



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

September 22, 2011  
Johnston

**Present:** Chairperson Wade Morlock, Commissioners Jan Johnston, Dick Stratton, Gordon Roberts, Scott Harpster.

**Excused:** none

**Staff:** Deputy Town Clerk Angela Kulp, Town Planner Mona Green

**Guest:** Amy Summe, The Watershed Company

Chairperson Morlock called the meeting to order at 7:07pm.

**Minutes:** Commissioner Harpster moved to approve the September 15, 2011 minutes as written. Commissioner Roberts seconded. Vote: 5 For, 0 Against. Motion carried.

#### **OLD BUSINESS: SSDP11-1 Update**

At the Commission's request, Deputy Clerk distributed reference copies of Ordinance 89 and 100, the current shoreline regulations ordinances, and the WABA website reference with links to the current plans on their Substantial Shoreline Development Permit (SSDP11-1) being reviewed now by the Council. Planner Green distributed copies of the *Green Shorelines* brochure and brought a copy of the SSDP11-1 application with plans at the Commission's request. Staff noted the Commission discussed the current ordinances, and the *Green Shorelines* brochure at the beginning of this grant process in the fall of 2009, but many of the commissioners were new since that time, so the reminders were beneficial. Planner Green explained for the Commission the SSDP process that WABA went through with the current regulations, which helped put the new regulations discussion in perspective for the Commission.

Commissioner Johnston expressed concern that the size of the plans in the SSDP permit application submitted were not large enough to review adequately. Planner Green noted the enlarged 8-1/2x11 plans submitted was all that was required of the process from the Army Corps. After much discussion, the Commission reached consensus to request large copies of the SSDP plan for their understanding, and for the Council. Deputy Clerk Kulp agreed to contact John Barker Landscape Architects for this plan and make copies as needed prior to the next Commission and Council meetings.

#### **OLD BUSINESS: Shoreline Management Update**

The discussion on the second draft of the Shoreline Master Program (SMP) continued on Chapter 5 where the Commission left off at their September 15, 2011 meeting. The Commissioners made word clarification changes, eliminated redundancies, and simplified the document throughout the evening on Chapters 5 & 6. Commissioner Harpster suggested when this draft review is complete and ready for the Council, that

differentiation is made for the Council members on what came directly from the WAC, what was derived from the WAC, and what was suggested by the Planning Commission. After some discussion, consensus was reached on including side notes, rather than font or color changes to note this differentiation, which Ms. Summe will do early October.

Chapter 5 included General Regulations. In section 5.6.1D, Commissioner Johnston reasoned only licensed professionals should be responsible for chemical applications such as fertilizers and pesticides, and not resident volunteers, due to liability and habitat concerns. After much discussion, the Commissioners were polled and reached consensus that a licensed professional would be in the community's best interest for chemical applications.

In section 5.6.2C, Ms. Summe explained the Tree Code language was included directly in the document rather than just referring to the Beaux Arts Tree Code, in order to eliminate the potential for the DOE to have jurisdiction over every change to our Tree Code. A section about pruning was eliminated for consistency to the Tree Code. Chapter 5 concluded with a discussion over BMP requirements on storm water, but no changes were made.

Chapter 6 on Shoreline Use and Modification Policies and Regulations reflected discussions for clarification and simplification on tables and dimensions. This included those for boatlifts, boat launch, dredging, fill, and parking. Discussion ensued over shoreline stabilization, but consensus was reached that the draft should reflect the community's replacement needs regardless of DOE's preferences, as concern over soft and non-structural solutions potentially failing could leave the community unable to replace what exists currently.

As there was much still to review to complete Chapter 6 and all the Appendix's, the Commission agreed to finish the review at yet another special meeting soon, in order to stay on track for a public hearing in October.

**Adjourn:** Commissioner Stratton moved to adjourn the meeting and Chairperson Morlock seconded. Meeting adjourned at 9:37pm. Vote: 5 For, 0 Against. Motion carried.

**Next Meeting:** :The Planning Commission will have a special meeting at 7:00pm on Thursday, September 29, 2011 at Commissioner Johnston's home to complete the discussion of the SMP's second draft. The Commission is expecting the third draft to be completed and posted to the Town's website mid-October in preparation for a public hearing October 27, 2011.

Respectfully submitted,  
Angela Kulp, Deputy Town Clerk