Policy 11: The Staff Report statement "contributes to the rural character of the West Valley" conflicts directly with Comprehensive Plan Map E, which denotes this subdivision in area classed Urban Low Density Residential (ULDR).

Relief Requested

What should the Assembly do with the action being appealed: send it back, modify it, or something else?

Vacate the decision.

Update City ordinances to adequately address needs of both existing neighborhoods and applicants for this type of variance.

Signature Date *If you are representing any group, or a person other than yourself, you must sign a notarized statement that you are authorized to represent them.*

Maurice A. Hansen 10-9-2024

2 01.50.030(b)(5) COMMENCEMENT OF ACTION.

The notice of appeal shall include a concise statement of the legal and factual errors in the decision that form the basis of the appeal.

-over

Appeal of USE2026-0003

OCT 09 2026

CRJ Manager's Office

I, Maureen A. Hansen, of 4915 Wren Drive, Juneau, Alaska will be acting as the
spokesperson in the Concerned Parties section of the City & Borough of Juneau Notice of
Appeal form for the parties listed under Party Filing Appeal

All parties listed in the table under Party Filing Appeal have authorized my representation of
their interests in this matter.

Printed Name: Maureen A. Hansen

Signature: Maureen A Hansen

Date: 10-9-2026

ALASKA NOTARY ACKNOWLEDGMENT

OCT 09 2026

CBJ Manager's Office

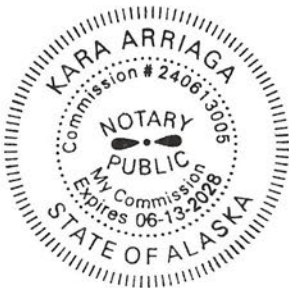
State of Alaska

Judicial District (or County of Alaska or Municipality of Juneau)

On this 9 day of October in the year 2026, before me, the

undersigned notary public, personally appeared: Maureen A. Hansen

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.



Signature of Person Taking Acknowledgment

Title or Rank HR

Serial Number (if any) 240613005

My Commission Expires: 10-13-2028



OCT 09 2026
CBJ Manager's Office

Planning Commission

(907) 586-0715

PC_Comments@juneau.gov

www.juneau.org/community-development/planning-commission

155 Heritage Way • Juneau, AK 99801

PLANNING COMMISSION

NOTICE OF DECISION

Date: September 9, 2026

File No.: USE2026 0003

Southeast Endeavors LLC

Shawn Kantola

8287C Garnet St

Juneau, AK 99801

shawnkantola@yahoo.com

Proposal: A proposal for a conditional-use permit (CUP) to provide for the stabling of farm animals for personal use in a D-3 zone.

Property Address: 10226 Silver St.; 10228 Silver St.

Legal Description: SILVER ACRES LT 9

Parcel Code No.: 4B2601020069

Hearing Date: September 8, 2026

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum, dated September 1, 2026 and approved the proposal for a conditional-use permit (CUP) to provide for the stabling of farm animals for personal use in a D-3 zone to be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

1. **Condition:** The volume measured at the boundary line shall not exceed 55 dBa between the hours of 11:30 p.m. and 6:00 a.m., and 70 dBa at other hours.
2. **Condition:** The property owner is responsible for ensuring livestock do not contribute to a violation of federal, state, or CBJ water quality standards.
3. **Condition:** To minimize the risk of bear attraction, all areas where poultry and other small livestock roam or are housed shall be protected by an electrified fence. Such fences shall be located at least 5 feet from a right-of-way unless public access is prevented by a secondary barrier.

Southeast Endeavors LLC

File No: USE2026 0003

September 9, 2026

Page 3 of 3

Expiration Date: The permit will expire 18 months after the effective date. 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.

H. Erik Pedersen

Erik Pedersen, Chair
Planning Commission

9/22/26

Date

Nicolette Chappell

Filed With City Clerk

9/22/26

Date

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.

MAUREEN A. HANSEN

10/9/2026

DATE

PAY TO
the order of

City & Borough of Juneau

\$ 500⁰⁰

Five hundred and 10/100

DOLLARS

Security Features
Include
Details on Back

GLOBAL FEDERAL
CREDIT UNION
1-800-525-9094 - www.globalcu.org

MEMO

Appral Fee USE 2026 003 Maureen A Hansen MP

FOREVER FREE

CITY AND BOROUGH OF JUNEAU

Treasury Division

155 South Seward
Juneau, AK 99801
(907) 586-5218

DATE

Oct 9, 2026

086221

RECEIPT NUMBER

REC'D

FROM: NAME

Maureen Hansen

ADDRESS

CITY

STATE

ZIP

DESCRIPTION

ARS ☐ BUS ☐ REA ☐ POLICE ☐ SALES ☐ HER ☐ UTL ☐ G/L ☐
TAX ☐ TAX ☐ CIT ☐ TAX

OTHER

CODE

AMOUNT

1-10-03.01-01-4420

500.00

0809

RECEIVED

AMOUNT \$ 500.00

CASH ☐ CHECK ☐

REC'D BY:

Christina Choquette

TREA CASH 10/88