

**BLACK DIAMOND
PLANNING COMMISSION
MINUTES OF MARCH 27, 2012 MEETING**

CALL TO ORDER

Chair Keith Watson called the meeting to order at 7:02 p.m. with the introduction of the role and duties of the Planning Commission.

ROLL CALL

Present: Commissioners Keith Watson, Sheri Roth, Kyle Danielson, Pam McCain, Greg Thesenvitz and Pam Thurmond
Absent: Darryl Buss
Staff: Community Development Director Steve Pilcher, Associate Planner Stacey Welsh and Natural Resources/Parks Director Aaron Nix

APPROVAL OF MINUTES

Moved by Commissioner McCain, seconded by Commissioner Thurmond, to approve the minutes of the March 13, 2012 meeting. Passed 6-0.

PUBLIC COMMENTS

None

CONTINUED PUBLIC HEARING: DRAFT SHORELINES MASTER PROGRAM (SMP)

Chair Watson provided an overview of the Rules of Procedure for a Planning Commission public hearing. Mr. Nix made the staff presentation, noting this was a continuation of the public hearing started on March 13, 2012. He discussed his research of other jurisdictions including the City of Sammamish. He stated that the Community Development Department had not received any new comments since the last Planning Commission meeting.

Mr. Pilcher spoke to procedural matters and the extension of the comment period on the SMP through the end of the month (March 30th). He said staff recommends the Commission take testimony and wait until its April 10th meeting to have discussion.

Public Testimony

Steve Frank, President of the Lake Sawyer Community Club (LSCC), distributed a letter to the Commission. He said the draft SMP requires the LSCC to work with the City of Black Diamond and other agencies, which is in conflict with the LSCC bylaws. He stated elements of the SMP came from work done in 2000; however the LSCC members involved then were not on the LSCC Board. He noted the LSCC Board has not authorized any plan since then. He said the LSCC has reviewed the draft SMP and does not support their involvement as listed in the SMP.

Bill Wheeler commented that Lake Sawyer is an urban lake that is almost completely developed, yet the Shoreline Analysis Report calls it a rural lake. He said a cost benefit analysis has never been performed for these new rules. He stated the rules should be no net loss and that maintaining water quality would be the best bet. He said removing bulkheads is a bad idea on the lake; for the most part it would not have a good outcome. He said the Shoreline Analysis Report discusses erosive wave action and that an all-out ban on wake producing boats is the only solution, but that would be unpopular. He stated the Draft Restoration Plan Goal 5 should be removed. He said the setback on the lake has always been 20'; 40-50' with a reduction to 20' with mitigation is silly. He noted large setbacks will make some lots unbuildable unless sewer is available. He said there

seems to be an unsupported bias against docks/piers and that Variances are difficult and expensive to obtain. He said he does not support dock sharing. He discussed light permeable decking and width of the dock resulting in a net gain. He said a lack of shade on the shoreline could be mitigated by docks. He said the City could put a sign at the boat launch about trying to reduce the bass population in the lake. He said the Draft SMP discusses replacement of non-conforming structures, which should be changed to remove the 75% value for replacement to 100% for structures destroyed through no fault of their own.

Jack Sperry spoke to a concern about no new material coming in since the last public hearing and discussed his previous submittals.

Ulla Kemman stated the City of Black Diamond is on the verge of growth that will have an impact on water quality in Lake Sawyer. She said the first danger is effluents and discussed the wastewater history of the failed Metro system. She said the second danger is increased stormwater runoff, which has the largest potential to impact Lake Sawyer. She noted increased impervious surfaces can cause an increase in water velocity and movement of pollutants. She said increased sedimentation may impair habitat and cause loss of shoreline habitat. She stated increased development in the Lake Sawyer basin will affect the lake. She asked how much the lake level will rise from mega developments. She stated people on the lake are not the villains as the report says they are, and hopes the Commission will consider the residents as an important factor in mitigating issues in the SMP.

Charles Kemman, a property owner on Lake Sawyer, said it is documented in the Shoreline Analysis Report that there will be increased water runoff into Lake Sawyer as a result of impervious surfaces created by development. He said this runoff adds additional volume and enters the lake at an increased velocity. He stated the weir at Covington Creek is the only exit for the water. He asked what will happen when this additional volume of water is added. He said there will be flash flooding and periods of high water. He stated there is no reference in the SMP to deal with this inevitability, no measures to protect the lake and its residents. He noted this matter would appear to be an issue for the Corps of Engineers, but they are only referenced briefly in the document related to the Clean Water Act. He said there should be solid calculations for flow into and out of the lake.

Chair Watson closed public testimony and discussed options for the Commission. The Commission is leaving the written record open for a specified time period to March 30, 2012. The next meeting will be April 10, 2012. The hearing is continued to a time and date certain and at that meeting the Commission may consider whether to allow additional public testimony.

WORKSESSIONS

None

UNFINISHED BUSINESS

None

DEPARTMENT REPORT

Mr. Pilcher discussed the interviews for the Master Development Review Team (MDRT) consultants and introduced new Councilmember Carol Benson.

Chair Watson asked Mr. Nix to ensure that the Commission receives copies of the letters from the meeting.

PUBLIC COMMENTS

Jack Sperry distributed his comments to the Commission.

Ulla Kemman asked about the SMP grant money and timing. Mr. Nix explained the grant was awarded on July 1, 2009 with a completion date of June 30, 2012. He stated it took a while for the Department of Ecology to get comments to the City.

Jack Sperry commented that the state extended the Department of Ecology's time period to finish all the SMPs.

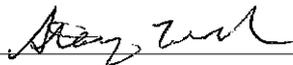
Mr. Pilcher noted that the Commission closed the public hearing and from a procedural stand point they would have to make a motion to reopen it to take more public testimony on the SMP.

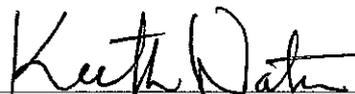
The Commission discussed the timing of written testimony due March 30th and the upcoming meeting on April 10th which would allow for additional time to review comments.

ADJOURN

Moved by Commissioner Thurmond, seconded by Commissioner McCain, to adjourn.

Passed 6-0. The meeting adjourned at 7:49 p.m.

Minutes prepared by: Stacey Welsh, Associate Planner 



Keith Watson, Chairman

ATTEST


Planning Commission Secretary