

Rockford Town Council Special Meeting
20 May 2015 7:00 PM

THIS IS NOT A VERBATIM TRANSCRIPT. THESE MINUTES CONTAIN ONLY A SUMMARY OF
THE DISCUSSION AND VOTING.

7:00 PM – Mayor Steve Mayer called the Shoreline Master Plan Update (SMPU) Public Hearing to order.

Vince Barthels (J.U.B. Engineering, Consultant) facilitated.

Mr. Barthels briefly described the purpose of the Public Hearing and an overview of the Shoreline Master Plan (SMP). He described the areas subject to the SMP (200 feet landward of the high waterline of the Rock Creek.) He listed what the SMPU does: It will update 40 year old plan, integrate other plans, such as Growth Management, Flood Plain Management Ordinance, Critical Areas Ordinance, etc. into one comprehensive program. It will not impact private property right, nor is it retroactive. It does not regulate agricultural areas or areas outside of the 200 foot area. Mr. Barthels went on to explain that there had been a workshop on April 14th, 2015, to answer questions and concerns. He said that, at the time of the workshop, information was disseminated indicating that local municipalities could move towards local adoption after a public hearing. This information was incorrect. J.U.B. Engineering submitted a 60 day notice to the Department of Commerce on 8 May, 2015. The 60 day period ends 8 July 2015, at which time the restriction against local adoption will be lifted. The reason being is to allow other organizations to review and comment on the plan. He spoke to Jeremy Sykes, Shoreline Specialist with the Department of Ecology (SMP Grant administrator), who said that there may be comments at the very end of the review period from other agencies.

Mr. Barthels introduced an updated map showing use classification for the subject areas of Rock Creek within the Town of Rockford. He explained how to best interpret the use map, identifying areas requiring multiple conditional use permit approvals and public hearings.

Mr Barthels went on to reiterate that agricultural use areas were not subject to the SMP, and specifically mentioned the paddock areas in use southwest of Cliff St. & 1st St.

Pete Abbey (resident) commented on how the SMP might apply to a mixed use area.

There was discussion between Mr. Barthels and Mr. Abbey regarding scenarios where multiple permits might be required, and what steps might need to be taken to move commercial projects forward. Ms. Harnois (Councilwoman, Rockford) mentioned that there were additional requirements pertaining to building in a flood plain. Mr. Abbey responded by saying that he felt that the permitting requirements simply increased the ability of agencies to impose additional taxes on him.

45 Ms. Roecks (Councilwoman, Rockford) asked for details regarding the Substantial Shoreline
46 Development Permit mitigation options. Mr. Barthels provided clarification regarding
47 “offsetting” of shoreline improvement mitigation.

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49 Mr. Abbey asked what benefits would be gained by the Town. Ms. Roecks answered that this
50 was a State Regulatory compliance requirement. She said that the Town was attempting to
51 educate itself so that it can provide procedural assistance for those seeking to initiate projects
52 in areas subject to the SMP.

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54 Mr. Barthels continued to define what possible permits might be available that who allow the
55 greatest leeway for projects in areas subject to the SMP.

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57 Mr. Abbey asked for specific details regarding his commercial property.

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59 Mr. Meyer asked how the presence of the dike (U.S. Army Corps of Engineers) impacts both Mr.
60 Abbey’s commercial property and the SMP. Mr. Barthels replied that the dike falls under the
61 200 foot area.

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63 William Benson (resident) asked whether the presence of the dike, as a pre-engineered flood
64 mitigation construct, might alleviate some of the procedural or regulatory requirements for Mr.
65 Abbey’s commercial property. Mr. Berthels said that the presence of the dike would be taken
66 into consideration in any permitting process.

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68 Mr. Abbey and Mr. Barthels continued the discussion regarding Mr. Abbey’s property. Mr.
69 Meyer interjected a question regarding the ownership of the dike. Mr. Barthels responded by
70 saying that the SMP was not a punitive instrument of legislation. He reiterated that the SMP
71 was intended to ensure the protection of the waterway while allowing for development of the
72 shoreline.

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74 Mr. Tollefson (Councilman, Rockford) reiterated what Mr. Barthels had stated.

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76 There was continued discussion of permitting processes in light of the SMP.

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78 Mr. Stevenson (Councilman, Rockford) asked whether property owners who be able to review
79 comments from other organizations after the 60 review period. Mr. Barthels answered that the
80 comments would be available for view.

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82 Ms. Roecks asked for a timeline of the process towards adoption of the SMPU.

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84 There was no further public comments or discussion.

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86 Mr. Meyer closed the Public Hearing at 7:25 PM.

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Micki Harnois, Clerk Pro-tem

Carrie Roecks, Mayor Pro-Tem