



TOWN OF BEAUX ARTS VILLAGE
PLANNING COMMISSION
MINUTES

March 20, 2008
Donoghue

Present: Acting Chairperson Jake Donoghue, Commissioners Dennis Casey, Scott Harpster, and Karen Scott.

Excused: Commissioner Gordon Roberts

Staff: Deputy Town Clerk Angela Kulp and Town Planner Mona Green.

Guests: Mayor John Rose

Acting Chair Donoghue called the meeting to order at 7:35pm.

Minutes: Commissioner Scott motioned to approve the February 13, 2008 minutes as written. Commissioner Harpster seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

OLD BUSINESS: Proposed Tree Ordinance

Mayor Rose outlined the Town Council's expectations of the Planning Commission to move this issue forward by finishing their recommendation now. Mayor Rose asked the Commissioners to attend a joint study session in the Council's April meeting where the Council will work with the Planning Commission and the Tree Committee to discuss the proposed tree ordinance and the Planning Commission's recommendation.

The Commissioners agreed that to answer three questions Mayor Rose proposed, the meeting would focus on whether or not trees should be regulated on private property. Commissioner Casey voiced his concern over trees dividing the community. He noted the village must be reunited by working together as WABA did for the Woodland Commons vision and master plan. Commissioner Scott pointed out homeowners currently have no control over protected Town Right-of-Way trees, or protected trees on private WABA land; therefore she explained homeowners should at least retain the final control over their own private property. She suggested that a tree inventory on Town and WABA properties would assist us in answering the ordinance questions.

Acting Chair Donoghue noted that development of land brings redevelopment and landscaping. He stated the discussion of an overall master plan of trees in the village must take this into account, and be balanced along with the Town ROW and the WABA tree inventory. Town Planner Green pointed out that all these concerns tie in with a master plan concept that was originally in the preamble of this tree ordinance, but was removed and simplified during the public hearing process.

Commissioner Scott noted that WABA's private inventory seemed very accurate and questioned whether we even have a tree canopy problem here in the village with the current density. She shared her belief that having a complete inventory of WABA, Town and all other private land trees would show our current tree canopy cover to be quite adequate. Commissioner Harpster supported Commissioner Scott's theory of adequate canopy coverage based upon his flying experience as a pilot. Commissioner Casey expressed he believed that taking an inventory of trees would go hand in hand with enforcing a moratorium, and stated support for a modest tree ordinance, with an inventory included as a way to slow down the cutting process. Commissioner Scott noted the City of Bellevue does not regulate private property tree removal unless a building permit has been applied for (new and additions over a certain value). Before they consider regulation on private property, they are going to conduct a citywide study of existing trees just as we are proposing.

Commissioner Casey expressed his opinion that we probably only have an ordinance in front of us now because of one owner that cut six trees. Commissioner Scott added that she believed most of the trees cut since the moratorium ended would not have been cut if we had not had a moratorium or a proposed ordinance because the owners that cut just did not want to be told what to do on their own land. She continued she feels most people in the village highly value trees, but for the few that do not, she reasoned it should not affect much of our canopy, as she believes it is too dense already. She added that light should be valued as well as she sees light in our yards as a good thing.

Commissioner Casey suggested we do an inventory, and use it to educate people about the many mature trees we have, the many trees we may lose in the future due to their health and age and the many trees we must plant to replace them. Acting Chair Donoghue shared support for a complete inventory of WABA, and Town trees as well as a consensus of private property to include in the count. Commissioner Scott pointed out we can do a canopy coverage calculation for WABA and Town trees as a percentage basis, and felt since most of our canopy coverage is already in these protected trees, we may not even need to look at private property, too. She concluded that due to the amount of trees on WABA and Town property already protected, we do not need an ordinance governing trees on private property as well.

Mayor Rose asked the Commissioners to answer the following questions tonight to determine their recommendation to the Council on the proposed tree ordinance.

1. *Should the Town regulate trees on private property?*
NO; Vote: 1 For, 3 Against, 0 Abstain, Motion carried.
2. *What are things an ordinance should include? And*
3. *What are things an ordinance should not include?*

The Planning Commissioners all agreed they could not answer these last two questions without knowing the current and optimum canopy coverage of the entire village. Therefore, if the Town Council still wants to pursue a tree ordinance, the Planning Commission first suggests an inventory of all trees be done on WABA, Town and private property. The Commissioners explain this inventory would reveal our existing

canopy coverage so the optimum canopy coverage can then be determined, which would help dictate any need of an ordinance. Only then, if an ordinance is necessary to correct canopy coverage, can discussions continue about what regulations it should or should not include.

Therefore, the Planning Commission recommends to the Town Council that there be no regulation of trees on private property.

Next Meeting: The next meeting will be in conjunction with the Town Council's meeting, on Tuesday, April 15, 2008 at 7:00pm at Mayor Rose's home.

Adjourn: Acting Chair Donoghue motioned to adjourn the meeting at 9:35pm. Commissioner Harpster seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Angela Kulp
Deputy Town Clerk