

**Gig Harbor Peninsula Advisory Commission (PAC)
February 27, 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
Peter Clement

MEMBERS ABSENT:

Garth Jackson

Gordon Ballantyne called the meeting to order at 6:30 PM. A quorum was present.

NEW BUSINESS

**Shoreline Substantial Development/Environmental Review: Nguyen
Applications 897712, 897714**

Applicant: Nguyen Hung Van and Duong Linh Thuy
Planner: Robert Perez, robert.perez@piercecounitywa.gov
Request: Construct a new dock system consisting of a 4-ft x 46-ft aluminum pier; A 4-ft x 44-ft aluminum pier; A 3-ft x 40-ft foot aluminum ramp; An 8-ft x 30-ft float; Installation of a 4 – 8 ¾” galvanized steel float pilings. The project is accessory to a single-family residence located at 2221 50th Ave NW, Gig Harbor, in the Rural 10 (R10) zone classification, the Rural-Residential Shoreline Environment, the Gig Harbor Peninsula Community Plan area, in Council District #7.

Staff presented the case.

- This property is off a narrow, windy road
- Parcel’s heavy vegetation was to be retained
- No dive study has been completed at this time
- The neighbor’s dock is new
- There are unpermitted stairs that access the beach
- Permit/project cannot move forward until any violations have been fixed
- There is an existing boathouse on the property

APPLICANT TESTIMONY

Lorrie Chase, Marine Floats, submitted a revised JARPA and SEPA with minor corrections. Minor correction: review criteria change from Key Peninsula to Gig Harbor Peninsula Community Plan. Discussed options for a planting plan to address the loss of vegetation. Marine Floats is responsible for only the dock project and is willing to add in the Conditional Use Permit for permitting stairs that were added during bulkhead construction.

Randy Popp, Marine Floats, stated this is the first time he has seen the vegetation removal and bulkhead. He then proceeded to discuss the engineering reasons for the dock design. Marine Floats does not attach to bulkheads. They attach predominantly by spanning the bulkhead. Proposal shows 146 feet and clarified how Marine Floats comes to the approximations they showed on the proposals. They will conduct a dive in June. Discussed the grating requirements for piers. The stairs will likely not be included in the dock permit.

COMMISSION QUESTIONS/DISCUSSION

- Commissioner Peterson was the case reviewer and visited the site. It is extremely wet and appears unstable. The building envelope is marked above and appears to require the removal of a substantial portion of the canopy cover. The new dock next door appears to be extremely close to the property line. It appears the house will take up much of the property. The property is heavily vegetated but doesn't appear to have any material impact on the dock construction.
- The fetch is at approximately 2,300 feet
- Commissioner Peschek questioned if the project is being incrementally submitted to circumvent some review criteria or regulation.
- Commissioner Wingard stated that the 50-foot vegetation should be maintained from other permits. Access to the dock should have a recommendation for canopy preservation and minimum walkway.
- Commissioner Peschek stated that prior to moving forward, the violations need to be addressed.
- Commissioners expressed concern over the removal of vegetation during the bulkhead repair, which was in direct violation of the permit conditions.
- There is an existing boathouse on the property waterward of the bulkhead that may have existed before the 1975 SMP. Commissioner Wingard questioned whether there are plans to rebuild it.

Motion made (Peterson/Conway) to recommend denial of the proposal, pending repair of previous violations and a Geotech survey.

Vote:

Commissioner Ballantyne – No, w/comment - It can be conditioned for approval

Commissioner Peterson – Yes

Commissioner Wingard – No, w/comment - Would rather condition for approval

Commissioner Conway – Yes

Commissioner Clement – Yes

Commissioner Peschek – No w/ comment – Would rather condition for approval

Motion failed.

Motion made (Ballantyne/Wingard) to recommend approval of the dock as designed on the conditions that a Geotech survey be completed, a native landscape plan be completed, and a mitigation plan for the trees and other native vegetation that have been taken out for the bulkhead repair, prior to going to public hearing.

Vote:

Commissioner Peterson – No

Commissioner Ballantyne – Yes

Commissioner Wingard – No

Commissioner Conway – Abstained

Commissioner Clement – Yes

Commissioner Peschek – Yes

Motion carried.

**Shoreline Substantial Development Permit: Swanson/Beck
Applications 897534, 897539**

Applicant: Merrill and Lesa Swanson / John Beck

Planner: Ty Booth, ty.booth@piercecountywa.gov
Request: Accessory to two separately owned units on the same parcel (condominium), construct a joint-use "L" shaped dock measuring 94 ft. long (over-water) by 6 ft./6 inches wide (at its widest point), with a 33 ft./7-inch long by 8-ft. wide float extending perpendicular from the end of the dock. Located at 473 A and B Island Blvd., Fox Island, in the Rural 10 (R10) zone classification, the Rural-Residential Shoreline Environment, the Gig Harbor Peninsula Community Plan area, in Council District #7.

Staff presented the case.

- The fetch is 625 feet and the dock is approximately 15%.
- A habitat survey has been submitted
- The kayak stand is allowed as a portable structure, but must be 15 feet from the shoreline
- There were reports of an osprey nest, but it could not be located. There is no tree at the point it is marked.

APPLICANT TESTIMONY

Lorrie Chase, Marine Floats, stated the: They are on separate parcel numbers and they are applying for a joint use dock. We would hate to see two docks from this parcel. There is no eelgrass present or other habitat that would interfere with placement of the dock. A dive report has been completed. Marine Floats does not believe the project could be reviewed under a community dock. No discussion has been made with the applicant about a native vegetation plan yet.

COMMISSION QUESTIONS/DISCUSSION

- Commissioner Ballantyne questioned if a condominium is technically a joint-use dock since they occupy the same parent parcel. The incentive is to prevent more protrusions. Concerns over the width of 30 feet.
- Commissioner Ballantyne reviewed the project. He expressed concerns the project will create a makeshift cove with other docks. It will negatively impact the public's use and navigation. This project seems to be a single-use dock trying to be a joint-use dock.
- Fetch doesn't seem to be an issue.
- Discussion regarding how to configure the dock to allow both parties to have dock space.

Motion made (Ballantyne/Wingard) to recommend approval based on the condition that the width (length parallel to the shore) be limited to 16 feet in either a T- or L-shaped configuration with significant native plantings to reduce the amount of grass at the bulkhead.

Vote:

Commissioner Ballantyne – Yes
Commissioner Peterson – Yes
Commissioner Wingard – Yes
Commissioner Conway – No
Commissioner Clement – No
Commissioner Peschek – No

Motion failed.

Motion made (Peschek/Clement Seconded the Motion) to recommend approval based on the condition that the overall width parallel to the shore is less than 30 feet in an L-shape configuration and require a substantial landscape plan.

Vote:

Commissioner Ballantyne – No
Commissioner Peterson – No
Commissioner Wingard – No
Commissioner Conway – No
Commissioner Clement – Yes
Commissioner Peschek – Yes

Motion failed.

Motion made (Ballantyne/Peterson) to recommend approval with the condition that the portion parallel to the shore be limited to 24 feet in whichever configuration the applicant wishes to apply for and the requirement of a native vegetation planting plan.

Vote:

Commissioner Ballantyne – Yes
Commissioner Peterson – Yes
Commissioner Wingard – Yes
Commissioner Conway – Yes
Commissioner Clement – Yes
Commissioner Peschek – No w/comment: 17 ½ feet for a joint-use configuration is too small.

Motion carried.

OLD BUSINESS

Minutes

(January 23, 2019)

Requested Changes-The minutes need to express the actual content of discussion. Does not record our vote.

Motion made (Wingard/Ballantyne) to reject the minutes and for them to be redone. *Motion carried unanimously.*

OTHER BUSINESS

- Commissioner Wingard would like to discuss the absence of a clerk. The problem needs to be stated. Lucinda wants the minutes to reflect the rejection of the minutes and lack of a clerk. Lucinda also believes that Pierce County is in violation of the Open Public Meetings Act by not presenting the minutes in a timely manner, sometimes they receive the minutes only a few hours before a meeting and they have not been posted online only the audio recording has been.
- Commissioner Conway stated that if the County wants minutes, but is not willing to send someone, the commission will have to get someone to do it. Perhaps they can be called a Meeting Summary.
- Commissioner Ballantyne stated the minutes need to reflect more clearly what is occurring. Comments need to better reflect what is being discussed. Votes need to be included. Understands the County is saving money.

Meeting adjourned at 8:30 PM.