

From: [Email Service](#)
To: [Kelly Bacon \(CD\)](#)
Subject: Shared Access Driveway to Lot 16, 17,18,19 Kachess Ridge
Date: Friday, June 23, 2023 5:51:31 PM

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Dear Kelly,

Below are my comments regarding the Shared Access Driveway to Lot 16, 17,18,19 Kachess Ridge. Please convey my comments to the members of the Kittitas County Community Development Services for their deliberation and considerations on Project Hallisey (SE-23-00015) and RV-22-00002. A paper copy of my comments will be sent by US Mail Service.

Thank you.

Sincerely,

Antonius A. Lambregts

To Kittitas County Community Development Services

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

From: Antonius A. Lambregts, past-owner and Trustee of associated Irrevocable Trust associated with ownership of Kachess Ridge Lot 17, including buildings.

Subject: Comments on Project Hallisey (SE-23-00015) and RV-22-00002

Dear Members of the Kittitas County Community Development Services:

The undersigned petitions Kittitas County to review and reconsider the terms of the Road Variance RV-22-00002, to grant that No New Requirements will be needed for the existing shared access driveway, as a precondition for issuing a building permit for the Halliseys for lot 16.

The undersigned hereby submits the following comments on the subject Hallisey Project (SE-23-00015): application for permit to modify shared driveway access to lots 16, 17, 18, 19, per Kittitas County Variance RV-22-00002.

1. Owners of Lots 17, 18, 19 have not been part of the application for RV-22-00002
2. The proposed Hallisey project to modify the shared access driveway to bring it up to the standards of Kittitas County Variance RV-22-00002 has not been detailed in terms of a professional land survey and modification plan defining
 - a. Precisely what sections of the shared access driveway will be affected and how (widening, regrading local slopes, tree removal, soil removal/soil dumping location etc.).
 - b. Descriptions, map and Stake Outs of all the areas where and what modifications are proposed, so the County and the owners of lots 17, 18 and 19 can accurately assess the impact of proposed modifications.

3. Widening the shared driveway to a minimum of 10ft and both sides of the centerline will be in conflict with the Covenants of the Kachess Ridge Maintenance Association article 3, which requires lot access driveways to be no more than 12 ft in width. The existing driveway conforms to the latter standard.
4. Currently, access to all four lots is adequate and uncontested. In the past 45 years there has never been an issue about the shared driveway width, the grade, or vehicles passing. Traffic is very sparse and will not change significantly, even with another recreation dwelling constructed on lot 16, so why levy new requirements on the shared access driveway as a condition of the building permit?
5. Owners of Lots 17 and 19 have been granted building permits in the past without new requirements for shared access driveway. Full size concrete trucks and large septic tank pumper trucks have gone up the shared driveway without difficulty.
6. The owners of Lot 16 cannot unilaterally agree to accept the proposed Kittitas County Variance RV-22-00002 requirements, to bring the shared access driveway up to that proposed standard.
7. New access driveway requirements levied on the owners of lot 16 would constitute measuring with 2 different yardsticks for the lot 16 and the other lots (17, 18 and 19) owners.
8. Kittitas County argument that new access driveway standards apply as part of the current building permit process for the owners of lot 16 cannot be interpreted as to require the owners of lots 17, 18, 19 to consent to modify the shared driveway for the benefit of the lot 16 owners, nor for the owners of lots 17, 18, 19 to be responsible for any of the costs. Owners of Lots 17, 18, 19 are grandfathered in with regard to the shared driveway access.
9. Owners of lot 16 cannot regrade/widen the road and cut trees on the lots that are not theirs, without permission of the lot owners in question (lots 17, 18 and 19). Owners of Lots 17, 18, 19 have not consented to any regrading to reduce local slopes, removal of trees and soil or widening of the shared driveway access.
10. County cannot compel owners of lots 17, 18, 19 to agree to modify/upgrade the shared driveway.
11. There are considerable risks associated with reducing the grade in some places and widening of the shared access driveway that the county needs to consider:
 - a. Regrading/widening/tree cutting will result in a lot of environmental damage and leave an ugly logging road scar all across our lot (17).
 - b. Widening would require cutting trees and in some places blasting the steep rocky bank on the west side of the driveway, and possibly/very costly hillside stabilization measures.
 - c. Regrading of the steep parts of the shared driveway will likewise run into bedrock. What then?? Rock blasting?? More trees blown away?
 - d. Loose dirt pushed over the east/downhill side of the driveway will not easily make for a safe wider road, due to risk of cave-in and wash away, unless heroic/costly mitigation measures are applied to keep the loose soil in place. (New loose soil close to the steep east bank of the widened driveway will pose a risk of cave in to heavy vehicles, possibly causing them to topple and roll down the hill.)
12. Halliseys cannot remove soil from the regrade on lot 17 and 18 and carry it to their own lot 16, without permission from the owners of lot 17 and 18
13. County requirement that higher access road standards are now part of current building permit issuing process logically would only apply in case of a new access road entirely on the building lot owner's property.
14. County requirement for higher shared access driveway standards to accommodate firetrucks and EMS is flawed:
 - a. There is no vehicle access to the houses on any of these lots, 6 months out of the year due to snow.
 - b. There is no full-time fire department that can quickly respond in case of a fire. Easton and Cle-Elem fire departments are too far away to respond in a timely/effective manner in case of a house fire.
15. The Variance RV-22-00002 stipulates that the owners of Lot 16 will take action to set up a shared Driveway Maintenance Agreement, agreed/signed by all 4 lot owners to maintain the share driveway to the RV-22-00002 requirements. The owners of Lot 16 cannot unilaterally comply with this requirement.
16. The Halleseys should have brought forward all these arguments to obtain a Variance for the road

access to their property, rather than acquiesce to the requirements set forth in Variance RV-22-00002 that they by themselves cannot fulfill.

In consideration of the above comments, it is concluded that requirements of RV-22-00002 are not executable by the owners of lot 16 and would result in unjustifiable costs and risks, as well as environmental and esthetic damage to lots 16, 17 and 18. Therefore, the County is petitioned to reconsider a New Variance requiring no modification of the existing shared access driveway, as a precondition for issuing a building permit for lot 16.

Antonius A. Lambregts

Past owner and Trustee for the Irrevocable Trust covering ownership of Kachess Ridge Lot 17, including appurtenances.