The Kitsap County Planning Commission met on the above-stated date at the Kitsap County Fairgrounds, Eagle’s Nest Conference Center located at 1200 Fairgrounds Road, Bremerton, WA 98311. Members present: Vice Chair John Taylor, Monty Mahan, Michael Gustavson, Tom Nevins, Lary Coppola, and Brian Bekeny. Staff present: Jeff Rowe-Hornbaker, Scott Diener, Dave Tucker, and Planning Commission Secretary, Christina Lindner.

7:05 PM

A. Vice Chair John Taylor called the meeting to order and introduced the Planning Commission members present.

7:10 PM

B. Approval of meeting minutes

A motion was made by Commissioner Gustavson and seconded by Commissioner Nevins to defer approval of meeting minutes to the November 28, 2006 meeting.

The VOTE:
Yes: 5
No: 0
Motion carries

7:15 PM

C. Low Impact Development and Storm Water Code Development.

Tucker: The proposed schedule is to discuss housekeeping items, present code changes, address questions, and then hear public testimony. Housekeeping items: discussion held regarding ordinance, definition and reference changes.

Low Impact Development: Changes are taken directly from the Low Impact Development Technical Guidance Manual developed by Puget Sound Action Team. One advantage to this concept is that it will no longer be an exception. A technical deviation does not need to be done individually and both sides of the permit counter will have equal information. Another advantage is that stormwater
is being reduced where it is generated. This helps to avoid large systems
developing downstream. Also, in many cases, it can be very cost effective. For
example, the system is being monitored in Seattle and has infiltrated 95% of the
storm water. It is not a complete substitute for flood control but can reduce the
size of the pond.

Gustavson: Please check if major and minor are deleted terms in the
recent draft comprehensive plan.

7:20 PM - Lary Coppola arrives.

Tucker: Continues explaining corrections on the ordinance, guidelines, and
maintenance requirement documents. With regards to maintenance and
inspection criteria, we are proposing to restore the infiltration capabilities with a
combination of high pressure spraying and vacuum sweeping. The second
technique is dispersion. Full Dispersion is described in the manual. Partial
Dispersion indicates that not all water is infiltrated, but the amount of remaining
water decreases. Water run-off is also minimal compared to a roof or a parking
area. Vegetated roofs are another technique. Their effectiveness is dependent
upon the depth of the media in which the plants grow. The deeper the media, the
less impact it has. The minimal Excavation Foundation technique can also be
applied, but it requires a complex geotechnical evaluation. For example, these
would not be used unless a builder is building 15 homes on the same plat. A
final technique is Bioretention. It can be used solely as a water quality device or
as an infiltration plus water quality device. If it is being used for water quality
purposes only, the water travels into the system, usually with mulch on top and
engineered soil based mostly of sand and compost. It then travels through a
perforated pipe along the bottom continuing into the existing storm water
treatment system. If it is a water quality plus infiltration system, a perforated pipe
is not needed because it will infiltrate into the ground.

Public Testimony

Art Castle: Would like to bring to attention that there is only one qualified finisher
in Port Townsend. People need training on these techniques. The techniques
described allow more choices for those who are developing land. The choices
are based on the 1992 Storm Water Manual. These techniques present clear
environmental benefits, cost savings to developers, water temperature
decreases, and stream protection. The techniques should be allowed for storm
water controls.

Gustavson: Soil composition and treatment under pervious surfaces are critical.
The landscape in our country is 89% roads. Roads and highways are driving the
storm water. Not buildings. Does this apply to highways and roads?
Castle: It could be applied to highways and roads. That is the choice of the public entity. In January 2009 the Planning Commission will have to recommend and the Board of County Commissioners will have to adopt implementation of the municipal permit which will include the adoption of the 2005 storm water manual. Dramatic mitigation requirements will be included as well. Even though Kitsap County is a small part of Western Washington, the Department of Ecology had $2.5 million to implement Low Impact Development techniques. Seven of the 28 applicants were from Kitsap County. Only nine were from King County. Three of the seven were fully funded and one was partially funded. Also to keep in mind is that we don’t have snow pack to rely on for potable water. All of the Low Impact Developments are oriented toward infiltrating water back into the aquifer after providing water quality treatments. It benefits all of us in the long run.

Gustavson: Are we solving the problem?

Castle: Answers new public roads are required to meet mitigation standards. These techniques provide additional tools.

Pat Fuhrer: Home builders, Dave Tucker, the Department of Ecology, and private sector engineers all met and decided this was a good document to accept. I urge you to pass this on to the BOCC as well as other municipalities for adoption. We work a lot with private home owners on this and they spend $30-40,000 between us and the current improvements to meet the code. It gives us flexibility as engineers to give them options to install and maintain infiltration systems.

Donald Larson: I’m with a non-profit group called Kitsap Trees and Shoreline Association. We are working with the Department of Transportation to enhance highways by planting more trees. Last week we had a serious rainstorm in Kitsap County. Bremerton had a 200,000 gallon combined sewer overflow. When Bremerton was developed it was clear cut. The canopy of trees in that area is very low. I would like to see more tree lined streets. Trees will help clean the air, absorb the rain, absorb some non-point source pollution problems, and help with overflow. I am a strong advocate of Low Impact Development. We need to control the storm water run-off going into Puget Sound. Marine life is endangered and some of it may be lost if our ways are not changed. I strongly recommend approving Low Impact Development and planting more trees.

Rick Courson: I am with Cedar Bay Homes, I am a Built Green Builder, and I am the Homebuilders President. The Low Impact Development is long overdue. Many people complain that they have 20 acres and have to spend $30,000 for an infiltration pit for water that would normally dissipate anyway. This is not going to solve all of our problems, but it is a strong step in the right direction. It will give us the experience to move on.
Steve Jennings: I own ten acres and I am trying to build a house. I was required to do $30,000 worth of storm water mitigation work that will do virtually nothing. Because of the old definition of major development, I’ve been required to get a Site Development Activity Permit. To date, I’ve spent $6,000 and have not shoveled any dirt. It has delayed my project quite a bit. I applied for a building permit last January and my permit is still not issued. Will this process be retroactive? Do I need to spend the other $25,000?

Vice Chair Taylor: Recommends talking to Jeff Rowe-Hornbaker or Scott Diener after the meeting.

Gary Johnson: This sounds like a great concept. The only downside I can see is the clean-up of a small toxic waste spill that immediately goes under the pavement. It may require some training for emergency services.

Mike Eliason: I am with Kitsap County Association of Realtors. We support the Low Impact Development guidelines. It does not solve all the problems, but it is a step in the right direction.

Bill Roster: I am with Roster Construction. Any effort to reduce expenses to developers is well overdo. We have an abundance of silt in this area which seems to be a shortcoming in the presentation. The presentation needs to demonstrate that the silt mitigation, which is in all the topsoil we have, needs to be addressed as part of this presentation and resolution.

Vice Chair Taylor: Closes the Public Hearing portion of the meeting.

Bekeney: Who is going to maintain the system? Will it be similar to having a septic system, in which case somebody needs to come out to determine if it is being maintained correctly?

Tucker: To Bill Roster’s question regarding silt: It has been shown that infiltration capabilities of permeable pavements can be restored simply by high pressure spraying and vacuum sweeping. It is an expensive unit but it is available. It basically draws water out of the asphalt matrix. To Gary Johnson’s question regarding toxic spills: These permeable pavement systems allow hydraulic oil and antifreeze to get into the soil, but microbial activity in the soil breaks it down. In one pilot project, the piping under the soil was tested and the results were good. The worst case scenario is that the pavement will need to be cut out to remove the material. The magnitude of the spill determines the action needed. To Brian Bekeney’s questions regarding maintenance: Anything that works needs maintenance. It will not be free, but it will not be a dramatic increase. Most of the activity happens in the mulch material because it breaks down over time so it will need weeding. If it is owned by a private enterprise, the property owner will be required to maintain it. The current code requires the
property owner to sign an agreement stating they will maintain it. This gives the county authority to make sure the maintenance is being done.

**Nevins:** Where is the record keeping described in the manual?

**Tucker:** Maintenance procedures are in Chapter 8 of the Manual and Appendix 8A. To Gustavson’s earlier question regarding roads: The roads built in 1965 do not have the same storm water standards as the roads being built today. The cost to retro-fit the old roads would be extraordinary. Today’s standards say that new public and private roads are to be treated the same.

**Gustavson:** Is the criteria for the filter dimensions specified in the code?

**Tucker:** It would be up to the professional engineer. It is within their scope to advise and there is a wide body of documents to draw from.

**Gustavson:** Requested information regarding the use of “Roundup”. States Public Works sprays “Roundup”, or its cousin “Rodeo”, directly into wetlands and estuaries.

**Mahan:** If a planter strip is put along the street to infiltrate water, will a home come with a covenant that the owners are responsible for maintenance? At the time of purchase, is there some kind of written document?

**Tucker:** It will be the same document you get today; covenants and restrictions. If on private property, yes. If on public property, the public will take care of it.

**Gustavson:** Certain plants can pull water out of the ground. Do you specify a list of these plants?

**Tucker:** Refer to the Puget Sound Action Team documents. They have a list of these plants.

**Taylor:** Community Development will cause the maintenance of these Low Impact Developments to be part of the Home Owner’s Association’s covenants, conditions and restrictions. Is there any thought about putting something on the deed to the property?

**Tucker:** There are some traditional systems that private property owners have responsibility for. I do not know if there is more thought to restrictions on the property. That is out of my jurisdiction.

A motion was made by Commissioner Nevins and seconded by Commissioner Coppola to adjourn the meeting. The VOTE: Yes: 6
No: 0

Motion carries

Meeting adjourned: 8:10 PM.

EXHIBITS

A. Low Impact Development Guidelines
B. Low Impact Development Proposal Power Point
C. Draft Ordinance Change for Low Impact Development
D. Page 8A-10 & 11 - Infiltration Test
E. Possible Definitions
F. Low Impact Development Manual - Appendix 8A
G. Kitsap Homebuilders Foundation – Low Impact Development Grant

MINUTES approved this _______ day of _________2006.

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Deborah Flynn, Chair

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Christina Lindner, Planning Commission Secretary