

3.15.09
TO: KITTITAS County COMMUNITY DEVELOPMENT SERVICES
FM: ROGER OVERBECK

RE: SHORT PLAT APPLICATIONS SP-09-00001 - SP-07-15
SP-07-13 - SP-07-12

RECEIVED
MAR 17 2009
Kittitas County

THESE OBJECTIONS, QUESTIONS AND SOLUTIONS ARE CONTINUING IN NATURE AND WILL BE DIRECTED TO KITTITAS COUNTY AND DEVELOPMENT SERVICES OF AMERICA ON ALL APPLICATIONS CONCERNING REZONING, FORMAL PLATS, SHORTPLATS, FEED LOTS, COMMERCIAL ACTIVITIES AS OR NON COMPLIANCE ETC.

1. IS THE SECTION SURVEY COMPARABLE TO ACTUAL LAND OWNERSHIP AND ITS BOUNDARIES?
2. UNDER 58.17.316 KITTITAS COUNTY IS THERE AN APPROVAL OR PROVISION WITHIN THE IRRIGATION DISTRICT FOR WATER AND EASEMENTS AND DITCHES?
3. WHAT IS THE REVIEW RESPONSIBILITY OF KITTITAS COUNTY GOVERNMENT AND ITS AGENTS?
 - A. DUE TO THE IMPACT OF LAND INVOLVED SHOULD NOTICE OF PUBLIC HEARING 58.17.090 TEN DAYS NOTICE TO BE GIVEN?
4. WHERE IS THE RECOGNITION OF EXISTING RIGHTS AND USES?
5. KITTITAS COUNTY GOVERNMENT AND WASHINGTON STATE AGENCIES HAS THE RESPONSIBILITY OF APPLYING ALL RELEVANT LAW AND PROCEDURES.

- 6. KITTITAS COUNTY IS IN THE STATE OF ADOPTION BETWEEN THE COMPREHENSIVE PLAN AND DEVELOPMENT RULES AND PROCEDURES - WHAT IS THE STATUS OF THE APPLICATION IN THE INTERIM?
- 7. WILL THE PERCENTAGE OF APPROVED APPLICATIONS PRECLUDE EQUAL TREATMENT OF ADJACENT LAND OWNERS? REF. DAILY RECORD 3-21-07
- 8. WHEN ARE OPEN SPACE BACK TAXES AND PENALTIES DUE AND PAYABLE TO THE COUNTY BY LAND SERVICES OF AMERICA OR ITS AGENTS?
- 9. FENCES R.C.W. TITLE 16, EXISTING FENCE LINES OWEN SEVEN YEARS FALLS UNDER ADVERSE POSSESSION BY ADJACENT PROPERTY OWNERS AND MEETS THE CRITERIA.
- A. KITTITAS COUNTY CODE TITLE 18-17-16 REFLECTS:
- B. TO DETERMINE BOUNDARIES PAST AND PRESENT PRESENT SECTION SURVEYS SHOULD BE PROVIDED FOR INSPECTION BEFORE APPROVAL, ALSO SHOWING EXISTING FENCES, DEEDS AND EASEMENTS OF RECORD.
- 10. EXISTING HOME WATER WELLS / IMPACTS, CONTAMINATION AND AQUIFERS RESPONSIBILITY DAMAGES, REPLACEMENT, COUNTY OR LAND SERVICES OF AMERICA OR ITS AGENTS.
- 11. BUREAU OF RECLAMATION / DEPT OF ECOLOGY, KITTITAS COUNTY, HAVE A MORATORIUM, AGREED UPON BY ALL PARTIES DEALING WITH NEW WELLS, PROVIDE DOCUMENTATION WHICH SUPPORTS KITTITAS COUNTY

11.
Contin.

TO BREACH THIS AGREEMENT.

12.

ROAD IMPACTS - RURAL ROAD - COVERED WITH ROCK EVERY SEVEN YEARS, NO SHOULDERS, INCREASED TRAFFIC (10 DAILY TRIPS PER HOUSEHOLD / NEW DEVELOPMENTS, BRIDGES NOT UP TO STANDARDS ETC. WILL THE COUNTY MITIGATE MONIES FROM LAND SERVICES OF AMERICA / DEVELOPERS OR ITS AGENTS CONCERNING RURAL ROADS AND THEM UP KEEP.

13.

WILL THE DEVELOPERS OF THE WINDMILL FARM USING LOWER GREEN CANYON RD AND FOR THERE INGRESS AND EGRESS MOVING HEAVY EQUIPMENT, MATERIALS, SUPPLIES, HAVE AN IMPACT ON ROAD USAGE AND WHO PAYS FOR THIS. AS OF THE PRESENT DATE AND MANY CALLS TO THE ROAD DISTRICT, I STILL HAVE HAD NO RESPONSE TO PUT MY DRIVEWAY BACK AFTER THE FLOOD. IF THIS IS AN INDICATOR FOR ITS CURRENT RESIDENTS TO PROVIDE SERVICES BY THE COUNTY THEN WHAT???

14

ARE SECTION SURVEYS PAST AND PRESENT NO AVAILABLE FOR INSPECTION AND WILL THEY BE MAJOR PART OF THE FILING RECORD

15

FEDD LOTS OWNED BY FOOD SERVICES OF AMERICA / MISTY ESTE CATTLE COMPANY, LAND SERVICES OF AMERICA OR ITS AGENTS

284
14.
conts

3-18-09

15. ARE IN COMPLIANCE WITH DOE. IN YAKIMA, FLOODPLAIN AREA - EXHIBITS AVAILABLE?
15. BURN BAN - PRESENT AND FUTURE (DOE.) TO BE MADE PART OF THE RECORD.
16. PRESENT PROPERTY OWNERS PROPERTY TAX INCREASES AND THEIR IMPACTS BY COUNTY LAND VALUES ETC. FORMULA USED BY AGENCY FOR TAX DETERMINATION.
17. WHO IS GOING TO MAKE THE DETERMINATION ON THE ISSUES OF WET LANDS AND ITS PROCEDURE FOR ENFORCING THE DEVELOPERS AND THEIR AGENTS TO CONFORM?
18. FIRE PROTECTION NEEDS TO BE ADDRESSED AND PUT IN PLACE AS IT INCREASES THE DENSITY OF THE POPULATION AT THE TIME OF APPROVAL ON ITS SHORT PLATS THE AREA IN QUESTION HAS NO FIRE PROTECTION OR WATER SUPPLY.
19. WATER TESTS OF EXISTING LAND OWNERS WILL BE DOCUMENT AND MADE PART OF THE COUNTY'S DECISION FOR APPROVAL AS PROVIDED BY THE DEPT OF PUBLIC HEALTH IN KITTITAS COUNTY.
20. OPEN RANGE - IMPACT SHOULD BE ADDRESSED AND MADE PART OF THE APPROVAL.
21. MAINTAINING ANIMALS FEEDING TITLES SHOULD BE ADDRESSED AND MADE PART OF THE APPROVAL.

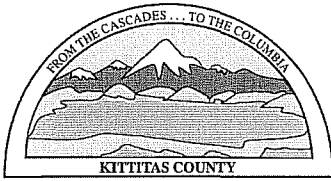
- 22. RIGHT TO FORUM - IMPACT SHOULD BE ADDRESSED AND MADE PART OF THE APPROVAL
- 23. IS THE COUNTY GOING TO BE PROACTIVE OR REACTIVE CONCERNING DEVELOPMENTS PRESENT OR FUTURE. IS THE COUNTY GOING TO USE THE "PHILOSOPHY" LET BUYER BEWARE " WHEN KITTITAS COUNTY PUDA PROVIDES POWER TO THESE SHORT FEATS WILL THEY BE UNDER BOUND OR OVER HEAD LINES WHO WILL BE ASSESSED FOR THIS SERVICE IN ANY WAY BY RATE INCREASES - TO THE EXISTING PROPERTY OWNERS?

25. THESE FIVE PAGES HAVE BEEN HAND DELIVERED TO KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES ON 3-17-09
 BY - ROGER OVERBECK
 5160 LOWER GREEN CANYON RD.
 ELEN'SBURG WA. 98926

cc House Counsel

Rec'd

RECEIVED
 MAR 17 2009
 Kittitas County
 CDS



KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Allison Kimball, Community Development Services
FROM: Christina Wollman, Planner II *CW*
DATE: March 3, 2009
SUBJECT: Grove Short Plat SP-09-00001

RECEIVED
MAR 03 2009
Kittitas County
CDS

Our department has reviewed the short plat application and has the following comments:

- “Conditional Preliminary Approval”** is recommended based on the information provided. See below for conditions of preliminary approval.
- “Additional Information Requested”**. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following shall be conditions of preliminary approval:

1. 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.

2. Plat Notes: Plat note #3 shall be removed and the following plat notes added.
 - a. Maintenance of the access is the responsibility of the property owners who benefit from its use.
 - b. Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
 - c. 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.

3. 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

4. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
5. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
6. 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.
7. 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.
8. Mailbox Placement: Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.



To Protect and Promote the Health and the Environment of the People of Kittitas County

RECEIVED
JAN 09 2009
Kittitas County
CDS

January 8, 2009

Development Services of America
Rich Wilson
PO Box 25139
Scottsdale, AZ 85255

RE: Grove Short Plat (SP-09-00001) submission fee received (\$380.00/receipt #3932)

Dear Rich Wilson:

We have received the application for your proposed Short Plat (located in Section 32, Township 19N, Range 18E.W.M., off of Lower Green Canyon Road).

Enclosed is a checklist and detailed instructions for completing the Environmental Health requirements.

Your plat application will not be approved until you meet the enclosed requirements.

Once we have received and reviewed the required information, we will notify Community Development Services that you have satisfactorily addressed health department requirements.

If you have any questions or concerns, please feel free to contact our office.

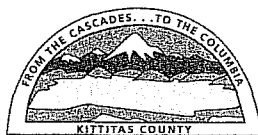
Sincerely,

A handwritten signature in cursive script that reads "Cathy Bambrick".

Cathy Bambrick, Public Health Administrator
Kittitas County Public Health Department

cc: Community Development Services, Duncanson Company
Enc: Checklist, Instructions for Completing EH Requirements, Soil Log Requirements

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F: 509.962.7581



www.co.kittitas.wa.us/health/

Environmental
Health Services
411 North Ruby Street, Suite 3
Ellensburg, WA 98926
T: 509.962.7698
F: 509.962.7052

Checklist

Prior to receiving approval of the above listed plat you must meet WAC 246-272-205(1) and WAC 246-272-095(1) by:

1. Proving there is an adequate supply of potable water

Choose and follow instructions for one of the five following options:

Group “A” public well

Provide written approval from Washington State Department of Health

Group “B” public well

Schedule a well site inspection or site inspection with Public Health as the first step toward approval of a group B system (the Group B system must be approved prior to plat approval)

Individual wells

Provide a well log or hydrogeological report to prove adequate ground water exists for the proposed number of potable water wells (see page 4). If a well log is used provide potable water test results.

Shared two-party well

Submit existing well log and a water user’s agreement signed by both parties

Public utility water supply

Submit a signed letter of agreement from a public utility official

AND

2. Proving satisfactory sewage disposal

Choose and follow instructions for one of the two following options:

On-site sewage

You must schedule a soil log and prepare the site (dig holes)

Public utility sewer

You must submit a signed letter of agreement from the public utility official

Instructions for Completing Environmental Health Requirements

I. ADEQUATE POTABLE WATER SUPPLY:

PUBLIC UTILITY WATER SUPPLY APPLICANTS

Submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.

PUBLIC WATER SYSTEMS

All Public Water System applicants must contact a Satellite Management Agency (SMA) before initiating the application process. Evergreen Valley Utilities (509) 674-9642 and Lookout Mountain Utilities Management (509) 674-6989 are the current SMAs.

PUBLIC GROUP "A" WELL

If you have an existing well and a Department of Ecology issued "water right" for potable usage of the well, Washington State Department of Health (DOH) is the regulatory authority for approving Group A systems. We require written verification that DOH has approved the system prior to final plat approval (see contact information below). If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

PUBLIC GROUP "B" WELLS

Washington State Department of Health and Kittitas County Public Health Department share the regulatory authority for approving Group B Water Systems in Kittitas County. The process for approval includes a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval; drilling of the well and/or ensure that the well is located within the subdivision boundaries; completion of the well infrastructure, the workbook and all related documentation including testing and satisfactory results.

All Group B applications with **3-9 connections should be submitted to Kittitas County Public Health Department; all Group B applications **10-14 connections** should be submitted to Washington State Department of Health at the addresses provided below.

Kittitas County Public Health Department
Environmental Health Division
411 N. Ruby Street, Suite 3
Ellensburg, WA 98926
(509) 962-7698

Washington State Department of Health
1500 W. 4th, Suite 305
Spokane, WA 99204
(509) 456-2453
ATTN: Tom Justus, Regional Engineer

After all of the aforementioned information is submitted, reviewed, and approved by Washington State DOH, final issuance of the well ID number completes the requirement.

INDIVIDUAL WELLS

Submit well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist. According to Critical Areas Ordinance 17A.08.25, individual wells must be located 50 feet from all property lines. To obtain well logs, contact Department of Ecology at (509) 575-2490.

After July 8, 2008 all applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states:

"The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law. "

AND

"Metering will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."

II. SATISFACTORY SEWAGE DISPOSAL

PUBLIC UTILITY SEWER

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

ON SITE SEWAGE

Soil logs will need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per WAC 246-272A or as amended (see attached soil log instruction sheet). The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

SET BACK REQUIREMENTS

A well must be located 50 feet from a septic tank and 100 feet from a drain field.

Soil Log Requirements for Land Division

Purpose: The purpose of a soil log is to ensure that future property owners can be assured that they will be able to install a septic system on the property. A soil log is performed to