

City of Cle Elum
119 West First Street
Cle Elum, WA 98922



Telephone: (509) 674-2262
Fax: (509) 674-4097
www.cityofcleelum.com

January 13, 2012

Kittitas County Department of Public Works
Attention: Christina Wollman
411 N. Ruby Street, Suite 1
Ellensburg, WA 98926

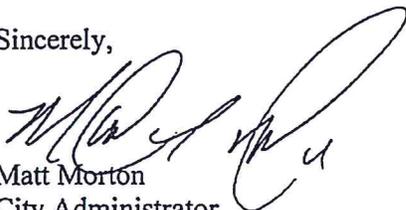
Re: Big Buck Ridge (P-07-40)

Dear Ms. Wollman:

Thank you for the opportunity for the City of Cle Elum to provide comments on the above referenced cluster subdivision. As we understand the project, access to the property is via Montgomery Avenue, an existing city street. This area was fully evaluated as part of the EIS prepared for City Heights and the City will not require any additional studies or improvements specific to the proposed development of Big Buck Ridge. However we believe the proportionate share of Road Impacts Mitigation to be \$475 per lot, payable to the City of Cle Elum at time of Short Plat Approval. This mitigation figure is derived from total mitigation (proportional impact based on traffic study and concurrency analysis) prepared for the CESS Environmental Impact Statement.

Please do not hesitate to contact me if you should require any additional information.

Sincerely,


Matt Morton
City Administrator

Jeff Watson

From: Jeff Watson
Sent: Monday, February 09, 2015 9:02 AM
To: 'Mau, Russell E (DOH)'
Subject: RE: Notice of Application LP-07-00040 Big Buck Ridge

The parcels are located ½ mile north of Yakima Avenue in the city of Cle Elum... meaning that the road is in the city; admittedly a bit muddy, but it wouldn't be county jurisdiction if it was in the city. The maps available on line should clarify any confusion as to the location. Page 2 of the plat application indicates in the narrative that the plat is to be served by a group B water system and on site septic.

Jeffrey A. Watson
Planner II
[Kittitas County Public Works/Community Development Services](#)
411 North Ruby
Ellensburg WA 98926
jeff.watson@co.kittitas.wa.us
509-933-8274

From: Mau, Russell E (DOH) [mailto:Russell.Mau@DOH.WA.GOV]
Sent: Monday, February 09, 2015 8:52 AM
To: Jeff Watson
Cc: Serr, Ben A (DOH); Holly Duncan; Holly Myers
Subject: RE: Notice of Application LP-07-00040 Big Buck Ridge

Mr. Watson:

DOH is asking for clarification on this notice – regarding the following:

1. The SEPA checklist, on Page 9, says “water” is available at the site.
2. The Notice of Application says the parcels are located “in the City of Cle Elum”.

So, DOH requests that they explicitly specify that “water” is “City of Cle Elum” or specify other. If it is City of Cle Elum water, then DOH requires that the City confirms their distribution system is available in this area.

Thanks,

Russell E. Mau, Ph.D., P.E.
Regional Engineer
Department of Health, Office of Drinking Water
16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216
Desk: 509-329-2116
Fax: 509-329-2104
Russell.Mau@DOH.WA.GOV

Visit our web site at www.doh.wa.gov/ehp/dw

From: Jeff Watson [mailto:jeff.watson@co.kittitas.wa.us]

Sent: Monday, February 09, 2015 8:09 AM

To: Brenda Larsen; Renfrow, Brent D (DFW); Candie M. Leader; Christina Wollman; PRESTON, CINDY (DNR); ECY RE CRO SEPA COORDINATOR; Clear, Gwen (ECY); 'enviroreview@yakama.com'; Moore, Erin (DOHi); Kaehler, Gretchen (DAHP); Holly Duncan; 'Jan Jorgenson (jorgenja@cwu.edu)'; 'Jessica Lally (jessica@yakama.com)'; 'jmarvin@yakama.com'; 'Johnson Meninick (johnson@yakama.com)'; Julie Kjorsvik; Kim Dawson; HAZLETT, LINDA (DNR); Lisa Iammarino; Lisa Lawrence; Johnston, Mike (DOHi); 'nelmsk@cwu.edu'; Patti Johnson; Mau, Russell E (DOH); Teske, Mark S (DFW); DNR RE AQ LEASING RIVERS; 'Thalia Sachtleben (enviroreview@yakama.com)'; 'Tom Justus (tom.justus@doh.wa.gov)'; Moore, Erin (DOHi); Jan Ollivier; Benson, Richard (DOH); 'heather.cannon@doh.wa.gov'; Josh Hink

Cc: Doc Hansen; 'cruseandassoc@kvalley.com'; Dave Nelson (dnelson@encompasses.net); Allison Kimball (brooksideconsulting@gmail.com); Chad Bala; 'jhallisey@fs.fed.us'; 'darren.habel@usace.army.mil'; 'Olson,Lesli D (CONTR) - TERR-BELL-1'; 'HolmstR@wsdot.wa.gov'; 'roslyn@inlandnet.com'; Matthew Morton; Jim Leonhard; ECY RE SEPA REGISTER; Kaycee Hathaway; Northern Kittitas County Tribune, (DOHi); Cory Andrus (cory@pro-vac.com); Russ Hobbs; 'pblume@kcf7.com'; 'flataum@cleelum.wednet.edu'; 'davisb@cleelum.wednet.edu'; 'montgomeryr@cleelum.wednet.edu'; north-ridge@hotmail.com

Subject: Notice of Application LP-07-00040 Big Buck Ridge

[LP-07-00040 Big Buck Ridge Internal Link to Master File \(For County Staff on Network\)](#)

[LP-07-00040 Big Buck Ridge External Link to On-Line File](#)

NOTICE OF APPLICATION:

Kittitas County Community Development Services will accept comments through 5:00 pm Tuesday February 24, 2015.

Kittitas County has received the above referenced Proposed Plat and SEPA Checklist for a project application; see attached. Agencies within the county network may review the application master file via the above internal link or through EDEN. Agencies and individuals outside of the county network can use the above external link to view individual documentation. Comments within the body of an email are encouraged, but may be submitted as attachments or hardcopy to:

Jeffrey A. Watson

Planner II

[Community Development Services](#)

411 North Ruby Ste 2

Ellensburg WA 98926

jeff.watson@co.kittitas.wa.us

509-933-8274

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45816c8dcbdac24bb8719d004a14

Big Buck Ridge

Hi Jeff

Cory & Becky Andrus have elected to move forward with their long plat, Big Buck Ridge. Some of us who neighbor this property, received a Notice of Application this week, a copy is attached. Project: LP-07-00040

Can the CDS require Big Buck Ridge to enter into a Road Maintenance Agreement for both the road and the gate as part of the plat approval?

Additional traffic and heavy equipment will further degrade the road, and anyone who benefits from the road and gate, should be required to pay for the use and maintenance.

There are 29 lots in Cle Elum Ridge and 14 lots in Meadow Ridge, all of whom will participate in the Road Maintenance Agreement. The additional 14 lots for Big Buck Ridge means 24% of the total lot owners may not be required to pay for maintenance.

Background:

This property is not a part of Meadow Ridge or Cle Elum Ridge (section 23). Sapphire Skies sold the 25 acres to the Andrus in 2002 (?). The Andrus have legal access to the private road up Montgomery, but they purchased the property before the Road Maintenance Agreement was put in place with Sapphire Skies and Section 23 with Dave Berry.

Cle Elum Ridge property owners & Sapphire improved the road from 3rd street, up Montgomery, Deer Creek Road and Big Tail road in 2006 or 2007 by paving it and building a nice monument entrance gate. The costs for this was shared by Section 23 lot owners (Cle Elum Ridge) and Sapphire Skies (before any Meadow Ridge Lots were sold). This has certainly improved our land values and provided some security having a gate.

The Andrus' were asked to participate in this endeavor but refused the initial cost as well as the annual road maintenance fees, including snow removal. The Andrus offered to participate in 2007 if we would not oppose their long plat that included 14 – 1 acre lots. We countered that they subdivide to 5 acre lots in keeping with the rural atmosphere. In exchange, we would not oppose the plat. Nothing was resolved, and the Andrus have not paid for road and gate maintenance. I will mention that when the gate has been damaged or broken, Cory has attempted to service the gate himself.

I sent an email to the Andrus' 2/12/15 and also left a voice mail & text for Wayne Nelson, who now represents the Andrus' to find out what their intent is, in regards to the Road Maintenance. I have had no response from either.

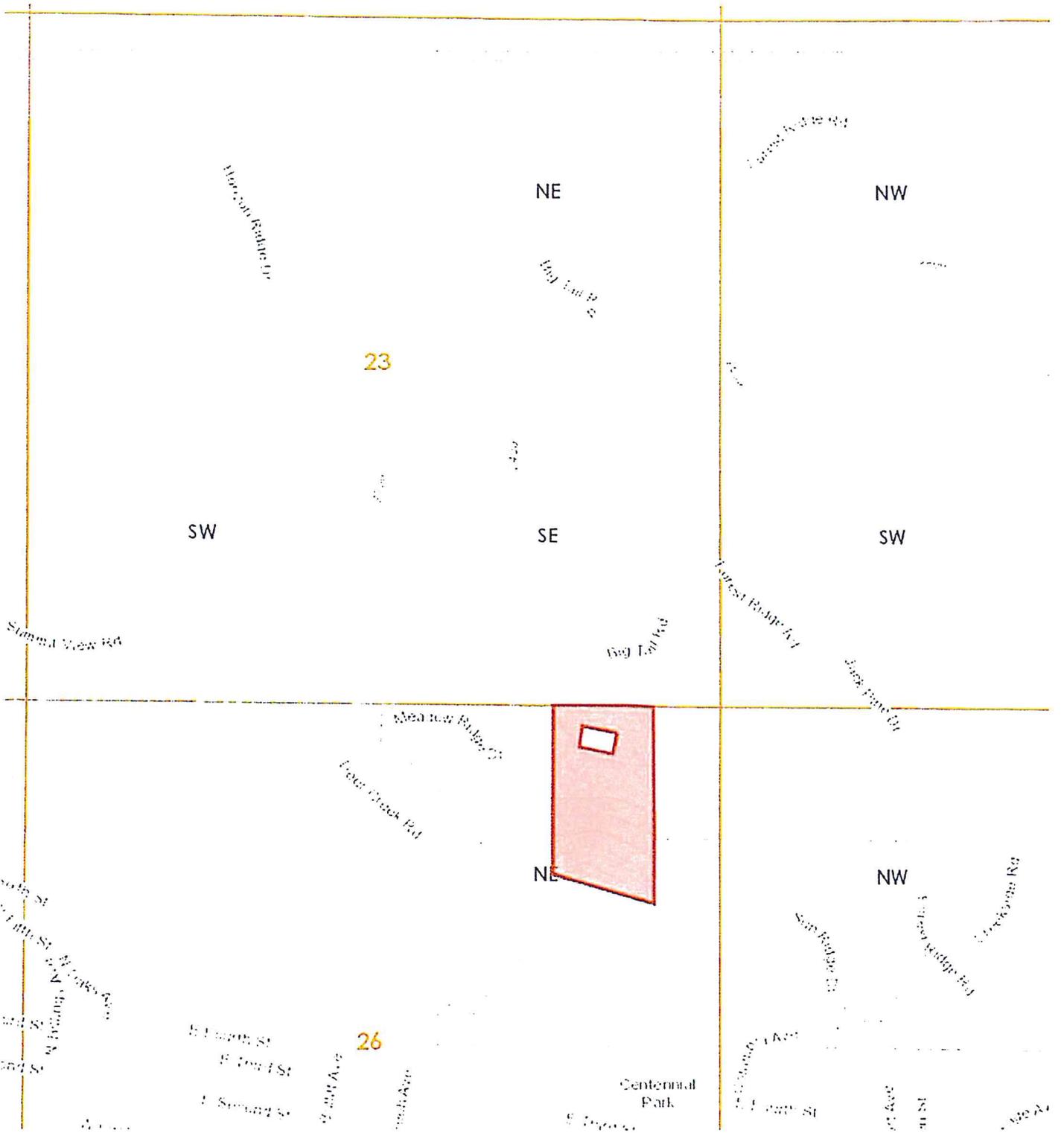
As a side note, the Big Buck Ridge (BBR) plat has a road variance in the submittals. This plat can actually access thru Columbia or 6th and not access through Montgomery. The plat entrance is right next to where Columbia/ Sun Ridge pops out. I'm not an expert at these types of items, but in reading the

variance, it assumes that eventually, the easement over Deer Creek will be widened to meet code. It isn't widened right now so the plat should be refused, in my opinion.

Here is the map of Section 23 (Cle Elum Ridge owners) and Meadow Ridge, who have PAID for the paving and maintenance of the road, and the location of Big Buck Ridge, who have NEVER paid for any part of the paving OR the gate.

What recourse do we have to impose at least a road maintenance agreement with us as part of a good neighbor effort, or, to make them use Columbia and cut them off from using Montgomery?

I don't know if the Andrus rights to the road is transferable.....who do I talk to about that?



Jeff Watson

From: Kay Muhlbeier <kmuhlbeier@comcast.net>
Sent: Friday, February 13, 2015 12:43 PM
To: Jeff Watson
Subject: Re: Project: LP07-00040 Big Buck Ridge
Attachments: Big Buck Ridge LP07-00040.docx

Hi Jeff,

Wayne no longer works for Encompasses so I don't know if he is the rep for the Andrus anymore.

I think you are the person I need to talk to. I am here in Redmond, but my cabin is next door to Andrus in Cle Elum and I have a vested interest in this plat.

Since we are having trouble connecting, I will provide some more details regarding my question. If you look at the map, you can see where all the pieces come together. We have paid for the paving of the road all the way from 3rd street up to the top of Big Tail. See where their entrance to their plat is, it should be required they do NOT use Big Tail road. The Andrus refused to pay for any part of the paving or the gate and have not participated in the maintenance fees for either.

Background:

This property is not a part of Meadow Ridge or Cle Elum Ridge (section 23). Sapphire Skies sold the 25 acres to the Andrus in 2002 (?). The Andrus have legal access to the private road up Montgomery, but they purchased the property before the Road Maintenance Agreement was put in place with Sapphire Skies and Section 23 with Dave Berry.

Cle Elum Ridge property owners & Sapphire improved the road from 3rd street, up Montgomery, Deer Creek Road and Big Tail road in 2006 or 2007 by paving it and building a nice monument entrance gate. The costs for this was shared by Section 23 lot owners (Cle Elum Ridge) and Sapphire Skies (before any Meadow Ridge Lots were sold). This has certainly improved our land values and provided some security having a gate.

The Andrus' were asked to participate in this endeavor but refused the initial cost as well as the annual road maintenance fees, including snow removal. The Andrus offered to participate in 2007 if we would not oppose their long plat that included 14 – 1 acre lots. We countered that they subdivide to 5 acre lots in keeping with the rural atmosphere. In exchange, we would not oppose the plat. Nothing was resolved, and the Andrus have not paid for road and gate maintenance. I will mention that when the gate has been damaged or broken, Cory has attempted to service the gate himself. I sent an email to the Andrus' 2/12/15 and also left a voice mail for Wayne Nelson, who now represents the Andrus' to find out what their intent is, in regards to the Road Maintenance. I have had no response from either.

As a side note, the Big Buck Ridge (BBR) plat has a road variance in the submittals. This plat can actually access thru Columbia or 6th and not access through Montgomery.

The plat entrance is right next to where Sun Ridge pops out. I'm not an expert at these types of items, but in reading the variance, it assumes that eventually, the easement over Deer Creek will be widened to meet code.

It isn't widened right now so the plat should be refused, in my opinion.

I have attached a word document with some of the facts with the map so you can see how unfair this is to all of us who have paid hard earned money for a road that the Andrus has not shared in.

I will come to Cle Elum to meet with you , if we can pin a time.

Kay
206-9546434

From: "Jeff Watson" <jeff.watson@co.kittitas.wa.us>
To: "Kay Muhlbeier" <kmuhlbeier@comcast.net>
Sent: Friday, February 13, 2015 11:56:39 AM
Subject: RE: Project: LP07-00040 Big Buck Rldge

Wayne's Contact info

<http://www.encompasses.net/images/resumes/wayne.pdf>

Jeffrey A. Watson
Planner II
Kittitas County Public Works/Community Development Services
411 North Ruby
Ellensburg WA 98926
jeff.watson@co.kittitas.wa.us
509-933-8274

From: Kay Muhlbeier [mailto:kmuhlbeier@comcast.net]
Sent: Thursday, February 12, 2015 3:02 PM
To: Jeff Watson
Subject: Re: Project: LP07-00040 Big Buck Rldge

Hi Jeff,
I left another voice mail for you.
I really would like some of your time to review this proposed plat.

Mr. Andrus has legal access to OUR private road off Montgomery onto Big Tail Road, but I believe the 14 lots in the proposed Big Buck Ridge plat should *not* be granted access to the private road off Montgomery.

There are two private roads that do have a 60ft easement off of Columbia that spits out at Big Buck Road, as stated in their variance. This plat should be required to use it and not Montgomery.

The Big Tail Road runs through my property and my property is adjacent to Mr. Andrus. I do not want to see the increased traffic due to these 14 lots.

Big Buck Road is a spur off of Big Tail.

Mr. Andrus has refused to pay maintenance on the road for improvements, snow removal, and all other maintenance pertaining to this, including the asphalt and gate.

The owners in Cle Elum Ridge purchased in our community to keep the lands in a rural state, therefore we have minimum 20 acre lots. One acre lots are not acceptable for our community.

My husband, Jim Muhlbeier, and several of our neighbors objected to this plat in 2007, and nothing has changed in our view.

The value of the said property has been increased due to our hard work and expense of putting in this road, and I object to the plat, but I especially object to the non participation with the road maintenance.

I propose the County/City require at a minimum, that Big Buck Ridge be required to participate in our Road Maintenance agreement.

Both the Cle Elum Ridge and MEadow Ridge shared the costs to improve the road from 3rd street all the way up to the top of Big Tail Road with asphalt and a gate.

This would be the neighborly thing to do.

I further propose that Big Buck Ridge road access should be through 6th and Columbia and not Montgomery.

The road variance that was submitted should be challenged. It states that Deer Creek that has a 30ft easement will eventually have a 60ft when other developments go in.

As far as I know, it is still a 30 ft easement and just saying that it will happen one day, doesn't make it true.

There are two other private road accesses off 6th and Columbia which are primitive roads, and this new plat will never use them.

I beg of you to help me find a way to protect our private road off of Montgomery.
I don't know all the ins and outs of this process, and could use some guidance.

Thank you
Kay Muhlbeier
206-954-6434

From: "Kay Muhlbeier" <kmuhlbeier@comcast.net>
To: "jeff watson" <jeff.watson@co.kittitas.wa.us>
Cc: kmuhlbeier@comcast.net
Sent: Thursday, February 12, 2015 8:58:48 AM
Subject: Project: LP07-00040 Big Buck Ridge

Good Morning Jeff:
Could I set up a time to have a call with you tomorrow, Friday?
It is regarding the subject plat.

Please let me know what time works for you.
how about 8:00 am?

Can you provide the contact info for Wayne Nelson?

thank you

Kay Muhlbeier
206-954-6434

1. I have reviewed the EIR and the proposed Final EIS for the Big Buck Ridge
project and am in agreement with the proposed Final EIS. I have reviewed the
EIR and the proposed Final EIS and I am in agreement with the proposed Final EIS.

Kay Muhlbeier
206-954-6434

Jeff Watson

From: Kay Muhlbeier <kmuhlbeier@comcast.net>
Sent: Sunday, February 22, 2015 9:44 AM
To: Jeff Watson
Cc: Don Owens; Skvarla, Joe; McKim, Ken; MacDuff, Dave; Suman, Margaret; Kevin & Roiann Daly; Newton, Jon; Chapman, Karma; Kim & Shirley Person; Person, Kim & Shirley; Dave Berry; MacDuff, Sara
Subject: Comments on Big Buck Ridge L07-00040
Attachments: Big Buck Ridge LP07-00040 February 20, 2015 comments.docx
Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jeff,

Please find my additional comments regarding the subject long plat on the attached document.

Please ask the review board to consider the impact Big Buck Ridge will have to our entire community in Section 23 and Meadow Ridge.

It is not just a long plat just off a city road, it is a plat that would reside inside an existing community and has a road easement for one home owner on a private road that runs through my property. An additional 13 home owners should not have the same easement and therefore this is not a viable development.

I oppose this long plat.

There are 29 lots in Section 23 for a total of 600 acres.

The owners I have copied on this email represent 20 lots in Section 23, Cle Elum Ridge.

If at a minimum, all of them provide their own comments to oppose this long plat, that is 70% of the lots in Section 23 who oppose this plat.

There are probably more, and I cannot speak to the 14 property owners in Meadow Ridge.

Thank you for your consideration.

Kay Muhlbeier
691 Big Tail Road
Cle Elum, WA 98922

Mailing Address:
21403 SE 16th place
Sammamish, WA 98075

Comments on Big Buck Ridge LP-07-00040

Prepared by: Kay Muhlbeier

Relationship to Andrus: Muhlbeier's 22 acres is adjacent to the Andrus property in Cle Elum Ridge, Section 23, the road access cuts through my property.

Please reject the proposed plat, Big Buck Ridge, LP-07-00040.

- Please review this plat under the zoning requirements that apply today, not from 8 years ago when this was originally submitted. The intent of the zoning is to protect our environment and properties. Please look at it with the knowledge and zoning we have today, and not through the zoning that was in place 8 years ago. The zoning was changed for good reason.
- Consider the affects it will have on those of us with deep water wells. Water is a precious commodity in Eastern Washington. Additional 13 lots drawing from a Group B water system may impact my ability to get water from my 700 ft, 2 gallons a minute well, but will impact the county in general.
- The Traffic Impact to our small, private community would increase by 24%, since there will be 24% more lots accessing our private road. The Traffic Impact study should be re-evaluated. It is not complete and assumes variances. With the change in zoning, no variances should be allowed for this plat. The increased noise would be heard by all of us, but especially by Meadow Ridge and myself. Heavy equipment for the infrastructure and ultimately the building of homes would be increased, traffic noises increased and so on. By my estimates, 13 lots means at least 26 drivers, not to mention the additional family members and guests this would bring. The traffic would be traveling on a private road that was paid for by Section 23 and Meadow Ridge and was not funded by the Andrus, with no plans to help with the maintenance.
- The stars at night seen from Cle Elum Ridge are phenomenal. Adding 13 more homes in our area brings more lights and ultimately affects the Dark Sky.
- Section 23, Cle Elum Ridge, was designed to be kept in a rural state. The CCR's in Section 23 have a minimum lot size of 20 acres in order to preserve this for a total of 600 acres. A private road that provides access to Section 23 also provides access to a 25 acre development, Meadow Ridge, and to the Andrus' 25 acres. Part of the private road, Big Tail Road, cuts through my property, and my property is adjacent to both Meadow Ridge and the Andrus land. When we purchased the property in 2004, it was in part due to the large lots, private road and rural atmosphere. Most of us in Section 23 share these values.
- If the county approves Big Buck Ridge, not only are you approving the degradation of the land into an additional 13 lots (Andrus house being the 14th), you are also approving the 13 lots to use the PRIVATE road. Although the use of a private road may not be under your jurisdiction, the approval of the additional lots directly impacts the road use for all their neighbors and hopefully, is a part of your decision process. It is not just about the width of the road, or the number of access points, the traffic would be greatly increased in our community.

There are 28 or 29 lots in Section 23 , Cle Elum Ridge, for a total of 600 acres and 14 lots in Meadow Ridge on 25 acres, all of whom have legal access to the private road up Montgomery, who are required to participate in the Road Maintenance Agreement. The Andrus property is neither part of Meadow Ridge or Section 23 CCRs. The additional 14 lots for Big Buck Ridge means 24% of the total lot owners *may not be required* to pay for maintenance, electricity to the gate, lighting at the gate, snow removal etc. The burden is shouldered by the rest of the community. Even if they were to join the Road Maintenance Agreement, I oppose the long plat for all the reasons stated herein.

This property is not a part of Meadow Ridge or Cle Elum Ridge (section 23) yet does have an easement to use our road. Sapphire Skies sold the 25 acres to Andrus in 2002. The Andrus have legal access to the private road up Montgomery, but they purchased the property without signing the Road Maintenance Agreement which was put in place with Sapphire Skies and Section 23. Since 2002, the Andrus have been asked to join the Road Agreement, but never followed through.

In 2007 or 2008, Cle Elum Ridge property owners & Sapphire improved the road from 3rd street, up Montgomery, Deer Creek Road and Big Tail road by paving it and building a nice monument entrance gate. The costs for this was shared by Section 23 lot owners (Cle Elum Ridge) and Sapphire Skies (before any Meadow Ridge Lots were sold). This has certainly improved land values and provided some security to all of us by having a gate.

The Andrus' were asked to participate in this project but refused to pay for their share of the road and gate as well as the annual road maintenance fees, including snow removal.

Since the BBR plat was initially submitted in 2007, Kittitas County has changed the zoning, and if submitted today, it would be rejected. Performance based clusters plats have been removed.

However, since the time of the submittal in 2007, the County asked for additional information, and it was considered open and still viable, until the response was receive. This was a technicality. One of the items requested was a Traffic Impact Analysis, that was submitted just last year. This was technically deemed 'complete' since this was submitted. However, it is subject to interpretation. Please review this in detail and its impacts to all of the properties in Section 23 and Meadow Ridge.

Kittitas County is committed to protecting our rural areas. BBR does not meet that intent.

Section 23 has a minimum 20 acre lot requirement to maintain and protect the rural area, and wild life. There are numerous elk, deer, bear, cougar, wild turkeys and others that roam our hills. As an owner, that is important to me and my family.

Please review the impact Big Buck Ridge will have to our entire community in Section 23 and Meadow Ridge. It is not just a long plat that is off a city road, it is a plat that resides inside an existing community and has a road easement for one home owner on a private road that runs through my property. An additional 13 home owners should not have the same easement and therefore this is not a viable development.

Jeff Watson

From: Kaycee Hathaway
Sent: Thursday, February 12, 2015 4:38 PM
To: Jeff Watson
Subject: FW: LP-07-00040 Big Buck Ridge comments PH
Attachments: LP-07-00040 Big Buck Ridge comments PH.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Kaycee K Hathaway
Kittitas County
Community Development Services/ Planner I
Phone: (509) 962-7079
Email: kaycee.hathaway@co.kittitas.wa.us

From: Holly Myers
Sent: Thursday, February 12, 2015 4:33 PM
To: Kaycee Hathaway
Subject: LP-07-00040 Big Buck Ridge comments PH

Saved in T drive.

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14



Memo

To: Kaycee Hathaway, CDS

From: Holly Myers, Environmental Health Supervisor

Date: 2/10/2015

RE: LP-07-00040 Big Buck Ridge

Thank you for the opportunity to comment on the abovementioned long plat.

The submittal ~~indicates~~ shows the applicant intends to set up a Group B water system to serve 14 lots. Individual onsite sewage systems will need to meet Kittitas County code requirements. ~~set-back requirements and site plans must include measurements and locations for water and sewer services.~~

Prior to receiving **final approval** for long plats in Kittitas County, applicants shall be required to show written findings of the adequacy of potable water supplies. Kittitas County Public Health Department (KCPHD) requires the one of the following options as evidence of written findings of a potable water supply:

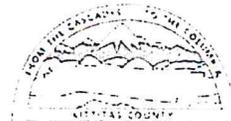
1. GROUP B PUBLIC WATER SYSTEM: Applicants shall provide the following for Group B Public Water Systems:

- ~~a. have a~~ a well site inspection performed by KCPHD staff and the well(s) drilled;
- ~~b. complete~~ Complete and submit a Group B Public Water System Workbook to either KCPHD for water systems with 3-9 connections or Washington State Department of Health (DOH) for water systems with 10-14 connections;
- c. Contract with an approved Kittitas County Satellite Management Agency.

~~±~~ All infrastructure for the Group B Water system including the well house and storage tanks must be completed or the developer/owner can bond for completion. Final approval of



the Group B Public Water System including issuance of the public water system ID number from DOH is required prior to recommendation by KCPHD for final plat approval.



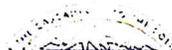
507 N. Nanum St. Suite. 102 · Ellensburg, WA 98926
T: 509.962.7515 · F: 509.962.7581
www.co.kittitas.wa.us/health/



507 N. Nanum St. Suite. 102 · Ellensburg, WA 98926
T: 509.962.7515 · F: 509.962.7581
www.co.kittitas.wa.us/health/



507 N. Nanum Street, St. 102 · Ellensburg, WA 98926
T: 509.962.7515 · F: 509.962.7581
www.co.kittitas.wa.us/health/



Jeff Watson

From: Gary Kasowski <aspengk@gmail.com>
Sent: Monday, February 16, 2015 9:35 AM
To: Jeff Watson; Gary Kasowski
Subject: Big Buck Ridge

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff,

I have several concerns regarding the proposed Big Buck Ridge development.

1. Access to the development from Yakima Avenue, Who pays for the street improvements needed to facilitate this access? Will the County require curb, gutter, and sidewalks as well as parking stalls to support the city park and the community gardens that lays just east of Yakima Avenue? The park gets a lot of use by young students who practice for different sports as well as town folks use the gardens. Parking for these activities will need to be addressed.
2. Fire protection, how will fire trucks and tankers be able to get to those houses up on the ridge in the winter time? Where is the water coming from to fight those fires, what about medical response in winter conditions?
3. Water access, is the development getting it's water from a well or the City of Cle Elum? Either way, would not a storage tank, well pump, and related equipment be required, are fire hydrants that meet flow requirements going to be included? Does the owner have water rights to draw that much water from a well?
4. Sewers, is each home going to have it's own septic system and drain field? after years of use, will effluent from these drain fields work there way into the water supply?
5. Traffic impacts, with the possibility of fourteen homes being built, there could be more then a 100 vehicles a day going up and down Yakima Avenue, combine that with the traffic that is created by the Senior Center located at Yakima and Third street, what street improvements will be required and who has to pay for them?
6. What about water run off, with the development of streets, driveways, buildings, and such, runoff is going to need to be addressed. Will storm water retention be required, where will the over flow go besides down hill?
7. The Daily Record stated the county staff is saying "the project will not have a probable significant impact on the environment". How can that be with all of these issues at hand?

Please include my concerns into the public comment and please keep me notified of any additional opportunity of public input.

Thank you,

Gary Kasowski

Jeff Watson

From: Allen & Lan Jones <ahjones@comcast.net>
Sent: Monday, February 16, 2015 12:41 PM
To: Jeff Watson
Cc: Adam Burnett; Danny Clifton; Max Firl; Christine Johnson; Diana Kamla; Thomas Kamla; Allison Kimball; John Remeto; Liz Remeto; Bryce Harem; Shannon Jordan; Jon Newton; Kay Muhlbeier
Subject: Big Buck Ridge Development

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson
Designated Permit Coordinator
Kittitas County
Community Development

Dear Mr. Watson,

We own lot #6 in the Meadow Ridge development which is accessed by Montgomery, Deer Creek, and Big Tail Road above the city of Cle Elum.

We have learned that Cory and Becky Andrus have applied for a long plat of 25 acres called Big Buck Ridge. This land is also accessed by Big Tail Road.

Meadow Ridge and Section 23 land owners currently pay to maintain the access from Montgomery/Deer Creek and Big Tail Road. We also maintain a gate which controls access to Big Tail Road.

We are writing to ask that if the County approves the Big Buck Ridge development you require the owners to enter into a Road Maintenance Agreement with Meadow Ridge and Section 23 property owners for maintenance of the private roadway and gate that provide access to Big Buck Ridge.

Thanks for considering our request.

Allen and Lan Jones
Meadow Ridge Lot Owners
1445 Ridgeview Loop SW
Tumwater, WA 98512
360 357-7684

Jeff Watson

From: Liz Remeto <lremeto@radiantdelivers.com>
Sent: Monday, February 16, 2015 2:43 PM
To: Jeff Watson
Cc: Adam Burnett; Danny Clifton; Max Firl; Christine Johnson; Diana Kamla; Thomas Kamla; Allison Kimball; John Remeto; Bryce Harem; Shannon Jordan; Jon Newton; Kay Muhlbeier; ahjones@comcast.net
Subject: RE: Big Buck Ridge Development

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson
Designated Permit Coordinator
Kittitas County
Community Development

Dear Mr. Watson,

John and I purchased lot #13 in the Meadow Ridge development just this last summer and part of our decision to purchase this particular land was because of the road and gate accessing it as well as the minimal amount of traffic using the road. We understood that as owners of property in Meadow Ridge, we would be required to pay monies to maintain the road which is our access point from Montgomery/Deer Creek and Big Tail Road. We also understood that as owners of the property, we would be required to help keep the gate maintained and working. Along with the Meadow Ridge property owners, the Section 23 land owners also pay to maintain this access road and gate.

In an email we received this morning, we are being told that a notice went out to some of the property owners (we were not included in this mailing) regarding the application for a long plat of 25 acres called Big Buck Ridge by the Andrus family. This property is accessed off of Big Tail Road just after Meadow Ridge and the Muhlbeier driveway. Because the Andrus family purchased their land before a road maintenance agreement was created, we are told they are not obligated to join in the cost of maintaining the road. We have also been told that they have been approached when funds were needed, and they chose not to participate. Now they want to divide their land into 14 parcels, which could mean 14 more families using the road for free that has to be maintained by other private parties (meadow ridge and Section 23), not to mention the wear and tear on the road as these parcels are developed. It doesn't seem right that this would be allowed. This is why we are asking that you do further investigation into the access point for this land and who is maintaining it.

We are hoping to break ground ourselves with our new home this spring. I don't believe that joining the road maintenance group (which is what we would suggest) would be a hindrance to the permit process for the Andrus family. All parties using the road should help in keeping it maintained.

Please let me know if you have received my email, as I know there is a deadline on receiving viewpoints on this long plat application and I want to make sure my voice was heard.

Thank you so much for your consideration.

LP-07-00040 Big Buck Ridge
John and Elizabeth Remeto
16604 Sylvester Road SW
Burien, Washington 98166
206-384-8419
206-384-8420

Comments from Liz Remeto

Page 2 of 2

Thank You!

LIZ REMETO

Director of Financial Reporting and Analysis

MAIN: 800.843.4784
DIRECT: 425.943.4510
FAX: 425.462.0768
EMAIL: lremeto@radiantdelivers.com

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Third Floor
Bellevue, WA 98004
www.radiantdelivers.com

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Jeff Watson

From: Christine Johnson <ridgecrest6@msn.com>
Sent: Monday, February 16, 2015 5:21 PM
To: Jeff Watson
Cc: Rick
Subject: RE: Big Buck Ridge and Meadow Ridge

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Watson,

Rick and I purchased lot #10 in the Meadow Ridge development in the spring of 2014 and believed that all of the people that used the road would be taking part in the maintenance of it.

We received notice that there is a new development being talked about that would use our road and our gate but not be required to pay any maintenance.

That is wrong.

How would you feel if someone used what you paid for and was not required to participate in the cost of maintenance?

Please review the subdivision of Big Buck Ridge and consider the consequences of going forward without further investigation and dialogue between the existing properties called Meadow Ridge.

Thank you.

Rick and Christine Johnson
1014 Silver Springs Way
Stanwood WA 98292
360-629-3195

Sent from Windows Mail

Jeff Watson

From: adam burnett <adamrmk@hotmail.com>
Sent: Monday, February 16, 2015 5:51 PM
To: Jeff Watson
Subject: Meadow Ridge

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson
Designated Permit Coordinator
Kittitas County
Community Development

Dear Mr. Watson, I am sure you have been inundated with emailed from property owners in the meadow ride development about the family trying to split there 25 acres in the lots and there refusal to help pay for the road maintenance and up keep of the private entrance gates, it appears they have 2 easements to there land and of cores they want to use the one that someone ells has paid for, for free as well as disturbance to the other land owners, please take this in to consideration while trying to help them with there plans,

Thanks
Adam Burnett
420 meadow ridge
drive.
253-740-3832.

Jeff Watson

From: Roiann Daly <dalyville@comcast.net>
Sent: Wednesday, February 18, 2015 1:35 PM
To: Jeff Watson
Subject: Comment on Project: LP-07-00040

To: Jeff Watson, Permit Coordinator/Kittitas County
From: Roiann and Kevin Daly
Date: 2/18/15

Dear Jeff or whom it may concern -

We own a home located at 1640 Big Tail Road, which is within a few hundred yards of the proposed development noted above. We purchased our property in 05/06 and build our home in 06/07. The family that is proposing the development cited above is well known to all of us within the community. I personally sat in on several meetings with the family and other representatives of the community during the initially proposal of the development of their property. There has been tremendous friction and disagreement between the Andrus family and surrounding members of the community. The Andrus family was apparently opposed to road improvements that were completed around 2007 on Montgomery/Deer Creek/Big Tail and refused to contribute to any of the costs. One of the meetings that I recall attending around 2007 was a discussion of their proposed project and potential opposition from neighbors. The issues of road access rights and road improvement costs were discussed. It was noted that the Andrus family had chosen not to contribute for any of the road improvements and had not paid any yearly road maintenance fees (snow plowing, etc). It was pointed out that they were using the services on a daily basis but letting their neighbors pay their share. In response to those concerns, the Andrus' looked at the group and indicated that they would start paying, if everyone signed a statement and agreed to support the development of their property. We all became quite upset at such a heavy handed response and basically the meeting was over. It has been several years since that time, and the Andrus family has not paid a dime toward road costs or maintenance - yet they continue to let neighbors pay for road upkeep, snow plowing, etc. There are many reasons why I strongly oppose the Andrus development, but the "bad neighbor" issue is one I can't ignore. Here is a family that was aware of the money spent to help everyone have better access to their property, yet has never contributed. What is so ironic is the fact that their proposal seeks to use Montgomery/Deer Creek/Big Tails Roads as primary access - the very roads that they have chosen not to support. Hopefully, their project will not be approved for a variety of reasons, but if it is, the Andrus family should have to seek access another way, perhaps via Columbia, and find out what it costs to build and maintain decent roads. I also question how a proposal that was initiated in 8/2007 remains "current" in 2/2015? Many things have changed in almost a decade and I would think that a project such as this would require a whole new application/review. Families in this area are not well served by an application that was proposed such a long time ago.

A primary issue I have regarding this project is water usage. We are all on wells in this area and our wells produce little water. During the last few summers, I have run my well dry with just normal type usage and worry greatly about the future. There is a multiple lot development just adjacent to the Andrus property and we are seeing new homes going up. I question how these type of developments will impact the water supply and how long before existing homes experience a serious shortage. Hopefully, Kittitas County officials are taking these water concerns seriously and are mindful of such a limited resource when considering such developments.

We purchased land in this area in order to enjoy the natural resources, such as forests, wildlife and solitude. If the Andrus development is approved, there will be a huge impact to these benefits which can never be restored.

As I have tried to express, there are many issues that are unresolved regarding the Andrus development. These issues will have a serious impact to the families living in this small community and for generations to come. I am asking county official to deny approval of this project until basic issues such as road access/easements, maintenance agreements, and water issues are resolved.

Sincerely,

Kevin and Roiann Daly
1640 Big Tail Road
Cle Elum



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

February 20, 2015

Jeff Watson
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

February 24, 2015
Original in File

Re: LP-07-00040

Dear Mr. Watson:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Big Buck Ridge, a performance based cluster plat application to create 14 one acre parcels and approximately 11 acres of open space on approximately 25 acres, proposed by Becky Andrus. We have reviewed the documents and have the following comments.

WATER RESOURCES

No water right records associated with this property were found in the Central Regional Office.

In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes, stock watering or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development because in combination, the withdrawal will exceed the exemption criteria.

All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located



Mr. Watson
February 20, 2015
Page 2

within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

If you have any questions or would like to respond to these Water Resources comments, please contact **Jacquelyn Metcalfe** at (509) 457-7148 or email at jacquelyn.metcalfe@ecy.wa.gov.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Ray Latham** at the Department of Ecology, (509) 575-2807, with questions about this permit.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

Jeff Watson

From: Jan Thompson <jatmlg98@gmail.com>
Sent: Saturday, February 21, 2015 7:31 PM
To: Jeff Watson
Subject: Comment on Project LP-07-00040, Big Buck Ridge

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Watson,

I have property within the Cle Elum Ridge Dev., Section 23 and am opposed to the plat application submitted by Ms. Andrus for the following reasons:

- 1) Most of the lots in the area are minimum 20 acre for the purpose of maintaining a rural environment. 14 cluster platted 1 acre lots does not meet the original intent. Even Ms. Andrus original 25 acre lot was established to maintain that rural environment.
- 2) 14 more lots means more water taken out of the already thin aquifer. Cle Elum Ridge is all clay. Because of the clay many wells are poor performing. 14 more households will impact existing wells.
- 3) The Andrus long plat proposes to use the Big Tail Rd. to access the Big Buck Ridge projects. Other owners in the area use this road. The Andrus' have refused to help the other neighbors with road maintenance since 2002. They refused to help pay for the asphalt in 2006-7. They have refused to help pay for the maintenance and snow removal even though they have been living and using that road since 2003. Andrus project does not address cost sharing of Big Tail Rd. for the new 14 clustered 1 acre plots. This will end in neighborhood disputes and ill will.

Thank you for your time and please consider the impact to existing home and landowners when considering the Andrus project.

Mike Glain
701 Horizon Ridge Dr.
Cle Elum, Wa

--

Jan N Mike

Jeff Watson

From: Maren L McDonald <MLMcDonald@drhorton.com>
Sent: Saturday, February 21, 2015 8:32 PM
To: Jeff Watson
Cc: 'Brad Deaver (braddeaver@comcast.net)'
Subject: Cle Elum LP-07-00040

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Jeff,

I own parcel C-5 in Meadow Ridge. I wanted you to know that I support the subdivision of the Andrus property on Big Buck Road, but want to make sure everyone pays their fair share for the road we all help maintain and use. In fact, it is disturbing to find out that they are currently not paying their share of the road now.

Thank you!

Maren L. McDonald

Community Sales Manager

Cell: 206.940.1269

Fax: 866.846.2839

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Jeff Watson

From: Matt Clark <matti.clark@gmail.com>
Sent: Sunday, February 22, 2015 5:24 PM
To: Jeff Watson
Subject: LP-07-00040 Big Buck Ridge Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson

Designated Permit Coordinator

Kittitas County

Mr Watson:

These comments and request are in reference to application "LP-07-00040 Big Buck Ridge." Please decide in favor of the neighbors of Big Buck Ridge to now allow development to continue without their participation in the Road Maintenance Agreement with Meadow Ridge and Section 23 property owners. So long as the Montgomery road route is the primary access to the Big Buck Ridge development, owners invested within that development should be expected to pay for the wear and tear they represent to that shared infrastructure, as well as security and status it adds to their development.

There is an obvious and well-established precedent in taxation and usage fees (e.g. tolls) where the government expects the citizenry to pay for shared infrastructure. If the infrastructure above Montgomery road were a County asset it would be funded from a common pool of income generated from all the residents, regardless of their use or personal desire to support it. We are simply asking for the County to apply their well-established pattern to this issue.

If Big Buck Ridge were to develop and use alternate access routes outside the Road Maintenance Agreement (RMA), such as Columbia or 6th as stated in other documents, and if the roadway in dispute is limited to emergency access only, it may then be reasonable to consider their exclusion from the RMA.

Big Buck Ridge's commitment to the Road Maintenance Agreement is not an unreasonable request. If the roads governed by the RMA did not exist then Big Buck Ridge would by default have to create and maintain access to their development. According to the SEPA submission Big Buck Ridge will likely contain "middle to high-income" families. The cost of the RMA "dues" is a minor expense compared to the income levels expected.

The impact to the Meadow Ridge /Section 23 RMA is not trivial. Current traffic levels are low due to the fewer participants, many of which are occasional use only. An estimated 24% increase in occupants that are more full-time, producing maybe 140 trips per day plus additional demand for public services, such as school buses, represents a significant increase. Without Big Buck's

participation the existing Meadow Ridge /Section 23 owners will have to absorb a proportionally large impact. This would also seem to open the Meadow Ridge /Section 23 owners to liability for road-related issues when the existing owners may not have been the cause of any contributing factor.

Meanwhile, the HOA's continued investment in the road, security gate and other associated features only serve to enhance the brand, property values, curb appeal and reputation that Big Buck Ridge will benefit from.

We are asking county officials to deny approval of this project until this potential injustice has been rectified.

Thank you for your attention to this matter.

Marcee and Matt Clark

Jeff Watson

From: Kim Person <kimperson@live.com>
Sent: Sunday, February 22, 2015 7:46 PM
To: Jeff Watson
Cc: Kim Person; shirleyperson@live.com
Subject: neighbor opposed to LP-07-0040
Attachments: Scan_Doc0821.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff,

My name is Kim Person, My wife Shirley and I are neighbors to the Proposed Big Buck Ridge Cluster. Please include attached letter in file of those opposed to above Plat.

Thank you,
Kim Person
425-577-3082

To: Kittitas County Community Development Services
Attn: Mr. Jeff Watson, Staff Planner
RE: Project File Number LP-07-0040
Project Name: Big Buck Ridge

Dear Mr. Watson:

My Wife and I purchased Lot #4 Section 23 Cle Elum Ridge in 2005.

Our Parcel is directly across Big Tail Rd from the Andrus property, since Feb 2006 we have hand cleared the entire property of slash and debris, re forested, extended power to property developed plans to build.

We needed to prove there was water availability to build so we obtained paperwork to construct a well from Dept. of Ecology (BIG ONE) and drilled a well, Then years later paid an additional 10 K for a water right so we could use our well. Will this plat have to pay 14x 10,000.00 to obtain water? They should, we did. Designed a septic system, participated in improving the road to Montgomery, Participated in installing a gated entry.

Since 2008 our parcel has set dormant as I lost my job, and now in 2015 only thru perseverance hard work and selling other assets can I get caught up with my obligation Home Owner's dues and road maintenance.

We are opposed to the cluster plat that has been applied for by the Andrus's .

14 additional parcels will add to the already limited water supply.

14 parcels will add undue hardship on existing property owners that maintain private road.

14 parcels will add more surface water issues, where mud slides have already occurred.

14 parcels will compound the already congestion at S curve at Deer Creek.

Please Note: Surface water is already making its mark on drainages along access road.

Needless to say we are opposed to any more freeloaders driving(undue hardship) on an improved road Privately maintained (Not County Maintained) especially when the developer and the county know there was a mistake made in regards to maintenance of an easement road. I am not afraid to say that the Andrus's are looking for a free ride and have been consistent about it for years!

Sincerely,

Kim and Shirley Person

Jeff Watson

From: Skvarla, Joe <Joe.SKVARLA@redhawkus.com>
Sent: Monday, February 23, 2015 12:27 PM
To: Jeff Watson
Cc: Christina Wollman
Subject: Comments on Big Buck Ridge L07-00040

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jeff,

This email is in regards to the proposed Andrus Big Buck Ridge plat L07-00040.

I am writing as the (co)owner of the following parcel in Section 23: Parcel 7A (20-15-23052-0001).
Owners: Lisa and Joe Skvarla, 5026 42nd Ave SW, Seattle, WA 98136



While we oppose the entire plat due to its bringing an urban environment into a rural setting, this email is specifically as respects maintenance of the road from 3rd in Cle Elum, up Montgomery, Big Buck, and to their entry. This includes passing through an electric gate on Montgomery. This entire paved road as you know is a private road. It was built to Kittitas County standards as respects width and other points in the Kittitas road standards documentation back in 2007-2008 timeframe.

Being a private road, it is not maintained by the county nor the City of Cle Elum. It is maintained, along with the entry gate, jointly between the owners of Cle Elum Ridge (Section 23), and Meadow Ridge (a Sapphire Skies community). We have an existing road maintenance agreement in place and have shared road and gate expenses over the past several years per this agreement.

It is my understanding that the current Andrus property as it stands was exempt (through error) from the road maintenance agreement. Over the years we've paved the road (>\$75k), installed the electric gates (\$50k), and paid for snow removal. The Andrus property has not paid into any of these expenses.

Going forward the additional properties they wish to sell (14 more) will add significant traffic to the road, probably increasing it by 30% or more. This increase in traffic, including potential construction equipment, will have a huge impact on the road surface. Maintenance costs will be accrued on the road itself, and possibly with the gate due to

additional use. Without requiring these additional lots to be signatory on the road maintenance agreement, all this added cost will be put onto the owners of Cle Elum Ridge and Meadow Ridge. That obviously will not lead to anything good happening between neighbors 😊!

The roads were built to County Standards to allow for emergency services (fire, police, medical). They need to be MAINTAINED to county standards as well. That maintenance should fall on all of those who use the road.

Please require (if this plat is allowed to move forward) that these additional lots MUST sign onto the (revised) road maintenance agreement for both the roads and the gate. Otherwise there will be decreased accessibility for emergency services. As an option – please deny egress from Montgomery to these properties. They can develop their own egress from Columbia.

Regards,

Lisa and Joe Skvarla
5026 42nd Ave SW
Seattle, WA 98136
(206) 552-3615

Jeff Watson

From: Brian Rogers <iam@brianr.me>
Sent: Monday, February 23, 2015 3:56 PM
To: Jeff Watson
Subject: Project: LP-07-00040 - 25 acres, Big Buck Ridge, access is off Big Tail Road

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jeff,

I wanted to reach out to you about project number LP-07-00040 and make sure that some items get covered in the requirements of this project. I am currently a land owner at 0 Lot 3 Big Tail Rd, Cle Elum Ridge. What I want to make sure of, among many things, is that the new project takes into account road maintenance. This has been quite a big issue in many ways for the HOA and myself. The cost is always higher with more traffic if these other properties do not contribute to the upkeep. In addition we are still having problems with adjacent roads not securing their gates. This has created quite a bit of trespassing on my property in particular. In some cases people are, incorrectly, lead to believe that the upper and lower parts of my property are easements.

My concern would be to ensure these types of issues are correctly addressed early as the cost to current owners would be a lot more after the work has completed.

Please let me know if there is any additional information I can provide.

Sincerely,
Brian Rogers
Cell: 908-625-4589

Jeff Watson

From: Margaret Suman <MSuman@cablelang.com>
Sent: Monday, February 23, 2015 6:10 PM
To: Jeff Watson
Cc: Walt Suman; dmacduff@oakpointe.com
Subject: Project Name: Big Buck Ridge, Project File No. LP-07-00040

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson
Staff Planner
Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: Project Name : Big Buck Ridge
Project File No. : LP-07-00040

Dear Mr. Watson:

You are, or will be today, in receipt of a letter from James C. Carmody, of Meyer, Fluegge, & Tenney, P.S., written on behalf of the Section 23 Property Owners on Cle Elum Ridge, In Kittitas County, in regards to the above noted Project.

My husband, Walter Suman, and I are co-owners of 66 acres on Cle Elum Ridge. With our friends and partners we have created three 22 acre parcels, and intend to keep the bulk of the property in forest land in order to facilitate the rural nature of the property, enhance the continued presence of wildlife there, and help preserve the natural beauty of the area.

We are, through this email, joining in the position and analysis set forth in Mr. Carmody's letter on behalf of the Section 23 property owners. In addition, we want to point out the inequities of the position taken by the Andruses in utilizing the roads on the Ridge while refusing to join in the expense of improving and maintaining the roads.

Thank you for your consideration of our comments.

Very Truly Yours,

Margaret and Walter Suman

Margaret Suman
Cable, Langenbach, Kinerk & Bauer, LLP
1000 Second Avenue, Suite 3500
Seattle, Washington 98104
206-292-8800

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Jeff Watson

From: Ken McKim <vkmckim@juno.com>
Sent: Monday, February 23, 2015 10:33 PM
To: Jeff Watson
Subject: Fw: Big Buck Ridge LP-07-00040

Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded Message -----

From: "Ken McKim" <vkmckim@juno.com>
To: Jeff.Watson@com.kittitas.wa.us
Subject: Big Buck Ridge LP-07-00040
Date: Tue, 24 Feb 2015 05:40:55 GMT

I am a parcel owner in the Cle Elum Ridge development (section 23) and am writing this letter to formally oppose the proposed Big Buck Ridge cluster plat just south of our development.

This project will produce much more traffic on Deer Creek and Big Buck roads than they were ever designed for nor certified up to the new county road standards. Increased road traffic, noise, light and maintenance issues will definitely reduce the quality of life that we all sought when we invested in our adjoining, large acreage (20 ac min) properties. This project will also have a detrimental effect on the native wildlife that currently abound in the quiet environment that we all work hard to maintain with minimal wildlife disturbance. That climate will surely deteriorate with the increased development density of BBR. The recent appearance of wolves on our parcels is prime evidence of the type of wildland-urban interface environment that the state is trying to maintain. It seems implausible that an endangered specie would continue to inhabit a noisy and disruptive environment that would result if the BBR project is allowed to proceed.

There are also the issues of road and gate maintenance and easements that need to be a requirement for any project, especially this one.

Kittitas County needs to step up and enforce its development and road requirements as currently mandated. This project is long past its submission expiration date and if not completely rejected, at least require compliance with current standards, road maintenance agreements and access through Columbia Ave only.

Sincerely,

Kenneth D McKim, DVM
Cle Elum Ridge lot 7-B, parcel no. 19166

Man, 63, Avoids Wrinkles

63 Yr Old Man Shares Simple DIY Skin Tightening Method He Uses At Home

<http://thirdpartyoffers.juno.com/TGL3141/54ec1b251baa91b25599cst03duc>

Jeff Watson

From: David MacDuff <davemacduff@gmail.com>
Sent: Tuesday, February 24, 2015 11:55 AM
To: Jeff Watson
Subject: Big Buck Ridge Plat Application LP-07-00040

Follow Up Flag: Follow up
Flag Status: Flagged

Jeff Watson

Staff Planner

Kittitas County Community Development Services

411 N. Ruby St., Suite 2

Ellensburg, WA 98926

Re: Project Name : Big Buck Ridge
Project File No. : LP-07-00040

Dear Mr. Watson:

You are, or will be today, in receipt of a letter from James C. Carmody, of Meyer, Fluegge, & Tenney, P.S., written on behalf of the Section 23 Property Owners on Cle Elum Ridge, In Kittitas County, in regards to the above noted Project.

My wife and I are co-owners of 66 acres on Cle Elum Ridge. With our friends and partners we have created three 22 acre parcels, and intend to keep the bulk of the property in forest land in order to facilitate the rural nature of the property, enhance the continued presence of wildlife there, and help preserve the natural beauty of the area.

We are, through this email, joining in the position and analysis set forth in Mr. Carmody's letter on behalf of the Section 23 property owners. In addition, we want to point out the inequities of the position taken by the Andruses in utilizing the roads on the Ridge while refusing to join in the expense of improving and maintaining the roads.

Furthermore, I would be surprised at any action by the county might take that would allow this inequitable position be exacerbated many-fold by allowing the creation of new lots that are similarly exempted from their fair-share maintenance and improvement costs. For your information, the property owners who fall under the road maintenance agreements within Cle Elum Ridge HOA have all spent ten's of thousands of dollars to improve the roads to their current condition. We face thousand more in repair and upgrade costs as the roads age, and fail, as Kittitas road will do. We even figured out an equitable roads solution with Sapphire Skies. Please don't allow a single property owner to enrich themselves at our expense.

So while we oppose the plat per Mr. Carmody's letters, we look to the county to protect the equitable interests of current property owners against inequitable future subdivisions.

Thank you for your consideration of our comments.

Very Truly Yours,

David MacDuff

Jeff Watson

From: Deborah Girard <Girard@mftlaw.com>
Sent: Tuesday, February 24, 2015 1:43 PM
To: Jeff Watson
Subject: Big Buck Ridge
Attachments: Watson letter 022415.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Watson, please see attached letter from James C. Carmody regarding the above-referenced matter.

*Debbie Girard
Paralegal to James C. Carmody
Meyer, Fluegge & Tenney, P.S.
230 S. 2nd Street
Yakima, WA 98901
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February 24, 2015

Via email only

Jeff Watson
Staff Planner
Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA 98926
Jeff.watson@co.kittitas.wa.us

Re: Project Name : Big Buck Ridge
Project File No. : LP-07-00040

Dear Mr. Watson:

We represent the property owners of The Cle Elum Ridge Community and provide these comments with respect to the Notice of Application for performance based cluster plat submitted by Becky Andrus requesting authorization to create 14 one-acre parcels and approximately 11 acres of open space. These comments will supplement comments provided by both clients and adjacent property owners.

A. Application is Not Vested to Rural 3 Zoning District.

The Notice of Application contains a statement that "...[t]he subject properties' zoning is vested as Residential 3." We disagree with this legal position and interpretation.

Becky Andrus submitted a long-plat application (File No. P-07-40) on June 19, 2007. The application was incomplete in two respects: (1) the application failed to include a list of adjacent property owners (CDS letter of 7/18/2007); and (2) application failed to include Transportation Impact Analysis (TIA) mandated by the Andrus Rezone (File No. Z-06-23). The rezone ordinance - Ordinance No. 2006-57 (11/21/2006) - established specific rules and requirements for further action regarding the Andrus property. Ordinance No. 2006-57-Andrus Rezone (Z-06-23) required the following:

At the time of a project action, the applicant shall submit a stamped traffic analysis from a licensed engineer in the State of Washington considering among other factors, intersection spacing, site distances, traffic volumes, load bearing capacities of soils, pavement thickness design, etc. Reference Current Kittitas County Road Standards.

The application requirement was imposed by Ordinance and a binding component for a complete application with respect to development of the Andrus Rezone Property. Kittitas County CDS advised the applicant of this requirement on August 16, 2007. Applicant did not submit required TIA until February 20, 2013. An additional two (2) years have passed with no activity on the file. More than six and one-half years have passed since the filing

Jeff Watson
Kittitas County Community Development Services
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of the initial application. The application should be processed according to current zoning, environmental and development regulations.

The rezone made the TIA a mandatory component of the preliminary plat application.

Vesting rules applicable to a proposed division of land are set forth in RCW 58.17.033, which provides as follows:

- (1) A proposed division of land, as defined in RCW 57.17.020, shall be considered under the subdivision or short subdivision ordinance, and zoning or other land control ordinances, in effect on the land at the time *a fully completed application for preliminary plat approval of the subdivision*, or short plat approval of the short subdivision, has been submitted to the appropriate county, city, or town official.
- (2) The requirements for a fully completed application shall be defined by local ordinance.
- (3) The limitations imposed by this section shall not restrict conditions imposed under Chapter 43.21C RCW.

Andrus did not submit the required Traffic Impact Analysis (TIA) until February 20, 2013. The filed report is grossly deficient and fails to address specific elements required by Ordinance No. 2006-57.

A second critical factor with respect to the issue of vesting relates to determinations made by the Growth Management Hearings Board and State Supreme Court with respect to rural densities and three acre zoning under the Kittitas County Zoning Ordinance. Both bodies determined that the Rural-3 and Agriculture-3 zoning districts were noncompliant with the goals and policies of the Growth Management Act (GMA). See GMAHB Decision Case No. 07-1-0004c and *Kittitas County v. Eastern Washington Growth Management Hearings Board*, 172 Wn.2d 144 (2011). Kittitas County responded to the administrative and judicial determinations and adopted Ordinance 2013-001 which eliminated the three acre zones and rezoned the subject property. Ordinance 2013-001 was adopted on February 11, 2013. The supplemental required TIA information was not received until February 20, 2013. The application was not complete as of the date on which the zoning ordinance was adopted by the Board of County Commissioners.

Kittitas County Ordinance procedures further provide that "...an incomplete application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form." KCC 15A.03.040 (1). Kittitas County made the request for additional information on August 11, 2007. Andrus failed to provide the supplemental information within the mandated 180 calendar days. In fact, more than five (5) years passed before the information was submitted on the application.

B. Traffic Impact Analysis (TIA) Fails to Comply with Ordinance No. 2006-57.

Board of County Commissioners established specific requirements with respect to preparation of a Traffic Impact Analysis (TIA) for the Andrus rezone. Ordinance No. 2006-57 specifically required analysis which considered "...among other factors, intersection spacing, site distances, traffic volumes, load bearing capacities of soils, pavement thickness design, etc...." The rezone recognized that access to any development on the rezoned property would pass over and on a series of private easements and roadways. The access system was to be evaluated in a

Jeff Watson
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detailed engineering analysis that assured road design and construction (both public and private) in accordance with applicable Kittitas County Road Standards. The TIA submitted in this case fails to contain the information required by the ordinance provision.

The TIA is specifically lacking any analysis of load bearing capacities of soils and pavement thickness design with respect to the private road segments. Further study and analysis is required as a prerequisite to processing of this application.

C. Application Fails to Make Appropriate Provision for Access and Road Maintenance.

Applicant proposes to utilize private road easements to access the proposed subdivision. The proposal seeks authorization to utilize Montgomery/Deer Creek/Big Tail Roads for primary access.¹ A significant portion of the access is over private roads and easements.

Applicant has not established a legal right to utilize the private roads for purposes of access to the expanded 14 lot subdivision. The added traffic will significantly increase noise, congestion, and wear and tear on the private roadway. The following are required with respect to use of the private roadway:

1. An applicant must provide confirmation and establishment of a legal right to use the private road and easement for purposes of the proposed subdivision. KCC 12.12.010(4). The record contains no evidentiary support for proposed use rights related to the private roads.

2. Confirmation and engineered plans for the entire length of the private road confirming that the road access meets minimum access requirements of Section 902-FIRE DEPARTMENT ACCESS-of the *International Fire Code* and are designed and constructed in conformance with *AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads* (AVT-400). KCC 12.010(1) and (2). Private roads are also required to meet design requirements of Table 12-1. KCC 12.12.020.

3. KCC 12.12.010(6) requires that all lots within the proposed subdivision participate in road maintenance agreement. The specific ordinance requirements include:

Maintained by the developer or legally responsible owner or homeowners association or other legal entity *made up of all benefited property owners* under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", ...

Applicant has refused, in the past, to participate or share in road maintenance responsibilities for the private roadways. Subdivision review should also consider requirement for reimbursement of proportionate share of road development and maintenance with such funds to be held by owners association for application to future road maintenance and improvement responsibilities.

¹ This property is not part of Meadow Ridge or Cle Elum Ridge (Section 23) plats. A Variance Request (RV-07-07) was approved by Road Variance Committee on October 17, 2007. It was with "...the condition that Montgomery Avenue be built to Kittitas County Road Standards and be certified."

Jeff Watson
Kittitas County Community Development Services
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4. The impact of added traffic upon private road access should be included in the Traffic Impact Analysis (TIA). The submitted TIA contains no specific information with respect to impacts upon the private road easements. In particular, the analysis should conclude both current and projected ADT traffic and volume impacts upon applicable road standards and requirements.

5. Kittitas County (CDS) specifically noted that Deer Creek Road currently serves more than 40 lots and that KCC 12.01.095(2) requires two interconnected ingress-egress routes that independently connect to and on-system county road. KCC 12.01.095(2). Site plan does not show or establish secondary access.

6. Applicant is required to obtain specific authorization from private land owners subject to road easement requirements. KCC 12.01.05(7) provides:

All parcel creations that access property over private lands, public lands, or road easements managed by other agencies must submit an approved easement from the land owners or road/easement managers that specifically address access, maintenance, seasonal restrictions and other restrictions and/or limitations. These easements and permits shall be presented or recorded prior to final approval.

Applicant has not requested nor been provided the necessary agreement for private road use.

7. SEPA environmental review has failed to consider alternative access to the subject property. Big Buck Ridge subdivision can be accessed through 6th and Columbia and not from Montgomery Avenue. The alternative access should be constructed to applicable county standards.

8. Applicant should be required to improve all private roadway access to applicable standards. KCC 12.01.090(B) specifically provides:

Any parcel creation abutting and impacting existing road shall improve the frontage of those roads in accordance with the standards. The extent of improvements shall be based on the assessment by the impacts of the proposed land development stated in Section A above. Short plats within the UGA creating only one additional lot to a tax lot with an existing dwelling unit are exempt from providing urban type street improvements but are subject to shoulder improvements providing these improvements are consistent with surrounding roads and do not present a safety problem.

See also KCC 12.01.090(A).

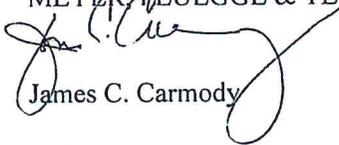
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CONCLUSION

We request the following:

1. That the application be processed in accordance with currently applicable zoning and development requirements and regulations;
2. That the TIA be supplemented with specific analysis of private road impact and improvement standards;
3. Submission of proposed Private Road Maintenance Agreement applicable to all properties utilizing private roads; and
4. Legal confirmation of easement rights with respect to the proposed expansion of use under easements. These comments will supplement other comments from adjoining property owners.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.



James C. Carmody

JCC:dg

cc: Clients (via email only)

U:\DebbieG\Cle Elum Ridge Properties - Don Owens\Planning Letter 022315.docx

Jeff Watson

From: Bruce <CosmicTraveler@Comcast.Net>
Sent: Tuesday, February 24, 2015 2:49 PM
To: Jeff Watson
Subject: Notice of Application, Big Buck Ridge, LP-07-00040

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Watson,

I am writing to express concerns about several aspects of this proposed long plat.

1. Item 8 of the long plat application states that a Group B water system is proposed to serve 14 single family residences. Item B.3.b.1) of the SEPA Environmental Checklist states that the supply from this system will not exceed 5,000 gallons per day. However, Paragraph 1.3 Item 7 from the Group B Water System Design Guidelines states that source capacity must be proven for $14 \times 1,250 = 17,500$ gallons per day. This is a significant discrepancy that should be resolved before the application is approved.
2. Using the Department of Health's factor of 2.5 Equivalent Residential Units per single family residence, it seems that the proposed water system would serve an estimated $14 \times 2.5 = 35$ people, or more than the limit of 25 for a Group B system. In this case, it seems that a Group A system is required. This is another significant discrepancy that should be resolved before the application is approved.
3. Since the date of this application in 2007 there have been notable changes related to legal withdraw groundwater water in Kittitas County. The application and supporting materials do not yet appear to demonstrate a right to withdraw the quantity of water required to support this cluster plat. Has the SEPA review process conducted thus far considered all current requirements for developing a water supply? Has the applicant submitted all documents necessary at this point in the process?
4. Does the applicant propose to connect to existing electrical and telephone utilities that were installed for use in Section 23? If so, have they confirmed with the respective utility providers that excess capacity exists to properly serve 14 new residences without impairing capacity allocated for downstream property owners? Is this documentation available for review? If not, and if it is subsequently determined that utility upgrades are required, then the applicant should be required to bear 100% of the cost of all upgrades necessary to support this cluster plat.
5. Mining activities are known to have occurred in the vicinity of this cluster plat. Has the applicant obtained maps that document the locations of such prior activities. Without review of these maps, it is not possible to claim that there are no known critical areas on the proposed site, as stated in Note 13 on Sheet 2 of the drawings. Mitigation should require disclosure of all potential hazards revealed by these maps.
6. The applicant should be advised that recreational opportunities do not include the use of Big Tail Road north of the access points for the cluster plat.
7. The applicant notes that "existing and proposed private roads will be improved in accordance with Kittitas County Standards". It is my understanding that the applicant has not yet shared in the financial cost of improvements already undertaken on private roads they plan to use, including portions of both Deer Creek Road and Big Tail Road. It does not seem right to me that that the applicant should derive financial gain from creating this cluster plat, without also sharing in the cost that helps to make this development possible. Mitigation should require the applicant to contribute their share of the cost for road improvements already undertaken. Mitigation also should require the applicant to bear 100% of all costs required for road improvements that benefit this cluster plat.
8. It is also my understanding that the applicant has continually refused to participate in the costs for maintaining access roads and gates they propose to use for this cluster plat. Mitigation should require all 14 lots created by this development

to share in all future costs for road and gate maintenance, the same as prescribed by the agreement that governs all other current users of these facilities.

Please provide a copy of the decision made for the referenced application.

Respectfully,
Bruce Higgs

Jeff Watson

From: Don Owens <owensmeats@gmail.com>
Sent: Tuesday, February 24, 2015 3:50 PM
To: Jeff Watson
Subject: Big Buck Ridge long plat, Project File No: LP-07-00040
Attachments: Letter to the planning department.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jeff, please find our letter as an attachment regarding the Andrus's Big Buck Ridge application.

Thank you, The Owens family

Cle Elum, WA 98922

Don's cell 509-470-4679

Doug's cell 509-470-4691

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Don R Owens
Kristina L Owens
Doug M Owens
Dana Owens
502 E 1st Street
Cle Elum, Wa 98922

February 25, 2015

Jeff Watson
Staff Planner
Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: Project Name : Big Buck Ridge
Project File No. : LP-07-00040

Dear Mr. Watson:

We are writing this letter in regards to a proposed Long Plat application for the creation of 14 one acre parcels under the application name Big Buck Ridge.

We oppose the application's approval if the application is approved without Becky and Cory Andrus and the Big Buck Ridge lots cluster being part of the RMA of Section 23 and The Cle Elum Ridge Community. We are ourselves advocates of personal and private property rights. With that being said we would never want to tell someone what they can and can not do with their property, unless their plan negatively affects the surrounding neighbors. In the case of this particular plat we believe there are reasons that it would.

1. One of the reasons we purchased property on Big Tail Rd was because of the large acreage lot sizes that ensured the desirable beauty and serenity that the area offers. Breaking this up further would negatively affect the experience that the land owners currently enjoy. We currently walk, jog and use this road almost daily to access our property and the Cle Elum ridge. 14 more residents would definitely reduce the tranquility of the area.

2. The road is a huge issue with being a property owner of The Cle Elum Ridge Community. It is a paved road which has been put in at the expense of members of the RMA. The number of members are relatively few. Not only was the road and the gate a large initial expense but the continued maintenance and upkeep of the road and security gate is an ongoing expense. The road currently is in need of repairs which the RMA has recently received a bid of \$60,000.00 to repair. The damage that has occurred is from a very low number of property

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owners and users. To consider the fact that the Andrus's have been using this road and security gate freely at the expense of others is very unfair in itself, but to consider allowing a long plat to go through with another 13 users to free load off the expense of the RMA members is unthinkable. The expense of maintenance goes down dramatically when divided between all users. It is my understanding that the Andrus's had been approached multiple times throughout the years to join the RMA and help in the expense of the road they enjoy but have declined to follow through. This is not a fair or neighborly way conduct one self.

3. We feel that if the plat were to move forward that it should be more in line with today's zoning of larger lot sizes which would create less of an impact on neighbors, water availability, traffic and the road.

4. It was mentioned in some of the correspondence letters between Cory, Becky Andrus and the county that if this plat went through that the maximum number of users on this road would be reached and that if any more plats were to be approved in the future that road upgrades would have to be met. This is very unfair to think that the folks that have been paying their RMA dues and helped build and maintain the road might not even be able to benefit in the future by dividing a 40 acre parcel into two 20 acre parcels without going through the huge expense of road upgrades. If there are to be any plat applications approved for the division of land parcels it should be recognized and approved to those land owners who have contributed to the building and the maintenance of the roads.

In Closing we would like to feel assured that our local government is taking into account the feelings and fairness of all the property owners affected by proposed plat application's. We would hope that if the application does move forward that it would be based upon the acceptance of the Andrus's and the Big Buck Ridge into the Cle Elum Ridge Community's RMA.

Sincerely, Don & Kristina Owens
Doug & Dana Owens