

Gig Harbor Peninsula Advisory Commission (PAC)

March 13, 2019 Meeting Minutes

Minutes of the PAC are not verbatim. Recorded copies are available upon request.

MEMBERS PRESENT:

Gordon Ballantyne
Lucinda Wingard
Patricia Peterson
Jack Conway
James Peschek
Garth Jackson
Peter Clement

MEMBERS ABSENT:

Gordon Ballantyne called the meeting to order at 6:30 PM. Roll was taken, and a quorum was present.

NEW BUSINESS

Shoreline Substantial Development/Shoreline Variance: Breneman Applications 897785, 897790

Applicant: David Breneman
Planner: Dan Buhl, dan.buhl@piercecountywa.gov
Request: Construct a 1,600-sq. ft. addition to the existing 1,092-sq. ft. home. Both the home and proposed addition are within the shoreline buffer. Located at 8520 86th Ave NW, Gig Harbor, in the Rural 10 zone classification, the Rural-Residential Shoreline Environment, the Gig Harbor Peninsula Community Plan area, in Council District #7.

Staff presented the case.

Dan Buhl, Associate Planner, gave a PowerPoint presentation that summarized the proposal.

- Staff expects to recommend approval with some conditions.
- Staff is unsure how the Hearing Examiner will feel about the proposed structure extending past what is already existing.
- The neighbors on either side have more property than the applicant – meaning the shoreline is out further on neighboring properties than that of the applicant.

APPLICANT TESTIMONY

David Breneman, 8520 86th Ave NW, property has been in family since the 40s. Middle class and cost is prohibitive. House made of old growth timber and they want to preserve as much as they can. They want to add onto the home in a way that is not detrimental to the neighbors. (Applicant brought photos of the property to show commission). Covered by compact pea gravel yard. Fireplace build by grandad in 50s. The neighbor to the south has submitted a letter of support. It would be easier to tear down the cabin and start over but want to keep this in the family. House to the south was enlarged in the 50s. The house to the north was built by his grandfather, which he grew up in.

David Fischer, 708 Market Street, is the architect for the project. Wanted to reuse the outdoor space and incorporate it into the new design. The second story is only one bedroom measuring about 200 square feet.

COMMISSION QUESTIONS

- Asked the planner how determining setback for new (or, in this case an addition) structure is determined under the SMP through averaging setbacks of neighboring structures.

- The tide gets higher every year; allowing the structure so close to the shoreline could be problematic in the future.
- Rear property setback irrelevant, but side setback between proposed structure and adjoining house built directly on the property line is. Asked the planner to research county regulations for side yard setback in this case.
- Asked the planner to calculate the impervious area for the part of the lot, under the SMP, from 200ft to the shore.
- Seems like a stretch to allow a home to extend its footprint because there had been a barn within the shoreline setback in the past.
- The drain field is uphill – it will have to be pumped.
- Why does the SMP restriction to limit the existing home’s footprint not apply to new construction?
- Commissioner Wingard asked why the applicant could not build the addition behind the current house.
- Other commissioners felt If the applicant had to extend the home in the opposite direction, it would create a hardship. They would have to move existing structures, septic tank, driveway, etc.
- Preserving the historic structure on the property benefits public good.
- Commissioner Peschek stated his regret that the applicant was required to jump through these hoops to save a part of family history.

PUBLIC TESTIMONY

Jeff Jones, 8602 86TH Ave NW, lives north of David Breneman. He likes what they did and would like it to move forward. He likes the design and it blends well with what is existing. Feels this is aesthetically pleasing as it is proposed now.

COMMISSION DISCUSSION

- Commission Wingard was the case reviewer. The 50-foot buffer is not scientific but is a line determined through political compromise. The shoreline needs to be as natural as possible. Pervious surface is important to mitigate contaminated runoff. Lay Inlet is very shallow. Variances are to be allowed only in extraordinary circumstances. Aesthetics and family history or money issues should not be allowed criteria.
- She cited the relevant Community Plan policy not contained in Mr. Buhl’s IPR: (E-97, GHNV 2.7) “Strictly control requests to obtain variances from development standards along the shoreline. Grant variances only in extraordinary circumstances relating to the physical character or configuration of the building lot.”
- Commissioner Peschek stated they don’t need a variance to build a house. They could go in and demo the structure and build a new house as big as they want and use the setback averaging without needing to jump through any additional hoops. The only reason they are here is because they want to preserve their family’s cabin. This is a modest design and it fits well in the current environment.
- Commissioner Peterson had serious concern over the tides rising. The applicant needs to figure out how best to mitigate that. Also concerned with how the County applies the Shoreline Master Program. Just because the neighbor has something, doesn’t mean everyone should get it.
- Commissioner Ballantyne stated there are 5 criteria for a variance. By saving the old cabin, it does serve the environment far better than if the house were torn down and something brand new put in. Would like to see a landscaping plan included with the application.

- Commissioner Jackson stated this is the best use of the land. Absent this, it will get sold and probably torn down and a larger house built.

Motion made (Jackson/Ballantyne) to recommend approval of the proposal with the addition of a landscaping plan.

Vote:

Wingard – No w/comment: I believe that the Shoreline Master Program would disallow this particular project, the hardship has not been proven, and there is room for expansion in the rear. The cumulative effects of approving expansions into the buffer are unwanted.

All other commissioners voted ‘yes’.

Motion carried.

Shoreline Substantial Development Permit/Environmental Review: Hilger Applications 897733, 897734

Applicant: Nicholas & Maria Hilger
 Planner: Adonais Clark, adonais.clark@piercecountywa.gov
 Request: Install a dock consisting of: 1) a 4-ft. by 40-ft. timber pier and a 3-ft. by 40-ft. aluminum ramp; 2) an 8-ft. by 24-ft. float secured by four, 10-inch galvanized steel piling; 3) a pier supported by four, 8-inch galvanized piling with four float stops, and install a mooring buoy to serve pleasure craft approximately 200 ft. from the shoreline. Located at 229 Bella Bella Dr., in a Conservancy Shoreline Environment, Rural 10 zone classification, the Gig Harbor Peninsula Community Plan area, and Council District #7.

Staff presented the case.

Dan Buhl, Associate Planner, gave a PowerPoint presentation that summarized the proposal.

- This is in a Conservancy Shoreline.
- Joint-use docks are encouraged, but single-use docks are not disallowed.
- The applicant will be required to go through wetland review (review is currently underway).
- Staff expects to issue a Determination of Nonsignificance (DNS) and would like the applicant to enquire into joint-use dock with neighbors on either side prior to the public hearing.

COMMISSION QUESTIONS

- Typically, docks are required to run perpendicular to the shoreline, but this one seems askew.
- Docks and piers are supposed to be discouraged in the Conservancy area.
- If joint-use dock is refused by the neighbors, they could turn around and apply for a single-use dock later.

APPLICANT TESTIMONY

Lorrie Chase, *Marine Floats - 1208 East D Street, 20.56.010* a dock should mean a structure that abuts the shoreline and used as mooring or recreational purposes. This is a conservative dock that’s been proposed. Staff agrees that the proposal appears to meet all regulations. The dock is well below the 15% of fetch. She did not receive the wetland report from the County biologist in time for this meeting.

Randy Popp, *Marine Floats – 1208 East D Street, County GIS* is often incorrect in determining tideland boundaries over water. They did determine that this parcel is accurate. It is in a very shallow bay. The

time difference between 100 and 150 feet allowed no benefit to the applicant, so it was determined that 100 feet is sufficient. Over 76% of the structure will be grated overwater.

COMMISSION DISCUSSION

- Suggests the applicant remove the gravel behind the bulkhead and plant some native vegetation.
- Asked about potential mitigation: Applicant expects Army Corps of Engineers to require some offsite mitigation. Would guess mitigation points to be around 20-25.
- Commissioner Conway was the case reviewer. He visited the site and had concerns over it being a Conservancy Shoreline designation.
- Commissioner Peterson stated it is close to a boat launch. Will be lots of marine traffic. Adding dock in small shallow area is problematic. Lots of kayaking along the beach and the more we add docks, the more difficult it becomes to navigate. Many beach walkers at low tide. We need to accept the fact that it has been designated as Conservancy. The commission discourages building docks in that area. Can't use dock much in summer due to low tides.
- Commissioner Wingard stated the applicant may not even be aware that at one point, this area was designated as Conservancy Shoreline. The challenge is how to preserve the public benefit while finding a way to get the project approved. We use the Community Plan as the basis for recommendations. The commission gives a voice to express the desires of the community.
- Commissioner Ballantyne said docks should be discouraged in the Conservancy area. Mitigation should be environmental improvement. Docks and piers are required to run perpendicular to the shoreline and this dock appears to encroach into neighboring property.
- Commissioner Peschek suggested removing a small part of the bulkhead and do some soft armoring in the deeper portion to create a nice area that flows from yard to beach. Then create a perpendicular location for the dock.

Motion made (Ballantyne/Peterson) to recommend denial of the dock.

Vote:

Gordon – yes

Peterson – yes

Wingard – yes w/comment: Given it is in a Conservancy area, the applicant should replant the entire width of the bulkhead/property and/or soft armor the entire bulkhead.

Conway – yes

Clement – yes

Peschek – abstained

Motion carried.

Shoreline Substantial Development Permit/Environmental Review: Peterson Applications 897707, 897708

Applicant: Mark Peterson & Sharon Johnson

Planner: Ray Hoffmann, ray.hoffmann@piercecountywa.gov

Request: Accessory to an existing single-family residence, construct a 152-ft. long dock system consisting of 1) a 4-ft. by 94-ft. timber-framed pier; 2) a 3-ft. by 40-ft. aluminum ramp; 3) an 8-ft. by 24-ft. float; and 4) installation of (10) 8 ¾" galvanized steel pier piling(s), and (4) 10 ¾" galvanized steel float piling(s). The total overwater length is approximately

150 ft. from the OHWM. Located at 7422 89th Ave NW, Gig Harbor, in the Rural 10 zone classification and the Gig Harbor Peninsula Community Plan area, in Council District #7.

Staff presented the case.

Dan Buhl, Associate Planner, gave a PowerPoint presentation that summarized the proposal.

- Staff expects to issue a DNS
- Staff expects to recommend approval of the project.
- This is a new property owner and has never been offered, nor has he turned down, a joint-use dock.

APPLICANT TESTIMONY

Lorrie Chase, *Marine Floats - 1208 East D Street*, we are exploring joint-use option with neighbor. There are several large pieces of concrete that they want to remove as mitigation. There are two old boat launches that he uses to get his kayaks down to the beach. Applicant will plant some native vegetation. Cannot do dive survey until dive season starts up in June. That info is needed for the habitat assessment. The percentage of overwater grating is around 85%.

COMMISSION DISCUSSION

- Without a dive study, the applicant can't know accurately where to build his dock. The commission cannot make recommendations without plans showing what will be happening on the site.
- There should be some native vegetation planted.

Motion made (Peschek/Ballantyne) to recommend approval.

Vote:

Ballantyne – yes

Conway – yes

Jackson – yes, with comment: I agree that landscaping is needed.

Wingard – yes, with comment: The suggestions by the agent regarding potential plantings sound like a good idea.

Clement – yes

Peterson – yes, with comment: The plan needs to be comprehensive since there are so many intrusions into the water.

Motion passed unanimously.

OLD BUSINESS

Minutes

(February 27, 2019)

OTHER BUSINESS

Meeting adjourned at 9:04 p.m.