

City of Bainbridge Island  
HISTORIC PRESERVATION COMMISSION  
September 13, 2018

IN ATTENDANCE:

**HPC Members:**

Brianna Kosowitz, Marcia Montgomery, Megan Luce, Adrienne Wolfe, Carol Oas, and Francis Jacobson

**HPC Non-Member Advisors:**

Olivia Sontag (City Planner); Rick Chandler (Curator, BIHM), Scott Wilder (COBI Ethics Commission)

**Members of the Public:** David Williamson (Former Commissioner), John Bierly

CALL TO ORDER / APPROVALS / CONFLICTS

- Ms. Sontag (acting in capacity as Chair), opened the meeting at 2:05 pm
  - The Minutes for July and August 2018 were approved
  - There were no conflicts of interests

REQUEST FOR ZONING RELIEF – John Bierly

- Mr. Bierly (via Wing Point Properties LLC) owns 568 Ericksen Ave NE
  - The property covers 0.44 acres of land in the Ericksen Avenue Overlay
  - This property contains a 642 square foot home constructed in 1905
  - The property was put on the Historic Register as it was likely built and owned by Hall Brothers Shipyard worker
- While keeping the structure, Mr. Bierly is requesting zoning relief for this Ericksen Town Homes Project
  - The project would involve the construction of six (6) homes (each about three stories high)
  - The development would comply with the 20-foot setback from the street and a view corridor via the access road in addition to staying clear of the ravine
  - The variance Mr. Bierly is seeking regards the setback from the structure to the property line
    - The structures will only have a five-foot setback from the property line
    - There will be a border fence on the north and south property lines
- Discussion and Conclusion
  - Ms. Wolfe was concerned that such a small buffer between the structures and the fence
    - Mr. Bierly said that landscape barriers were more appropriate for single family homes rather than multi-family complexes.
  - Ms. Montgomery asked if Mr. Bierly had gone before the Design Review Board and the City Planning Director
    - The City Planning Director approved the ravine view corridor via the access road
    - As for the Planning Commission, Mr. Bierly stated he needed our feedback before going to the Planning Commission
  - Conclusion was that a few changes need to be made to the landscape
    - Ms. Montgomery stated that once he has the final plan submitted to the Design Review Board, Mr. Bierly should return to the Commission for the final vote on zoning relief

## ETHICS AND GOVERNANCE TRAINING – Scott Wilder

- The Ethics Board is a Citizen Advisory Commission
  - Created in 2007
  - Handles ethics complaints against the following
    - Citizen Advisory Groups
    - City Council
    - Contractors doing business with the City
    - Does not handle complaints against City Staff
  - Provides education and opinions, and can also grant waivers
- There are “Four Cs” in the Basic Rules of Ethics
  - Conduct of Public Opinions
    - All members of the City Council and Citizen Commissions must understand the rules of the Open Public Meetings Act
    - Conversations involving elected officials, Committees or Commissions “must be held in a manner” that is transparent, has integrity and respects the rights of the citizens
    - All meetings must have an agenda and disclose Conflicts of Interest
  - Conflict of Interest
    - Elected Officials and Members of Commissions cannot take direct action, or indirect action via a subordinate, on a matter before the Council or Commission if that person or an immediate family:
      - Has a “substantial contractual employment interest related to the matter” (works for the business or agency seeking approval from the commission or council for something that will benefit that business)
      - Has “other financial or private interest” in the matter
      - “Is party to contract or the owner of an interest in the real or personal property that would be affected by the action”
  - Confidentiality
    - Privileged information, unless required by law, cannot be disclosed or “use privileged, confidential or proprietary information obtained in executive sessions”
  - Compensation and Gifts
    - No official or immediate family member can accept a gift or form of compensation by any party with business before the City.
- Ethics Complaints cannot be anonymous
  - Complaints and findings are published
  - Meetings involving ethics complaints must be held public
  - Findings of ethics violations (where a violation is considered to have occurred) will go before the City Council for a vote

## HISTORIC REGISTER NOMINATION REQUEST

- Pickleball Court located at 3743 Pleasant Beach Dr NE
- History of the Game.
  - The house was owned by Joel Prichard in 1965 with his friends William Bell and Barney McCallum
  - They returned from a golf game one Saturday afternoon, and their families were bored, so they decided to play badminton.
    - They couldn’t find the shuttlecock

- They used a wiffleball, lowered the net, made tennis-type racquets out of plywood
  - There is debate as to why they named it Pickleball
    - Was it after “Pickles” the family dog?
    - Was it named after the term “Pickle Boat”?
- Status of the property and the court
  - The property is currently owned by Scott Stover
  - They do allow the public to see the court, and the court has been undisturbed.
  - Mr. Williams wanted to only register the court and not the house
- Discussion
  - Ms. Luce asked if the lot was large enough to constitute a historic property
  - Ms. Luce also asked if any changes to the existing structure, or any new structure, would infringe upon the court’s integrity.
  - Ms. Montgomery stated that the entire property, with the house and court, should be on the Historic Register

## REGISTER ELIGIBLE CONSIDERATIONS

- Beach cottage located at 11224 Skinner Rd
- Summary of the Property under consideration
  - The property is approximately 0.88 acres
  - The house was constructed in 1903 and is a 1 bed / 1 bath home
  - If the house were demolished, it could not be replaced on its current site due to regulations from the Shoreline Master Plan
- Discussion of the Property under consideration
  - To be Register Eligible, the property must be visible from either the road or from the waterway
  - If it is not visible from either road or waterway, the owners must allow the home to be accessible to the public at least once per year
  - While the house is not visible from the road, it is visible enough from the water.
    - Consequently, it would qualify

## Island Center Cemetery (Parcel # 202502-1-047-2004)

- Summary of the Property under consideration
  - The cemetery is only accessible from an unmarked dirt road heading eastbound from Miller Road next to Kol Shalom Synagogue
  - The property is essentially an “orphaned property”
    - There is neither a site address nor is there an owner address
    - There are no tax records, sales history, or any other records on the Kitsap County Assessor site
    - The only recorded name found in terms of ownership is the Fletcher Bay Cemetery Association which apparently disbanded decades ago
    - The only known custodians are two elderly men
- Discussion of the Property under consideration
  - The DAHP grant BIHM applied for was not successful
    - While the two men stated earlier are custodians, they no longer have the energy and ability to fully maintain the property
  - Ms. Wolfe recommended that sprucing up the cemetery be considered a requisite Community Service opportunity for High School students
  - Under what criteria would the cemetery be considered Register Eligible?
    - Under Municipal Code 18.24.040 Section A, which states that a property can be Register Eligible if it “qualifies as at least one of the following”

- Qualifier #9 states that property is Register Eligible is it “is a cemetery that derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns”
    - As the cemetery dates to the 19<sup>th</sup> Century and contains people whose families have contributed significantly to the history of Bainbridge Island, the cemetery qualifies
- What can we do about the ownership issue?
  - The Assessor site states that it is officially public land under jurisdiction of the City of Bainbridge Island
  - Ms. Sontag states that she will discuss the issue with City Attorney Joseph Levan to see if the City owns it by default and if the City could deed it to the two men who maintain the property.
  - Ms. Kosowitz will obtain the names of the two caretakers

## OTHER MATTERS AND CLOSURE

- Site Visit to the Grow House, aka Four Swallows
  - The owners proposed moving the house to front the planned roundabout at the intersection of Madison Ave N and Wyatt Way.
  - Ms. Montgomery said she is reticent to approve having it moved as it would take the house out of its context
  - Mr. Fredricks stated that much was added on to the original house, and he only wants to move (and presumably preserve) the original structure
  - Site Visit will be conducted on the day of the October meeting which will be moved to October 11th
- Nominating a Commission Chair
  - The Commission Chair position has been vacant since Mr. Williams left the Commission at the end of his term
  - Ms. Sontag has acted as the de-facto Chair, but she stated that rules governing Citizen Advisory Commissions must have a chair
  - Ms. Wolfe proposed a Rotating Chair in which a different member would chair the commission on a designated month
    - Ms. Sontag said this was legally allowed
    - The only Commissioner who requested not be in the Rotating Chair roster was Mr. Jacobson who is the current secretary
- The meeting adjourned at 3:25 pm