



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

STAFF REPORT

FOREST RIDGE PERFORMANCE BASED CLUSTER PLAT

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Forest Ridge Performance Based Cluster Plat (LP-08-14)
DATE: October 28, 2010

I. GENERAL INFORMATION

Requested Action: Iron Snowshoe LLC, property owner, have applied for a 171-lot performance based cluster plat on approximately 479 acres of land that is zoned Rural-5. The project is proposed to be served by a Group A water system and individual or community on-site septic systems.

Location: The subject property is located northeast of the city of Cle Elum off of the extension of Columbia Street in Section 24, T.20N, R.15E, WM.; Kittitas County parcel map numbers 20-15-24000-0001, -0003, -0004, -0007, -0015, -0016, -0017, -0018, -0019, -0020, -0021, and -0022.

II. SITE INFORMATION

Total Project Size: 479 acres
Number of Lots: 171
Zoning District: Rural-5
Domestic Water: Group A water system
Sewage Disposal: Individual/Community on-site septic systems
Power/Electricity: Puget Sound Energy
Fire Protection: Fire District #7
Irrigation District: None

Site Characteristics:

North: Vacant

South: Vacant

East: Vacant

West: Vacant

Access: The proposed project will have access off of Columbia Avenue in Cle Elum, then a new road west on the applicant's private property. The access road will be constructed to meet Kittitas County Road Standards. All required roadway improvements will be the responsibility of the developer. A second access route is required.

Zoning and Development Standards: The purpose and intent of the Rural-5 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting Rural-5 zones will be to minimize adverse effects on adjacent natural resource lands.

KCC 16.09 allows for **Performance Based Cluster Platting** to assist in the implementation of Kittitas County's policy to provide tools to foster appropriate densities, while making development economically feasible, benefits to the greater community through an effort to conserve water resources by minimizing the development of exempt wells by encouraging group water systems, to protect public health by reducing the number of septic drain fields, by concentrating urban densities in urban growth areas and by minimizing the impact of "Rural Sprawl" in rural lands, as designated in the Kittitas County Comprehensive Plan, Kittitas County finds that this "Performance

Based Cluster Platting" technique would foster the development of urban and rural designated lands at appropriate densities, while protecting the environment and maintaining a high quality of life in Kittitas County.

Public Benefit Rating System (PBRs) elements are items that are not already required by code. When a public benefit is demonstrated then bonus density points will apply. The density bonus is limited to use in the rural designations with a 100% bonus in the Rural -3, Agriculture -3, Rural -5 and Agriculture - 5 zones. There is no limit to density bonus within the Urban Growth Areas and the Urban Growth Nodes. A minimum of twenty five percent (25%) of the area within the project boundary must be set aside in open space prior to application of the Public Benefit Rating System contained in KCC 16.09.090.

The applicant has demonstrated the Public Benefit Rating System (PBRs) with the following elements. The Hearing Examiner can further condition these elements as necessary to meet the intent of the Ordinance for Performance Based Cluster Platting. These elements will be conditions of approval for the Forest Ridge Plat in order to qualify for the density bonus allowed through Performance Based Cluster Platting.

Element	Area	Bonus Points
Open space total (48%)	230.13 acres	0
Open space density bonus (40%)	191.38 acres	40 points
Commercial Forest setback area	15.18 acres	0
Stream buffer within open space	7.05 acres	0
Wetlands & buffer within open space	4.52 acres	0
Roadway within open space	12.00 acres	
Development Area	248.32	0
Group A water system		50 points
Total	478.45 acres	90points

Total bonus density points = 90 points. Total bonus density percentage =90%

Density bonus limit in the Rural 5 zone for this proposal is 90%.

Calculations for project:

Current zone for project is Rural 5

Allowed density for the Rural 5 zone is 1 unit per 5 acres

Subject parcel is a total of 478.45 acres

Lots allowed under current zoning (Rural 5) = **478.45 acres/5 acres = 95 lots**

(95 lots) x (total bonus density percentage 90%) = 182 total lots for cluster plat

III. ADMINISTRATIVE REVIEW

Notice of Application: A complete long plat application was submitted to Community Development Services on April 24, 2008. The application was deemed complete on July 17, 2009. The Notice of Application for the preliminary plat application was issued on July 30, 2009. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 14, 2009.

Posting of Site: In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner and is included as part of the record.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural. Kittitas County has established the following goals and policies to guide future housing developments. These goals and policies were developed in response to existing housing conditions and identified needs within the county, and support the

County Wide Planning Policies:

GPO 3.1 Provide a sufficient number of housing units for future populations in rural areas of Kittitas County.

GPO 3.6 Provide for future populations while protecting individual property rights.

GPO 3.17 Provide a sufficient number of housing units for future populations while maintaining the rural character of Kittitas County.

GPO 3.18 Provide sufficient housing units while maintaining environmental quality.

GPO 8.5 Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on Rural Lands.

GPO 8.46 Residential development in rural lands must be in areas that can support adequate private water and sewer systems.

V. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on September 23, 2010. The appeal period ended on October 7, 2010 at 5:00 p.m. No appeals were filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Exhibits in the Hearing Examiner packet.

No public comments were submitted on this proposal at the time of staff review.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan, including those listed above in section IV of this report. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a Group A water system and individual onsite septic systems.

Consistency with the provisions of KCC 17A Critical Areas:

Staff has conducted an administrative critical area review in accordance with KCC 17A and found wetlands, seasonal stream areas of steep slopes and potential landslide areas on the subject properties.

Consistency with the provisions of KCC 16.09: Performance Based Cluster Platting Code:

The application contained all required elements necessary to review this proposal with the exception of soil logs, which will be required prior to final plat approval. All proposed lots meet the dimensional standards of KCC 17.30A for lots zoned Rural 5. As conditioned, this proposal is consistent with the Kittitas County Subdivision Code for Performance Based Cluster Plats.

Consistency with the provisions of KCC Title 12: Roads and Bridges:

All roads are required to meet all Kittitas County Road Standards as outlined in the September 8, 2010 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agencies provided comments during the comment period: Department of Ecology, Washington Department of Transportation, Washington Fish & Wildlife, Kittitas County Department of Public Works, and Environmental Health. These comments have been included as conditions of approval to address these agency concerns.

Public Comments:

No letters from the public were submitted on this proposal at the time of writing of the staff report.

VIII. RECOMMENDATION

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12 and Title 16.12 of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends **approval** of the Forest Ridge Performance Based Cluster Plat; file number (LP-08-14), subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. Iron Snowshoe LLC, property owner, has applied for a 171-lot performance based cluster plat on approximately 479 acres of land that is zoned Rural-5. The project is proposed to be served by a Group A water system and individual or community on-site septic systems.
2. The subject property is located northeast of the city of Cle Elum off of the extension of Columbia Street in Section 24, T.20N, R.15E, WM.; Kittitas County parcel map numbers 20-15-24000-0001, -0003, -0004, -0007, -0015, -0016, -0017, -0018, -0019, -0020, -0021, and -0022.
3. The proposed lots range in size from one-acre to 4-acres in size. The project is proposed to be served by a Group A water system and individual or community on-site septic systems.
4. Site Information:

Total Project Size:	479 acres
Number of Lots:	171
Zoning district	Rural 5
Domestic Water:	Group A water system
Sewage Disposal:	Individual/Community on-site septic systems
Power/Electricity:	Puget Sound Energy
Fire Protection:	Fire District #7
Irrigation District:	None
5. Site Characteristics: The area is characterized as mountain terrain.
6. Surrounding Property:
 - North: Vacant
 - South: Vacant
 - East: Vacant
 - West: Vacant

7. The Comprehensive Plan designation is Rural.
8. The subject property is zoned Rural 5, which allows for one residential unit per 5 acres and one-half acres for platted cluster subdivisions served by public water and sewer systems. All subdivision lots under five acres in size must be served by public water and sewer systems (KCC 17.30A.040).
9. A complete long plat application was submitted to Community Development Services on April 24, 2008. The application was deemed complete on July 17, 2009. The Notice of Application for the preliminary plat application was issued on July 30, 2009. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 14, 2009.
10. In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner and is included as part of the record.
11. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Mitigated Determination of Non-Significance (MDNS) was issued on September 23, 2010. The appeal period ended on October 7, 2010 at 5:00 p.m. No appeals were filed.
12. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a Group A water system and individual or community septic systems. Staff has conducted an administrative critical area review in accordance with KCC 17A and found wetlands, seasonal stream areas of steep slopes and potential landslide areas on the subject properties.
13. This proposal is consistent with the Kittitas County Subdivision Code Chapter 16.09 for Performance Based Cluster Plats.
14. All roads are required to meet all Kittitas County Road Standards as outlined in the September 8, 2010 memorandum issued by the Department of Public Works. As conditioned, the proposal is consistent with the provisions of KCC Title 12.
15. The following agencies provided comments during the comment period: Department of Ecology, Washington Department of Transportation, Washington Fish & Wildlife, Kittitas County Department of Public Works, and Environmental Health. These comments have been included as conditions of approval to address these agency concerns

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

Suggested Conditions of Approval:

Platting Standards and Zoning Code:

1. Certificate of Title: A certificate of title of the property proposed to be platted shall be submitted with the final plat.
2. Lot Closures: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
3. Conditions, Covenants, and Restrictions: Prior to final plat approval, a copy of the proposed final Conditions, Covenants, and Restrictions shall be submitted to Community Development Services for review and approval.
4. Open Space Tracts: Prior to final plat approval, all areas not included in development lots shall be labeled as individual tracts. Tracts shall not be further subdivided or altered. All tracts, except the tract(s) containing the private road area, shall be labeled "Open Space.". All open space tracts shall be identified on the face of the final plat.
5. Open Space Tract Ownership and Maintenance: Open space tracts shall be jointly owned and maintained by the developer or legally responsible owner or homeowner's association or other legal entity made up of all benefited property owners.
6. Clustering of Lots: Lots shall be designed to meet the requirements of KCC 16.09.100.A relating to clustering requirements.
7. Performance Based Cluster Plat Open Space: The preliminary plat map states that 193.38 acres (or 40% of the total site) meets the definition of "Open Space" contained in Chapter 16.09.100.C (on the date of application). Prior to final plat approval, the applicant shall present to the County for review and approval a map demonstrating that at least 40% of the total plat area meets the open space requirements of Chapter 16.09. For purposes of calculating open space, the following areas shall not be included: Commercial Forest setback area; seasonal streams and their 15' buffer area; wetlands and buffers; areas where development is otherwise restricted, and private roadways within open space.
8. Final mylars shall be submitted in accordance to KCC 16.20: Final Plats. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.
9. Both sheets shall reflect the Plat number: LP-08-00014.

Critical Areas:

10. Wetland Impacts: The proposed plat area contains ten wetlands. All wetland areas and their buffers shall be shown on the face of the final plat. The plat shall also contain the following note:
Development involving disturbance to wetlands may require additional County review and possible mitigation. KCC 17A.04.015 requires all wetland impacts to be avoided to the extent practical. Any unavoidable wetland impacts shall be required to be replaced at a ratio of 2:1 for Category 2, 1.5:1 for Category 3, and 1:1 for Category 4 (KCC 17A.04.050).
11. Wetland J: The applicant's wetland biologist identifies Wetland J as a Category 2 high value wetland measuring 2,008 square feet in area. This wetland has a required minimum buffer of 25 feet according to 17A.04.020. The proposed design places Wetland J in Lots 152 and 156. A private road crosses through Wetland J and its buffer. KCC 17A.04.015 requires all wetland impacts to be avoided to the extent

practical. Any unavoidable wetland impacts to Category 2 wetlands shall be required to be replaced at a ratio of 2 square feet created for every 1 square foot lost (KCC 17A.04.050). Impacts to buffers may be mitigated through buffer averaging, as allowed by KCC 17A.04.050. Prior to final plat approval, the applicant shall redesign the layout to prevent unavoidable impacts to Wetland J and its buffer, and submit a wetland replacement plan and/or wetland buffer averaging plan, if necessary, for County review and approval.

12. Wetland K: The applicant's wetland biologist identifies Wetland K as a Category 2 high value wetland measuring 525 square feet. The proposed design places Wetland K in Lots 151 and 152. A private road crosses through Wetland K. KCC 17A.04.015 requires all wetland impacts to be avoided to the extent practical. Any unavoidable wetland impacts to Category 2 wetlands shall be required to be replaced at a ratio of 2 square feet created for every 1 square foot lost (KCC 17A.04.050). Prior to final plat approval, the applicant shall redesign the layout to prevent unavoidable impacts to Wetland J and its buffer, and submit a wetland replacement plan, if necessary, for County review and approval.
13. Stream Crossings: The preliminary plat map contains ten instances where private roads cross mapped streams and their buffers. It is the applicant's responsibility to obtain appropriate state permits for all stream crossings.
14. Stream Buffer Impacts: The proposed plat area contains five streams. Chapter 17A.07.010.2 establishes performance standards for buffers of streams. Type 5 streams are subject to a 15 foot building setback. All streams and their buffers shall be shown on the face of the final plat. The plat shall also contain the following note:

A 15 foot building setback is required from seasonal streams. Stream crossings may require additional permitting from state agencies.
15. Access to Lots: Some lots contain natural conditions making access from the private roads difficult. Notes shall be placed on the face of the final plat stating:

Access to some lots requires crossing a seasonal stream. Additional permitting may be required to access these lots from the private road.

Access to some lots requires crossing a critical slope area. Additional technical design may be required to access these lots from the private road.
16. The following note shall be placed on the face of the final plat:

The placement of buildings and structures on or adjacent to ascending or descending slopes steeper than 1 unit vertical in 3 units horizontal (33.3-percent slope) shall conform to the building setback requirements of current adopted building codes (IRC Section R403.1.7 and IBC Section 1805.3.1). Alternate setbacks and clearances are permitted, subject to the approval of the building official. The building official is permitted to require an investigation and recommendation of a qualified engineer to demonstrate the requirements necessary to construct a building on or adjacent to ascending or descending slopes. Such an investigation shall include consideration of material, height of slope, slope gradient, load intensity and erosion characteristics of slope material.

Stormwater and Drainage

17. This project will require a NPDES Construction Stormwater General Permit from the Washington State Department of Ecology. This permit requires that the SEPA checklist fully disclose anticipated activities, including building, road construction, and utility placements. Obtaining a permit is at least a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

18. The NPDES permit requires that a 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.
19. Erosion control measures must be in place prior to any clearing, grading or construction. These control measures must be effective to prevent soil from being carried into surface water by storm water runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.
20. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.
21. Best management practices must be used to prevent any sediment, oil, gas, or other pollutants from entering surface or ground water.

Transportation and Infrastructure

22. Timing of Improvements: This application is subject to the current version 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 residences 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.
23. 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.
24. Second Access: A second access is required of this project. Prior to final approval for each phase, the applicant shall conduct an analysis showing whether the threshold for a second access has been met. If a second access is required, the applicant must submit to Public Works for approval a route that has easement or other access rights secured and recorded. The second access must conform to Kittitas County Road Standards and the second access requirements 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 Marshall; 2) If the second access is to be used for ingress and egress, it must meet the same standards as the first access.
25. 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 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
26. 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.
27. 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.
28. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
29. Access Permit: An approved access permit shall 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.
30. 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.
31. 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.

Air Quality

32. Dust, diesel emissions, and wood stove emissions are possible sources of air pollution from this project. The applicant shall comply with all state and County standards for air emissions and obtain any necessary air quality permits from applicable agencies.
33. According to County standards, a water truck shall be available during construction to minimize dust emissions.

Water and Sewer

34. The applicant has proposed a Group A Public Water System. Prior to final plat approval, the applicant shall submit a signed letter of agreement between the public water system purveyor or official and the land developer/owner granting delivery of potable water for the entire development. If the public water system is being developed specifically for the subdivision/plat, the water system must be approved by Washington State Department of Health (DOH), including issuance of a public water system ID number, prior to recommendation by Kittitas County Public Health Department for final plat approval.
35. Community septic systems with wastewater flows under 3,500 gallons/day are permitted by the Kittitas County Public Health Department. For flows exceeding 3,500 gallons/day, design review and approval will be needed from the Washington State Department of Health. For flows greater than 14,500 gallons/day, design review and approval will be needed from the Washington State Department of Ecology.

36. The maximum allowable slope for septic drain fields will depend on permitting agency. According to Kittitas County Code 13.04.150(5) no drain field disposal system may be designed for a site with a slope of greater than 30% grade. According to WAC 246-272A the maximum allowable slope is 45% grade.
37. Prior to final approval, the final Mylar must identify the wastewater disposal option for each lot and the locations of the proposed drain fields that do not exceed the maximum allowable slope.

Fire Safety

38. Design and construction must comply with Kittitas County Code, Kittitas County Zoning, the 2006 International Fire and Building Codes, and all other development agreements.
39. Given the provided pre-review documents, these residences will require fire flow of 100 gallons per minute for a duration of no less than 30 minutes. A reduction in required fire flow of 5- percent is allowed when the buildings are provided with an approved automatic sprinkler system.
40. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. A standpipe or hydrant system with an adequate source of water (supply), a distribution system and adequate pressure for delivery shall be installed for this plat. Hydrant spacing shall comply with International Fire Code and its appendices' requirements.
41. A separate permit and deposit shall be required for installation of a hydrant/standpipe system.
42. The Kittitas County Fire Marshal's Office will require a minimum of three (3) complete sets of plans for full review: 1) Office Copy; 2) Permit Copy; and 3) Fire Department Copy.
43. This property is currently located outside of a fire district. As such, until such time that the development is within a Fire District, all future development must meet the International Urban Wild Land Interface Code for building construction, defensible space allocation, access, etc.
44. Roads with a slope or grade greater than 12% shall not be allowed.

SEPA Mitigation

45. A Mitigated Determination of Nonsignificance (MDNS) was issued on September 23, 2010. The mitigation measures in the MDNS shall be conditions of final plat approval.
46. The following mitigation conditions from the SEPA Mitigated Determination of Non-Significance shall be noted on the face of the final plat and included in the Covenants, Conditions, and Restrictions (CC&Rs) document recorded with the final plat:
 - a. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.
 - b. The use of wood burning stoves shall be prohibited.
 - c. Snow removal shall be the responsibility of the Homeowners Association. Snow storage shall be limited to those areas shown on the face of the plat and shall be located outside of wetland and stream areas and their buffers.