TOWN OF YARROW POINT
PLANNING COMMISSION REGULAR MEETING MINUTES
October 14, 2019

The following is a condensation of the proceedings and is not a verbatim transcript.

CALL TO ORDER:
Amy Pellegrini, Planning Commission Chair called the meeting to order at 7:03 p.m.

PRESENT:

Chairperson: Amy Pellegrini
Commissioners: Trevor Dash
Chuck Hirsch - Excused absence
Carl Hellings
Jennifer Whittier

Staff:
Austen Wilcox – Town Deputy Clerk
Mona Green – Town Planner
Stacia Schroeder – Town Engineer

Guests:
Mayor Dicker Cahill – Resident
David Myhill – Goldsmith Engineering
Lee Nyquist – Goldsmith Engineering
Councilmember Mary Elmore – Resident
Dennis Buchanan - Resident
Mark Bowman – Resident
Janet Bowman – Resident
Brian Fleming – Resident
Sandy Sessler – Resident
Deborah Prudden – Resident
Margot Schwartz - Resident
Richard Tobin – Resident
Lisa Syme – Resident
Jack Gale – Resident

APPEARANCES:
No comments.

MINUTES:
MOTION: Commissioner Dash moved to approve the minutes of the September 16, 2019
regular meeting as presented. Commissioner Hellings seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

Approval of the October 2, 2019 study session minutes is tabled until the next regular
Planning Commission meeting on November 18, 2019.
STAFF REPORTS:
Deputy Clerk Wilcox gave a report from the October 8 Council Meeting.

REGULAR BUSINESS:
PCAB 19-12 Bowman Boundary Line Adjustment No. 73, 8809 NE 34th St., Seeking Recommendation

Engineer Schroeder reviewed the application for a Boundary Line Adjustment.

The Town of Yarrow Point received a boundary line adjustment application from Mr. Bowman concerning his property at 8809 NE 34th Street on September 9, 2019. Mr. Bowman currently owns two (2) separate, but adjacent parcels at the western end of NE 34th Street. In the existing condition Parcel A (28,713sf) is the main property while Parcel B (2,675sf) is an adjacent parcel which is almost entirely covered by utility easements. In the existing configuration, Parcel B does not meet the definition of a “building site” as defined in the YPMC. 17.16.050 – Building Site Requirements. By way of this boundary line adjustment application, Mr. Bowman is proposing to create two (2) legal building sites.

Town staff has reviewed the application for conformance with the YPMC Title 16-Subdivisions and Title 17 – Zoning.

Boundary Line Adjustment (BLA) No. 73 meets all the requirements of the YPMC, Titles 16 and 17. Based on all materials submitted, staff recommends approval with conditions.

MOTION: Commissioner Dash moved to recommend BLA No. 73 for approval to the Town Council at their November 12 Council Meeting. Commissioner Whittier seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

PCAB 19-13 Private Property Tree Code – Continued Discussion
Town Planner Green discussed the Planning Commission’s review of the tree code including the feedback received from Town residents.

Following the October 2, 2019 Study Session, the Planning Commission requested that Ms. Green draft a revised Private Property Tree Code based on the content of the discussion:

- Developed Property
- Notification of neighbors within 300’
- New Construction
- Significant trees defined as those 18” or greater
- Mitigation for tree removal
- Wildlife
- Review of resident input and suggestions

Resident comment opened at 7:31pm

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Dennis Buchanan resident at 4015 95th Ave NE stated that he believes a tree code would infringe on property rights. Mr. Buchanan has concern that a tree code would lower the value of properties. Mr. Buchanan stated that he will request compensation should his property be devalued because of a tree code.

Chair Pellegrini reiterated that the Planning Commission takes direction from the Council who directed them to study the creation of a potential tree code. There has been lots of outcry regarding clear cutting and removal of significant trees which initiated the Council’s direction. Yarrow Point is one of the few communities without a tree a code. The Planning Commission does not intend to take away property rights.

Mayor Cahill resident at 4024 94th Ave NE reviewed the process of review done by the Planning Commission thus far also stating the difficulty of the subject to find a balance. Mayor Cahill encourages resident input.

Deborah Prudden resident at 3805 94th Ave NE thanked the Planning Commission for their consideration of resident input. Ms. Prudden reviewed the draft tree code and shared comments and suggestions. Ms. Prudden also asked development questions regarding the draft tree code and believes owners who have existing trees on their lots should be exempt from mitigation. Ms. Prudden believes a tree code would devalue lots.

Lisa Syme resident at 9409 NE 37th Pl believes the differences in the existing draft code between developed property and new construction will not work together.

Jack Gale resident at 4654 95th Ave NE referenced a letter he submitted to the Planning Commission. Mr. Gale has not been surprised at the public comment he has heard. Mr. Gale suggests slowing the process down in order to get approval to remove trees and limiting the amount that can be removed on private property per year.

Dennis Buchanan resident at 4015 95th Ave NE suggests requesting feedback from developers and builders.

Brian Fleming 4721 91st Ave NE suggests using time to slow down the process of tree cutting to help create a balance. Mr. Fleming stated that he has heard good representation of resident opinions and perspectives. Mr. Fleming reviewed a proposal that he emailed to the Planning Commission concerning input for a tree code. By imposing a tree code around a time requirement, it would still allow residents to remove trees by creating a more thoughtful process.

Public Comment closed at 8:24pm

The Planning Commission thanked the residents for their input.

Chair Pellegrini stated the intent is to allow development of property in the town to go on as presently allowed.

The Planning Commission discussed safety aspects regarding the relation of new driveway locations being potentially dictated by trees.
Public comment reopened at 8:37pm

Jack Gale resident at 4654 95th Ave NE suggests utilizing the variance process for non-compliance situations.

Brian Fleming resident at 4721 91st Ave NE shared challenges of creating a tree code in order to find an equal balance between viewpoints. Mr. Fleming recommends his suggestion of utilizing time as a solution.

Mayor Cahill resident at 4024 94th Ave NE stated that there are ways to start small and not big in terms of developing a tree code. Mayor Cahill shared a positive outcome from his experience of a nearby tree cutting that has improved sunlight and growth on his property. Mayor Cahill noted that there are many aspects to consider and the Planning Commission should take as much time as they need.

Dennis Buchanan resident at 4015 95th Ave NE suggested putting a price on trees. Mr. Buchanan clarified a question regarding permitting process for tree removal.

Public comment closed at 9:20pm
The Planning Commission discussed tree codes from nearby jurisdictions and related building development.

The Commission will remove the separation in the draft code comparing a homeowner and a builder.

Chair Pellegrini noted that there will be a proclamation given at the November 12 Council Meeting for a resident who has donated their front yard to Points 4th of July activities for many years and recommends that folks join if they can.

MOTION: Commissioner Dash moved to adjourn the meeting at 9:18pm. Commissioner Hellings seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried

APPROVED:

Amy Pellegrini, Chair

ATTEST:

Austen Wilcox, Deputy Clerk