

Jeff Watson

From: Karma Chapman <karmakc@hotmail.com>
Sent: Tuesday, February 24, 2015 9:43 PM
To: Jeff Watson
Subject: FW: 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,

Karma and Greg Chapman of 1571 Big Tail Rd. Cle Elum, WA 98922 share the same concerns that Kay Muhlbeier and many of our neighbors share.

We feel our concerns are extremely validated and need to be heard. Please review this information and consider all our concerns as high priority.

Thank you for all your attention put towards the following information.

Please feel free to contact us with any questions or concerns,

Best regards,

Karma & Greg Chapman
425-985-4588
karmakc@hotmail.com

From: Kay Muhlbeier [mailto:kmuhlbeier@comcast.net]
Sent: Tuesday, February 24, 2015 3:29 PM
To: Chapman, Karma
Subject: Fwd: Comments on Big Buck Ridge L07-00040

From: "Kay Muhlbeier" <kmuhlbeier@comcast.net>
To: "Jeff Watson" <jeff.watson@co.kittitas.wa.us>
Cc: "Don Owens" <owensmeats@gmail.com>, "Joe Skvarla" <joe.skvarla@redhawkus.com>, "Ken McKim" <vkmckim@juno.com>, "Dave MacDuff" <dmacduff@oakpointe.com>, "Margaret Suman" <mksuman@aol.com>, "Kevin & Roiann Daly" <Dalyville@comcast.net>, "Jon Newton" <jonnewton@windermere.com>, "Karma Chapman" <karmakc@hotmail.com>, "Kim & Shirley Person" <ShirleyPerson@Live.com>, "Kim Person & Shirley" <shirleyperson@live.com>, "Dave Berry" <westerntimber@earthlink.net>, "Sara MacDuff" <saramacduff@gmail.com>
Sent: Sunday, February 22, 2015 9:43:47 AM
Subject: Comments on Big Buck Ridge L07-00040

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

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 received. 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.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 3, 2015

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

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. These are revised comments to Ecology's letter dated February 20, 2015.

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.



Mr. Watson
March 3, 2015
Page 2

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 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@ccy.wa.gov.

WATER QUALITY

- 1) There are no water bodies immediately adjacent to the proposed development, but runoff into nearby critical areas during major rain-on-snow events should be addressed. The developer should have a plan to address occasional large runoff events.
- 2) The project site is steep, and these one-acre lots may produce significant sediment during home building. Care should be taken to prevent uphill properties from discharging polluted stormwater onto the downhill properties. A comprehensive stormwater management plan should be established at this site.

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required for this project. 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.

- 3) This hillside is directly north of Cle Elum, and the proposed development is likely within the area of old mines and mine tailings. Be advised that soils in those areas can retain pollutants associated with coal mining (e.g., PAHs). This can be ascertained by soil testing.

Mr. Watson
March 3, 2015
Page 3

4) Again, since this is likely an old mining area, wells in the new development to be used for domestic use (whether individual wells or a community well) should be tested for pollutants from coal mining.

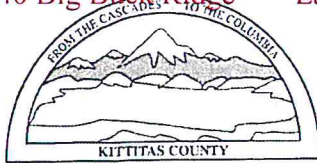
If you have any questions or would like to respond to these Water Quality comments, please contact **Jane Creech** at (509) 454-7860 or jane.creech@ecy.wa.gov.

Sincerely,



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

3925b



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Jeff Watson, Community Development Services

FROM: Christina Wollman, Planner III *CW*

DATE: March 16, 2015

SUBJECT: Big Buck Ridge Cluster Plat LP-07-00040

The following shall be conditions of preliminary approval:

1. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the structures within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
2. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
3. Stormwater: On-site stormwater management that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington is required of this development. Stormwater systems shall be designed to store stormwater generated by a 24-hour, 25-year storm event. Stormwater system designs shall be prepared and stamped by a civil engineer licensed in the State of Washington. The stormwater system design shall be presented to Public Works and approved by the County Engineer prior to final approval. The stormwater system construction shall be certified by a licensed engineer. The certification shall be included with the road certification and is required prior to the issuance of a building permit.
4. Grading Permit: A grading permit shall be required prior to beginning any site work. See KCC 14.05 for more information.

Page 1 of 5

411 N. Ruby St. Suite 1
Ellensburg, WA 98926

TEL (509) 962-7523
FAX (509) 962-7663

-
5. Second Access: A second access will be required as clarified by the Board of County Commissioners on April 2, 2007. The BOCC clarified KCRS 12.01.095(2) with the following requirements: 1) If the second access is restricted to emergency access only, it must meet or exceed the following requirements: 60' easement, 20' roadway width, BST/ACP surface, and a paved apron. Access restrictions such as gates or bollards must be approved by the Fire Marshal; 2) If the second access is to be used for ingress and egress, it must meet the same standards of the first access.

Documentation of a legal easement across the route of the second access will be required prior to final approval. The second access must be constructed and certified by an engineer licensed in the State of Washington prior to issuance of a building permit.

6. Road Maintenance Agreement: KCC 12.12.010(6) requires private roads to be maintained by a legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded Private Road Maintenance Agreement.

This project shall be required to join the existing Road Maintenance Association which is made up of all benefited property owners served by Deer Creek Road and other roadways within S23 T20N R15E and surrounding area.

7. TIA & Transportation Concurrency: The applicant submitted the required Traffic Impact Analysis. Based on the results of the study, the project complies with the concurrency requirements.
8. Road Variance: Road Variance 07-07 was approved allowing this project to use a section of road within a 30' easement.
9. Internal Access: All lots must have direct access or easement access to Big Buck Ridge Road. All open space tracts must be provided access.
10. Private Road Improvements: Access shall be constructed as a Low-Density Private Road. See Kittitas County Road Standards, 9/6/05 edition.
- Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.
 - Minimum centerline radius will be 60'.
 - The surface requirement is for a minimum gravel surface depth of 6".
 - Maximum grade is 12%.
 - Stopping site distance, reference AASHTO.
 - Entering site distance, reference AASHTO.

-
- g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection of county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.
11. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
12. Joint-Use Driveway: A joint-use access shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
- a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6".
 - c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
- Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.
- a. The roadway shall be a minimum of 8' wide with gravel surface.
 - b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - c. Any further subdivision or lots to be served by proposed access may result in further access requirements.

13. Plat Notes: Plat notes shall reflect the following:

- a. Entire private road shall achieve 95% compaction and shall be inspected and certified by a licensed engineer in the State of Washington specifying that the road meets current Kittitas County Road Standards prior to the issuance of building permit for this plat.
- b. Entire private road shall be inspected and certified by a civil engineer licensed in the State of Washington specifying that the road meets Kittitas County Road Standards as adopted September 6, 2005, prior to the issuance of a building permit. Any future subdivision or land use action will be reviewed under the most current road standards.
- c. Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel.
- d. Maintenance of the access is the responsibility of the property owners who benefit from its use.
- e. An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
- f. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- g. A public utility easement 10 feet in width is reserved along all lot lines. The 10 foot easement shall abut the exterior plat boundary and shall be divided 5 feet on each side of interior lot lines. Said easement shall also be used for irrigation.

14. Plat Approvals: All plats must show the acceptance signature of the County Engineer. The acceptance block shall be as follows (per KCC 16.24.170):

EXAMINED AND APPROVED

This ____ day of ____, A.D., 20__.

Kittitas County Engineer

15. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.

16. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
17. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
18. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
19. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.