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Developers want decision

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Council argues Laguna policy

By Mike Jasper

Two pending fill permits spawned a debate between council members and city staff — particularly Councilman Bill Roventini and City Attorney Larry McLaughlin.

"You fail to come to me, Larry McLaughlin, with specificity. You tell me generalities."

Roventini was angry that fill permits for two west side properties belonging to the Barlow Company at 200 Morris St. were being held

up by a long-awaited policy based on the Laguna advisory report.

McLaughlin said the process of granting the permits was going at a relatively normal pace. The Laguna report, he said, provided some key environmental facts that had to be considered before the permits could be granted.

McLaughlin added that the city could possibly come under litigation if these environmental questions weren't taken into consideration.

"We receive more and more environmental information each day," McLaughlin said.

Roventini wanted to know exactly what the information was.

"I want specific environmental facts," Roventini said after the meeting. "I think you're more vulnerable to lawsuits being general than by being specific."

Roventini argued that the Laguna report was not yet a matter of city policy.

"How can you conduct policy on probability?" he asked.

When Roventini asked McLaughlin why the matter wasn't discussed at the time of the

applications, McLaughlin said the city didn't have the information at that time.

The Barlow Company and Key Auto Body, which will purchase a lot split of the Barlow land should the permit go through, want to fill 4,000 cubic yards to bring Barlow's site up to the 76-foot mark for new building construction.

Neither company is proposing the "no net fill" approach asked for in the Laguna report.

David Key, of Key Auto Body, has already received a "nationwide permit" from the Army Corps of Engineers, which gives him permission to fill the site.

However, proponents of the Laguna report did not agree with the Army Corps' recommendation nor the city's planning commission recommendations, which annulled the original Laguna report to allow for these two fill permits and two more that are pending on the east side of Morris St.

In a letter delivered to City Council May 3, Suzanne Neilson, a member of the original Laguna Advisory Committee, said "it would be

inappropriate for the Council to take any action on the Barlow and Key fill requests until the City adopts sound, coherent, long-term policies on this important issue."

This sentence caught the eye of Councilman Howard Reeser.

"Maybe the Laguna report is not sound, not coherent, and not sufficient for long term policy," Reeser said.

Reeser supported Roventini's view that the fill permits should be granted, especially since the permits had the blessing of the Army Corps. "If there were vernal pools or bird habitats on the property, I'd take another look," Reeser said.

Tom Barlow, owner of Barlow Company, said he wished he had brought his attorney to the council meeting, but was assured that the matter would be settled that night.

He did not say who assured him. Barlow said the delay in the permit was jeopardizing his company, which employs 100 families.

"Economically, I never saw anything drag so slow in my life,"

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Council...

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he said.

Architect Bob Anderson spoke on behalf of the permit applicants and said he feared the council's "delay tactics" could hurt the Morris St. industries economically.

The best time to fill, he said, was between June and October, before the rains came. However, the council had continued deliberations so much in the past, he feared the final resolution of the Laguna report and decisions based on it might be continued until it was once again the rainy season.

"You have all the information,"

Anderson said. "You have the ability for the win-win situation."

Anderson said he thought the Laguna report should be adopted, but with the recommendations set forth by the planning commission. He said further delay past the May 23 meeting would be a "defacto moratorium" on industrial development within Sebastopol.

"You're holding the industrial area of Sebastopol hostage," Anderson said.

Both Councilwoman Anne Magnie and Councilwoman Gwen Anderson said they would be able to reach a decision on the Laguna report by the May 23 meeting.



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Reeser quote