

JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR JUNE 18, 2003

- A. OPENING BUSINESS
- B. PUBLIC HEARING - 2003 COMP PLAN SUGGESTED AMENDMENTS FOR PURPOSES OF FORMULATING THE FINAL DOCKET
- C. DISCUSSION ON UGA PLANNING FOR THE PORT HADLOCK AND IRONDALE AREA
- D. PUBLIC COMMENT
- E. ADJOURNMENT

A. OPENING BUSINESS

The regular meeting was called to order at the WSU Learning Center at 7:00 p.m. by Chair Tom McNerney. Planning Commission members present were Pat Rodgers, Phil Flynn, Edel Sokol, Eileen Rogers, Jenny Davis, Robert Morgan, and Dennis Schultz. David Whipple arrived at 7:10 p.m.

DCD staff present were Randy Kline, Karen Driscoll, Mark Personius, consultant, and Cheryl Halvorson, secretary.

There were about forty-five members of the public present. Those who signed the guest list were Linda Driver, Michael Felber, Gary Phillips, Jack Gillen, Sarah McMahan, Nancy Dorgan, Richard Suryan, Gabe Ornelas, Robert Dickey, Andrea Dickey, Maria Larocque, Ande Grahn, Robin Ornelas, Janis Fisler, and Marty Fisler.

The minutes for May 21, 2003, were approved as corrected. The minutes for June 4, 2003, were approved as submitted.

B. PUBLIC HEARING - 2003 COMP PLAN SUGGESTED AMENDMENTS FOR PURPOSES OF FORMULATING THE FINAL DOCKET

Tom McNerney opened the public hearing by noting that the four site specific Comp Plan amendments would automatically be included on the final docket. He explained the format of the public hearing. Randy Kline provided an overview of the Comp Plan amendment process.

MLA03-232, Port of Port Townsend

Randy Kline provided a summary of the Port's suggested amendment. It asked for a rezone of approximately twenty-four acres adjacent to the airport to the Essential Public Facility [EPF] designation. It suggested Comp Plan and UDC amendments that would allow limited rural scaled industrial uses at the EPF. And it proposed an area in which residents in close proximity to the airport would be notified of airport operations.

Randy Kline noted the county web site address which people could access to follow the process. He stated that staff would be glad to talk to members of the public about this or any of the Comp Plan amendment topics.

Tom McNerney stated that any written comments must be submitted by the end of the public hearing because the Planning Commission would go into a discussion and formulate its recommendation to the BOCC at that time. He stated that any written comments after the close of this hearing should be directed to the BOCC. Pat Rodgers clarified that this hearing was for the purpose of developing a report to the BOCC for the Final Docket. It was not to discuss the merits of the suggested amendments.

In answer to an audience members question, Randy Kline explained the criteria for selecting suggested Comp Plan amendments for the Final Docket as described in Section 9.6 of the UDC.

Randy Kline stated that the staff recommendation was that all four suggested amendments be forwarded to the Final Docket.

Tom McNerney opened the hearing to public comments on the Port of Port Townsend amendment only.

Linda Driver, Port Townsend, stated that she had been a resident of the county for several years and had developed about six houses off of Prospect Avenue. Tom McNerney interrupted and asked if Ms. Driver was going to address the noise overlay issue. Ms. Driver answered that she was. Mr. McNerney stated that the Planning Commission was now taking comments on the Airport Master Plan suggested amendment, not the noise overlay. Randy Kline stated that the Port's amendment also included a noise overlay component. Mr. McNerney apologized to Ms. Driver, adding that the second suggested amendment the commission would hear addressed the noise overlay issue. He agreed that it was confusing but suggested that comments on the noise overlay issue be addressed during the testimony on the next amendment.

Ande Grahn, representing People for a Rural Quimper [PRQ], stated that they were suggesting the second Comp Plan amendment on the Preliminary Docket. She stated that the Port was proposing three things: (1) the rezone of some adjacent acreage to the EPF designation, (2) some Comp Plan and UDC amendments to accommodate light industrial uses at the airport, and (3) an area in which the residents would have a noise overlay. Ms. Grahn stated that PRQ was proposing two things. She stated that they were sort of the same things. Ms. Grahn stated that PRQ was bringing some amendments forward to be considered such that, depending upon the Board's decisions and because of the amendment process time frames, there would be options. Ms. Grahn stated that it was interesting to note that the Port proposed striking the same language they were proposing to strike, but the Port was proposing different language in its place. Ms. Grahn stated that she was glad to see the Port bringing their amendment forward. She stated that PRQ thought they had compatible amendments and they wanted to have them considered together. She stated that what they were trying to do was provide for the commission and/or the BOCC that, as they went through the discussion, they would not end up in a place where a decision was made and then there would be no options. Ms. Grahn stated that PRQ was providing a different option in terms of considering how to amend the Comp Plan. She stated that, in terms of the people present who were concerned about a noise overlay, PRQ had provided one option and the Port had provided another option. Ms. Grahn suggested that there may be some kind of negotiated median settlement. She stated that by providing "bookends", they had created a place to have a discussion. She stated that they would like to see the Port bring forward a working copy of the Master Plan so they could understand how all those things fit together.

Michael Felber, Port Townsend, stated the hope that the Planning Commission would docket the second Comp Plan amendment. In regards to the noise overlay ordinance portion of the Port's proposal, he stated that, concerning the chart that had been provided showing the airports that did not have a noise overlay, many were larger than our airport and community. Mr. Felber stated that Larry Crockett [Port Executive Director] had given the example of the Portland airport having a noise overlay ordinance. He stated that Portland had a population of 553,000 people which was roughly 65 times the size of Port Townsend. Mr. Felber stated that he did not see the comparison. He stated that even a town like Port Angeles, which had many more flights and larger aircraft, did not have a noise overlay and did not see the need for one. Mr. Felber stated that the state law said that there needed to be regulation in place to assure that there were compatible land uses next to the airport. There was no law that said we had to have a noise overlay ordinance. He stated that we had zoning laws which accomplished those things right now. Therefore, he did not see a great need for a noise overlay ordinance. He stated that he did not see many people coming to the BOCC or

Port Commissioners saying they had bought a house near the airport and did not know it was there and asking why no one told them. Mr. Felber stated that if you had a problem, you fixed it. He stated that he did not see this as a problem. Tom McNerney interrupted Mr. Felber, stating that the commission would take comments on the noise overlay issue during the portion of the hearing on the next amendment. Mr. Felber apologized, stating that he thought he was addressing the third part of the Port's amendment concerning notification of airport operations.

Maria Larocque, Port Hadlock, asked about the adjacent property requested in the rezone, asking where the property lay. Randy Kline replied that it was immediately south of the airport in the Four Corners vicinity.

Nancy Dorgan, Port Townsend, stated that she was not speaking on behalf of People for a Livable Community at this time. She stated that she was basically on a fact finding mission. Ms. Dorgan stated that she had attended the BOCC/Port workshop on this date and received quite a bit of information. She stated that she had spent some time reviewing the Essential Public Facilities chapter of the Comp Plan. Ms. Dorgan stated that her initial thoughts on the Port's proposed amendment were that it looked like a means of creating a new LAMIRD under the guise of an EPF. She stated that just because that land that would receive the requested industrial zoning was owned publicly was not sufficient to call it an extension of the EPF. She stated that EPFs were supposed to provide some kind of public service to the public, whether or not it was privately or publicly owned. She stated that it would, in fact, create an industrial park leased to tenants who would be operating their private businesses on that land was actually not consistent with an EPF designation. Ms. Dorgan stated that she would be thinking and reading more about the proposal and making further comments during the Comp Plan amendment process. She stated that she would certainly not recommend that it be docketed. Concerning the noise overlay component of the amendment, Ms. Dorgan stated that she was glad that Ms. Grahn spoke first because it clarified in her mind that there would be some benefit in docketing their amendment in order to have the "bookends" before the county during the process. Ms. Dorgan stated that she supported the next amendment for the same reason.

Richard Suryan, Port Townsend, supported docketing the amendment, particularly in light of the noise overlay. He referred to the comments about whether or not the airport and the adjacent land would suffice as an essential facility in terms of an EPF. He stated that there was a study done in November, 2001, for the WSDOT of the airports in the state. In looking at the airport in this county, they used the standard ways that airports were analyzed, considering direct and indirect economic impacts and reduced economic impacts. Mr. Suryan stated that, in summary, the jobs generated by the airport in those three categories and related city impacts was about 153 jobs, payroll of \$2.7 million, and economic activity, sales output and other related things totaling almost \$10.0 million. He stated that the airport was not just a piece of asphalt. It was a very big part of the economic base of this community. He stated that the subject of the noise overlay was very important, especially for people who would come to this county and not know that the airport was there. Mr. Suryan stated that he flew and on a dark day, you would not know there was an airport there if no one was flying. Someone could come in and buy property. He stated that was the purpose of the noise overlay. Mr. Suryan stated that it should be carefully considered and be put on the docket. He stated that he was an attorney in the local area and knew there were people who bought houses and were unaware of things

like airports. It could result in lawsuits. He stated that it was an issue the community should be concerned about. He urged the commission to carefully consider it and docket the amendment. An audience member asked if Mr. Suryan practiced real estate law. Mr. Suryan replied that he did.

Mike Regan, Port Hadlock, stated that he represented Irondale Community Action Neighbors [ICAN]. He stated that they wished to be on record as opposing the airport noise overlay ordinance portion of the Port's proposal. They did not oppose airplanes and admired the airport's ability to make money for the community. However, they did not think it was necessary to produce a legal imposition upon property titles in order to continue to have the airport. He stated that the airport was making money quite well as it was. Mr. Regan stated that if people could come to this area and actually buy property without knowing that the airport was there was an indication that noise was not that bad. He stated that it did not bother him and he had lived in that area for a number of years. If noise had been a problem, it seemed like people would have sued the Port before now. Mr. Regan did not think there was enough of a noise problem now to create a desire to sue the Port. However, creating an airport noise overlay brought enough attention to the issue so that people might want to sue to try to impose restrictions on airplanes. Mr. Regan reiterated that they opposed the imposition on their property titles.

Jim Pivarnik, Port of Port Townsend, stated that he received an email from someone opposing the proposal who could not attend the hearing and had promised that person he would provide it to the commission. He handed out copies of the email and the Port's response to it.

Janis Fisler, Port Townsend, supported Ms. Dorgan's comments about the Port's request to add the twenty-four acres to the EPF. She thought that the argument that an industrial park was an EPF was an error. She stated that if you argued on the basis of financial support for the community, which she would not argue against, you would have to argue that the paper mill or tourism or our other major economic bases were essential public facilities as well. She did not think that was appropriate. She thought we needed to give it very serious consideration.

There being no further comments on the Port application, Tom McNerney moved the hearing on to the next amendment.

MLA03-244, People for a Rural Quimper

Randy Kline provided a summary of the proposed amendment which related to the elimination of requirements for the county to adopt an airport overlay or noise overlay ordinance and to support adoption of an Airport Master Plan.

Tom McNerney opened the hearing to comments on this amendment.

Linda Driver, Port Townsend, stated that she built six homes off of Prospect Avenue. She stated that she built them to be pleasant places to live, to have plenty of land around them, to leave trees, etc. She stated that she had received calls from the Assessor's office thanking her for saving the neighborhood. Ms. Driver stated that she did not know of a single renter or homeowner who had ever complained about the airport. She thought everyone understood that the airport was there. She stated that it was real estate law that you disclose about being near the airport. She stated that if she did not disclose that when she sold a house, she could be sued. Ms. Driver

stated that her real concern about it was that what was happening to the airport was that it was being turned into something like the Bremerton airport. What was happening at the Bremerton airport was that people did not get up on a morning and say "Let's go watch the planes take off and land." She stated that the Bremerton airport had a typical terminal and was dull. She stated that Port Townsend did not have that kind of airport. She thought that so far those houses had been there about six years and had lived in perfect harmony with the airport without takings or putting restrictions on their land. She thought it was a mistake to do that. Ms. Driver stated that she had some questions that she did not think the Planning Commission could answer. One was that the airport was not making money, had never made money, and was going in the hole every month. She stated that the question was who would benefit from the airport noise overlay. She stated that she knew it was not the county because she knew what would happen to her property taxes and value if this noise overlay took effect over specific properties. She thought the county was not benefiting from this. Ms. Driver stated that the Port Commissioners would benefit. She thought it was well known throughout the state that port commissioners were some of the least regulated officials. She stated that port commissioners did not necessarily represent the citizens. She stated that the money made would go into the waterfront in Port Townsend. It would not go into the county coffers, whether an industrial park was developed or not. Ms. Driver stated that another question was why the lines of the overlay ordinance kept changing. It seemed that they changed for economic reasons. While she did not know why that was, she had a suspicion. She stated that the people in Kala Point were impacted by the planes coming in over the hill to land. The people in Ocean Grove were affected. But they (the Port) kept reducing the area for the ordinance as if they thought the people under the planes had less economic power and, therefore, made less noise. She wanted to assure the Planning Commission, and anyone who thought it was not so, that they would still make noise about it. Ms. Driver stated that she did not mind the airport prospering. She did not like to be told now and into perpetuity that she could never complain about whatever noise one or two people in a plane over her head could do to thousands of people below. She did not think that was part of democracy.

Ande Grahn, PRQ, stated that the presence of all the people at the hearing and what they were telling the commission should indicate that there was a need to give them a voice. She agreed that they had a voice in speaking on the amendment the Port had proposed. However, if we came to an impasse, they believed that by docketing their amendment, there was the ability to have the discussion that could make it so that we would not have to come back next year and go through another noise overlay process, for either the Planning Commission or BOCC. She stated that it (the Port's proposal) may not be the way to solve the problem. Therefore, they would like to docket this amendment so that, at a later date, they would have the opportunity to discuss the merits of both proposals. They thought their proposal had a different way of going about the issue. Ms. Grahn stated that their proposal was that we take away the requirement in the Comp Plan that the county must adopt a noise overlay. She stated that there were other ways to protect the airport; it did not have to be a noise overlay. She stated that if the specific language was removed, the county would not be obliged to do it. They thought that may be a more responsible way to proceed. Ms. Grahn stated that they wanted to see the Airport Master Plan. They wanted the county to know and understand as we went through the process what the 20-year plan was for the airport. They wanted to know what the activities would be that would occur there that were associated with the subarea plan for the airport. Ms. Grahn stated that the Port was constrained by the Comp Plan amendment

deadline, so they had not given the county an adopted Master Plan. In addition, the Port's public process was a bit different from the county's public process. She stated that the Port was still in its public process for the Master Plan; it was not yet completed. Ms. Grahn stated that she thought the people were very much depending upon the county to have the kind of public process the public had become used to in comprehensive planning. She stated that the Port would tell the public what their Master Plan said, but the public depended on the county to hear what the public thought. She stated that the county's Comp Plan amendment public process was much more oriented towards hearing the needs of the community, and balancing them against the entire range of the community, rather than just telling what the process was. Ms. Grahn stated that by docketing this amendment, it would continue this discussion to create the most open public process we could and provide a chance to perhaps come to a resolution of this issue. The process would provide a chance to have a really good idea about what the Port wanted and a really good idea about what the community wanted. Ms. Grahn asked the commission's indulgence in hearing from the public present, stating that they may try to argue their point. She felt sure they would come back at the point of the public hearing on the merits. She stated that the fact they were here indicated they really did have something they wanted the county to hear and consider.

Gabe Ornelas, PRQ, stated that, coincidentally, Ms. Driver mentioned Ocean Grove. He stated that he had a letter from the Ocean Grove homeowners association and also a letter from the Bayview-Chevy Chase homeowners association. He read the two letters into the record and provided copies for the record. Mr. Ornelas also read portions of the Discovery Bay Heights Community Association letter of March 31, 2003, which had been provided to the Planning Commission earlier. All three letters opposed a noise overlay. He stated that he had attended the Port/BOCC/Planning Commission workshop of this date, noting that there was no public comment taken. He stated that he had more questions than answers after the workshop. He noted that some Planning Commissioners also had unanswered questions. One dealt with disclosure. Another was a question on the number of noise complaints that were recorded by the Port. Another was a question that staff raised to the Port's attorney about the role of the designation by the state that the airport is an EPF. He liked that answer, but now was not the time to debate what was said. He stated that the reason he brought it up was because, after the workshop, he realized there was a strong reason why they had submitted their application. It was because they were looking for relief from all the confusion, misstatements, and many more questions. He stated that they wanted to see their application go forward to the Final Docket so there would be more public input and public process.

Michael Felber, Port Hadlock, stated that it was clear that there was a lot of interest in this issue. There had been a great deal of interest four years ago when the issue had been before the county. He urged the Planning Commission to allow the process to continue in order to hear everyone's opinions and to come to a decision.

Sarah McMahan, Port Townsend, stated that she concurred unconditionally with Ms. Driver's comments.

Robert Dickey, Port Hadlock, stated that he also agreed with Ms. Driver's comments. He stated that he was concerned for everyone in the area why the property zones and overlay zones proposed their inclusion when, since 9/11, they were in a restricted fly zone. He stated that they were not getting

planes in their area, but they were still in the noise ordinance. He stated that another question was why Gene Seton's land and Kala Point were no longer in the zone. It seemed like the people with money were excluded. He stated that Mr. Seton had said last year that it was the big people stepping on the little guy to devalue their investments and property. He questioned why the Port didn't buy his house now for current market value and disclose their 20-year plan. He stated that they all paid taxes. He urged the Planning Commission to not put the ordinance in (a noise overlay).

Maria Larocque, Port Hadlock, stated that she was a recent resident and lived right in the path of the airplanes but was one of those people who did not know about the airport when she bought her property. She looked at it as her tough luck. She stated that her concern with the noise overlay was that there was not enough noise to warrant it. She stated that her concern was that she opposed having any kind of restriction on her deed that might have any kind of control on her land use. She stated that she should be able to have a 2-story garage based upon regular codes that had been allowed before, and to have no bearing on how tall her trees were. She stated that her big worry was that the airport would get too big. She was opposed to any kind of easements or restrictions being put on her property.

Dan Terrell, Port Hadlock, stated that the planes went right over his house. He stated that he knew about it and did not mind it. He was opposed to anyone putting restrictions on his property rights. The thought of anyone putting a cloud on his property title, causing a potential buyer to question the property, irked him. He stated that real estate law protected the buyer and gave them recourse through litigation for a situation where they were unaware of something and it was not disclosed. He stated that to cloud his title also reduced his market of sale. He stated that there would be a lot of people, like himself, who really would not care if a small airport was nearby. But they would not give up their rights to handle their property. He stated that it would reduce his market if he ever had to sell his house. Mr. Terrell stated that he often wondered about the airport expansion with the industrial complex proposed. He wondered what would prevent UPS from leasing one of those buildings and flying in small Lear jets at 3:00 a.m. If something like that happened, he wanted to be able to scream about it. He stated that if the noise overlay went through, it would prevent him from being able to do that, and that was not right. That really stepped on his property rights.

Sheri Smith-Suryan, Highway 20, stated that she worked previously as a title examiner. She stated that her understanding of this was that it was not a restriction to title; it was just an awareness. She stated that it appeared people were talking out of both sides of their mouths. On one hand they said the airport was okay; it did not bother them. But if a big plane came, it would bother them. She stated that it was almost a protection as far as selling your house, so that someone would know what they were looking at.

Mike Regan, ICAN, stated that he supported the docketing of this proposed amendment, which would delete the language about a noise ordinance. He stated that even a notification would come up in your title report. He stated that a person had a moral obligation to disclose that an airport was nearby. He stated that what really bothered him about a noise ordinance was that it was, first, a method to tie the citizen's hands. And then to expand the uses of the airport under the new conditions that could be created. He stated the understanding that there were plans to put in tanks for jet fuel at the airport. He stated that he understood that there were a few small

jets that had landed there. Mr. Regan stated that this again seemed like a situation where the county or an entity like the Port asked for something that did not appear to be what it really was and there were hidden agendas behind it. He stated that the idea to tie the citizen's hands and then expand the airport seriously bothered them.

Burt Freeman, Port Townsend, wished to respond to Ms. Driver. His thoughts were that, if we sold industrial property at the airport and had businesses, it would contribute to the tax base. The other side of that equation was that, if there was litigation because someone did not know about the airport, the money for the litigation and any award would come from our taxes. He thought that was either a paradox or ironic. Mr. Freeman stated that there were lots of property owners on the airport who leased the land. That contributed to the tax base. If the airport expanded with more hangars and more people who based their aircraft here, it would further expand the tax base.

Lee Groves, Port Hadlock, stated that he lived so close to the noise overlay that in a good north wind, it would be on his property. He stated that he enjoyed watching the airplane activity, stating that it was a unique airport. Concerning the idea about more buildings for industrial uses, he referred to the industrial development at the Port Angeles airport when Hiller moved there. It was going to be a big boost to their economy. He stated that half of those buildings were sitting vacant now. They built one helicopter and went out of business and those taxpayers were still paying for those buildings. Mr. Groves was afraid that the Port would do the same thing here. He noted that the Port property in Port Townsend now had vacant buildings, although he admitted they were far from the airport. He stated that the Port planned to extend the runway by 200 feet. He thought it would allow big jets to come in. He stated that we had a small jet come in now and then but it really did not bother him because it was in the day time. However, if you had UPS jets coming in at night, it would be bothersome and would devalue the property. He did not think an industrial park would increase the tax base. He thought we'd have empty buildings like in Port Angeles.

Marilyn (unintelligible last name), Fitchburg Road, Port Hadlock, stated that she was around the county when the airport was a grass strip. She stated that the same property owners fought for eight years complaining about the airport. Now the same property owners were here complaining about what they did not want. She stated that what the property owners were not saying was constructive suggestions about what they did want. She was only hearing complaints that it was too noisy or that it was not a noise area. She questioned which it was. She stated that it seemed that no matter what we did, people were against it. But she did not hear anything constructive. Concerning the industrial area, she stated that every area could be controlled. It did not mean we had to have FedEx or UPS. But it could be very productive to the county with government control. She thought it needed to be further planned out rather than just opening it to anything. Some industries might produce smoke that would be hazardous to pilots. Other industries might bring some other hazards to the neighborhood. That needed to be considered too; it was not just a matter of "Can we do it?" or "Can we not do it?" It needed to be something more than just those two. She did not think there was any concrete direction in either of the proposals that she had heard at this hearing.

Burt Freeman wished to respond to the lengthening of the airport comment. The planned lengthening was to facilitate instrument landing. With respect

to jets landing here, the only one that could land here now was a Cessna Citation and it had to come in with a low amount of fuel and minimum load. A large jet could not land on the 3,200 foot runway, especially with a load. He stated that the reason the airport runway could not expand beyond another 200 feet was because of the constraints of the two highways; it would be much too expensive. He stated that the 200-foot expansion would allow the minimum amount of runway required by the FAA to allow instrument landings. He stated that it would help people who had charter airplanes for flights to SeaTac.

Michael Felber, Port Hadlock, asked, if a noise overlay was put into effect and they reduced the size of that overlay, if it would be relatively difficult to then expand the overlay later. Randy Kline replied that it would need to go through a public process again.

Gabe Ornelas, PRQ, stated that he had been involved in this issue for four years. He responded to the person who said she did not understand their argument. He encouraged that person to come to as many meetings as she could to get an education and understanding of PRQ's effort. He stated that his previous presentation to the Planning Commission was clear that they were not anti-airport, anti-aviation or anti-pilot. What they were was pro property rights. He stated that their argument had always been that it was not a noise issue; it was a property rights issue. He stated that someone had talked about the impact it would have on their title. That would be very devastating to a lot of citizens in this community to have that attached to their property titles. He again encouraged that person to attend as many meetings as she could, stating that she would find that their focus was on property rights and property rights only.

Randy Kline encouraged everyone to speak to their Port Commissioners. Jim Pivarnik stated that the regular Port meetings were the second and fourth Wednesdays every month and provided the times and places for those meetings. Mr. Kline stated that the Port Commissioners were elected representatives just like the BOCC. He noted the county web site address, stating that current information could be found there.

David Whipple asked if it would be possible for the Port and PRQ to meet and negotiate and amend the proposal before decision-making, and if it would be the Port Commissioners who would initiate that process or if it would be the county. Mr. Whipple thought that people should contact the Port staff and their Port Commissioners with their concerns. He stated that there seemed to be some misinformation on the issue.

Tom McNerney explained that there was a settlement agreement between the county and the Port as a result of an appeal. He stated that the county and Port came to agreement on certain items. He stated that this was the second time the county had come to a settlement with someone who had appealed. Mr. McNerney stated that another settlement agreement had been reached on the agricultural lands issue. During the public process, a perception was that the Planning Commission would "rubber stamp" the agreement. He stated that the Planning Commission did not do that and had, in fact, suggested changes. Mr. McNerney stated that he had had a conversation with the Director of DCD about the agreement between the county and Port about certain items. His question was whether we were going through the same thing over again. The answer was that the Planning Commission should do its regular public process, and if the commission did not agree with what was in the agreement, the commission should recommend to the BOCC that it be changed. He stated that the BOCC would have the Planning Commission's input, staff's input, and the

public's input, and then the BOCC would make the final decision. Mr. McNerney stated that even though there was a present agreement, that agreement may or may not hold up, depending upon the process.

An audience member asked if that agreement was in the Comp Plan, to have a noise overlay ordinance. Randy Kline explained the process that had culminated in an appeal and settlement agreement. It included negotiation with the Port to include language in the Comp Plan about a noise overlay ordinance and discussion about future industrial uses at the airport after the Port did its Airport Master Plan. Now was the time to have that discussion. The Port was bringing forward their proposal for industrial uses and for the noise overlay. He stated that the discussion would happen publicly and it would happen before the Planning Commission, which was the way the process was supposed to work.

Tom McNerney stated that a comment had been made that there should be a positive suggestion. He stated that the Port had come up with what they believed was positive and it was about 2 ½ inches thick. He did not want people to think that there was not work being done on a positive approach. An audience member commented that the remark was directed towards the people opposing the noise overlay. Mr. McNerney stated that he wanted people to know that there had been a lot of work done over a long period of time. He stated that there had been a comment that the Port's public process had not been adequate. Mr. McNerney stated that the Port did its Master Plan which then came to the county as an amendment to the Comp Plan. To get it as an amendment to the Comp Plan, it had to go through a thorough public process. That was where the public process really took place.

There being no further comments on the PRQ amendment, Tom McNerney moved the hearing forward to the next amendments.

MLA03-209, Jefferson County (Ag Lands)

Randy Kline summarized the suggested amendment for agricultural lands. It included consideration of land use designations, reconsideration of UDC regulations, and additional unfinished ag lands planning tasks. He stated that staff would provide an update on the public outreach program after the hearing.

Tom McNerney opened the hearing to public comments on this amendment. There was no one who wished to speak on the amendment. Therefore, he moved the hearing on to the last suggested amendment.

MLA03-210, Jefferson County (Seawater Intrusion)

Randy Kline summarized the suggested amendment for the addition of narrative and policy language in the Comp Plan and UDC concerning seawater intrusion protection.

Tom McNerney opened the hearing to public comments on this amendment. There was no one who wished to speak on the amendment.

Tom McNerney closed the public hearing.

David Whipple moved that the Planning Commission recommend forwarding all four suggested amendments to the Final Docket. The motion died for lack of a second.

The commissioners moved on to a staff update of the public outreach program for the Ag Lands amendment.

Karen Driscoll referred to the draft letter for the mailing that had been provided to the Planning Commission. She stated that the letter would be mailed to about 6,100 property owners in the county. She explained how staff arrived at the mailing list. She stated that there would be a display ad in the Forks Forum, Port Townsend Leader, and Peninsula Daily News. Ms. Driscoll summarized the contents of the letter, stating that the mailing would go out about June 27. She stated that the hope was to contact everyone who could be interested in the issue.

Karen Driscoll stated that another aspect of the job was to review the state laws, ordinances and Comp Plan to judge their consistency. Another part of the job, after achieving consistency, was to consider the wording to see if it was doing what we wanted it to do and if it was supportive of agriculture, within the constraints of environmental protection and the GMA. She stated the opinion that there were areas where we could make some differences. She stated that in talking to some of the farm groups, some of their problems may be in the rules that were already in place.

Karen Driscoll stated that she had been compiling a matrix with all of the references to agriculture and aquaculture for use in the consistency review. Tom McNerney asked if that matrix would become part of the amendment application. Ms. Driscoll replied that she understood that the parts that would come forward would be (1) all of the rezone properties, (2) all of the document changes that needed to be made to make them consistent, and (3) all of the amendments that would be needed to make the documents more supportive of agriculture.

Randy Kline stated that this was all an outgrowth of the discussion the Planning Commission had on the ag issue. Karen Driscoll stated that it would be very interesting to see what kinds of contacts the county got after the letters came out.

Tom McNerney asked about the timing of getting the material into the amendment packet. Randy Kline replied that Josh Peters was the primary staff working on the issue with Ms. Driscoll and he was on vacation. He stated that staff would get the material to the Planning Commission as early as possible. Karen Driscoll reported that she had posed a long list of questions she thought the public would have to the Director, stating that staff needed to develop answers to those questions.

Tom McNerney asked about the seawater intrusion amendment, asking if it was essentially a place holder as well. Randy Kline replied that it was, stating that Josh Peters had worked on the narrative language but it was not yet ready.

Tom McNerney entertained a motion concerning MLA03-232, Port of Port Townsend.

Pat Rodgers moved that MLA03-232, submitted by the Port, be docketed. Eileen Rogers seconded the motion.

Robert Morgan thought that parts of (1) and (2) were reasonable and practical, but he wondered whether there was really a case made for a noise

overlay (3). He asked about the process. Tom McNerney stated that the Planning Commission would just move it on to the BOCC, and if they decided to docket it, it would come back to the Planning Commission. Randy Kline stated that if it went to the Final Docket, the Planning Commission would then discuss the real substance of the application.

Edel Sokol disclosed for the record that she was the spouse of a Port Commissioner. Jenny Davis disclosed for the record that she had a lease at the airport and was a former business owner there and that her husband was an FAA inspector.

David Whipple commented that he thought part of this amendment was that it included the Airport Master Plan. Mr. Whipple stated that we started the practice last year to allow unwritten amendments to come in and be docketed. He stated that if we docketed this proposal, it seemed like we would be setting a policy that if you were a public agency, you did not have to have your amendment written on time. If you were a private individual, your amendment had to be written on time. He stated that the ones from public agencies tended to not be written and they tended to get docketed, but the ones from private individuals, based upon last year's practice, did not get docketed, when they were the only ones that were written on time. He thought it was a slippery slope that we had started down last year and continued this year. He was concerned about that. Randy Kline responded that the Port did submit a draft of their Master Plan and we would be getting a final approved version.

Eileen Rogers asked when we would get their final plan. Randy Kline introduced Greg Dorn, consultant for the Port, who was working on the Airport Master Plan and this amendment. Greg Dorn stated that the Planning Commission had a copy of a draft plan included with the amendment application. He stated that the BOCC and Port had held a workshop on that draft on this date and potential revisions to it. Mr. Dorn stated that the goal was to make further revisions to the plan and submit a revised, or near final, draft plan during July or August. He stated that there were still some public process steps to be taken on the Port side, so there may be additional revisions made during July and August. He anticipated that by the end of August, there would be a final draft plan from the Port. Mr. Dorn stated that there were two separate but parallel tracks going on where the Port was trying to satisfy the FAA requirements along with the Growth Management requirements and at the same time satisfy the Comp Plan requirements. He stated that they were trying to bring the two tracks together over the course of the summer, and by the end of the summer, have a complete document for the county's review and approval as well as the Port Commissioners review and approval.

Randy Kline stated that the county's role in reviewing the plan was in the land use component of it. He stated that a lot of the plan was technical, such as flight data. Tom McNerney asked if the material the commission had in the application was the draft of their plan. Mr. Kline replied that it was. Mr. McNerney commented that if the amendment was docketed, anything the Port would submit later would be a recommendation for a revision of what we currently had. Mr. Kline stated that he was just stressing that the county would be considering the land use component. He stated that the county would not have a lot of input on the length of the runway or how many lights they had, for instance. Mr. McNerney asked if the land use component was essentially complete now. Greg Dorn replied that to his knowledge there were no changes to the substance of the document, but changes were still under

consideration as to how to effect that. For example, there were some land uses on the south side of the airport that were addressed in the Master Plan. He stated that some of the additional items that were still under discussion were performance standards to guide how development could occur in that area. They were issues that would be best addressed in the UDC. Those provisions were still being reviewed and refined. Mr. Dorn stated that the substance of the plan in terms of land use, to his knowledge, was not under further review and discussion.

Tom McNerney stated that if the Planning Commission recommended docketing based upon this draft and began working on it, and at some later time during the discussion the Port brought forward recommended revisions to this draft, the commission could treat it as revisions to the original draft. He stated that the commission would not necessarily have to accept any recommended changes. Mr. McNerney stated that Mr. Whipple had made the point that we had to have something to act on and this draft was all we had to act on. He stated that the commission had a deadline and had to act on what it had. He stated that if the Port did not like what the commission was recommending during the discussion, he thought they should provide the commission with their recommendations for revisions in a timely way. Then the commission could either accept the revisions or not.

Greg Dorn provided an example, citing the comments received about people's concerns for property rights and some of the proposed changes to the regulations regarding notice to title and things of that nature. He stated that if, for instance, the Port were to review those comments, there may be some proposed revisions made to respond to public comments to perfect that section. He thought we would all want to be in a position where we could all listen to public comment and concerns and continue to revise and perfect the final product. He stated that they did not want to be in a position where they could not suggest revisions. That was why they provided the draft in its current form. But they also recognized that they would continue to go through the public process and listen to the public and try to make further revisions to perfect the document, so it was something everyone could be comfortable with.

Tom McNerney stated that he recognized what the Port was doing and he also recognized the letter of the law. However, we had to have a document by May 1 to work on. He stated that if at some time later in the process there was a recommendation for a change, the Planning Commission or the BOCC could accept that, as the commission could accept any other recommendations for changes it might receive from the public. Randy Kline stated that we were in kind of an awkward situation. He stated that the Port Commissioners were the ones who would approve the Airport Master Plan. He stated that there were many things in that document that were not related to land use and were not within the jurisdiction of the Planning Commission. Mr. Kline stated that what he was hearing was that the Planning Commission needed to see the language for the land use component in as close to final form as possible as quickly as possible.

Tom McNerney stated that the Planning Commission's recommendation about forwarding this amendment for docketing would be based upon what we had before us today. Pat Rodgers stated that, not only what we had before us today, but it would be based upon any other testimony received before the commission made a decision.

David Whipple called for the question. There being no further discussion, the motion to recommend docketing MLA03-232 carried unanimously.

David Whipple moved that the Planning Commission recommend docketing MLA03-244 submitted by PRQ. Robert Morgan seconded the motion.

David Whipple stated that it seemed in the interest of good public dialog to have two sides to a question being discussed. That was essentially what docketing would do. It would ensure that we would have a full discussion in as wide a range of topics as we could.

Eileen Rogers referred to the email handed out at the meeting from the Port's attorney which expressed a concern that by docketing this amendment it would violate the settlement agreement with the Port. Randy Kline stated that staff had not changed its recommendation to docket this amendment, although staff would be talking with the Deputy Prosecutor about it.

Pat Rodgers referred to the purpose addressed in the amendment application which was to clarify the actions required by the county, the Port and the residents to ensure that EPG 3.0 was fully and fairly implemented. He stated that EPG 3.0 said "Ensure continuation of the airport as a safe and efficient essential public facility". He stated that when he reviewed the suggested changes, he was not sure that the goal and the purpose was actually addressed by the changes. He did not see how the changes were sensitive to the goal; he did not see how they enhanced or improved or clarified or assured the goal.

David Whipple commented that Mr. Rodgers' comments really went to the point of having the debate rather than discussing the docketing question. Pat Rodgers responded that his question was whether it was germane to the goal that was proposed.

Jenny Davis wondered if this amendment was a redundancy. While she understood the applicant's purpose, she wondered why it could not be discussed during Item (3) of the Port's application (MLA03-232). She thought that all of the points made by the public during the testimony portion of the hearing could be addressed during the discussion of the Port's application. She thought all of the proposals made by PRQ could be addressed during the discussion of the Port's application. Ms. Davis stated that she understood the issues and concerns and wanted to talk about it, but she questioned why we needed a separate amendment. She thought it was redundant.

Phil Flynn stated that he agreed with Ms. Davis' comments. He stated that there was no reason why the PRQ proposal could not be brought into the discussion of the Port's proposal. The commission could even use their exact changes and incorporate them into the Port's amendment, if the commission chose to do so. Therefore, he questioned the need for both amendments to go forward.

Tom McNerney stated that was part of the reason he wanted to take the amendments individually, because there did seem to be some overlap between the two amendments. He stated the opinion that everything in the PRQ proposal could be covered with slight amendments in the Port's amendment proposal. He questioned why we needed a second amendment proposal as well. He asked staff's opinion about whether there was anything in the PRQ proposal that, technically, could not be done through the Port's amendment proposal. Randy Kline stated that the Port application brought up policies in Comp Plan

Chapter 3 that related to the airport noise overlay ordinance. He stated that the way suggested amendments worked was that, once that amendment was docketed and the county was working on it, the county could change the language. We could take what had been recommended by the Port and recommend deletion of policies or other changes. Mr. Kline stated that the advantage to having the second application on the docket was the perception issue, although that was really only a perception. He stated that the only difference would be that the proponent would be notified of meetings and hearings. He stated that the applicants may feel that docketing would give them a better status.

David Whipple stated that he thought this was a big reason why we should look at the applicant's request, because, as members of the community, we owed them the respect they asked of us. He stated that if they had not wanted us to look at and consider their language, they would not have taken the time to submit it. He thought they obviously did not feel comfortable with the Port's proposal and, therefore, this was their vehicle for raising it. He thought we owed the applicants the respect to honor that. Mr. Whipple referred to Mr. Kline's comment about perception. He stated that in the last three years the county had taken on only one citizen generated text amendment. We had taken on a lot more public agency generated ones. He stated that the reality was that we had not taken on a lot of citizen generated suggested amendments, whether it was a conscious thing or not. He thought it was important that they had a point they wanted to bring out and they had a discussion they felt had merit that had a different point of view. He thought we owed it to our community members to give them an opportunity.

Robert Morgan stated the observation concerning perception that, to the affected party, perception was 100% of reality. He thought that by carrying this amendment forward, the voice of the community would be heard and their position would be fully debated. For that reason he supported moving the proposal forward even though he knew it was a duplication in terms of topic. He stated that there was a language difference. He stated that they were not opposing the Port's desire to develop industrial uses on that extra land. He thought we owed it to the citizens to hear their plea and move their proposal forward.

Dennis Schultz agreed with Mr. Morgan, stating that logically the two amendments should be combined for consideration. He stated that the question was that people were concerned that their voice would not be heard if it was turned over to the Port to hear them. The problem was whether we could combine them together as far as the Planning Commission's work was concerned and arrive at an end product that was a combination of both proposals. He stated that if we had to look at them separately, he wondered how we could do it. If we looked at the Master Plan first, would we have to come back and modify it after considering the PRQ proposal? He asked how the commission could handle them and whether they could be combined. Randy Kline responded with the example that the Hearings Board would consolidate cases. Mr. Kline stated that it was not that much of a problem in terms of resources or generation of additional paperwork. He thought that, in reality, the two separate application numbers would go away and the Planning Commission would be thinking about the issue.

Tom McNerney asked whether it would be possible for the Planning Commission to recommend combining the two suggested amendments into one. He stated that the two were parallel on the same subject. He stated that he agreed with the point that the commission did not want it to appear that it was not hearing

the public. He stated that the commission wanted to get it all heard, and perhaps it would be more efficient to put it all into one proposed amendment.

Pat Rodgers stated that it was important that the commission thoroughly explore the substance of the issue. While he questioned how germane the substance of the proposal was to the goal, he agreed that there was an equity question involved. The commission had to hear it and docketing it would be a sort of insurance policy that the commission would actually hear it. The concern was that the commission would not hear it inside the larger Port amendment. He stated that he would like some way to allow the commission to hear and consider them simultaneously if that was possible. Randy Kline stated that he thought it was possible. He thought it was appropriate to make a recommendation to the BOCC to that effect. He stated that the commission's recommendation could be that the commission would like to see them combined or consolidated in some way so that the interests of both parties could be most effectively heard. David Whipple suggested that it made more sense that the parties themselves would consolidate it together and bring back a combined proposal. If that did not happen, the Planning Commission would essentially have to do something very similar and try to reach a workable solution. He thought that if you put two parties together with equal standing to come up with a negotiated document, you were much more likely to get a fairly resolved type of document. Mr. Kline stated that staff would take both applications and put them together as one package with a new application number. Tom McNerney stated that we had a deadline for a docketing recommendation to the BOCC. Then they would make a decision on the Final Docket and send it back to the Planning Commission. Then the commission would begin its process. He thought that if both parties could negotiate during that time and come in with a joint recommendation, the commission could consider that. However, from a technical standpoint, the commission could move it on with a request for consolidation. Mr. Kline stated that the debate was not just limited to whether there would be a noise overlay and how big it might be; there may be another alternative.

The motion was called for. The vote to cut off debate and go to the question carried with eight in favor.

The motion to recommend docketing MLA03-244 failed with four in favor and five opposed.

Pat Rodgers moved that the Planning Commission recommend combining both MLA03-232, Port of Port Townsend, and MLA03-244, People for a Rural Quimper, as one application and forward that combined amendment proposal to the docket. Eileen Rogers seconded the motion.

Jenny Davis pointed out that the Port application contained three sections and asked if the intent was to combine all of that application with the PRQ application which only addressed the noise overlay issue. Randy Kline responded that those were just general descriptions of the Port's application. Ms. Davis stated that the intent would be to combine the entire Port application with the PRQ application. Pat Rodgers stated that the reasoning was that the PRQ proposal was only germane to the third element of the Port's application. He stated that the commission could work on the other two parts of the Port application independent of the third element. However, the issue had to be dealt with and PRQ needed to have standing in order to have a voice. Ms. Davis asked if they would not have a voice if we did not combine them. Mr. Rodgers replied that it related to the perception issue; it gave them a special emphasis. He thought it gave them a different

standing as proponents than they would have if they were just citizens giving public comments. It seemed to be important to the people who were proposing the amendment. Tom McNerney asked if Ms. Davis was suggesting separating the Port amendment into its parts. Ms. Davis stated that she was thinking of separating the two topics from the third. Mr. Rodgers stated that the motion was talking about considering the two applications simultaneously as one application.

Eileen Rogers favored the motion, stating that it was important that the Planning Commission review the applications together. She stated that it needed to be an open, transparent public process with all the parties involved. She thought it was the logical way to deal with the issue.

Tom McNerney agreed that it would be much more efficient to review them both together rather than separately. Dennis Schultz agreed with Mr. McNerney, stating that he had intended to make this exact motion himself.

Jenny Davis still expressed a concern about how the Planning Commission could review the separate issues (three from the Port and the one from PRQ, which corresponded to one Port issue). She supposed the commission would figure that out. Robert Morgan thought the two Port issues (the 24-acre rezone and the industrial uses language) could be discussed separately from the third issue (the noise overlay). The third issue was the one where the discussion would be combined. Pat Rodgers pointed out that the PRQ suggested amendment mentioned the Airport Master Plan, so it was actually identified. Dennis Schultz stated that when the commission got to the point of actually discussing the merits, the commission could address the noise overlay issue and whether there should or should not be one, or whether there should or should not be something else. Ms. Davis asked that when the commission discussed a committee for the airport issue, she wondered how that review would work now with a combined application. She thought the noise overlay subject would be a big part of the discussion. Tom McNerney stated that the logistics of the committee discussion could occur later. Phil Flynn stated that much of the Airport Master Plan was outside of the county's purview. He did not think there was that much of the Master Plan that the Planning Commission would have to review.

The motion to consolidate the two Comp Plan amendments into one package to go forward to the Final Docket carried unanimously.

David Whipple moved that the Planning Commission recommend docketing both MLA03-209 and MLA03-210 from Jefferson County. Pat Rodgers seconded the motion. There being no discussion, the motion carried unanimously.

David Whipple excused himself from the remainder of the meeting.

C. DISCUSSION ON UGA PLANNING FOR THE PORT HADLOCK AND IRONDALE AREA

Randy Kline introduced Mark Personius, the consultant for the development regulations component of the UGA planning. He stated that the purpose of having Mr. Personius present was so that he could provide the history of the planning to date and an outline of how to proceed.

Randy Kline and the commissioners briefly discussed the hearings before the Western Hearings Board that had occurred.

Mark Personius briefly described the process that resulted in the UGA overlay boundary designation for the Tri Area with interim regulations in place, which were really the same as the rural regulations with the three LAMIRDS still in place. That process also amended the Comp Plan to address the UGA designation. He stated that Phase 2 was the capital facilities planning for the UGA as well as identifying the permitted land uses within the proposed districts. He stated that, ideally, once all the capital facilities and land use planning was done, Phase 3 would occur. Phase 3 would be the implementation of the UGA standards allowing urban densities. Mr. Personius stated that the UGA boundary had been appealed, but the county was going forward with the planning anyway. He thought that even if the Hearings Board found the county out of compliance in designating a UGA, they would require the further work the county was now doing. He invited questions from the commissioners.

Tom McNerney stated that he understood that Mr. Personius would discuss the bulk and dimensional standards and the land use topic. Then at the next meeting, Marc Horton would be present to discuss the capital facilities planning. However, Mr. Horton had said that he needed to know what zoning would happen inside the UGA boundary in order to be able to plan for it. Mr. McNerney stated that he had discussed inviting the public to the second meeting in July to gain a reaction from the public to what was proposed. He stated that half the people in the area had only lived in the county five years or less, which meant that half the people had never heard or been involved in the history of the Tri Area planning. Mark Personius stated that it may take longer than that to be ready for the public. Mr. McNerney stated that was a problem because the UGA package had to be ready by the first of December in order for staff to have a Comp Plan amendment ready by the February 1 deadline in 2004.

Staff and the commissioners discussed public outreach. Randy Kline suggested a newsletter to all residents. Tom McNerney suggested that the Planning Commission could hold a workshop to start getting citizen feedback. In the meantime, the UGA Committee could be working. Pat Rodgers stated that there were a number of organizations in the UGA area that could be contacted through an outreach program. Mr. McNerney stated that the public needed to be informed before the second meeting in July so that the commission could get their feedback at that time. He stated that if the feedback was positive, it was fine, but if it was negative, we had better hear it now.

Robert Morgan suggested that one thing that would really help would be for the committee to meet with Marc Horton soon so that he could develop the sewer planning before we went to the public. He stated that we had to have something to show the public. Mr. Morgan stated that the committee would tour the UGA at its next meeting. He did not think we would have any problem getting the public to respond, provided we had something to present to them. Tom McNerney asked if the committee would want Mr. Horton to attend the next committee meeting (the tour). Mr. Morgan replied that it would be very advantageous.

The UGA Committee agreed that they wished to meet weekly.

Mark Personius stated that he and staff had not talked about the schedule other than the deadline of February 1, 2004. Randy Kline stated that the schedule, unfortunately, was still in a bit of flux. However, he thought the UGA Committee was doing the right thing, which was going forward. Mr. Kline stated that the Planning Commission had not had any input into the internal

zoning in the UGA. That was mostly generated by staff based upon the work with the Tri Area Planning Group. He stated that the commission wanted to do another reality check with the community to make sure we were not missing something. Edel Sokol commented that part of that reality check would be the costs, because that was what people were most interested in. She stated that there were grants that could carry part of the burden so that the citizens did not have to carry all of it. Pat Rodgers stated that much of the rest of the burden would be borne by the commercial areas. Ms. Sokol stated that needed to be made clear. Mark Personius stated that one of the concepts included in the Comp Plan, which was consistent with the County-wide Planning Policies, was that there would be tiers of development within the UGA. He stated that you would obviously not sewer everyone at once. In some cases, everyone may not be sewered at all. He stated that some residential areas with urban densities (4:1) were on septic tanks now, and the soils were so good that sewer may not be necessary at all. Mr. Personius stated that the greatest potential for development and redevelopment was along the main road corridors in the commercial cores. He stated that he knew Mr. Horton was planning on phasing the sewer based upon what was feasible. Mr. Personius stated that there had been a challenging process with the Tri Area Planning Group because a lot of those concerns were present. He stated that, frankly, they did not have a lot of answers at that time because a lot of detailed capital facilities planning had not been done yet.

D. PUBLIC COMMENT

Tom McNerney invited public comment.

Mike Whittaker, Quilcene, stated that they owned 25 acres on the Big Quilcene River on the south side of the Highway 101 bridge. He stated that they were around 1,000 feet south of the Phillips' quarry. He understood that the Phillips had made application for a Comp Plan amendment. Not being very knowledgeable about it, he was not sure what that meant and what the impacts were. He stated that he would like to get a copy of the application. Mr. Whittaker stated that it was not his intent to be a nuisance to Mr. Phillips, because he had a right to do things with his property, within reason. He stated that the WACs and the ordinances talked about quality of life and preservation of the environment and how things like the quarry and quality of life had to be approached in a balance so that we could all essentially live together. He stated that in 1997 before the Phillips started their quarry operation, Mr. Phillips went for a mineral lands designation. Mr. Whittaker stated that he spoke at that hearing. His concern was about the noise. In the mitigations generated from that permit, the only thing about noise was the noise of blasting. Mr. Whittaker stated that was only a small part of the noise issue. He stated that his concern was that if the quarry expanded, the problems would expand. He reiterated again that his concern was noise from the quarry and the effect on his property value. He stated that there were backup alarms, conveyor belts, and drilling. Mr. Whittaker stated that there had been violations of times of operation. He stated that the county was the enforcement arm, but they had not enforced anything other than making a phone call or two. He was concerned that if the quarry expanded, those problems would continue to expand. He stated that he would follow the process and try to be as objective as he could in order to work it through.

Tom McNerney explained the amendment process. Phil Flynn gave Mr. Whittaker his copy of the application.

Mike Whittaker asked when the SEPA determination would be done. Randy Kline replied that a SEPA determination would probably be done around August or September. He explained that staff had not yet decided how to structure the SEPA review for this year's amendment cycle. He also noted the county web site where information would be posted.

Mike Whittaker read a letter from Ron and Rose Ann Nowak of Quilcene who lived across the river from him. They shared the same concerns. He provided a copy of the letter for the record.

In answer to Tom McNerney's question, Mike Whittaker pointed out his property on a map.

Margie Arnold, Quilcene, stated that she lived between the Whittakers and the quarry, so she was directly across Highway 101 from the quarry. She stated that when there was a blast, it was equal to or greater than any earthquake she had ever been in. She stated that her cement patio was separated from her house, although she did not know if that was a result of the blasting. She stated that there was a rock crusher or sorter that operated for hours at a time. She stated that she would have to shout to someone out in her yard in order to be heard. She stated that she had used a decibel meter which gave sustained readings between 81 and 86 over a period of hours. She stated that she ran a business in her house, providing one on one training retreats. She stated that it was not a retreat with the freight train sound. She stated that if she had to live with it, she would not be happy about it.

Tom McNerney stated that there would be a public hearing later in the process when the commission would get into the merits of the proposals more thoroughly. Margie Arnold stated that they had been advised to get into the process as early as possible so that the county would know they were serious.

E. ADJOURNMENT

The commissioners and staff discussed the commission's meeting schedule. They discussed canceling the July 2 meeting and adding a meeting on July 30 instead. That could allow additional time for the UGA work and to get information out to the public.

Edel Sokol moved that the Planning Commission cancel the July 2 meeting and reschedule it to July 30, so the commission would meet on the third and fifth Wednesdays in July. Eileen Rogers seconded the motion which carried unanimously.

Pat Rodgers stated the opinion that you could not find a place in the whole state where it would be cheaper to build infrastructure for septic and stormwater than in the Tri Area because of the soils. Randy Kline stated that one of the things the county would have Marc Horton do was a saturation study for the area. That would provide an idea about how many septic systems could go into the area.

Tom McNerney and staff briefly discussed the Airport Committee beginning their work. It was agreed to wait until after Ms. Davis returned from vacation.

The meeting was adjourned at 10:05 p.m.

F. APPROVAL OF MINUTES

These minutes were approved this _____ day of July, 2003.

Thomas McNerney, Chair

Cheryl Halvorson, Secretary