

# EXHIBIT O

**Edie Berghoff**

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**From:** christine hanson <sophiechristinehanson@gmail.com>  
**Sent:** Tuesday, February 07, 2017 9:38 AM  
**To:** Edie Berghoff  
**Subject:** Poulsbo Meadows fence

Hello,  
S-Christine Hanson here. I am the owner of the property located at 19134 Noll Rd N.E Poulsbo, Washington. I am writing to U to request that Poulsbo Meadows (name?), the housing development going in behind me be required to erect a fence along the property line between my lot and their project prior to construction and that they be required as well to erect one along the Hatch/Cooper right of way as to prevent unauthorized use of the Hatch/Cooper right of way or easement across my property.  
Thank you and sincerely,  
Mrs.Hanson

**From:** [Karla Boughton](#)  
**To:** [Edie Berghoff](#)  
**Subject:** FW: Arborist's report  
**Date:** Wednesday, March 22, 2017 8:25:39 AM  
**Attachments:** [LauWilliams 3-17.pdf](#)

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**Karla Boughton**

Planning and Economic Development Director  
City of Poulsbo  
200 NE Moe Street  
Poulsbo WA 98370  
(360) 394-9748

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**From:** Becky Erickson  
**Sent:** Tuesday, March 21, 2017 4:00 PM  
**To:** Karla Boughton <[kboughton@cityofpoulsbo.com](mailto:kboughton@cityofpoulsbo.com)>  
**Subject:** FW: Arborist's report

This is regarding Poulsbo Meadows and Edie Lau concern for her tree during the grading process.

B

***Rebecca (Becky) Erickson, Mayor***

*City of Poulsbo, 200 Moe Street, Poulsbo, Washington 98370  
360-394-9700 / 360-779-3901 [www.cityofpoulsbo.com](http://www.cityofpoulsbo.com)*

*Executive Board Member, Puget Sound Regional Council, Kitsap Regional Coordinating Council*

***Open office hours from 9:00 until noon every Saturday, 3<sup>rd</sup> Avenue entrance, City Hall. No appointment required***

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**From:** Lau Edie [<mailto:edielau@yahoo.com>]  
**Sent:** Tuesday, March 21, 2017 3:59 PM  
**To:** Becky Erickson <[berickson@cityofpoulsbo.com](mailto:berickson@cityofpoulsbo.com)>  
**Subject:** Arborist's report

Hi Becky,

Thanks for the helpful discussion on Saturday. I asked my consulting arborist, Katy Bigelow, whether the use of pervious pavement would avoid damage to the mature golden cypress that borders the proposed Poulsbo Meadows site. Katy's assessment is that any soil disturbance and paving within the tree's drip line, even with pervious material, has a high potential to cause lethal harm to the tree.

Attached is her report.

I appreciate your continued interest, concern, and search for solutions.

Edie

## **Edie Berghoff**

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**From:** Lau Edie <edielau@yahoo.com>  
**Sent:** Tuesday, April 04, 2017 10:06 AM  
**To:** Edie Berghoff  
**Cc:** Harris Byron  
**Subject:** Revised arborist's report  
**Attachments:** LauWilliams tree report 3-17.pdf

Hello Edie B.,

The consulting arborist Katy Bigelow provided a revised report on the trees on our property at 19189 Tallagson Lane. The revision corrects the location of tree #4, the Douglas fir near the proposed utility easement and includes a photograph of the tree.

Please use this report for the record and delete the previous version.

Thank you!

Edie L.



Katy Bigelow  
206.351.1375  
arboristkaty@gmail.com

March 20, 2017

Eddie Lau & Jon Williams  
19189 Tallagson Lane NE  
Poulsbo, WA 98370

Dear Ms. Lau and Mr. Williams:

Thank you for having me evaluate trees on your property in Poulsbo, WA. To evaluate the trees addressed in this letter I combined my field experience and education with current accepted practices as defined by the American National Standards Institute (ANSI) and the International Society of Arboriculture (ISA).

In this case, the tools I use to make an assessment are limited to binoculars, mallet and a diameter tape. A visual tree assessment and other methods are only conclusive for the day of inspection and do not guarantee that conditions will remain the same in the future.

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I was asked by Ms. Lau and Mr. Williams to provide a current condition report for three trees growing on their north property line and one tree growing near their east property line, in advance of the property to the north subdividing and developing. I completed a Level 2 assessment of all the trees on March 14, 2017. Descriptions of the levels of tree assessment can be found in an attachment to this memo.

- 1) Tree 1: Golden cypress (*x Cupressocyparis species*) (Photo 1) – 17” diameter at breast height (DBH). This ornamental tree grows just south of the assumed north property line. It has a drip line consistent with the species of approximately 20’. This tree is in very good condition with no apparent structural or health defects.
- 2) Tree 2: Bitter cherry (*Prunus emarginata*) (Photo 2) – 10” DBH. This native tree grows just south of the north property line, approximately two feet north of Ms. Lau and Mr. Williams’s garage/wood shop. Its dripline is approximately 8 feet wide. The tree trunk is slightly bowed to the south and has evidence of sap sucker woodpecker activity. The tree is in fair condition.
- 3) Tree 3: Douglas-fir (*Pseudotsuga menzeisii*) (Photo 3) – 18” DBH. This fir grows near the northwest corner of Ms. Lau and Mr. Williams’s lot approximately two feet from the assumed north property line. Its drip line is 20’. It is part of a row of fir planted along the west property line. Run-off surface water from the property to the north flows from northwest to southeast over Ms. Lau and Mr. Williams’s property just south of this tree.

The tree has large surface roots growing mainly to the south. This tree is in good condition.

- 4) Tree 4: Douglas-fir (*Pseudotsuga menzeisii*) – One fir tree grows near Ms. Lau and Mr. Williams’s south property line near the driveway. It is 22” DBH with a dripline of approximately 17’. The tree’s crown is more sparse than normal with a slightly chlorotic look. This tree is in fair condition.

The most recent site plan provided to me by Ms. Lau and Mr. Williams for the Poulsbo Meadows Preliminary Plat shows that there is no landscape buffer area between the plat and Ms. Lau and Mr. Williams’s property. This means that development activities such as clearing and grading could abut the Lau/Williams north property line.

If this is the case, between 40-50 percent of Trees 1-3 critical root zones will be significantly and negatively affected. Removing or damaging roots or clearing or removing soils within critical drip lines of these three trees would severely impact their vigor and stability. Targets in the event that any tree failed in their root zone are Ms. Lau and Mr. Williams’s home, garage, other good condition trees and back yard. Since prevailing winds in the Poulsbo area can arise from the north, the trees failing after root disturbance could be considered a high probability.

It is my professional opinion that unless development activities remain outside of the drip line of all three trees that decline and instability will become nearly immediately evident.

An easement for sewer, water piping and other utilities is planned on Tallagson Lane east of Tree 4. The trench for installing utilities would likely be placed approximately six feet to the east of the tree trunk. This placement would significantly encroach on the tree’s critical drip line and would likely impact at least 20-30 percent of its critical root zone.

Mature trees are less able to react well to root disturbance or any sort. This coupled with the trees’s current health rating as “fair” would likely mean this tree would quickly experience decline and possibly instability in saturated soil conditions. I recommend plans are reviewed for the utility placement in relation to this tree.

Construction activity occurring within driplines of trees is one of the easiest ways to negatively impact a tree. Clearing, grading, installing any hardscape (pervious or impervious) will always significantly impact a trees’s stability or vigor. Please refer to the Tree Protection Specification attachment for general specifications which may help during the project.

Thank you very much for calling me for your arboricultural concerns.



Katy Bigelow  
Board Master Certified Arborist  
PNW ISA member # PN-6039AT  
Tree Risk Assessment Qualified  
Registered Consulting Arborist® #490

## Levels of Tree Assessment

**LEVEL 1:** The Level 1 assessment is a visual assessment from a specified perspective of an individual tree or a population of trees near specified targets to identify obvious defects or specified conditions. A limited visual assessment typically focuses on identifying trees with an imminent and/or probable likelihood of failure.

Limited visual assessments are the fastest but least thorough means of assessment and are intended primarily for large populations of trees.

**LEVEL 2:** This is a basic assessment completing a detailed visual inspection of a tree and surrounding site, and a synthesis of the information collected. This assessment requires that a tree risk assessor walk completely around the tree—looking at the site, buttress roots, trunk, and branches.

A basic assessment may include the use of simple tools to gain additional information about the tree or defects. Basic is the standard assessment that is performed by arborists in response to a client's request for tree risk assessment. Simple tools may be used for measuring the tree and acquiring more information about the tree or defects. However, the use of these tools is not mandatory unless specified in the Scope of Work.

**LEVEL 3:** Advanced assessments are performed to provide detailed information about specific tree parts, defects, targets, or site conditions. They are usually conducted in conjunction with or after a basic assessment if the tree risk assessor needs additional information and the client approves the additional service. Specialized equipment, data collection and analysis, and/or expertise are usually required for advanced assessments. These assessments are therefore generally more time intensive and more expensive.

## Photos



**Photo 1:** Golden cypress on the north property line, north of the home.

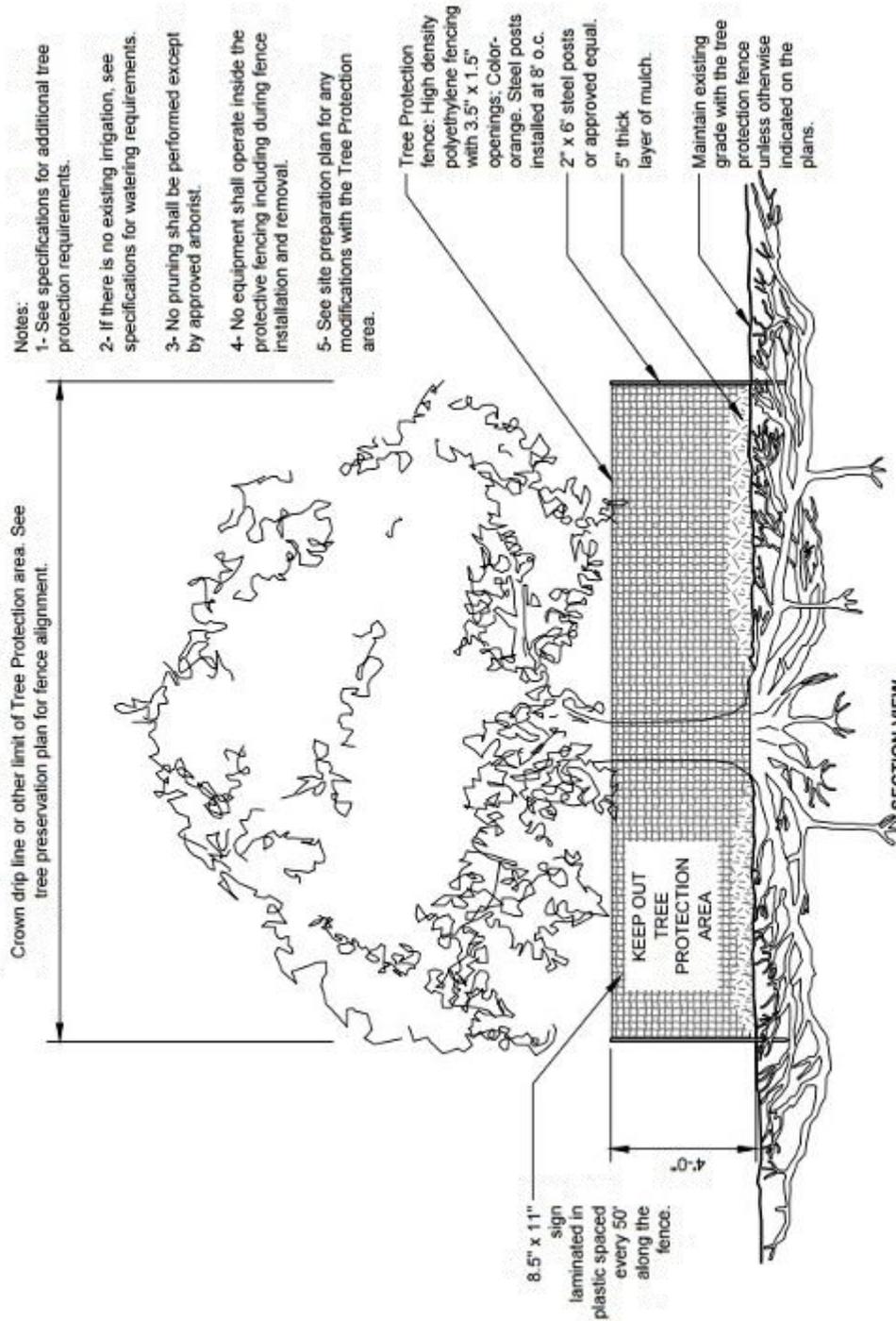


**Photo 2:** Cherry tree on the north property line by the garage/wood shop.



**Photo 3:** Douglas-fir on the northwest property corner.

## Tree Protection Specifications



## **Assumptions, Limiting Conditions and General Waiver**

I, Katy Bigelow, certify that:

I have personally inspected the tree(s) and or the property referred to in this report;

I have no current or prospective financial or other interest in the vegetation or the property which is the subject of this report and have no personal interest or bias in favor of or against any of the involved parties or their respective position(s), if any;

The analysis, opinions and conclusions stated herein are the product of my independent professional judgment and based on current scientific procedures and facts, and the foregoing report was prepared according to commercially reasonable and generally accepted arboricultural standards and practices for the Pacific Northwest and Puget Sound areas;

The information included in this report covers only those trees that were examined and reflects the condition of the trees as of the time and date of inspection;

This report and the opinions expressed herein are not intended, nor should they be construed, as any type of warranty or guarantee regarding the condition of the subject trees in the future;

Covenants, Conditions, and Restrictions (“CC&Rs”) may restrict the number, type and height of vegetation on the subject property, and I have made no investigation regarding whether the property is subject to such CC&Rs; and

To the best of my knowledge and belief, all statements and information in this report are true and correct and information provided by others is assumed to be true and correct.

I am not an attorney or engineer. This report does not cover these areas of expertise and represents advice only of arboricultural nature. Without limiting the generality of the preceding sentence, it is specifically understood that nothing contained in this report is intended as legal advice, or advice or opinions regarding soil stability or zoning laws, and this report should not be relied upon to take the place of such advice.



*Katy Bigelow*  
*Board Master Certified Arborist*  
*PNW ISA member # PN-6039AT*  
*Tree Risk Assessment Qualified*  
*Registered Consulting Arborist® #490*

## Edie Berghoff

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**From:** Edie Lau <heyediela@gmail.com>  
**Sent:** Monday, May 21, 2018 8:51 PM  
**To:** Edie Berghoff  
**Subject:** Poulsbo Meadows fence request  
**Attachments:** Poulsbo.Meadows.Lau Williams.fence.pdf; Letter of Understanding.pdf

**Categories:** Project Exhibit

Dear Edie,

This letter is regarding the Poulsbo Meadows housing development at Noll Road and Tallagson Lane NE proposed by Byron Harris, aka BDH Holdings LLC.

We live at 19189 Tallagson Lane. Our northern boundary abuts land on which the development is proposed. We understand the City is considering requiring the developer to erect a fence on all sides of the housing subdivision.

We respectfully request that the City *not* require a fence on the section that extends along our boundary, which runs from the southeast corner of the BDH property to a point approximately 325 feet to the west. We value aesthetics and positive social interaction among neighbors; therefore, we prefer to decide after construction is completed whether to erect a fence of our design on some, all or none of the boundary. For example, we may find we wish to visit with our neighbors over a 3-foot picket fence, rather than be separated by an unfriendly 6-foot generic barrier.

In 2006, Harris signed a letter of understanding with Bonnie McVee and Jack Earles, then the owners of the property at 19189 Tallagson Lane. Through the letter, McVee and Earles committed themselves or their successors to granting a public-utility easement to BDH in exchange for a fence on the shared boundary. As McVee and Earles' successors, we have communicated to Harris our preference that we be paid for a fence in lieu of having a fence built. Harris has agreed in principle, provided the City does not require fencing on the segment in question.

Should the City require a fence on the entire perimeter of Poulsbo Meadows, this would mean the portion that bounds our property would have to have *two* fences — one to meet the City's requirement, and a second to fulfill the terms of the letter of understanding, which states, "Said fence shall be the property of Earles." In other words, BDH is obligated to build a fence that belongs to the owner(s) of 19189 Tallagson Lane.

City-required fencing presumably would belong to Poulsbo Meadows, and its maintenance would fall to a Poulsbo Meadows homeowners association. The alternative would be for the City to require a fence on a new development that a neighboring property owner would own and have to maintain, a scenario that makes no sense. It would set a troubling precedent and raises a question whether such action would constitute a taking of land.

We trust City planning staff, the Poulsbo Planning Commission and the Hearing Examiner will agree that allowing us the discretion to build a fence where our property abuts Poulsbo Meadows is the most sensible course under the circumstances.

Thank you for your thoughtful consideration. Please acknowledge receipt of this letter and let us know when we may expect a decision from City staff on the fence question.

Sincerely yours,

Edie Lau & Jon Williams

Encl.

Edie Lau & Jon Williams  
19189 Tallagson Lane NE  
Poulsbo, WA 98370

May 20, 2018

Edie Berghoff  
Associate Planner  
City of Poulsbo  
200 NE Moe St.  
Poulsbo, WA 98370

Dear Edie,

This letter is regarding the Poulsbo Meadows housing development at Noll Road and Tallagson Lane NE proposed by Byron Harris, aka BDH Holdings LLC.

We live at 19189 Tallagson Lane. Our northern boundary abuts land on which the development is proposed. We understand the City is considering requiring the developer to erect a fence on all sides of the housing subdivision.

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In 2006, Harris signed a letter of understanding with Bonnie McVee and Jack Earles, then the owners of the property at 19189 Tallagson Lane. Through the letter, McVee and Earles committed themselves or their successors to granting a public-utility easement to BDH in exchange for a fence on the shared boundary. As McVee and Earles' successors, we have communicated to Harris our preference that we be paid for a fence in lieu of having a fence built. Harris has agreed in principle, provided the City does not require fencing on the segment in question.

Should the City require a fence on the entire perimeter of Poulsbo Meadows, this would mean the portion that bounds our property would have to have *two* fences — one to meet the City's requirement, and a second to fulfill the terms of the letter of understanding, which states, "Said fence shall be the property of Earles." In other words, BDH is obligated to build a fence that belongs to the owner(s) of 19189 Tallagson Lane.

## LETTER OF UNDERSTANDING

Whereas PBH Group LLC (hereinafter referred to as "PBH") owns the following described property located in Kitsap County, WA:

RESULTANT PARCEL B OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200406070125, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NORTH ONE HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., KITSAP COUNTY, WASHINGTON CONVEYED UNDER AUDITOR'S FILE NO. 8604020032, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF SAID SECTION 24, SOUTH 88°47'56" EAST 1308.60 FEET TO THE NORTHEAST CORNER OF SAID ONE HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE EAST LINE OF SAID SUBDIVISION, SOUTH 01°18'36" WEST 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°18'35" WEST 630.22 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE ALONG THE SOUTH LINE OF SAID SUBDIVISION, NORTH 88°48'28" WEST 402.30 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 01°18'35" EAST 226.89 FEET TO A FENCE CORNER; THENCE ALONG AN EXISTING FENCE THE FOLLOWING: NORTH 10°15'55" EAST 84.14 FEET; THENCE NORTH 35°13'01" EAST 136.47 FEET; THENCE NORTH 10°43'34" EAST 97.35 FEET; THENCE NORTH 08°58'41" EAST 112.70 FEET TO THE SOUTH RIGHT OF WAY OF NOLL ROAD; THENCE ALONG SAID RIGHT OF WAY, SOUTH 88°47'56" EAST 280.16 FEET TO THE TRUE POINT OF BEGINNING, AND THAT PORTION OF LOT D OF SHORT PLAT NO. 4432 AS RECORDED UNDER AUDITOR'S FILE NO. 8704030118, SITUATE IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT D OF SHORT PLAT NO. 4432; THENCE NORTH 88°47'38" WEST 546.55 FEET TO THE SOUTHWEST CORNER OF SAID LOT D; THENCE NORTH 01°22'54" EAST 330.00 FEET TO AN ANGLE POINT ON THE WEST BOUNDARY OF SAID LOT D; THENCE SOUTH 88°47'38" EAST 291.00 FEET TO AN ANGLE POINT ON THE WEST BOUNDARY OF SAID LOT D; THENCE SOUTH 76°49'51" EAST 288.33 FEET TO A POINT ON THE EAST BOUNDARY OF SAID LOT D; THENCE ALONG SAID EAST BOUNDARY OF SAID LOT D, SOUTH 10°19'03" WEST 57.64 FEET; THENCE CONTINUING ALONG SAID EAST BOUNDARY, SOUTH 01°21'43" WEST 226.66 FEET TO THE POINT OF BEGINNING, SUBJECT TO AND TOGETHER WITH EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

(Also Know as Tax Parcel No. 242601-1-033-2006)

And

Whereas Jack Earles and ~~Earles~~ <sup>McVee</sup> (hereinafter collectively referred to as "Earles") own the following described property located in Kitsap County, WA:

PARCEL I: BEGINNING AT THE NORTHEAST CORNER OF THE EAST



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11/22/2006 10:01:01 AM

LETTER #85 86 Kitsap Co. WA

PACIFIC NH TITLE

HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 24, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE SOUTH 120 FEET; THENCE WEST 330 FEET; THENCE NORTH 120 FEET; THENCE EAST 330 FEET TO THE POINT OF BEGINNING. PARCEL II: AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND ACROSS THE WEST 15 FEET OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTH 20 FEET OF THE WEST 155 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M.; BOTH PARCELS SITUATE IN KITSAP COUNTY, WASHINGTON. (Also known as Tax Parcel No. 242601-1-014-2009)

And

Whereby PBH is proposing to develop the PBH property into a residential subdivision and whereby during rainfall, water naturally drains across the PBH property southeasterly over the Earles property and for mutual benefits contained herein the parties hereto agree as follows:

PBH their heirs, successors, or assigns agree once said residential subdivision is developed to collect that portion of surface water that runs across the PBH property and convey said surface water in a piping system that will exit the PBH property near the Southeast corner of said PBH property and continue conveying said water in a piping system along with a Sanitary Sewer piping system southeasterly across the Northeast corner of the Earles property until said piping systems leave or exit the Earles property near said Northeast corner of the Earles property. PBH their heirs, successors, or assigns further agree that once said residential subdivision is developed, PBH their heirs, successors, or assigns agree to construct a 6 foot high wooden visual obscuring fence along the Earles entire North boundary of which that portion is common boundary with the PBH Southern Boundary. ~~Said fence shall be the Property of Earles.~~

In consideration thereof, Earles their heirs, successors, and or assigns agree to Grant to PBH and or the City of Poulsbo an easement for underground utilities only, under and across the Northeastern corner of the Earles property along with the right to enter said area for the purpose of installation, replacement, and or maintenance of any underground utilities located in the easement area. Said Easement shall be the area as measured as follows: Beginning at the Northeast corner of Earles property, thence West along Earles Northern Boundary Twenty (20) feet, thence Southeast to a point lying Twenty (20) feet South along Earles East Boundary from Earles Northeast corner, thence Northerly along Earles East Boundary to Earles Northeast corner and point of beginning and terminus of the easement area. Said utilities shall include Storm Water and Sanitary Sewer lines and applicable cleanout and or manhole structures and said easement shall also allow for installation, replacement, and or maintenance of underground Water, Telephone, Cable TV, Gas, and Fiber Optic lines. Any installation shall be performed in compliance with City of Poulsbo requirements. Any disturbed areas shall be restored to as near as reasonably possible their original state that existed immediately prior to any construction, installation, and or maintenance work that does not interfere with the operation and function of said piping systems for the uses stated. The Grantor agrees to not use said easement area for any use that would interfere with

  
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Page: 3 of 4  
11/22/2006 10:01A  
PACIFIC NA TITLE LETTER #05.99 KITSAP CO. LR

the operation, function and or existence of said utilities. Ingress and Egress shall not be considered an interfering use.

The Grantee or their assigns agree to indemnify, defend and hold harmless Grantor from any and all liability, claims, damages, expenses, judgments, proceedings and causes of action of any kind whatsoever, arising out of Grantor's exercise of the Grantor's entry, work, and use of said easement area.

Earles upon request agree to Sign a dedication of said easement area to the City of Poulsbo in form supplied by the City of Poulsbo reflecting the above stated easement rights.

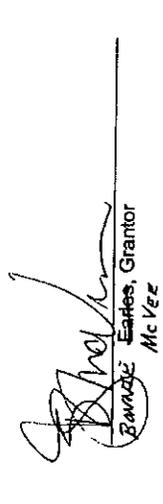
This agreement shall travel with the land and shall be binding upon the parties hereto, their heirs, successors, or assigns.

Agreed to this 31<sup>st</sup> day of JANUARY 2006.

PBH Group, LLC; by

  
Byron Harris, Manager

  
Jack W. Earles, Grantor

  
Bannock Earles, Grantor  
McVee

200611220064  
Page: 4 of 4  
11/22/2006 10:19:01A  
PACIFIC NW TITLE LETTER #55.00 K3Exp Co. IH

Date: May 22, 2017

From: Neighboring Property Owners

- (a) Angelina and Kevin Meier (Account No 242601-1-029-2002)
- (b) Beverly and Calvin Swift (Account No 242601-1-021-2000)
- (c) Barbara Maxey (Account No 242601-1-006-2009)
- (d) John and Jordan Adamson (Account No 242601-1-008-2007)
- (e) Jon Williams and Edith Lau (Account No 242601-1-014-2009)
- (f) Claire and Barbara Cooper (Account No 242601-1-024-2007)
- (g) Rand Hillier (Account No 242601-1-041-2006)
- (h) Jack and Ardie Falk (Account No 242601-1-055-2009)
- (i) Jorge and Monica Zapata (242601-1-009-2006)

To: City of Poulsbo Hearing Examiner

Subj: Poulsbo Meadows Development concern on adjoining neighbors

Encl: (1) Commentary regarding the Principal concerns for the Poulsbo Meadows Residential Development

Dear Hearing Examiner,

The neighboring property owners, as noted above, to the Poulsbo Meadows development have several concerns that relate to the potential development of the Poulsbo Meadows PRD. These are enumerated briefly herein with amplifying information and commentary attached as an enclosure.

Principal Concerns:

1. Stormwater Concerns: Please see Encolusre (1), Section 1 – Stormwater Concerns

A. We request a review and reassessment be done to ensure water runoff is bypassed back into Lemolo Creek and the surrounding wetlands, with no negative impact to neighboring properties. See Enclosure (1) Section 1.a.

B. We request a third-party review and a reassessment of the plans be conducted based on the fact that they do not address the culvert at the end of the Tallagson Ln storm drainage ditch, and thus do not correctly address the impacts to the pre-development hydrology of Lemolo Creek and other Critical Areas. Please refer to Enclosure 1, Section 1.b for more information.

C. We request that an independent review occur of the wet areas on the Poulsbo Meadows property, and a report be provided that directly addresses the impacts of developing these areas and what impacts raising the elevation will have on the surrounding Critical Areas and Tallagson Lane which provides access to our homes. Refer to Enclosure (1) Section 1.c for more information.

D. We request a review and redesign of the stormwater plans to ensure that the system does not have impact the neighboring properties and increase maintenance of Tallagson Ln, due to the location of the stormwater bypass outlet, as described in Enclosure (1) Section 1.d.

E. We request that all easements required to achieve the stormwater system be resolved prior to preliminary plat approval, as described in Enclosure (1) Section 1.e.

2. Property Line Identification: We request the public records of the survey that was done in support of the preliminary plat approval, and that the physical boundary be marked with a visual indication (spray paint on ground or similar) so that we can assess the impacts to our access road and foliage if the current plans are assuming the boundary line is different than the current fence line. Multiple concerns and impacts are addressed in Enclosure (1) Section 2.

3. Critical Areas Ordinance Analysis: Per the applicable CAO, Ordinance No. 2007-24, much of the required documentation has not been completed. An independent assessment is requested per Enclosure (1) Section 3.

4. Buffer/Visual Screen between properties: Per Ordinance 2007-25 Section 18.80.070.2 states that the perimeter of the PRD shall be subject to screening provisions. Buffer zones/screening provisions have not been addressed in the current Poulsbo Meadows development plans. We request a visual screen to include both a fence and tree buffer, be included as part of the requirement, as detailed in Enclosure (1) Section 4.

We request these issues be addressed at or before a public hearing.

Very respectfully,

Angelina Meier for the above indicated homeowners.

cc: City of Poulsbo Planning Department  
Mayor, City of Poulsbo

Enclosure Attachments:

- 1) Curtain Drain Recommendations
- 2) Review of proposed storm detention plans for Poulsbo Meadows and Mountain Aire Projects
- 3) Geotechnical Infiltration Report Excerpts
- 4) Wetland Area Map from Kitsap County Website as of May 2017
- 5) Elevation Drawing

Date: May 22, 2017

Title: Enclosure (1) - Commentary regarding the Principal concerns for the Poulsbo Meadows Residential Development

References:

- (a) Revised Final Storm Drainage Report for: Mountain Aire (MTA) PRD/Plat & Poulsbo Meadows (PM) PRD/Plat, TEAM 4 Engineering, Rev December 27, 2016.
- (b) Review of Proposed Storm Detention Plans for Poulsbo Meadows and Mountain Aire Projects, Berni Johnson, January 4, 2008.
- (c) ORDINANCE No. 2003-10, 03/03/2003
- (d) ORDINANCE No. 2007-25, 07/30/2007
- (e) ORDINANCE No. 2007-24, 07/30/2007
- (f) Geotechnical Infiltration Report: Poulsbo Meadows Development, EnviroSound Consulting, 13 February 2008

To whom it may concern:

The following describes concerns of and requests from property owners neighboring the Poulsbo Meadows parcel (tax parcel # 242602-1-033-2006), following review of public documents provided by the City.

1. Stormwater Concerns

a. Current stormwater plans do not account for the realistic surface water runoff, and only show two curtain drains. Per the current landowners, water runoff streams off both the 041 and 042 parcel property lines as shown in Attachment 1. We request a review and reassessment be done to ensure this water runoff is bypassed back into Lemolo Creek and the surrounding wetlands, and recommend a curtain drain as highlighted in blue in Attachment 1 (The existing proposed curtain drain is highlighted in yellow).

b. Current stormwater plans do not show the drainage ditch along Tallagson Ln (Attachment 1, highlighted in green). Further, the elevation descriptions suggest the ditch will be filled. The current plan also does not depict the culvert that starts at the southeast corner of the Poulsbo Meadows property and runs underground to Lemolo Creek, surrounding wetlands, and the pond on Barbara Maxey's property. (See Attachment 1, highlighted in Red). This culvert is missing from the document submitted by Berni Johnson of Team 4 Engineering dated Jan 4, 2008, titled Review of Proposed Storm Detention Plans for Poulsbo Meadows and Mountain Aire Projects. We request a third-party review of the plans and a reassessment be done on the impacts to the pre-development hydrology of Lemolo Creek. In addition, we request that impacts to both the Critical Aquifer Recharge areas and surrounding wetlands on the Zapata and Maxey properties be evaluated and documented. (This is reiterated in Item 4 below.)

c. The stormwater management plans and documentation clearly show a large amount of water at the surface and beneath the surface located midway on the east property line of the Poulsbo Meadows parcel. In the Review of Proposed Storm Detention Plans for Poulsbo Meadows and Mountain Aire Projects document map (see Attachment 2, highlighted in yellow), it is clear that there was a puddle of water observed in 2008; that puddle continues to exist to this day. The Geotechnical Infiltration Report completed by EnviroSound Consulting, dated Feb 13, 2008, shows groundwater present at a depth of 2 feet (see Attachment 3, highlighted in yellow). We are concerned that this water has not been addressed adequately in their assessments, and are concerned about what will happen if the area is filled as proposed. We also find it concerning that the report discusses a liability limit, and that a wetland assessment was not performed. We request that an independent review occur of these wet areas, and a report be provided that directly addresses the plans to ensure that this water should not be qualified as a Critical Area, and that the water management system appropriately accounts for the filling of these wet areas, and doesn't simply push off the water onto neighboring properties.

d. The stormwater plans show the outlet for the bypass system to be at the NE corner of the Poulsbo Meadows parcel (see Attachment 1, highlighted in purple). This corner of the property currently is much higher in elevation, and thus does not see much water runoff. However, the current stormwater plans show the bypass system outlet here, and thus would cause a significant variation to the drainage ditch, with impacts requiring assessment. As well, Team 4 noted that the ditch in the NE corner was dry, and most of the runoff was seen 30' or so south of this corner. (See Attachment 2, highlighted in green.) We request a review and redesign of the stormwater plans to ensure that the system does not cause negative impacts to the maintenance of Tallagson Ln, and neighboring properties.

e. The location of the easement to convey stormwater and connect utilities from Poulsbo Meadows to Mountain Aire remains unresolved. We request that this issue be resolved prior to preliminary plat approval.

## 2. Property Line Identification.

From our review of various aspects of the development plans, the location of the eastern property line is unclear. The drainage ditch is not identified on the plans, and it appears the Poulsbo Meadows parcel drawings overlap Tallagson Ln. in the SE corner (as shown in Attachment 1 highlighted in turquoise). Knowing the location of the property boundary is critical to the following:

a. Do the two properties east of Poulsbo Meadows (owned by Falk and Zapata) extend to the trees and shrubs on the east side of the existing concrete-post-and-barbed-wire fence? If so, no vegetation should be removed or otherwise impacted unless agreed by the respective property owners.

b. If the existing fence accurately marks the property boundary (as indicated by apparent survey markers and flags placed at the NE and SE corners sometime in the past 10 years, but now fallen out of place), then the drainage ditch is on the Falk and Zapata properties, and stormwater plans that change the flow in the ditch should be subject to approval by those property owners.

c. Tallagson Lane is a single-lane dirt road. If the Poulsbo Meadows property boundary falls on some part of the lane and the owner plans to extend the development onto what is now — and has been for 40 years — Tallagson Lane, then the property owners who need Tallagson to access their property need to be informed prior to preliminary plat approval.

We request that the City provide to the residents the public record of the survey that was done, and to mark the eastern boundary with a visual indication (spray paint on ground) so that we can assess the impacts.

### 3. Critical Areas Ordinance Analysis

Per the applicable CAO, Ordinance No. 2007-24, much of the required documentation has not been completed. The Poulsbo Meadows parcel falls within one critical area (Critical Aquifer Recharge Zone) and two buffers (Lemolo Creek, and wetlands). (See Attachment 4, Kitsap County wetland map). We request that the City require independent assessments as is defined within this ordinance, and hold the owner/developer accountable to protecting our critical areas.

### 4. Buffer/Visual screen between properties

Ordinance 2007-25, Section 18.80.070.2 Planned Residential Development Site design criteria states:

‘When a PRD is proposed adjacent to a single-family residential zone (developed or un/underdeveloped), the perimeter of the PRD shall be subject to screening provisions, (this is in addition to 18.80.060.1 above as applicable). The Review Authority may require the PRD to make such provisions as providing a 6' sight obscuring fence or a minimum 25' vegetated buffer (as an open space tract), or other provisions as deemed appropriate to provide adequate screening between the two parcels.’

As well, in section 18.80.140.F, it states that in approving a Planned Residential Development, the Review Authority must make the following findings:

‘The proposal would be compatible with existing and future land uses within the general area in which the proposal is to be located by providing screening or buffering between parcels and providing consistency between any existing single family subdivisions and the proposal;’

And in Ordinance 2003-10, I.F.23, a buffer is defined as follows

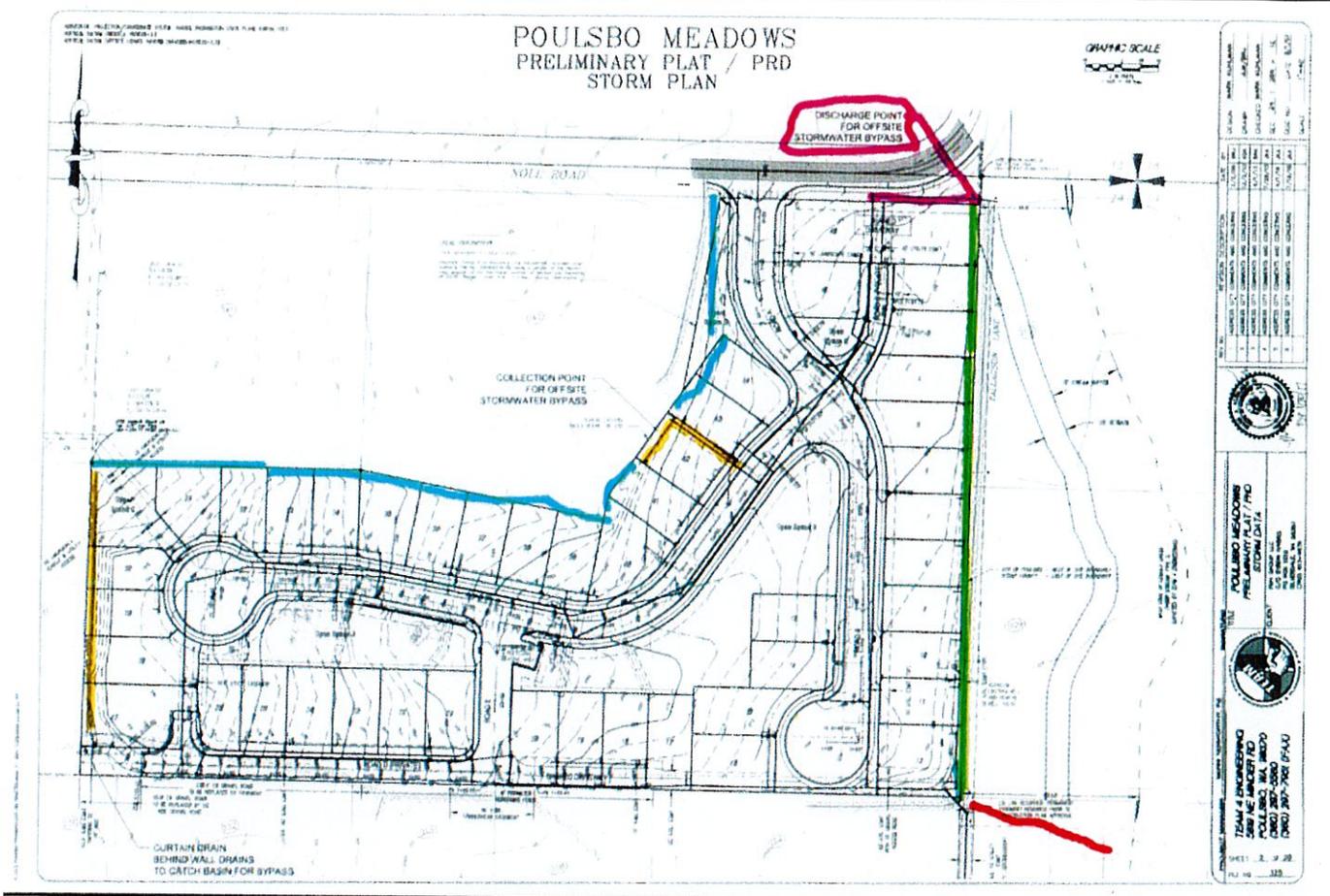
#### 23. Buffer, buffering.

"Buffer, buffering" shall mean space, either landscaped or in a natural state intended to separate potentially conflicting uses and to reduce visual, noise, odors and other impacts.

The single-family homes surrounding the proposed Poulsbo Meadows project in both the City and County are significantly different from those proposed. Many of the existing homes have or have had in the last year animals grazing the properties, including cows, chickens, and even goats to address black berry overgrowth. Our community is unique and wonderful, we share what is going on in our lives, and even plan together for what happens if/when the big earthquake hits. We realize the City is conservative in its use of the code, and the above

paragraphs are not solid requirements. However, they were written into the code to minimize the impacts of these PRD developments on existing surrounding neighborhoods. Currently, the county properties are not within the 50-year annexation plan of Poulsbo (per conversations with the planning department). We have amazing fish and wildlife habitats that run through our properties as well; many of our homes abut the Port Madison boundary, so we are essentially a 'buffer'. Attachment 5 includes an elevation drawing that is based on the details from the stormwater plan that the developer proposed, and takes into account the fill plans for the site, and assumes a 6' fence on the border of the property. As you can see, this fence will provide little to no screening visually to the neighboring properties. For all of these reasons, we request that the approving authority utilize the code to require the PRD to provide an appropriate permanent screening solution as allowed by the code, that reduces the sight lines, noise, and light pollution from this development onto our properties. This would include a combination of a 6' fence and planting of trees expected to grow 30'-45' in height. We also request that these trees be planted such that the trees would be maintained by the homeowners' association and none are to be removed without replanting an equivalent tree in its place.

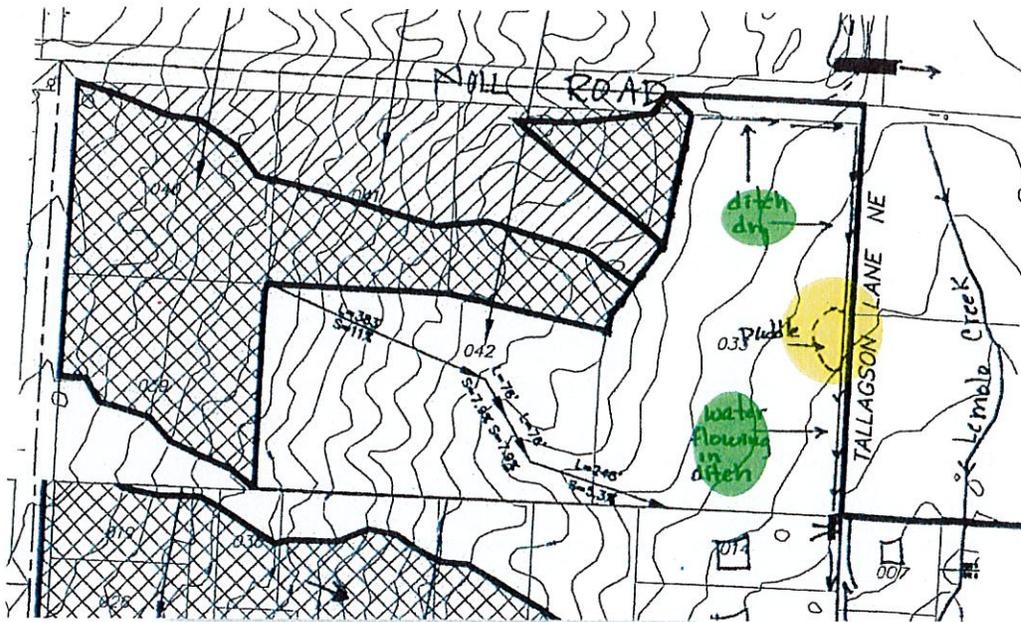
ATTACHMENT 1 – Curtain Drain Recommendations



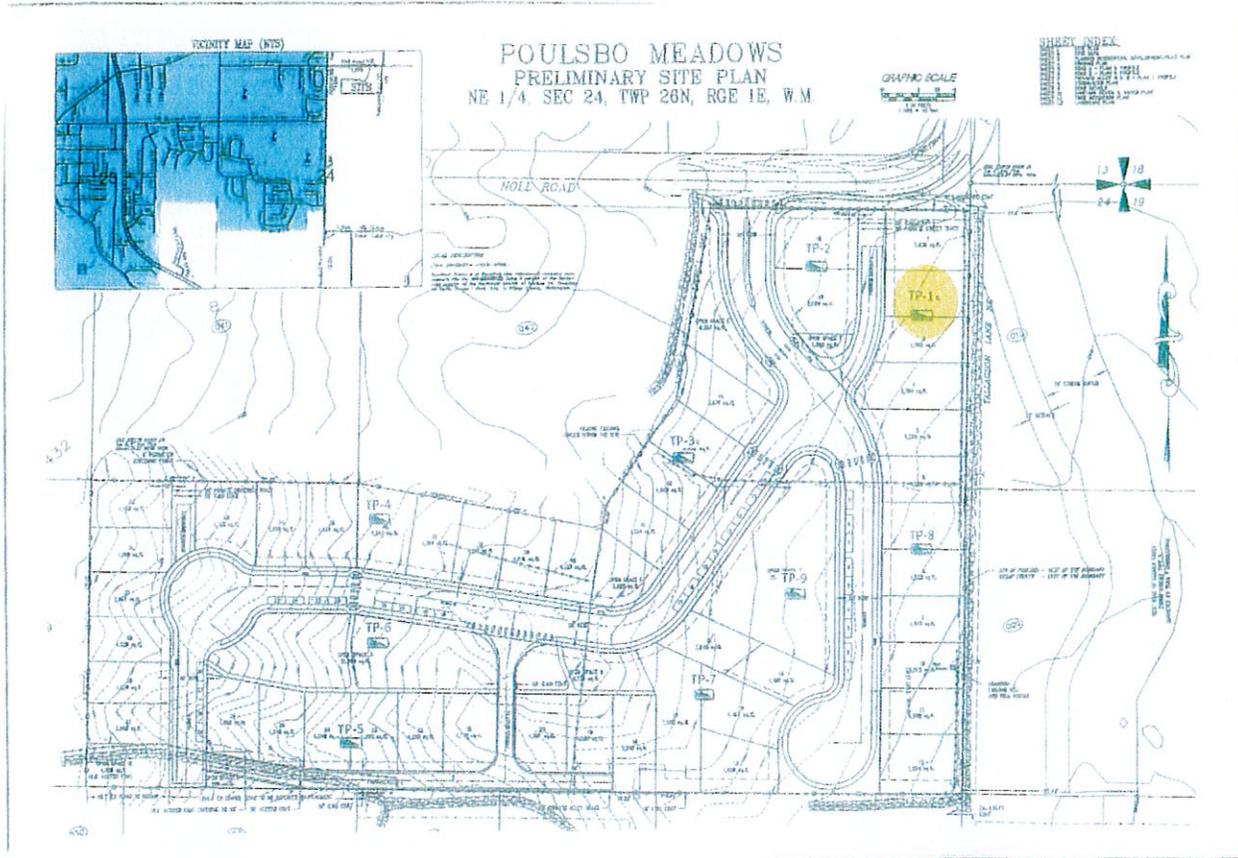
LEGEND

- Yellow – Current Curtain drains
- Blue – Recommended extensions to curtain drains
- Green – Tallagson Ln Private drainage ditch
- Red – Culvert to Maxey Pond
- Purple – Current Bypass outlet into private drainage ditch
- Turquoise – Property line crossing into the road at the lower SE corner

ATTACHMENT 2 – Review of proposed storm detention plans for Poulsbo Meadows and Mountain Aire Projects



ATTACHMENT 3 – Geotechnical Infiltration Report Excerpts



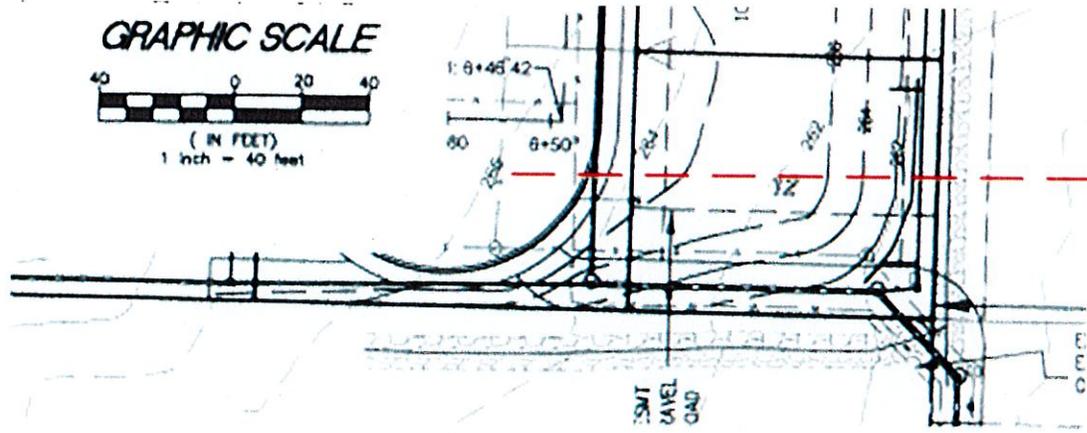
2.3.2 Groundwater

Groundwater was only encountered in Test Pit, TP-1. Ground water seepage was encountered at a depth of 2.5 feet below ground surface (bgs) in TP-1. Fluctuations in the groundwater level may occur due to variations in rainfall, temperature, site development, and other factors not evident at the time that these observations were made.

ATTACHMENT 4 – Wetland Area Map from Kitsap County Website as of May 2017



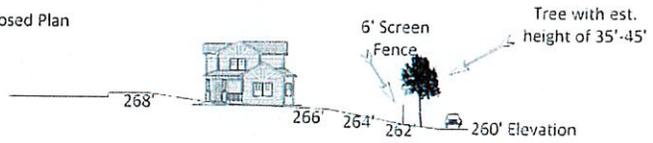
ATTACHMENT 5 – Elevation Drawing



Current Plan



Proposed Plan



## Edie Berghoff

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**From:** Angelina M <angelina.manning@gmail.com>  
**Sent:** Tuesday, April 24, 2018 11:16 AM  
**To:** Edie Berghoff  
**Cc:** Aaron C. Hulst; Becky Erickson; Edie Lau; Rand Hillier; John Adamson; Cal & Bev Swift; Monica Zapata; Monica Suitt; Ardie Falk-Thorsen; Barbara Cooper; Barb Maxey  
**Subject:** Re: Letter for the record  
**Attachments:** Neighborhood Letter 4-9-2018.pdf  
**Categories:** Public Comment

Edie,

I recently reviewed the letter from Team 4 Engineering that was sent to you in regards to our letter we wrote to the hearing examiner last year. We appreciated that the developer addressed the property line concerns by surveying the east boundary line, and determining that the existing Tallagson Ln road will remain without impact, ensuring no loss in access to homes now or during the project at any time. However, many of our concerns have not been addressed. In addition there has been no acknowledgement of our concern that the developer has not completed much of the required documentation in regards to the Critical Areas and associated buffers that surrounds our homes per the applicable CAO, Ordinance No. 2007-24. As we noted in our letter and have discussed face-to-face, the Poulsbo Meadows parcel falls within one critical area (Critical Aquifer Recharge Zone) and within two buffers (Lemolo Creek, and wetlands). Their SEPA does not include all of these, and implies that they will not be held accountable to comply with the ordinance by simply forgetting to address them. We would like a clear understanding of how the City is planning to address this concern, and what documentation they are expecting to have submitted prior to preliminary plat approval.

In much of the letter, we asked for the city to perform an independent review of drawings as is permitted by the code. We would like to get status on what independent reviews and actions if any were taken in regards to our requests.

V/r,  
Angie Meier

On Tue, May 23, 2017 at 5:15 PM, Edie Berghoff <[eberghoff@cityofpoulsbo.com](mailto:eberghoff@cityofpoulsbo.com)> wrote:

Hello,

Thank you for the comment letter on the Poulsbo Meadows subdivision proposal. The letter has been forwarded to the applicant and applicant's representative for their consideration.

I anticipate seeing you on site tomorrow.

Edie

Edie Berghoff

Associate Planner

City of Poulsbo - Planning and Economic Development

200 NE Moe Street

360-394-9748

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**From:** Angelina M [mailto:[angelina.manning@gmail.com](mailto:angelina.manning@gmail.com)]

**Sent:** Monday, May 22, 2017 10:19 PM

**To:** Edie Berghoff <[eberghoff@cityofpoulsbo.com](mailto:eberghoff@cityofpoulsbo.com)>; Aaron C. Hulst <[ahulst@cityofpoulsbo.com](mailto:ahulst@cityofpoulsbo.com)>; Becky Erickson <[berickson@cityofpoulsbo.com](mailto:berickson@cityofpoulsbo.com)>

**Cc:** Edie Lau <[heyedielau@gmail.com](mailto:heyedielau@gmail.com)>; Rand Hillier <[drandhillier@comcast.net](mailto:drandhillier@comcast.net)>; John Adamson <[JohnRocksteady@gmail.com](mailto:JohnRocksteady@gmail.com)>; Cal & Bev Swift <[cgsswift358@gmail.com](mailto:cgsswift358@gmail.com)>; Monica Zapata <[dmonica50@aol.com](mailto:dmonica50@aol.com)>; Monica Suitt <[dmonica50@gmail.com](mailto:dmonica50@gmail.com)>; Ardie Falk-Thorsen <[afieldofpumpkins@aol.com](mailto:afieldofpumpkins@aol.com)>; Barbara Cooper <[coopbjc@embarqmail.com](mailto:coopbjc@embarqmail.com)>; Barb Maxey <[barbara.maxey@icloud.com](mailto:barbara.maxey@icloud.com)>

**Subject:** Letter for the record

Attached is the letter we would like to incorporate into the record for the Poulsbo Meadows PRD preliminary plat approval and review. If I need to deliver it in hand, please let me know and I can do that as well.

We have included a letter briefly discussing the concerns and our requests, and have also included the Enclosure 1, detailing more background to fully understand our concerns and requests.

Please feel free to contact me if you have any follow-up questions.

V/r,

Angie Meier

360-394-1508

PO Box 24

Poulsbo WA 98370



**Team4 Engineering**

5819 N.E. Minder Rd. • Poulsbo, Washington 98370

Phone (360) 297-5560 • FAX (360) 297-7951

Edie Berghoff, Associate Planner  
City of Poulsbo, Planning Department  
200 NE Moe Street  
Poulsbo, WA 98370-0098

April 9, 2018  
Job No. 325

Re: Poulsbo Meadow's PRD/Plat,  
Preliminary Plat Drawings & Neighborhood Concerns

Dear Edie,

The following letter will address Neighborhood Concerns mentioned with the May 22, 2017 comment letter for the above project. The majority of their concerns have to do with storm drainage, protecting Lemolo Creek and not causing stormwater problems to downstream neighbors. There were also concerns with access along Tallagson Lane, maintaining the existing ditch, vegetation along the Tallagson Lane and access to existing driveways during construction.

The drawings to the City of Poulsbo are not construction drawings but Preliminary Plat drawings. The requirements for Preliminary Plat drawings are to show projects can meet City requirements for infrastructure, utilities, buffers, critical area and storm drainage. The preliminary plat drawings address the following issues:

**Storm Drainage:**

An extensive storm drainage system will be constructed throughout the project to direct stormwater to an existing stormwater quantity and quality facility within the Mountain Aire PRD/Plat along with directing stormwater to Lemolo Creek to meet existing flow conditions. Stormwater will be collected within the development along with 2.5 acres west of the property and direct it to the existing facility. Storm drainage will also be provided to collect stormwater from the 6.8 acres north and northwest of the property and direct it to the existing culvert at the southeast corner of the site. This area is tributary to the existing culvert by sloping to the drainage ditch along Tallagson Lane. With the development of the Poulsbo Meadow's PRD/Plat, peak flows rates and stormwater volumes directed to the existing culvert will be reduced slightly but similar to the existing conditions. The owner of Poulsbo Meadow's is willing to work with the property owner to increase the capacity or clean the existing culvert as necessary with this development.

Curtain drains have not been show in the preliminary plat drawings. Curtain drains will be shown as necessary with the construction drawing to protect proposed houses or direct stormwater to bypass catch basins. The preliminary plat drawings show many catch basins to connect curtain drains as necessary to direct stormwater to the Mountain Aire stormwater facility or the bypass storm drainage system.

**Screening:**

Screening will be provided along the perimeter of the property as required by City Code. Neighbors south of the property have requested the developer not construct a screening fence in exchange for the cost of the screening material. The developer is working with the City of Poulsbo and the property owner to see if they can meet this requirement.

**Culverts:**

Additional culverts will be shown with the construction drawing. Culverts will be placed under the entrance and connect to existing culverts as necessary to allow stormwater to continue to flow downstream.

**Property Lines:**

Property lines of the development go beyond the existing fence near the west side of Tallagson Lane. Development will not go beyond this existing fence. The existing fence will remain and a new fence will be installed on the west side of the existing fence. An easement will be established along the property line to keep the existing fence, drainage ditch and existing vegetation on the east side of the fence. Clearing and grading will not go beyond the existing fence; the existing ditch will not be filled in with this project.

**Access:**

Access will be available at all times for the neighbors and emergency vehicles during construction. Trenches will be filled in or covered with steel plates as necessary every night to allow neighbors to have full access to their property.

If you have any questions or require additional information please give me a call at (360) 297-5560.

Thank you,

Mark Kuhlman, P.E.  
Team 4 Engineering