

**EBEY'S LANDING HISTORIC PRESERVATION COMMISSION ISLAND COUNTY  
COMMISSIONERS' HEARING ROOM  
February 25, 2021**

**CALL TO ORDER**

Chair Clay called the meeting to order at 10:02a.m.

**COMMISSION MEMBERS PRESENT**

Commission Chair Bob Clay, Commissioners Katherine Baxter, Marshal Bronson, Darrell Nance, Wilbur Bishop and Sheila Saul.

**STAFF PRESENT**

Island County Assistant Planner Liz Dickman, Ebey's Landing National Historical Reserve Preservation Coordinator Jason Benson, Recording Secretary Claudia Golden.

**APPROVAL OF AGENDA**

A Motion was made to approve the agenda for the meeting of the Historic Preservation Commission meeting of 2/25/2021. *Motion passed unanimously.*

**APPROVAL OF MINUTES**

A Motion was made to approve the minutes for the regular Historic Preservation Commission meeting of 01/28/2021. *Motion passed unanimously.*

**PUBLIC HEARINGS**

Chair Clay provided a description of the role of the Commission, its legal basis and process, and the standards and guidelines on which its decisions are based. He asked commissioners to declare any conflicts of interest or bias regarding the applications on the agenda and to disclose any ex parte communications or site visits.

- Chair Clay visited all sites, with the exception of the vacant lot.
- Commissioner Saul visited all EBY sites.

***1) COA-20-040: R13233-155-5230, Installation of a seven (7) foot fence to screen a garbage dumpster.***

Reserve Preservation Coordinator Jason Benson described the elements of the proposed fence and site context, and provided staff's analysis of compliance with Ebey's Landing National Historical Reserve Design Guidelines and the Secretary of the Interior's Standards for Rehabilitation.

**QUESTIONS OF STAFF**

Chair Clay opened the floor for questions to Staff.

Commission asked for and received clarification with regard to: the standards of color in relation to the project, and screening elements.

## **PUBLIC COMMENT**

Chair Clay opened the floor for public comment.

## **DISCUSSION**

Hearing none, Chair Clay opened the floor to Commission discussion.

## **MOTION**

Commissioner Bishop moved to adopt findings and conclusions and approve COA 20-040, as presented. Motion seconded. *Motion passed unanimously.*

- 2) ***EBY-20-076: David and Tara Uffelman; S8535-00-00005-0; Construction of a new single-family residence and beach access stairs.***

Assistant Planner Liz Dickman described the elements of the proposed, single family residence and beach access stairs, its site context, and provided staff's analysis of compliance with Ebey's Landing National Historical Reserve Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation, with the following recommendation:

- The proposed metal roof will be non-reflective and dark color.

## **QUESTIONS OF STAFF**

Chair Clay opened the floor for questions to Staff.

The Commission asked for and received clarification with regard to the stairs and the Coastal Commissions regulation and authority.

## **PUBLIC COMMENT**

Chair Clay opened the floor for public comment.

## **DISCUSSION**

Hearing none, Chair Clay opened the floor to Commission discussion.

The Commission asked for and received clarification with regard to a previous Island County moratorium, in the vicinity of the project.

## **MOTION**

Commissioner Bishop moved to adopt findings and conclusions and approve EBY 20-076, as presented. Motion seconded. *Motion passed unanimously.*

- 3) ***EBY-21-002: Robert and Katherine Holloway; R03224-259-3060; Construction of a new single-family residence.***

Assistant Planner Elizabeth Dickman described the elements of the proposed construction of a single-family residence, its site context, and provided staff's analysis of compliance with Ebey's Landing National Historical Reserve Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation, with the following recommendations:

- The proposed residence will be painted a dark, earth-tone color.

### **QUESTIONS OF STAFF**

Chair Clay opened the floor for questions to Staff.

Commission clarified their position on conditions of colors vs recommendations of color.

Commission discussed eliminating color as a condition for approval.

### **PUBLIC COMMENT**

Chair Clay opened the floor for public comment.

Applicant Holloway had nothing to add to Staff Report. The applicant discussed their choice of color for the structure.

### **DISCUSSION**

Chair Clay opened the floor to Commission discussion.

### **MOTION**

Commissioner Bishop moved to adopt findings and conclusions and approve EBY 20-070, as presented. Motion seconded. *Motion passed unanimously.*

#### ***4) EBY-21-003: Island County Public Works; R13221-061-3980; Realignment of portions of Penn Cove Road to move it away from the eroding shoreline bluff.***

Associate Planner Liz Dickman, described the elements of the realignment of portions of Penn Cove Road, its site context, and provided staff's analysis of compliance with Ebey's Landing National Historical Reserve Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation, with the following conditions:

### **QUESTIONS OF STAFF**

Chair Clay opened the floor for questions to Staff.

Commission asked for and received clarification of resident's access during construction, the prevention of further slides and their effect on this project long term, and infringing on private property outside the Island County right of way.

Prior to the opening of public hearing, questions from the public, were taken, these questions are outside the purview of the Commission, therefore were addressed to, and by the applicant; Island County.

Lee Roof, Penn Cove Rd. asked for and received answers from Applicant on future erosion prevention.

William Stelle Owner of Monroe House on Penn Cove. Offered an alternative to the proposed road relocation. Spoke to the project as a short-term remedy, the archeological impact, the guardrail, the proximity to historic structures, environmental evaluation and traffic monitoring.

Commission asked for and received confirmation as to whether the proposed project, is located within the existing Island County right of way.

**PUBLIC COMMENT**

Chair Clay opened the floor for public comment.  
Hearing None.

**DISCUSSION**

Chair Clay opened the floor to Commission discussion.  
Commission discussed

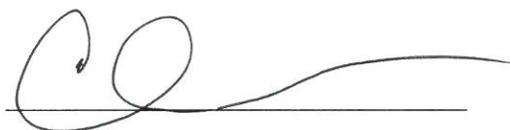
**MOTION**

Commissioner Bishop moved to object to the findings and conclusions of EBY 21-003, as presented, and deny the approval EBY 21-003. Motion was seconded. *Motion passed 4 ayes, no objections.*

**ADJOURNMENT**

The meeting was adjourned at 11:06

Respectfully submitted

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a horizontal line that extends to the right.

Claudia Golden, Recording Secretary

A handwritten signature in blue ink, appearing to read 'Donna Keeler', followed by a horizontal line that extends to the right.

Donna Keeler, Acting Planning Director

Claudia and William Stelle  
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February 3, 2021

Patricia Shults  
Island County Planning Department  
Via email: [p.shults@islandcountywa.gov](mailto:p.shults@islandcountywa.gov)

**Re: Penn Cove Road Realignment Project**

Dear Patricia:

We write to provide comments and recommendations on the proposed Penn Cove realignment project, and in doing so again thank you and Matt for your continued availability and responsiveness to our earlier queries.

We offer comments in two parts. Part one pertains to encouraging the County to consider a new and significant alternative to the road realignment proposal itself. Part two is directed to more detailed comments on the County's proposed project as it now stands.

**Part One**

We understand that several neighbors are encouraging the County to consider closing a segment of Penn Cove Road to through-traffic at the area of greatest erosion risk. This alternative to the current proposal for road relocation would close the segment of road between Margaret George's driveway and the Stelle driveway to vehicular traffic from both directions. A narrower width of the existing roadway could remain open for pedestrians and non-motorized vehicles.

We support this recommendation as being the most sustainable and cost-effective way to address the erosion of the bluff in the area. The current proposed project will not hold up over the long-term and will require the County to repeat the current expensive process when the bluff erodes further, which it surely will.

As our neighbors have pointed out, Arnold Road is an excellent alternative for East/West traffic, and the several connector streets from Penn Cove Road to Arnold Road will minimize the inconvenience of this minimal section of road closure. In short, a road-closure alternative would be an immediate, 100% effective, and long-lasting solution to the safety risks of ongoing erosion at a fraction of the cost.

A variant to this alternative would be to render Penn Cove a narrowed one-way road from west to east, thereby enabling a broader buffer from the edge of the bluff to the active guardrail and pavement. While less reliable as a long-term fix than a full closure, it would address the immediate safety concerns while a longer-term closure or other solution can be considered.

## Part Two.

This section provides comments on the details of the current proposed realignment project.

1. **Short-term remedy.** As described above, relocating the two-lane road 6 feet northwest to the boundary of the existing right of way is at best a short-term fix that will not meet the long-term purposes of transportation safety in this at-risk area of Penn Cove Road.
2. **Significant archeological impacts not disclosed or taken into account** in the proposed determination of non-significance. The project is located on top of a major shell midden which has been previously surveyed by licensed archeologists and visited by representatives of the State Historic Preservation Office and the Swinomish Indian Tribal Community. The last known (to us) visit was in the fall of 2020, when human remains were recovered and retained by SHPO representatives. The SEPA environmental evaluation for the project does not contain any substantive detail about the scope and significance of the potential disturbance of these resources by the project, and therefore forecloses the ability of the public to understand or evaluate these potential impacts and strategies to avoid, minimize or mitigate for them.
3. **Insufficient evaluation of relocating the compromised guardrail.** The proposed project should describe the engineering and geotechnical aspects of relocating 575 feet of the compromised guardrail to the new southern edge of the realigned road. It does not do so beyond depicting the location of the new rail on the map of the relocated road. The project needs to evaluate the potential for further compromising the structural integrity of the bluff in the area by removing the existing posts and/or implanting a series of new posts. Further, it should disclose the likely geotechnical risks of further failures before finally deciding on these features of the proposed project or on the project as a whole.
4. **Proximity to historic structures.** The project evaluation states that there are no historic structures in the vicinity of the proposed project. We believe this is not correct. The Monroe House is described as a “contributing resource” in the Central Whidbey Island Historic District National Register nomination form (1973, amended 1998).<sup>1</sup>

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<sup>1</sup> As described by the National Park Service Scenic Easement Deed between Claudia and William Stelle and the National Park Service, October 30, 2018, page 4.

5. **Potential to Conflict with Scenic Easement of the National Park Service.** The 8.93 acre parcel of land upon which the Monroe House is located is covered by a scenic easement conveyed to the National Park Service. The purpose of the easement is to protect in perpetuity the open space and agricultural character of the area, prohibiting the construction of any new buildings, structures or improvements except as otherwise authorized. While the proposed realignment project remains within the existing right of way for Penn Cove Road, which predates the NPS easement, any further future relocating of the road northward into the area of the easement may well conflict directly with it, rendering a “re-do” problematic if and when the existing bluff further erodes. At the very least, the environmental evaluation of the project and the decisionmaking associated with it should be disclosing and taking into account these constraints.

6. **Monitor road usage before and during project construction.** This comment recommends commencing monitoring of Penn Cove Road traffic in this segment immediately in early 2021 to generate data from which to establish a baseline of traffic data for the area. During construction, the continued monitoring will generate further data on how traffic patterns changed during road closures -- partial or total. These changes in observed traffic patterns will be very instructive in evaluating the pros and cons of retaining or closing this segment of Penn Cove Road for the long term.

In closing, thank you for the opportunity to provide comments on the current draft. Please let us know if further evaluations or plan changes become available. Please also let us know the opportunities for further engagement as the permitting and project evaluations continue.

Sincerely,

William and Claudia Stelle