

Mr. Hough discussed procedures and mentioned that various procedures could be handled administratively, rather than involving the time and expense of public hearings.

A discussion ensued in regard to current procedures.

A discussion continued in regard to necessary procedures and communications between departments and addressed the necessity of developing the Sierra computer system to enable various Staff to acquire immediate information off the system.

Tom Karsh, Permit Center Staff, mentioned that the Board would also have this information accessible after installation.

Commissioner Anderson mentioned his concern that the proposed increases could create public discontent. Commissioner Anderson indicated his conception of the Comprehensive Plan was that permit procedures would be simplified and less costly. Mr. Hough mentioned that the Comprehensive Plan will not speed up the process when there are mandated reviews.

A discussion followed in regard to the lack of affordable housing area and the possibility of simplifying the process, thus eliminating high costs.

Commissioner Anderson mentioned that regulatory reform should eliminate some of these fees.

Mr. Hough stated that Staff will proceed and mentioned that a memo has been sent to departments.

3. Code Enforcement Report.

The Code Enforcement Report was reviewed.

APPEAL BY RUTH AVEN OF HEARING EXAMINER'S DECISION #AAP94021 REC, SPECIAL USE PERMIT FOR A ROCK QUARRY, 275 BARREL SPRINGS ROAD, BOW.

Chairman Hart opened the session.

Jeff Morgan, Planning Department Staff, reviewed the options available to the Board in regard to this appeal, as follows: 1) Examine the written request, deny the request and allow the Examiner's decision to stand, 2) remand the matter back to Hearing Examiner, and 3) the Board may adopt its own findings, conclusions and decisions. Mr. Morgan mentioned that no new testimony can be submitted today.

Mr. Morgan reviewed the proposal of the quarry, the intended operations, and the location.

Mr. Morgan reviewed the subsequent events, stating that the appellant has appealed the Hearing Examiner's decision to require further environmental review for the Special Use Permit.

Patti Chambers, Administrative Coordinator, mentioned for the record that 19 letters of support to uphold the Hearing Examiner's decision have been received as additional documentation, including 10-12 telephone messages with the same support.

Ruth Aven, 275 Barrel Springs Road, the appellant and owner of a 40.06 acre parcel which is designated as open space, presented her Appeal. Ms. Aven introduced six of her family in attendance.

Ms. Aven requested that the Hearing Examiner's decision be overturned, based on the evidence before the Board.

Ms. Aven reviewed the exhibits provided by Purnell & Associates and Kip Kelly, addressing soil and bedrock issues, mentioning the credibility of Purnell & Associates.

Ms. Aven illustrated the rock outcropping in the area, indicating that on-site inspections took place by the Department of Natural Resources and Gary Sorenson, Public Works Hydro-Geologist.

Ms. Aven illustrated and reviewed the ground water situation, stating that the opponents concern is unfounded, as an abundance of water is not available on Barrel Springs Road.

Ms. Aven stated she proposes this quarry to allow for construction of a road which will, in turn, allow for fire protection, fire insurance and access to her home. Ms. Aven mentioned that allowing her to take the ridge out, bringing the road to a 2% grade over a 30 year period of time, would allow access to storm water off of the ridge and would allow adequate fire protection. Ms. Aven mentioned that she has not applied for a hydraulics permit at this time.

Ms. Aven mentioned several WAC's in reference to well contamination, in her favor.

Ms. Aven addressed the Traffic issue, mentioning that a traffic study was completed on July 1, 1993, indicating no potential problems.

Ms. Aven also addressed the Public Safety issue, indicating that State law is totally reliant on the public using and utilizing roads in a safe manner.

Ms. Aven commented on a degree of malice directed at her and her family by Habitat Watch.

In summary, Ms. Aven mentioned that she has complied with all issues and that the land is appropriately zoned for this proposal. Ms. Aven mentioned that Barrel Springs Road is not highly populated and that recreation on the road is not proposed, stating that it would be a violation of constitutional rights to disallow this quarry in an area that is appropriately zoned.

Chairman Hart asked for comment, reminding those in attendance that testimony containing new evidence would not be permitted.

Dennis Niese, Burlington, previous owner of a grocery store in Alger, mentioned that two artisan wells on his property were available to property owners of the Barrel Springs Road area and that they utilized these wells consistently as they did not have quantity or quality water sometimes 10 months out of the year. Mr. Niese reminded the Board that wells and water sources are quite far from the rock quarry. Mr. Niese stated that the road could handle additional traffic.

Tom Bouche, Heavens Gate, stated his support for this project, mentioning that there is currently a saw mill in the area, involving truck traffic, which does not seem to create a problem.

Mike Hart, Barrel Springs Road, stated that increased traffic is an issue.

Ranger Kidwell-Ross, Barrell Springs Road, on behalf of Habitat Watch, mentioned that a rock quarry that will be there for 30 years is the real issue, not the construction of a fire road.

Mr. Kidwell-Ross recapped the reasons for opposition, and discussed the water quality issue, mentioning Habitat Watch's objection to the Aven's initial appeal, contending there were no wells in the area and that residents were "dipping" out of the creek. Mr. Kidwell-Ross stated that Purnell and Associates did not contact adjacent or nearby property owners in surveying well usage in the area.

Mr. Kidwell-Ross stated that Habitat Watch finds it disturbing that determinations were made by Gary Sorenson, Public Works and the Health Department, based only on four reports prepared by Purnell and Associates. Mr. Kidwell-Ross mentioned that the reported potential for ground water contamination being low was not based on nearby well data.

Mr. Kidwell-Ross stated that Habitat Watch contends that the Purnell study was incomplete and that an in-depth study is needed, indicating that no fish or wildlife studies were performed, and proposes that these issues need to be addressed.

In regard to the Traffic issue, Mr. Kidwell-Ross mentioned that the increased truck traffic is a safety hazard. Mr. Kidwell-Ross stated that the road is narrow and is not blacktopped, but of a tar composition. Mr. Kidwell-Ross also stated that the quarry will be open to retail customers, having the potential of creating more truck traffic.

Lora Mixson, Barrell Springs Road, stated that she lives within 1/2 mile of the Aven property, mentioning the narrowness of road, the number of families and children residing near the road and urged the Board to consider the burden this would place on residents, rather than increasing the economic values of one family.

Commissioner Anderson stated for clarification that letters of communication with Northwest Air Pollution Authority were included as evidence, contrary to statements by Habitat Watch, and indicated that if there was not "crushing" activity, the activity did not fall under pollution authority jurisdiction.

Chairman Hart inquired about the parameters of rural zoning. Jeff Morgan confirmed the proposed quarry is zoned rural, and that extraction specifically requires a special use permit.

Commissioner Anderson made a motion granting the Aven Appeal of Hearing Examiner Decision AAP 94021.REC, and the Board found that Ms. Aven may proceed with the permit process. Commissioner Wolden seconded the motion and it passed unanimously. Mr. Morgan stated that a Resolution will be presented to the Board at a later date.

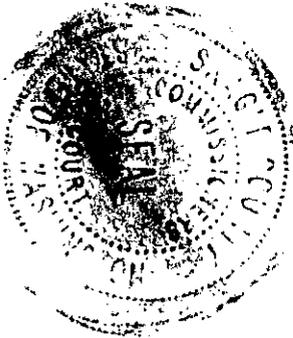
ANNUAL REPORT AND TOUR OF SKAGIT COUNTY MUSEUM.

The Board heard the Annual Report of the activities of the Skagit County Museum, and toured the facilities.

ADJOURNMENT:

Chairman Hart made a motion to adjourn the proceedings. Commissioner Anderson seconded the motion. the motion was carried unanimously.

BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Robert Hart
Robert Hart, Chairman

Harvey Wolden
Harvey Wolden, Commissioner

Ted W. Anderson
Ted W. Anderson, Commissioner

ATTEST:

Debby Sims
Debby Sims, Clerk of the Board
Skagit County Board of Commissioners