

From: robtootall@comcast.net
To: [Kelly Bacon \(CD\)](#)
Subject: Public Comments on the "Cape Driveway Improvement project" (SE-22-00002+Cape) from Rob and Debi Thayer
Attachments: [Concerns about Cape paving project.pdf](#)
[cape project concerns 2-8-2022.docx](#)

February 8, 2022

Kelly Bacon-Permit Coordinator

Kittitas County CDS

411 N. Ruby Street, Suite 2

Ellensburg, Wa. 98926

Subject: Public Comments on the "Cape Driveway Improvement project" (SE-22-00002+Cape)

Attachment: Letter 2-3-2022 Osterberg to Kelly Bacon, same subject

Kelly,

We, (Rob and Debi Thayer) are adjacent and impacted property owners to the above proposed project. We own two 5 acre properties potentially impacted by this project, (parcels 133236 (address 1000 Alice Road) and 633236 (no address but adjoining other aforementioned parcel). One could be indirectly affected and the other directly affected. My direct concern is to parcel 133236 as it has frontage on both the subject easement road and the existing Alice Road. Both my wife and I have reviewed the associated documents in the following Kittitas county links:

<https://www.co.kittitas.wa.us/cds/land-use/project-details.aspx?title=Miscellaneous%20SEPA%20Applications&project=SE-22-00002+Cape> and have some additional questions, concerns and clarifications to share with you. Some of these are specific to our property and others are more overall/community concerns.

We are across the subject easement road from Jon and Luanne Osterberg, as such we carry all the same concerns that they have already noted and submitted to you (I have attached their letter as reference).

We would like to reiterate or emphasize the following from my wife and my perspectives:

1. When referencing "widening" of the easement road to a county Standard (I am not sure what this standard is and would like clarification if possible), I am not at all interested in any widening of the subject road that is adjacent to my property beyond it's current state or that would involve any further encroachment on to my property. Nor am I interesting in selling any further easements.
2. When referencing "gas transmission pipelines" we, like the Osterberg's have a propane tank right over the fence from the current easement road, which could be affected by this proposal.
3. What are the rules and process relative to one property owner wanting to make changes to a common, shared ownership road regardless of positive or negative benefits to others.

Lastly in general ours and others community concerns, as the Osterberg's letter detailed, evolve around the short- term impacts of the construction period, with increased traffic, noise, dust, damage to the existing road, damage liability, etc.

And the long-term impact, (similar to the short-term) to the environment, increased traffic, runoff, dust and increased future development.

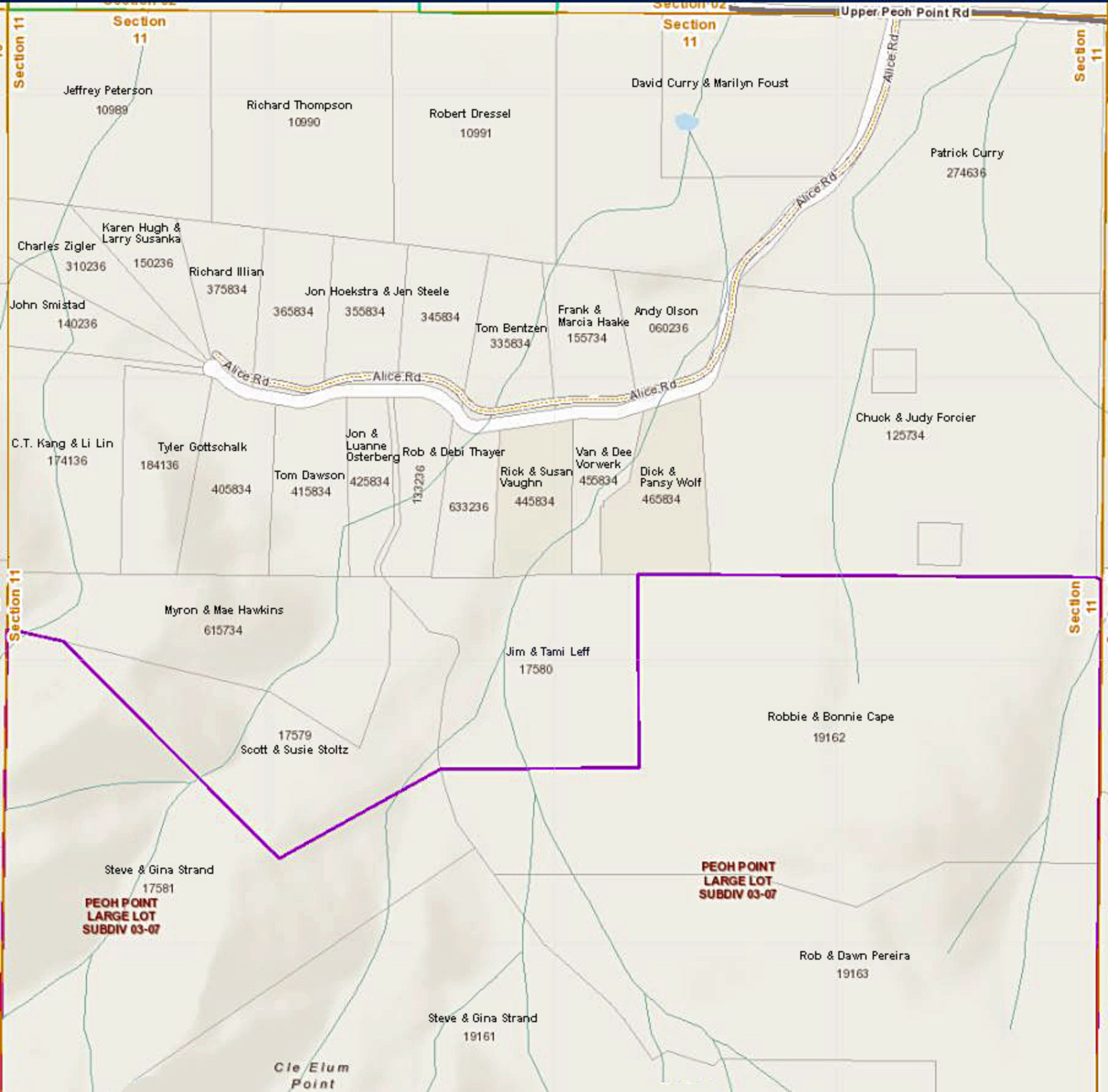
Thank you to your time and immediate attention to these community concerns. Feel free to call me at any time for questions and/or additional clarifications at my cell number below.

Rob and Debi Thayer

1000 Alice Road

Cle Elum, Wa. 95531

Rob's cell (253)653-6517



Section 11

Section 11

Section 11

Upper Peoh Point Rd

Section 11

Jeffrey Peterson
10989

Richard Thompson
10990

Robert Dressel
10991

David Curry & Marilyn Foust

Patrick Curry
274636

Charles Zigler
310236

Karen Hugh & Larry Susanka
150236

Richard Illian
375834

Jon Hoekstra & Jen Steele
365834 355834

345834

Tom Bentzen
335834

Frank & Marcia Haake
155734

Andy Olson
060236

John Smistad
140236

C.T. Kang & Li Lin
174136

Tyler Gottschalk
184136

405834

Tom Dawson
415834

Jon & Luanne Osterberg
425834

Rob & Debi Thayer
133236

Rick & Susan Vaughn
445834

Van & Dee Vorwerk
455834

Dick & Pansy Wolf
465834

Chuck & Judy Forcier
125734

Myron & Mae Hawkins
615734

Jim & Tami Leff
17580

17579
Scott & Susie Stoltz

Robbie & Bonnie Cape
19162

Steve & Gina Strand
17581

**PEOH POINT
LARGE LOT
SUBDIV 03-07**

**PEOH POINT
LARGE LOT
SUBDIV 03-07**

Rob & Dawn Pereira
19163

Steve & Gina Strand
19161

Cle Elum
Point

From: robtootall@comcast.net
To: [Kelly Bacon \(CD\)](#)
Cc: [Mark Cook](#); [Josh Fredrickson](#); ["Debi Thayer"](#)
Subject: Public comments from Robert and Debi Thayer (Parcels #133236 & 633236) on Notice of SEPA Action - SE-22-00002 Cape
Date: Wednesday, June 8, 2022 7:59:16 AM
Attachments: [Public Comments on the Cape Driveway Improvement project \(SE-22-00002+Cape\) from Rob and Debi Thayer.msg](#)

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Kelly Bacon, the following are our, Robert and Debi Thayer, comments relative to the Subject Notice of SEPA action SE-22-00002+Cape. We own 2 parcels on Alice Road and the subject easement road, affected by this project. I have also attached, above, my previous comments submitted as requested during the previous public comment timeline on this project. These previous comments I believe still apply to this project.

1. The one parcel #133236 and address 1000 Alice Road we own fronts both on Alice Road and on the easement road. But our driveway and only access is via the easement road and not Alice road. We have NO current Alice Road access. We use this easement road year round, for constant access to and from our home. The easement road is used for any and all access to our home, including deliveries, guests, trailers, etc.
2. This parcel (#133236) is zoned "single family-Residential" and not zoned as stated in the Notice of SEPA action provided as: "zoned Forest and Range within a Rural Working Land Use designation". Our Neighbors, The Osterbergs, parcel (#425834) is also zoned as "single family-Residential" per county records and their only access/driveway to their home is via the easement road and not off Alice Road.
3. I was told that to be considered as a "driveway" by the county, a project can only service up to four parcels. There are currently 9 parcels on this easement road, with 8 different owners and 5 structures. This easement does not seem to qualify as a driveway, as defined by the county, without an exemption. I have attached a parcel map of the subject area.
4. The SEPA and all documentation from Kittitas County states that the project will start at Alice Road between parcels 425834 and 133236 and extend up the easement road. As my previously submitted comments (attached) stated, we as owners of parcel #133236 will be impacted directly if the easement road right of way is changed/widened in any way beyond it's current width of 30 to 32 feet. We are greatly concerned about grading, and drainage/runoff control in the area that front our parcels. We do not plan nor will consider selling any further ROW at this time.

5. The SEPA and all documentation does not include any proposed work to the existing Alice Road other to gain access for this projects work and any subsequent work to repair damage to Alice Road after completion of said project. I have heard verbally that Alice Road may now need to be improved as a part of this project. If true I would like this additional impact be included in the SEPA documentation and also be assessed for impact. This will significantly increase the size, complexity and impacts of this project. Also clearly articulate the long term cost liability for maintaining these changes.

Above, are what my wife and I considers our biggest concerns from our perspectives, but we do have numerous concerns surrounding the details of the proposed work and the scope that we cannot articulate due to a lack of details on this project to date. Concerns such as grading, fill, culverts, runoff, continued access to our home, wildlife, noise, dust, etc.

My wife and I are requesting that the County withdraw their DNS based on an inaccurate accounting of the parcels being served by the easement road that defines this as a “driveway” project, and until the full project scope as it impacts Alice Road can be included in the SEPA checklist and adequately addressed in further detail. We also request that any determination should include mitigating conditions that will ensure that Alice Road is not damaged and that the applicant would be solely responsible for any improvements or conditions that the County may require initially and long-term.

We also feel that a public meeting is justified prior to approval of this SEPA, due to it’s size, complexity and number of property owners impacted.

We would appreciate some sort of documented response on our questions if possible, as we have not receive any to date and don’t see in the SEPA documentation where they have been addressed.

Feel free to call or e-mail us if you have any clarifications or questions concerning the above. Rob Thayer cell 253-653-6517 and Debi Thayer cell is 253-951-6568.

Thanks for your time and considerations to the concerns we have identified.

From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>

Sent: Thursday, May 26, 2022 9:53 AM

To: 'Early, Shane (DNR)' <Shane.Early@dnr.wa.gov>; Marty Mauney <Marty.mauney@DNR.wa.gov>; 'Jon Osterberg' <jonosterberg@hotmail.com>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; 'robtootall@comcast.net' <robtootall@comcast.net>; 'Jim Leff' <jimleff@msn.com>; 'tamileff@msn.com' <tamileff@msn.com>; 'V V V' <tripleveew@yahoo.com>; 'stoltzs101@hotmail.com' <stoltzs101@hotmail.com>; Candie Leader <candie.leader@co.kittitas.wa.us>

Cc: 'Robbie Cape' <caperobbie@gmail.com>; 'Theo M Leonard' <tleonard@granitecivil.com>; Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Jeremiah Cromie

<jeremiah.cromie@co.kittitas.wa.us>; Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us>

Subject: Kelly Bacon, the following are our, Robert send Debi Thayer, comments relative to the Subject Notice of SEPA action SE-22-00002+Cape. We own 2 parcels on Alice Road, affected by this project. I have also attached above my previous comments submitted as requested during the previous public comment timeline on this project. These previous comments I believe still apply to this project.

6. The one parcel #133236 and address 1000 Alice Road we own fronts both on Alice Road and on the easement road. But Our driveway and only access is via the easement road and not Alice road. We use this easement road year round, for constant access to and from our home. The easement road is used for any and all access to our home, including deliveries, guests, etc.
7. This parcel (#133236) is zoned “single family-Residential” and not zoned as stated in the Notice of SEPA action provided as: “zoned Forest and Range within a Rural Working Land Use designation”. Our Neighbors, The Osterbergs, parcel (#425834) is also zoned as “single family-Residential” per county records and their only access/driveway to their home is via the easement road also and not off Alice Road.
8. I was told that to be considered as a “driveway” by the county, a project can only service up to four parcels. There are currently 9 parcels on this easement road, with 8 different owners and 5 structures. This easement does not seem to qualify as a driveway, as defined.
9. The SEPA and all documentation from Kittitas County states that the project will start at Alice Road between parcels 425834 and 133236 and end. As mt previously submitted comments (attached) stated, we as owners of parcel #133236 will be impacted directly if the easement road right of way is widened in any way beyond it’s current width of 30 to 32 feet. We do not plan nor will consider selling any further ROW at this time.
10. The SEPA and all documentation does not include any proposed work to the existing Alice Road other to gain access for this projects work and any subsequent work to repair damage to Alice Road after completion of said project. I have heard verbally that Alice Road may now need to be improved as a part of this project. I would like this additional impact be included in the SEPA documentation and also be assessed for impact.

Above, are what my wife considers our biggest concerns, but we do have numerous concerns surrounding the details of the proposed work and the scope that we cannot articulate due to a lack of details on this project. Concerns such as grading, fill, culverts, runoff, continue access to our home, noise, dust, etc.

My wife and I are requesting that the County withdraw the DNS based on an inaccurate accounting of the parcels being served by the access road that defines this as a “driveway” project, and until the full project scope as it impacts Alice Road be included in the SDEPA checklist and adequately addressed. We also request that any determination should include

mitigating conditions that will ensure that Alice Road is not damaged and that the applicant would be solely responsible for any improvements or conditions that the County may require initially and long-term.

We also feel that a public meeting is justified prior to approval of this SEPA, due to its size, complexity and number of property owners impacted.

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Feel free to call or e-mail us if you have any clarifications or questions concerning the above. Rob Thayer cell 253-653-6517 and Debi Thayer cell is 253-951-6568.

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From: Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>

Sent: Thursday, May 26, 2022 9:53 AM

To: 'Early, Shane (DNR)' <Shane.Early@dnr.wa.gov>; Marty Mauney <Marty.mauney@DNR.wa.gov>; 'Jon Osterberg' <jonosterberg@hotmail.com>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; 'robtootall@comcast.net' <robtootall@comcast.net>; 'Jim Leff' <jimleff@msn.com>; 'tamileff@msn.com' <tamileff@msn.com>; 'V V V' <tripleveew@yahoo.com>; 'stoltzs101@hotmail.com' <stoltzs101@hotmail.com>; Candie Leader <candie.leader@co.kittitas.wa.us>

Cc: 'Robbie Cape' <caperobbie@gmail.com>; 'Theo M Leonard' <leonard@granitecivil.com>; Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>; Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us>

Subject: Notice of SEPA Action - SE-22-00002 Cape

Good morning,

Please find the below correspondence in regarding the Cape SEPA application (SE-22-00002) attached:

1. Notice of SEPA Action
2. SEPA DNS
3. Cape SEPA Checklist

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days. Any person, affected tribe, or agency may submit comments to the lead agency within 14 days of the date of issuance of the DNS, to the Kittitas County Community Development Services office at 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. The comment period ends Friday June 10, 2022 at 5pm.

Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I

Kittitas County Community Development Services

411 N. Ruby Street, Ste 2

Ellensburg, WA 98926

Office: (509) 962-7539

Kelly.bacon.cd@co.kittitas.wa.us

Good morning,

Please find the below correspondence in regarding the Cape SEPA application (SE-22-00002) attached:

4. Notice of SEPA Action
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6. Cape SEPA Checklist

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days. Any person, affected tribe, or agency may submit comments to the lead agency within 14 days of the date of issuance of the DNS, to the Kittitas County Community Development Services office at 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. The comment period ends Friday June 10, 2022 at 5pm.

Please contact me directly with any questions.

Thank you,

Kelly Bacon

Planner I

Kittitas County Community Development Services

411 N. Ruby Street, Ste 2

Ellensburg, WA 98926

Office: (509) 962-7539

February 3, 2022

Kelly Bacon, Permit Coordinator
Kittitas County CDS
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: Cape (SE-22-00002)

Kelly:

I'm the property owner at 1100 Alice Road, Cle Elum, parcel 425834. Ours is a home on 5 acres accessed via Alice Road and an easement road that leads to eight different properties. I just today became aware of this proposed project.

The Cape application concerns our shared easement road, calling it a "driveway."

I fear this project to resurface the easement road could be harmful. Your notice of application says, "A Determination of Non-Significance is expected to be issued." Please consider my comments, as I believe the project could indeed cause harm.

1. "Robbie and Bonnie Cape are proposing driveway improvements including surfacing, widening as needed to meet County standards, and re-establishing and installing new drainage swales as needed." Background: At its lower reaches, the easement road property is owned by myself and our next-door neighbors, the Thayers. The property line runs down the middle of the road. However, there is an easement, atop which the road (obviously) was built, circa 1976.

Sapphire Skies and HMIC sought to develop the acreage uphill from my home two decades ago. Shortly before we bought our home in July 2004, Sapphire had expanded the existing easement road (originally built to access Burlington Northern/Plum Creek timber above) by dumping fill, topped with a mix of dirt and crushed gravel. The original dirt road had been crowned so that rainwater drained to its sides into shallow culverts. But the new 30-foot-wide Sapphire road was not crowned, and Sapphire did not build swales or culverts. As a result, since 2004, rainstorms have gouged deep channels into the road itself. Sapphire never should have been allowed to develop the easement road without addressing drainage. Subsequent uphill-owners HMIC (Harold Kern, manager) promised in 2005 that engineers were "planning culverts and hydro-seeding" to resolve the problems near my property and the parcels uphill. But that never happened.

Currently, with each downpour, new gouges appear in the road. The runoff empties onto Alice Road and our neighbor's property below. Paving the easement road will only accelerate the speed of that water runoff. If the Cape project were to proceed, it must include a crowned roadway with swales and culverts, to protect the road itself and Alice Road below.

2. Re: "widening" the easement road (quoting from your notice) – please know that I have zero interest in selling or yielding any of my property to accommodate that.

3. Re: “approximately 5,000 cubic yards of regrading and base material” being delivered to the site, the only access is via Alice Road. Alice Road is a private road of compacted dirt and gravel maintained by the Little Peoh Point Tracts property owners. Delivering that much material, and the heavy equipment required to work it, might well damage Alice Road, incurring significant repair costs. The Alice Road property owners should not bear that burden. So, who will pay?
4. Re: “No changes to drainage patterns will occur,” and “No surface water withdrawal or diversions are proposed and existing drainage patterns will not be altered.” As noted above, drainage patterns SHOULD be changed to remediate the existing problem caused by Sapphire Skies.
5. Re: “animals known to be near the site” – aside from the songbirds, deer, and elk already noted, there are bear, cougars, bobcats, and wild turkeys known to frequent the area.
6. Re: “Is the site part of a migration route?” Perhaps irrelevant, but residents noted a change in deer and elk patterns after Sapphire Skies extended the easement road uphill. I’ve personally seen a marked decrease in the frequency of deer on my property since the road uphill was bulldozed in 2004-2005.
7. Re: “gas transmission pipelines located in the vicinity,” my two propane tanks border the easement road, just across the fence on my property.
8. Re: “Adjacent properties should benefit from the improved driveway.” A paved easement road would benefit us by reducing dust in the summer. Conversely, speeding on the road already is a problem, and a smooth paved surface would likely increase speeding, and vehicle noise. A paved road in general could erode the rural nature of our community.
9. Re: “Will the proposal require improvements to existing roads, not including driveways?” Yes. As noted earlier, runoff water will need to be diverted along the easement road and, at its intersection with Alice Road, perhaps diverted beneath Alice Road.
10. Re: “How many vehicular trips per day....” Note that the existing easement road serves eight property owners and nine parcels, not four as listed.
11. I see the proposed construction time is May-June. The easement road is my only access to our home. How do we drive to our home during those weeks? May-June is a busy time for hosting friends and family, including a wedding shower we’re hosting this May.

Thank you for listening, Kelly.

Jon and Luanne Osterberg
1100 Alice Road
Cle Elum, WA 98922
jonosterberg@hotmail.com
(425) 499-2169

February 8, 2022

Kelly Bacon-Permit Coordinator

Kittitas County CDS

411 N. Ruby Street, Suite 2

Ellensburg, Wa. 98926

Subject: Public Comments on the "Cape Driveway Improvement project" (SE-22-00002+Cape)

Attachment: Letter 2-3-2022 Osterberg to Kelly Bacon, same subject

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1. When referencing "widening" of the easement road to a county Standard (I am not sure what this standard is and would like clarification if possible), I am not at all interested in any widening of the subject road that is adjacent to my property beyond it's current state or that would involve any further encroachment on to my property. Nor am I interesting in selling any further easements.
2. When referencing "gas transmission pipelines" we, like the Osterberg's have a propane tank right over the fence from the current easement road, which could be affected by this proposal.
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Lastly in general ours and others community concerns, as the Osterberg's letter detailed, evolve around the short-term impacts of the construction period, with increased traffic, noise, dust, damage to the existing road, damage liability, etc.

And the long-term impact, (similar to the short-term) to the environment, increased traffic, runoff, dust and increased future development.

Thank you to your time and immediate attention to these community concerns. Feel free to call me at any time for questions and/or additional clarifications at my cell number below.

Rob and Debi Thayer

1000 Alice Road

Cle Elum, Wa. 95531

Rob's cell (253)653-6517