



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

December 8, 2011
Harpster

Present: Chairperson Wade Morlock, Commissioners Gordon Roberts and Scott Harpster.

Excused: Commissioners Dick Stratton and Jan Johnston

Staff: Deputy Town Clerk Angela Kulp, Town Planner Mona Green

Guests: Amy Summe, The Watershed Co., Resident Paula Dix.

Chairperson Morlock called the meeting to order at 7:04pm.

Minutes: Chairperson Morlock moved to approve the November 17, 2011 minutes as written. Commissioner Roberts seconded. Commissioner Harpster abstained from vote since he was not in November's attendance, but Commissioner Stratton had emailed his approval for the November minutes. Vote: 3 For, 0 Against. Motion carried.

Old Business: Shoreline Master Program

Chairperson Morlock led the discussion, to review the November public hearing comments and concerns on the current SMP draft. The Commissioners were careful to review the entire document, discussing and sharing notes throughout, to include all suggestions and address clarifications wherever possible. This discussion included the following concerns, which Planner Green and Ms. Summe agreed to correct:

- Ms. Summe noted a definition for "project" as requested was not readily available, but a WAC definition exists for "development" which may suffice for "project" needs of the Western Academy of Beaux Arts (WABA). Consensus was reached the purpose of this definition is to clarify when WABA may need a shoreline permit, and recognized WABA's annual maintenance may or may not be defined as development, depending on the scope of work planned each year. Planner Green and Ms. Summe agreed to clarify with Ecology, and agreed with the Commissioners the intent is to allow WABA annual maintenance without permits wherever possible, but consult the shoreline administrator in cases of large projects, in case a permit is needed for shoreline stabilization, such the case would be on a new path on a steep slope. Planner Green also suggested if any permits would be required by Ecology, they could be valid for several years, to encompass typical annual maintenance.

- Commissioners confirmed the terms "No Net Loss of Property/Land" and "No Net Loss of Ecological Function" needed to be clarified and consistent.

- Commissioners agreed a "decision tree on process flow", and "checklist" would be added to clarify guidelines that a private property owner should follow to understand the SMP.

- Commissioners agreed the Shoreline Administrator should handle all Shoreline Exemptions instead of the Council, as is done currently.

- Commissioners agreed all highlights done on the draft must be clarified even further to reflect: a) what is right out of the WAC (Washington Administrative Code), b) what is strongly influenced by the WAC and c) what the Planning Commission added for this jurisdiction's specific needs.
- After much discussion, Planner Green and Ms. Summe agreed to clarify with Ecology and rewrite or remove all sections on "view considerations" per the Commissioners' request. The Commissioners noted their "view considerations" were intended for those visiting the beach, and not for private owner view protection behind the beach. The Commissioners agreed "view" issues were based upon not wanting more large trees planted at the water's edge. They agreed they did not intend to affect the Woodlands Manager's ability to replant trees in the woodlands area. However, after a discussion on types of trees and potential height limits along the water and the options available, the Commissioners also reached consensus that "hedges" (but not trees) should be prohibited along the water for visibility reasons,. The Commissioners agreed WABA should have as few restrictions as possible, but hoped by doing so, would also use reasonable discretion in planting for shoreline view at the beach.
- Commissioners agreed protection of all "Fish and Wildlife" should be limited to "protected species" of fish and wildlife only.
- Commissioners agreed section 5.4.2a related to shoreline regulation of critical areas could be eliminated as it was already addressed in Appendix E.
- Commissioners agreed a footnote should be added to clarify concern over public access, the "public" in Beaux Arts being only WABA members and their guests, not the *general public*, since it is a private beach. This "public access" statement is a requirement to satisfy Ecology and therefore cannot be eliminated.
- Commissioners agreed to give WABA maximum latitude, by noting pruning is allowed and should not be prohibited. Commissioners agreed even if WABA does not want to allow pruning, they do not have to, but not prohibiting pruning allows their ability to do so if needed or chosen.
- Planner Green and Ms. Summe agreed to follow up with Ecology on preferred milfoil removal methods that Ecology promised to research further.
- Commissioners agreed with WABA that a licensed herbicide applicator should not be required, and removed this requirement.
- Commissioners agreed to change a float's dimension from 4' to 8' per consultant Mr. Ashley's professional expertise and suggestion.
- Commissioners agreed to have dimensions clarified on table 6.3 on requirements for new over water structures.
- Planner Green and Ms. Summe agreed to check for "JARPA"'s usage in the SMP, and if noted will add its definition.

The Commissioners reviewed Appendix C, Restoration Plan, with great skepticism. Planner Green and Ms. Summe noted Appendix C is a planning perspective, required by the state, based only on regional, ecological goals. Chairperson Morlock explained he felt a private entity's wishes had no business in a government document, and noted this appendix should be as generic as possible. He noted this restoration plan should state the Town's Goals, not WABA's goals and noted the goals may be different as the Town should be focused on the recreational needs of the community and WABA's goals

seem to be focused solely on salmon restoration. Ms. Summe and Planner Green argued this is an ecology based restoration plan, and the Town could add an appendix about recreation, but the Dept. of Ecology is only interested in ecological functions. They added WABA is the only shoreline property owner in Beaux Arts and did create a salmon restoration plan for their private beach with a publicly funded grant so their plan referenced is very relevant to this appendix. After much discussion, the Commissioners agreed they wanted Appendix C scaled way back, made as generic as possible to meet Ecology's requirement, and not tied to a private property.

The Commissioners reviewed Appendix E, about Critical Areas and asked many questions for better understanding. Planner Green and Ms. Summe noted the Beaux Arts beach has critical areas with Fish & Wildlife Habitat, which includes an active Bald Eagle's nest, a Geo Hazard with potential erosion on a steep slope, and possible wetlands in an area mid-beach where wetland plants have been noticed growing for quite some time. They explained any proposed development in these areas have additional requirements for buffers around these critical areas. Chairperson Morlock suggested highlighting what is required versus where there is wiggle room. Planner Green and Ms. Summe agreed they would look again, but believe all they have included in Appendix E is all regulatory and required by Ecology and therefore no changes could be made. The Commissioners agreed they should double-check, and this appendix should only include what is required.

Adjourn: As this was Commissioner Harpster's last meeting for his expiring term, the Commission thanked him for his time and service. Commissioner Harpster moved to adjourn the meeting and Commissioner Roberts seconded. Meeting adjourned at 9:46pm. Vote: 3 For, 0 Against. Motion carried.

Next Meeting: The next meeting will be on Thursday, January 19, 2011, 7:00pm at Commissioner Stratton's home.

Respectfully submitted,
Angela Kulp, Deputy Town Clerk