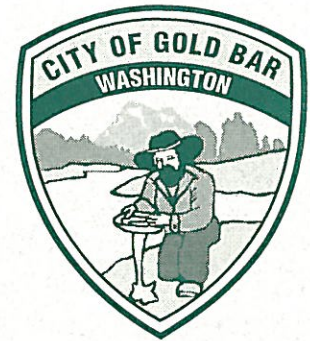


CITY OF GOLD BAR

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CITY OF GOLD BAR PLANNING COMMISSION Tuesday, May 26, 2009

CALL TO ORDER and ROLL CALL

Chair Broyles called the meeting to order with all Planning Commissioners in attendance. Public Works Director John Light and Utility Clerk Denise Beaston were also present.

AGENDA APPROVAL

Commissioner Blake made a motion to approve the agenda as written, Commissioner Lie seconded the motion. Agenda was approved as written by consensus of all Planning Commissioners.

MINUTES APPROVAL

None

STAFF REPORTS

Commissioner Forbes mentioned the passing of Steve Higgins who had at one time been a City of Gold Bar Council Member. Chair Broyles called for a moment of silence.

A moment a silence was observed for the passing of Steve Higgins.

Commissioner Blake questioned whether the School Impact fee's had ever been passed by the Council. There was much discussion in regards to whether it did or didn't. Commissioner Blake stated that the rock pile at the corner of 10th and Croft appeared to be getting smaller. There was some discussion on this issue.

Commissioner Forbes brought up the issue of cars and other items being for sale on the corner of 17th & SR2. Much discussion ensued. Public Works Director John Light stated that he would pick up the signs if they were still out.

Public Works Director John Light stated that he had placed a call to WASH DOT in regards to the big sign on SR2 and that although he hasn't heard back from them, when he does he will ask them if they can pick up the signs placed on SR2 during the weekends.

Commissioner Lie brought up a house down the street from him on May Creek Road; there is a house with a big for sale sign. Public Works Director John Light stated that he would deal with that issue.

CITIZENS COMMENTS

Susan McCarrell, 432 Evergreen Way, she read the Agenda for this meeting, in regards to when she would be able to speak on May Creek Pond. She then questioned why the sign that was put up for the project was done so on August 3, 2008 but wasn't posted until March 6, 2009 and then was removed promptly after the Planning Commission did their walk through of the project. Public Works Director John Light stated that it was put up in anticipation that the city was going to use it sooner than they did; he then stated that it was removed after the Public Comment period and the Public Hearing had started. He realized it was a rather big sign, but it was what was needed to post all of the information that needed to be posted for this project, and if we have another project of this size that the city will use it again, but he was sorry for the smiley faces that had been drawn on there. Susan McCarrell then questioned about the Sign Code that the city has, and that obviously the sign did not meet our own codes. There was much discussion on this issue.

DISCUSSION AND POSSIBLE ACTION ON SUBDIVISION OF MAY CREEK POND & SHORELINE MASTER PROGRAM DEVELOPMENT PERMIT

Chair Broyles again asked if anyone on the Planning Commission had a conflict of interest in regards to May Creek Pond. All Planning Commissioners stated no.

Chair Broyles stated that there could be no new information introduced.

Public Works Director John Light explained the process, along with the Planning Commissioners role. Mr. Light stated that the Planning Commission can recommend approval or denial of the project; it then goes to the Council with the Planning Commissions recommendation, from there the Council makes the decision whether to approve or deny the project and from there it goes to Department of Ecology where they can deny the project regardless of what the City of Gold Bar's Council has said. If Department of Ecology and Council both approve that plat then the citizens have 21 days to appeal, if they deny the project then the applicant can appeal.

Commissioner Forbes asked if Public Works Director John Light had found out about private roads. Mr. Light stated that per Gold Bar's Design Standards private roads are no longer allowed. Much discussion ensued on this issue.

Commissioner Blake had some questions in regards to lot 22 on the use code and ownership, he was wondering if that had ever been figured out. Mr. Cavassa stated that in the beginning Bahnmilller & Bennett had owned the property; it was then sold to 3WD, who after developing Creekside sold tract A1, A2 & B back to Bahnmilller & Bennett per a prewritten agreement. Chair Broyles explained the use code discussion that took place at the last meeting.

Commissioner Forbes questioned about the buffer line that went across lot 21. Mr. Cavassa stated that they did not use lot 21 as part of the buffer, but it does show on the map that the line goes across lot 21, but that it is not used as part of the calculation of the buffer. Much discussion ensued on this issue.

Commissioner Blake asked about the setback that he observed during the walk through that was only 63ft, he could not find it on his map, and wanted to know if it was by open space or by building lots. Mr. Cavassa stated it was by building space, and showed the location on the map display, and showed it was between lots 2 & 3.

Commissioner Blake asked about the one-way valve, and how it would either hinder or aid the flooding issue. Mr. Cavassa stated that it would not create a worse problem than lot 21 already has. Much discussion ensued on the issue of who would take responsibility for maintenance, and it was stated that it would most likely be up to the Homeowners Association and the city would also keep an eye on it. It was shown on the map display of were the culvert would be.

Commissioner Blake asked if there would be any required maintenance or supervision for the Riparian Wetland mitigation area. Mr. Cavassa stated that is usually written into the construction drawings and that most of the time there is a two year guarantee, and if it's not growing and needs to be fixed, the city would have the right to use the bond or guarantee to plant it them selves. There was some discussion on this issue.

Commissioner Lie asked what the area is shown as in the current Comprehensive Plan. Mr. Light stated that it's zoned at 12,500 and that basically that the natural environment takes precedence and that is why it goes to the Department of Ecology if the project is approved.

Commissioner Lie stated that he was really confused on what Critical Area Ordinance the project was under. Commissioner Lie read a part out of the Critical Area Ordinance he had, but stated that there is so much to look at with the flooding, wetland buffers and setback that he thinks that the Commission as a whole should really look into this before any action is taken, especially with all the flooding that we've seen in the past. Public Works Director John Light stated that you could build in a flood plain but not a floodway. Much discussion ensued on this issue.

Public Works Director John Light had Utility Clerk Beaston provide photo copies of the Critical Area Ordinance maps which will show the floodway and the 100yr flood plain which might bring some clarification.

Chair Broyles asked what defines the floodway. Mr. Cavassa stated that the floodway is defined as the area where water is flowing rapidly; building is prohibited in this area for obvious reasons.

Anne Block, 323 Shelby Street, objected to something, and wanted her objection put into the record. **Recording did not pick up whatever it was she was objecting to.**

Commissioner Forbes read the staff report from the Creekside development, and the recommendations that specifically talked about lot 22 and the Riparian Wetland.

Commissioner Lie stated that there are two different issues, one being the Riparian Wetland and the other is the buffers, and whether this will be considered low density or high density. Chair Broyles read the Critical Area Ordinance that explained density descriptions, and it was determined that this could be considered high density.

Commissioner Lie said that it's really not clear why there is such a difference between setbacks in a wetland compared to the Riparian Corridor setbacks, and which one actually applies. Mr. Light stated that when the codes are written, there is a required setback from the Federal Government and from the State Government, and you either have to meet those or exceed those. Much discussion ensued on this issue.

Commissioner Lie asked what would happen with the wetland and the wetland buffer, would it become a critical area under the homeowners association or would ownership be retained. Mr. Cavassa stated that it would become a critical area, to be protected by the homeowners association.

Much discussion ensued between Commissioner Lie, Mr. Light and Mr. Cavassa on tract A1, A2 and B.

Commissioner Lie stated that there are a lot of questions that need to be answered; he said one of the bigger questions is, does this project meet the hardship criteria. He went on to state that the property was coded as a rather low value because it's classified as open space, and it hasn't been taxed as something that may be platable, so he's really not seeing this as what he would consider a hardship. Much discussion ensued between Commissioners on this subject.

Public Works Director John Light asked Commissioner Lie what the two biggest questions he had were. Commissioner Lie stated the first being the project being classified as a hardship, and the second question is why you can build closer to a wetland with a creek in it than you can to a standard wetland. Mr. Light stated that he would get the answers for him by the next meeting.

Chair Broyles stated that the Planning Commission would wait until the next meeting to make a decision provided all the questions get answered.

NEW BUSINESS

None

OLD BUSINESS

1.) Exterior Construction Design Guidelines

CITIZEN COMMENTS

Anne Block, 313 Shelby Street, she stated that she is an attorney at law, that represents nobody at the meeting. She went on state that she takes notice to any public hearing, and that she has noticed the participation by Mr. Light and stated that he is not an appointed member of the Planning Commission, and she would like to address that. Her second thing she'd like to address is the article that ran in the Monroe Monitor where Ms. Croshaw quoted Ms. Block as being a civic activist. She stated that Ms. Croshaw was 100% correct. She stated that this is a notice to anybody who is going to serve in a public office inside her city, that they are going to be held to check and balances. She has been an activist since her mother took her to her first women's protest in 1972, she will continue to fight for

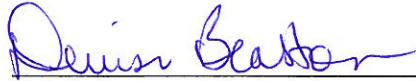
rights and when she see's an abuse in government discretion including Mr. Lights participation in the Planning Commission, she will address it and it is an appealable issue and it will got to the Superior Court.

Susan McCarrell, 432 Evergreen Way, stated that she was just going to go over five facts in regards to the project property. #1 it is a natural designation, #2 it's a shoreline boundary which requires protection from this Planning Commission, #3 it is a high density usage in a natural environment, #4 it's a priority habitat, #5 it is in a 100yr flood plain. She went on to state what is in dispute is whether it is a floodway or flood plain and according to the map that was handed out tonight lot 22 is in the floodway. She talked at length on all these points. She stated that she is concerned about who will be taking care of the mitigation area, and hopes that it will not be the prison crew that comes out and does maintenance within the city.

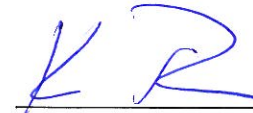
ADJOURNMENT

Commissioner Lie made a motion to adjourn with Commissioner Forbes seconding the motion. Meeting was adjourned by consensus of all the Planning Commissioners.

ATTEST:



Denise Beaston, Utility Clerk



Chair Kelly Broyles