

**Town of Coupeville
Planning Commissions Meeting
Tuesday, December 7, 2010
6:30 p.m.**

MEMBERS PRESENT: Chair, David Day, Commissioners Chet Baker, Molly McPherson.
Absent: Commissioner Doug McFadyen

STAFF PRESENT: Town Planner Larry Kwarsick and Recording Secretary Nanc Garner

CALL TO ORDER

The meeting was called to order by Chair David Day at 6:30 p.m.

APPROVAL OF MINUTES – October 5, 2010

The minutes were approved as presented.

PUBLIC HEARING

1. Draft Tree Protection Ordinance – *The Town Council requests review of the draft ordinance and solicits public comment on the proposal. Staff recommends adopting permanent amendment to Coupeville Town Code Chapter 16.20, the Town's clearing and grading regulations.*

Planner Kwarsick explained the public hearing process and to hear public testimony on the Draft Tree Protection Ordinance. He explained this is a legislative matter before the Planning Commission meeting. The proposal presented tonight is at the request from the Town Council in part based upon the new reserve-wide unified code and review process being developed by the Town and County. This draft is nearing completion and the Town Council and County Commissioners will be hosting several open house sessions, workshops and public hearing in 2011. In the development of that draft proposal, the issue of tree protection came up in the design manual of the unified code with regards to tree preservation. In addition, the Town Council formed a citizens group tree committee. Part of their recommendation to the Town Council involved the establishment of a nonregulatory heritage tree program.

The most urgent of the consideration is that the Town Council in July adopted an interim regulation to stop the speculative removal of trees within the town that were not associated with a development proposal. This interim regulation will expire January 27, 2011 but it can be extended. The Town Council would like to have a recommendation before that date so it can decide whether or not to extend it or adopt as a new regulation preventing haphazard tree removal.

The proposal is unique as it does not establish a mandatory tree preservation program but a goal of increasing the tree canopy within the town. Planner Kwarsick stated the proposal does not pertain to existing lots that have been developed unless there is a substantial change. The

proposal only deals with undeveloped property. He explained to the Board some proposed modifications to the original proposal pertaining to clearing and grading permits, as a result of public comments/concerns received.

Commissioner McPherson asked about plat approval process, tree canopy requirements, watering of trees, enforcement and tree preservation and asked for further clarification about the modifications to the original proposal. She voiced her concern about equity.

Commission Day wanted to discuss the correspondence from Foster Faris regarding his property located on Pennington Loop and how it relates to the Town's clearing and grading regulations.

Commissioner Baker noted on page 8, under section letter 'F', the word 'burned' should be struck from the proposal.

Planner Kwarsick was available to answer any questions, in addition to Malcolm Bishop, Public Works Director for the Town of Coupeville.

Chair Day declared the public hearing open at 6:35 p.m.

Marilyn Huemer - 307 NE 7th Street, Coupeville stated she wanted to make sure good trees are protected and dead trees should be removed for safety reasons. She does not want tall trees on her property but the property next to her does owned by the Town, and wanted to know about the provisions that would affect the property. Bushes should be used in addition to planting trees. She is also concerned about trees with shallow root systems, retaining tree stumps for wildlife habitat and soils becoming unstable after tree removal. Planner Kwarsick responded that any diseased or dying trees or branches can be removed but to contact the Public Works Director if she has concerns. The Town is contracting with an arborist to take a look at issues like this. He responded that if she has a piece of property in town and occupies it and not expanding, the regulation would not apply to her. He explained the tree canopy requirement and the benefits of preserving trees.

Chairman Day declared the public hearing closed at 7:35 p.m.

Planner Kwarsick explained that the Board was free to make any recommendations and if there is any issue or concern, their recommendation can be forwarded to the Town Council reflecting that. The Town Council has reviewed the draft code and thinks it is flexible and fair. A motion can be made to adopt the proposal with their added concerns.

Board Action: Motion made by Commissioner Baker, second by Commissioner McPherson to approve the Draft Tree Protection Ordinance as presented with the provision that Planner Kwarsick provide to the Planning Commission a Findings of Fact and Conclusions of Law expressing the actions and concerns from the meeting.

NEW BUSINESS

PLANNER'S REPORT

Planner Kwarsick provided an update to the commissioners on the Transportation Plan and Ebey's Draft Design Manual and Unified Code status.

AUDIENCE INPUT

ADJOURN - 7:55 p.m.