



JEFFERSON COUNTY

PLANNING COMMISSION

621 Sheridan Street

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JEFFERSON COUNTY PLANNING COMMISSION

MINUTES FOR NOVEMBER 7, 2007

- A. OPENING BUSINESS**
- B. PUBLIC HEARING – CRITICAL AREAS DRAFT ORDINANCE**
- C. CONTINUE DELIBERATIONS ON THE BRINNON MASTER PLANNED RESORT - MLA 06-87 COMP PLAN AMENDMENT**
- D. ADJOURNMENT**

A. OPENING BUSINESS

The meeting was called to order at the Chimacum High School Auditorium, at 6:35 p.m. by Chairman, Peter Downey.

ROLL CALL: Peter Downey, Patricia Farmer, Mike Whittaker, JD Gallant, Ashley Bullitt, Henry Werch, Bill Miller, Bud Schindler and Edel Sokol.

DCD staff present: Al Scalf, Karen Barrows, Stacie Hoskins, Joel Peterson and Wendy McCauley, secretary.

There were approximately 100 members of the public present. Those that signed the guest list were: Hyatt Barnes, George Hairsberry, Clark Crandall, Virginia Crandall, Jim Storey, Dick Bergeron, Janet Welch, Julie Jaman, Carol (not legible), S. Morgan, Frank Hoffman, James Fritz, Barbara Fisk Orville Fisk, Norman MacLeod, Joe Goularte, Jill Silver, Pete Germeau, Gordon James, Bob Pontius, David Elkins, Larry Bonar, Clair Candler, Roger Short, Mike Peters, Amy Hiatt, Nancy McDaniel, Ron Corbin, Chuck Nisbet, Bob Pontius, Patricia Burns, Bobbi Reynolds, Jo Yount, George Yount, John English, Lawrence Lewis, Amanda Lawn, Peter Bahls, Susan Hopkins, Scott Clogston, Mike Belenski and Dennis Schultz, Sandy Mackie, Mike Jennings, Amy Jennings, John Hall, George Forker, Louise Forker, Earl & Carol Korg, Mike & Bridget Richardson, Jim Tracy, Rose Hare, Eleanor Sather, Andrea Mitchell, Robert Mitchell, Jim Jackson, Diane Johnson, John Richmond, Lois Richmond, Kim Vogley, Jon Smeker, William Wheeler, Teren MacLeod, Kathleen Taylor and Barbara Moore Lewis.

APPROVAL OF MINUTES:

Karen Barrows read a correction to the September 19, 2007 minutes as follows:

Joe D'Amico from SSNW advised the County that the September 19, 2007 Planning Commission approved minutes were incorrect. No Gunstone attended the meeting, so they could not have made public testimony during CPA – MLA 07-96. It was written and approved in the minutes as follows:

(Inaudible) Gunstone testified in opposition due to concerns of contractor's creek area.

Upon review of the tape, staff recommends the public testimony could be corrected as follows:

Unknown person read a letter regarding the history of the Gunstone's property damage in the Contractor's Creek area resulting in damage to their shellfish beds.

If you agree, this correction will be made to the original, approved and signed Planning Commission minutes that are on file for September 19, 2007. You will see this correction when you review the draft minutes for November 7, 2007.

Commissioner Sokol moved to accept the correction to the September 19, 2007 minutes. Commissioner Miller seconded. Motion carried with eight in favor and one abstaining. (8-0-1)

The minutes of October 17, 2007 were approved as submitted.

COMMITTEE REPORTS:

Commissioner Miller updated the PC on the progress of the Shoreline Committee meeting as they work through the ten (10) chapters of the Shoreline Management Plan. He further commented on the 10/26 Urban Growth Area (UGA) meeting wherein the history of the evolution of the UGA and how it was documented.

Commissioner Gallant commented on the By-laws Committee meeting.

STAFF REPORT

Joel Peterson gave an introduction to the Critical Areas Ordinance, a new aspect of the ordinance; Critical Area Stewardship Plans (aka) Rural Stewardship Plans.

Norman MacLeod of the Wetland Advisory Team gave a short update of the Critical Area Stewardship Plan (CASP).

B. OPEN PUBLIC HEARING - CRITICAL AREAS DRAFT ORDINANCE

Chairman Downey opened the public hearing and presented expectations of appropriate decorum.

PUBLIC TESTIMONY:

Chuck Nisbet: West Valley resident commented on the 64-page document in that it is too much to digest, not understandable and unconstitutional.

Roger Short expressed his complete displeasure on receiving last minute information on the stewardship plan and best available science.

Sandy Mackie, attorney for the Statesman Group, represented his involvement with the Mt. Vernon program and its success.

Bob Pontius expressed his belief that the buffers are taking property without just compensation. He quoted Greenbelt v. Seattle (1980) wherein the government loses.

Clair Candler, a retired chemist and resident of Port Townsend, sees a problem in the process and believes that the PC is guilty on this situation until proven innocent.

Dennis Schultz expressed his concern that the PC cannot possibly complete this by 11/14 and considered the document a disgrace, full of errors and omissions and in direct contradiction to state laws. His belief that it is the result of a lawsuit forcing small counties to comply with the Washington Environmental Council (WEC).

George Yount, resident of Port Townsend, thanked and commended the PC for drafting a meaningful set of Critical Area Ordinances (CAO) and believed it a product of the democratic process. He wants an ordinance that is clear with enforceable regulations that benefit the whole of Jefferson County.

Diane Johnson expressed her disappointment with the outcome of the process and felt it is a very controlled plan that won't have the desired affect.

Barbara Fisk considered 350-400' setbacks to be taking thousands of farmland footage and considers not paying property taxes on unusable land. She expressed her disgust with the way the County is being run and believes that the PC is not listening to the public, but to the environmentalists.

Earl Fisk of Quilcene says it' all about the salmon and expressed his irritation with the way the tribes are killing all the fish.

Julie Jaman, landowner, says the Olympic Environmental Council has been working on the issue for 20 years and expressed appreciation for efforts and compromises made.

Frank Hoffman said the meetings were very partisan and felt there was little compromise with the rights

of landowners, and his belief that species rights appear to be what's is more important.

Norman MacLeod believes findings of fact need to be included, that it's an impossible standard, that the 150' buffer is too much and needs to be looked at, and that it needs an attorney's interpretation.

Rose Hare commented on RCW 36.7A.130.

Nancy Stelow wondered if the document takes into account the current widely held values of the county.

John Anderson of the Hoh River felt there was no accountability when one thinks about regulation. That it should be balanced and fair, and that all people need to be kept informed.

Jill Silver gave her appreciation. She felt the community needs environmental protection. She's looking for balance and felt that the Growth Management Act was a tool which provides structure and function, but she doesn't want it to affect agricultural land.

James Fritz likes the rural beauty of our area and feels that all sources of pollution need to be looked at and that ecologists and the county need to work together.

Dan Woodriff, Farm Bureau of Olympia, noted that the Agricultural Act is presently off the table in the 2007 legislative session.

Peter Bahls, NW fish biologist, thanked the PC. He looks at the fish perspective, believes it is a decent regulation.

James Tracy endorsed Nancy Stelow and Sandy Mackie's statements although he felt it egregious and unconstitutional, wrong and unfair, and basically providing a minimum band aid effort.

Bill Wheeler, small forest landowner, opposes CAO and made six points of contention.

Janet Welch thanked the PC and appreciates their efforts. She is an environmentalist. She feels the wording of the document is sad and needs clarity.

Jo Yount thanked all who provided input.

Teren MacLeod expressed her hopefulness, and her concern with the process, and that the PC not bow down to WEC.

Denver Shoop expressed no respect for environmentalists, feels the document is catering to environmentalists and that it is not understandable.

John Hall owns 20 acres, is an environmentalist, but doesn't want the government telling him what to do. He expressed his concern with what defines a buffer or critical area. He doesn't accept the program.

John Richmond of the Hoh River Valley says he stewards his land 24 hours a day. He questions whether the writers of ordinance knew what they were writing about and have true knowledge of what is being imposed on the people.

Gordon James of Oak Bay commended the PC and felt it represents all the people and all the land. He said we must do what is right for the future.

Mike Belenski felt the document doesn't represent the majority.

Phyllis Schultz expressed that creative solutions do not occur through conflict.

Herb Beck stated the Critical Areas Ordinance (CAO) does not follow 0752-48 or the Supreme Court decision. He encourages team work.

Ron Corbin felt the majority rejects it for being overly optimistic.

**C. CONTINUED DELIBERATIONS ON THE BRINNON MATTER PLANNED RESORT-
MLA 06-87 Comp Plan Amendment (carry over from 2006).**

Karen Barrows provided a review of the Environmental Impact Statement (EIS), the 413 public comments, and an explanation of the matrix and matrix methodology that she prepared.

D. ADJOURNMENT:

The meeting adjourned at 9:35 p.m.

Peter Downey, Chair

Wendy McCauley, Secretary