

# EXHIBIT H

## PUBLIC COMMENT

1. Notice of Application
2. Other Comment Received

RECEIVED

JUN 21 2019

PED Department

June 21, 2019

Planning and Economic Development Department  
200 NE Moe Street  
Poulsbo WA 98370

Public Comment 1

RE: Calavista Planned Residential Development  
And abutting property 19704 Caldart Ave NE

To Whom it may concern:

In response to the notice of application of the Calavista development  
I have the following concerns.

The easement to my property is valid and must remain as access for future  
development plans. This easement is being challenged. Please see attached  
letters from attorneys regarding this issue.

I am very concerned there will be a drainage problem caused by  
development as my property is down hill from their site.  
This issue must be addressed.

Also, in order to restrict unauthorized access to my property, I  
would like a requirement that a wood fence be constructed to  
protect my lot.

Sincerely,

Jose Luis Ramirez  
23618 Dunbar Place NW  
Poulsbo WA 98370  
360-271-8557



# NOTICE OF APPLICATION

U.S. Fish and Wildlife Service

FOR THE PROTECTION OF THE ANTELOPE POPULATION OF THE GREAT PLAINS  
AND THE MOUNTAIN GOAT POPULATION OF THE WESTERN UNITED STATES  
AND THE MOUNTAIN GOAT POPULATION OF THE WESTERN UNITED STATES

THE UNITED STATES FISH AND WILDLIFE SERVICE HAS RECEIVED AN APPLICATION FOR A PERMIT TO TAKE AND POSSESS ANTELOPE AND MOUNTAIN GOATS FOR THE PURPOSES OF RESEARCH AND MANAGEMENT OF THE ANTELOPE POPULATION OF THE GREAT PLAINS AND THE MOUNTAIN GOAT POPULATION OF THE WESTERN UNITED STATES AND THE MOUNTAIN GOAT POPULATION OF THE WESTERN UNITED STATES.

STATEMENT OF THE APPLICANT: The applicant is a private citizen who has been conducting research on the antelope population of the Great Plains and the mountain goat population of the western United States for several years. The applicant has collected a large amount of data and has developed a management plan for the antelope population of the Great Plains and the mountain goat population of the western United States and the mountain goat population of the western United States. The applicant is requesting a permit to take and possess antelope and mountain goats for the purposes of research and management of the antelope population of the Great Plains and the mountain goat population of the western United States and the mountain goat population of the western United States.

STATEMENT OF THE SERVICE: The Service has reviewed the application and the data submitted by the applicant. The Service has determined that the applicant's research and management plan for the antelope population of the Great Plains and the mountain goat population of the western United States and the mountain goat population of the western United States is sound and that the applicant is qualified to conduct the research and management of the antelope population of the Great Plains and the mountain goat population of the western United States and the mountain goat population of the western United States. The Service has issued a permit to the applicant to take and possess antelope and mountain goats for the purposes of research and management of the antelope population of the Great Plains and the mountain goat population of the western United States and the mountain goat population of the western United States.

APPROVED: \_\_\_\_\_  
Special Agent in Charge

# North Map

City of Hamilton, Department of Planning

## Legend



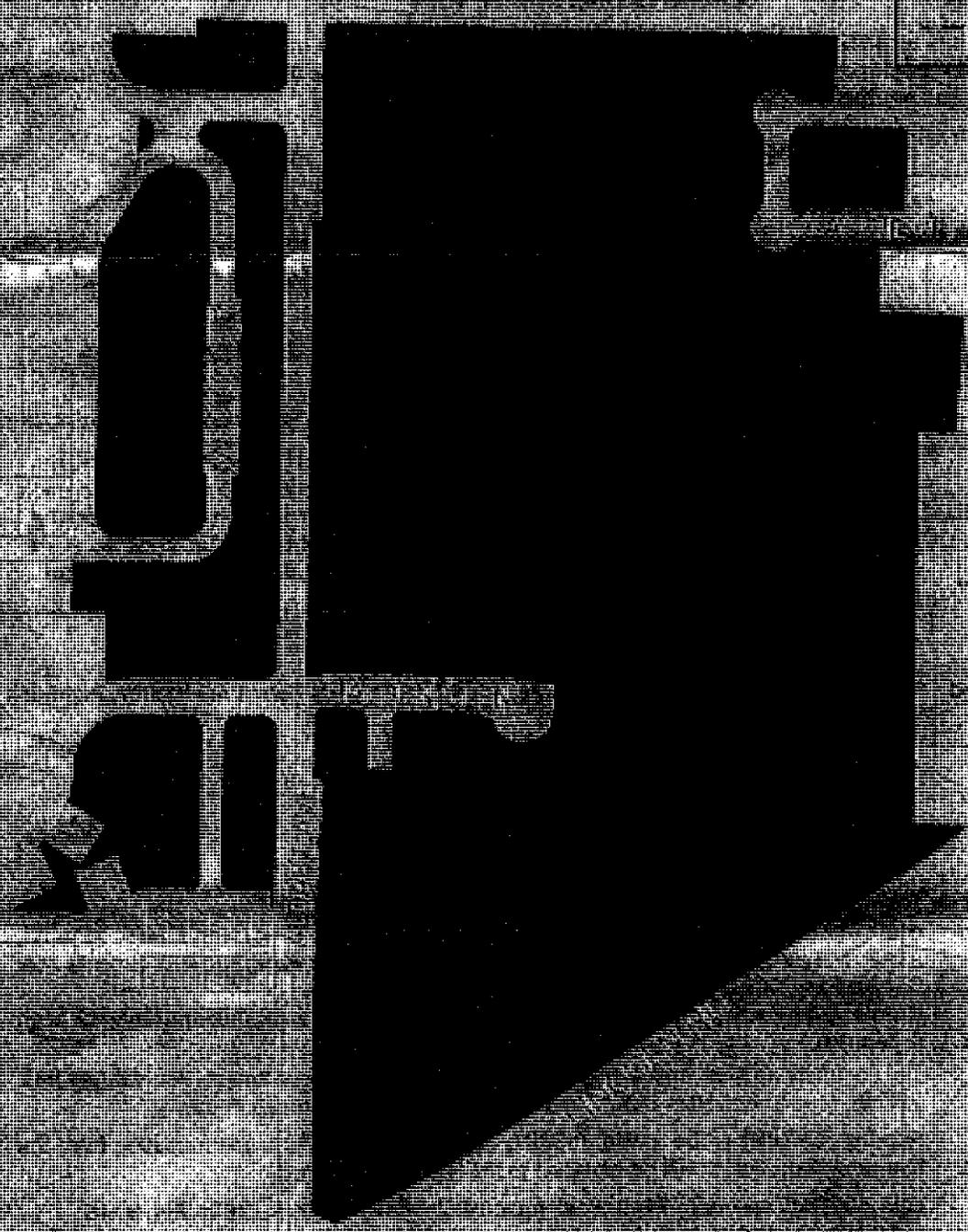
Waterfront



Waterfront Boundary



Waterfront Extension





# OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

275 Battery Street, Suite 1500, San Francisco, CA 94111-3334 | T: (415) 421-3500

April 9, 2019

**Via U.S. Mail and EMail**

Jose Luis Ramirez  
Larios Sonia Ramirez  
23618 Dunbar Place NW  
Poulsbo, Washington 98370  
[jose@northwoodspacific.com](mailto:jose@northwoodspacific.com)

Re: Property: 19704 Caldart Avenue NE, Poulsbo, WA 98370  
Old Republic Title Order No.: 32152316  
Our File: Ramirez-Washington-Claim No. 322623

Dear Mr. and Mrs. Ramirez:

I am writing to acknowledge Old Republic's receipt of the claim you presented. We have opened a claim file and commenced an investigation. In that regard, the claim has been assigned to Ashley Callahan, Claims Counsel. She will respond further regarding the claim after she has an opportunity to evaluate it. She also may contact you separately if she requires additional information or documents from you to assist her investigation of the claim. Ms. Callahan can be reached at:

Old Republic Title | Old Republic Insurance Group  
19020 33<sup>rd</sup> Ave. W, Ste. 360  
Lynnwood, WA 98020  
Telephone: (425) 776-1970  
Facsimile: (425) 776-5710  
Email: [acallahan@ortc.com](mailto:acallahan@ortc.com)

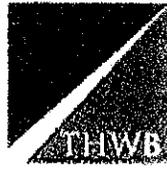
You are welcome to contact Ms. Callahan if you wish to discuss these matters.

Very truly yours,

Melisa Ramos  
Legal Department

cc: John Hall  
Synnea Giles  
Kiel Rado





TEMPLETON  
HORTON  
WEIBEL &  
BROUGHTON PLLC

Ronald C. Templeton  
David P. Horton  
David A. Weibel\*  
William H. Broughton  
Kylie J. Purves  
\*Also admitted in Oregon

3212 NW Byron Street #101 • Silverdale, WA 98383  
Telephone (360) 692-6415 • Fax (360) 692-1257  
www.kitsaplawgroup.com

April 3, 2019

*Sent via electronic & first class mail*

[orrice@immilaw.com](mailto:orrice@immilaw.com)

Vicki E. Orrico  
Johns Monroe Mitsunaga Koloušková, PLLC  
11201 SE 8<sup>th</sup> Street, Suite 120  
Bellevue, WA 98004

Re: My Clients: Jose & Sonia Ramirez  
Your Client: Barry Margoese

Dear Ms. Orrico:

This office and the undersigned represent Mr. and Mrs. Ramirez. My clients have provided to me a letter sent to them dated March 25, 2019 regarding property they own in Kitsap County, Washington.

I am writing to correct a number of errors in your letter which I hope are the result of your client providing you with incorrect information.

My clients do have an express easement on your client's property. I am sure that Mr. Margoese has in his possession title insurance documents reflecting the existence of the easement on his property. He acquired this property with notice of the existence of this easement.

The easement on your client's property has been improved and is used on a regular basis. I regret that your client has apparently informed you that the easement has been abandoned and is no longer valid. The gravel roadway was constructed many years ago and is used almost daily by the tenants who live there.

I would suggest that your client take a different approach. Your letter of March 25, 2019 is factually and legally erroneous. This letter places you on notice that any litigation based upon the statements made in your letter will be considered frivolous and we will seek attorneys fees in having to defend a frivolous action.

Please contact this office if you have any additional questions. If you would like to make a meaningful offer to acquire my clients' easement, then I will be happy to forward the same to my clients.

Sincerely,

A handwritten signature in cursive script that reads "Bill Broughton". The signature is written in black ink and has a fluid, connected style.

William H. Broughton



[Print](#) | [Close Window](#)

**Subject:** Easement Issue

**From:** Katrina Kallio <[katrina@kitsaplawgroup.com](mailto:katrina@kitsaplawgroup.com)>

**Date:** Wed, Apr 03, 2019 12:47 pm

**To:** "jose@northwoodspacific.com" <[jose@northwoodspacific.com](mailto:jose@northwoodspacific.com)>

**Attach:** 2019.04.03 to Attorney Orrico re Ramirez Easement.pdf

Good Afternoon Jose,

Attached please find a letter sent to Vicki Orrico in response to her demand letter to you.

Please let me know if email is acceptable when copying documents (other than invoices) to you. Otherwise, I am happy to mail a hard copy as well.

Thank you,

*Katrina Kallio*

Templeton Horton Weibel & Broughton PLLC

3212 NW Byron St., Suite #104

Silverdale, WA 98383

Phone - (360) 692-6415

Fax - (360) 692-1257

[katrina@kitsaplawgroup.com](mailto:katrina@kitsaplawgroup.com)

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**Subject: RE: Caldart Property Easement**

**From: Vicki Orrico <Orrico@jmmmlaw.com>**

**Date: Mon, Apr 01, 2019 3:38 pm**

**To: "jose@northwoodspacific.com" <jose@northwoodspacific.com>**

**Cc: Barry Margolese <barry@amalani.com>**

Mr. Ramirez

I am disappointed that you have not responded to my letter and Mr. Margolese's offer. If we do not hear back from you by end of day Monday, April 8, 2019, Mr. Margolese is prepared to begin legal proceedings against you to remove the easement from title. I look forward to your response.

Best Regards,

*Vicki E. Orrico*

Of Counsel

Johns Monroe Mitsunaga Koloušková, PLLC

Bellefield Office Park

11201 S.E. 8th Street, Suite 120

Bellevue, WA 98004

(425) 467-9968 (direct)

(425) 417-3519 (cell)

(425) 451-2818 (fax)

[www.jmmklanduselaw.com](http://www.jmmklanduselaw.com)

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**From:** Vicki Orrico

**Sent:** Monday, March 25, 2019 10:54 AM

**To:** 'jose@northwoodspacific.com' <jose@northwoodspacific.com>

**Cc:** 'Barry Margolese' <barry@amalani.com>

**Subject:** Caldart Property Easement

Mr. Ramirez

I represent Barry Margolese of Caldart Poulsbo LLC with regard to his development of his property abutting yours off of 19700 Caldart Avenue NE in Poulsbo. Attached is a letter regarding your claim of an easement across the Caldart Poulsbo property. I look forward to resolving this matter in a mutually satisfactory manner. Thank you

Best Regards,

*Vicki E. Orrico*

Of Counsel

Johns Monroe Mitsunaga Koloušková, PLLC

Bellefield Office Park

11201 S.E. 8th Street, Suite 120

Bellevue, WA 98004

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(425) 417-3519 (cell)

(425) 451-2818 (fax)



Johns

Koloušková

Robert D. Johns (Retired)

Michael P. Monroe

Darrell S. Mitsunaga

Duana T. Koloušková

Wald E. Carico

Sean Williams

March 25, 2019

Jose Luis and Larios Sonia Ramirez  
23618 Dunbar Place NW  
Poulsbo, WA 98370  
Via US Mail and Email: [jose@northwoodspacific.com](mailto:jose@northwoodspacific.com)

Re: Easement – Tax Parcel 132601-3-065-2006

Dear Mr. and Mrs. Ramirez:

I represent Barry Margolese of Caldart Poulsbo LLC with regard to his development of the above-referenced parcel, which is located at 19700 Caldart Avenue NE, Poulsbo, and which abuts your parcel number 132601-3-064-2007. Mr. Margolese has informed me that you are claiming that you have an access easement across his parcel.

The easement has been abandoned and is no longer valid. Washington state law provides that an access easement is deemed terminated where it was never opened or used, and another road has been used and recognized as the access.

The following factors, all of which are present in this case, lead to a determination of abandonment:

- lapse of time;
- creation of easement through a plat notation, rather than being acquired by contract for money;
- barrier rendering use of a right of way impossible or impractical; and
- nonuse of a platted but never opened easement coupled with long term use of a substitute way.

All of these factors exist in this case, and therefore the easement is no longer valid. There has been a significant lapse of time during which the easement was not used: it was created in 1994 and has been dormant since its inception. The easement was created through the 1994 plat; you did not pay consideration for the easement. There is a chain link fence, along with a significant pile of refuse acting as a barrier and rendering use of the easement impossible or impractical. Finally, the easement was created by a plat to provide your property with access to NE Halden Glen Court on the south of the Caldart Poulsbo LLC property. However, with the elimination of the buffers in 1996, your property took access directly to Caldart Avenue NE on the western side of your property, obviating the need for the easement to the south. The easement has never been used by your property. In summary, the easement has been abandoned and is no longer valid.

March 25, 2019

Page 2

In the interest of resolving this matter in a mutually satisfactory manner, Mr. Margoese is prepared to offer you Five Thousand Dollars (\$5,000) if you sign the attached release and return it to me or Mr. Margoese before 5:00 p.m. on Friday, April 5, 2019. Should you refuse, we will be forced to sue you to quiet title and to have the court declare the easement invalid. Under the quiet title statutes, RCW 7.28.083, we will also be entitled to collect our attorney's fees from you.

Please contact me or Mr. Margoese if you have any questions. Thank you.

Sincerely,



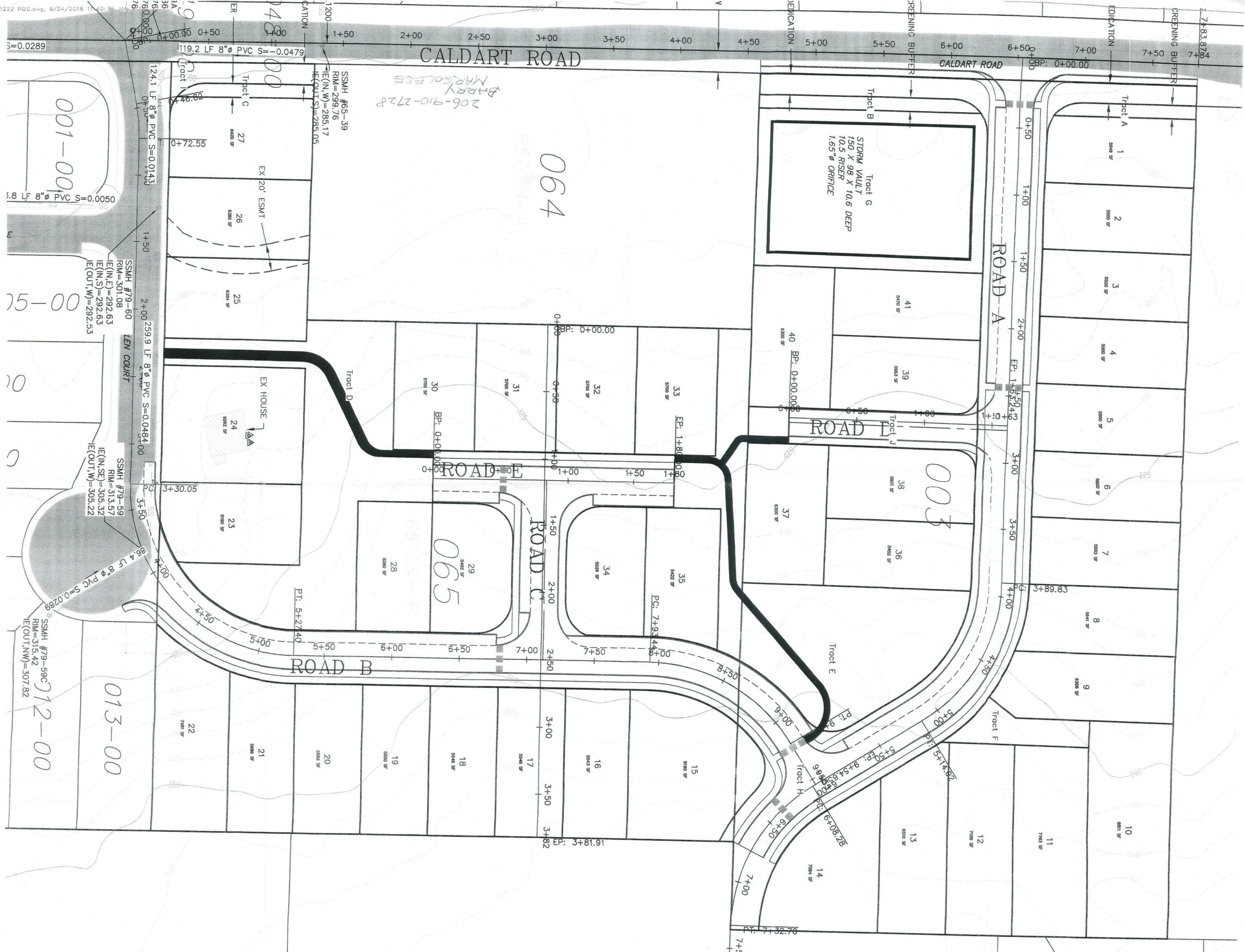
Vicki E. Orrico

*Direct Tel: (425) 467-9968  
Email: [Orrico@mmmlaw.com](mailto:Orrico@mmmlaw.com)  
[www.mmmlanduselawyers.com](http://www.mmmlanduselawyers.com)*

Enc.

cc: B. Margoese w/ enc.

*140-12 Letter to Ramirez 3-20-19*



RECEIVED  
 JUN 21 2019  
 PED Department

## Public Comment 2

**From:** [Joe Caputo](#)  
**To:** [Edie Berghoff](#)  
**Subject:** Calavista  
**Date:** Friday, June 21, 2019 10:23:25 PM

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**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good evening, Ma'am-

My name is Joseph Caputo, I live at 1652 NE Halden Glen Court. I am writing to you because I have a few concerns about the proposed Calavista building plans.

[] Traffic/street parking/working hours:

I noticed on the site plan that there will be homes with their driveways that use Halden Glen Court (the street). We already have issues with the one lane road that services the neighborhood. The addition of 5 homes facing that road along with the traffic generated by the connecting road is concerning. Deletion of the existing street parking that we currently utilize for our families (numerous homes with driving teenagers) is not acceptable.

Particularly, for the 3 homes at the top of the cul-de-sac that share the driveway. These homes can absolutely not park any more vehicles than the 2 spots that the driveways allow. We rely upon the ability to park along the road!

I am concerned about the use of our neighborhood during the construction of Calavista. We all have children that use our quiet and peaceful neighborhood to play in. Unless absolutely necessary (for the construction of the homes along Halden Glen Court), there needs to be restricted access by construction vehicles into our neighborhood. The impact on our quality of life will be significant during construction, additional UNNECESSARY traffic should not be something that we have to endure.

I understand the need to maximize available daylight areas for construction. However, it MUST be recognized that reasonable work hours need to be implemented for the construction site. We all have kids in school and jobs that we all work. I do not know if there are any city ordinances in place that govern this type of thing. I am simply looking for the establishment of reasonable working hours. No earlier than 7:00 a.m. and no later than 7:00 p.m.

[] HOA compatibility:

What are the rules for the Calavista homes to comply with our registered HOA rules and vice versa? Will a new HOA that encompasses both communities have to be drafted? Who is responsible for drafting that?

[] Water pressure:

Over half of the homes in Halden Glen currently must use water pressure booster pumps. The water pressure delivered by the city is simply not sufficient to travel up the hill to the homes. Without my pressure booster turned on, the PSI at my kitchen sink is 15; the PSI in my upstairs

showers is 11. I have a very deep concern that due to the inadequate water pressure supplied by the city, the addition of another 40+ homes will make a bad problem into a horrible problem. What is the city going to do remedy this issue?

Thank you for your time and consideration in this matter. I look forward to your response.

Respectfully,

Joseph Caputo

# Public Comment 3

**From:** [Megan Greene](#)  
**To:** [Edie Berghoff](#)  
**Subject:** Halden Glen and Calavista  
**Date:** Friday, June 21, 2019 5:16:53 PM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Edie,

I'm writing with concerns about the upcoming housing development planned near Halden Glen in Poulsbo, just off Caldart.

We understand that we can't stop the development but we'd like to ask for courtesy to the people living in the neighborhood which will be severely affected by this planned growth.

I am a third-generation Poulsbo resident and have raised my children here. I've chosen it because it's an ideal town in which to raise a family yet still be close to go job opportunities. Over the years I've seen the growth managed well by the city council. that seems to have changed with the unmanage growth and large developments being put up all over the town in the past two years. I chose my new development because it was small and close to the school. The influx of these large developments is wreaking havoc on the infrastructure of the city including the roads and natural resources. My water pressure is already so low that I have to have a water pump in my garage in order to have a proper pressure.

Now we've learned that the city is proceeding with their aggressive and greedy plan to develop yet more property. I reviewed the development plans for the Calavista development and see that it will severely impact parking and privacy. I'd like to respectfully request that the construction access be fettered off Caldart and that the cul-de-sac be left as an access road for those living there already. It's unfortunate that we won't eventually have a cul-de-sac, that it will be a pass-through for the numerous extra vehicles this development will bring. we respectfully request the courtesy of extending the privacy and noise reduction as long as possible to the construction process.

Kind regards,  
Megan Greene  
1670 NE Halden Glen CT  
3605097566

## Public Comment 4

**From:** [Dustin Padilla](#)  
**To:** [Edie Berghoff](#)  
**Subject:** Calivista site proposal  
**Date:** Saturday, June 22, 2019 3:24:19 PM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom this may concern,

My name is Dustin Padilla, I live in Halden Glen Lot 3 19607 Halden CT NE and I have great concerns about the new Calavista home development proposal. Per new development proposal, Calivista will use the Halden Glen access road. This will disrupt the peaceful neighborhood road with minimal traffic coming in and out of our community. Our community only allows play areas on or along side the road. The increase of heavier traffic in and out of the community causes concerns for the young children in the neighborhood riding their bikes, playing, etc. Our community already has issues with cars coming in and out as Halden Glen road only allows a for a single one lane road. Contruction vehicles, equipment, and contractors using the Halden Glen road will make a great impact on traffic as well as it will block most of the homes facing the Halden Glen road. The unnecessary traffic will be unacceptable in our tight community!

The proposal of lots 25-29 facing our community disrupts the assigned parking stalls for the community to use. Many homes in our community are limited to just the stalls in the driveway. The community members already believe there is not enough parking stalls to allow neighbors to have visitor gatherings at their home. We already struggle with the adjacent HOA housing using our community parking stalls. Separating both communities with the existing fence line will not only be a safety feature but a separation between HOA.

I highly express my voice in having Halden Glen and Calivista separate with the proposed Road B not being connect to the Halden Glen Culdi sac and having Lots 25-29 being able to be access on Halden Glen road. I believe with the Halden Glen community proposing there concern, we will overcome the proposal and protect our existing parking stalls and less thru traffic in our neighborhood for safety of our children and community!

I thank you for the time and consideration on hearing my family's concern and part of our communities voice towards the Calavista proposal. I would like to have some information on Halden Glen building proposal and see if Calivista proposal violates any of Halden Glen common areas or property lines. I look forward on a response.

Thanks,  
Dustin Padilla

# Public Comment 5

**From:** [Aurora Roesler](#)  
**To:** [Edie Berghoff](#)  
**Cc:** [Nathaniel Roesler](#)  
**Subject:** Halden Glen Homeowner Concern Pertaining to New Development Proposal  
**Date:** Wednesday, June 26, 2019 11:23:19 AM

---

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon, Ma'am-

My name is Nathaniel Roesler, I live at 1634 NE Halden Glen Court. I am writing to you because I have a few concerns about the proposed Calavista building plans. One reason we purchased this home was because of the tranquil, private, small neighborhood setting, backdropped by the natural setting. As that is now going to be unjustly taken from us, some concerns we have are as follows.

-Mail/Easement/Misc:

Will there be any old growth tree protection, any sort of easement? What will happen with our mailbox? It was our understanding that everything on our side of the fence is property of the Halden Glen community. How can driveways be added, and the fence torn down, eliminating part of our community?

[] Traffic/street parking/working hours:

I noticed on the site plan that there will be homes with their driveways that use Halden Glen Court (the street). Not only will this affect our privacy and view, but we already have issues with the one lane road that services the neighborhood. The addition of 5 homes facing that road along with the traffic generated by the connecting road is concerning. Deletion of the existing street parking that we currently utilize for our families (numerous homes with driving teenagers) is not acceptable. Particularly, for the 3 homes at the top of the cul-de-sac that share the driveway. These homes can absolutely not park any more vehicles than the 2 spots that the driveways allow. We rely upon the ability to park along the road!

I am concerned about the use of our neighborhood during the construction of Calavista. We all have children that use our quiet and peaceful neighborhood to play in. Unless absolutely necessary (for the construction of the homes along Halden Glen Court), there needs to be restricted access by construction vehicles into our neighborhood. The impact on our quality of life will be significant during construction, additional UNNECESSARY traffic should not be something that we have to endure.

I understand the need to maximize available daylight areas for construction. However, it MUST be recognized that reasonable work hours need to be implemented for the construction site. We all have kids in school and jobs that we all work. I do not know if there are any city ordinances in place that govern this type of thing. I am simply looking for the establishment of reasonable working hours. No earlier than 7:00 a.m. and no later than 7:00 p.m.

[] HOA compatibility:

What are the rules for the Calavista homes to comply with our registered HOA rules and vice versa? Will a new HOA that encompasses both communities have to be drafted? Who is responsible for drafting that? Will we have opportunity to oppose?

[] Water pressure:

Over half of the homes in Halden Glen currently must use water pressure booster pumps. The water pressure delivered by the city is simply not sufficient. We barely have any pressure for watering our lawn sufficiently. I have a very deep concern that due to the inadequate water pressure supplied by the city, the addition of another 40+ homes will make a bad problem into a horrible problem. What is the city going to do to remedy this issue?

Thank you for your time and consideration in this matter. I look forward to your response.

Respectfully,

Nathaniel Roesler

James Buckel  
19751 Mosjon Cir NE  
Poulsbo, WA 98370

October 14, 2019

Ref: Calvesta Stormwater Discharge Relocation

Poulsbo Planning and Economic Development Department  
200 NE Moe Street  
Poulsbo, WA 98370

To Whom it may Concern,

Enclosed is a copy of a letter I wrote in response to a letter that Calvesta's consulting engineer posted near my mailbox in Poulsbo Gardens. I am sending you this to keep the City informed about citizen responses to Calvesta's stormwater proposal.

RECEIVED

OCT 24 2019

PED Department

**Public Comment 6**

Yours truly



James Buckel  
19751 Mosjon Circle NE  
Poulsbo, WA 98370

September 29, 2019

Ref: Calvesta Stormwater Discharge Relocation

Ron Cleaver Jr. PE  
5819 Minder Rd  
Poulsbo, WA 98370

Dear Mr. Cleaver,

I object to the proposed outlet of the drainage discharge pipe. It is shown in the south end of Poulsbo Gardens where Mosjon Circle street crosses the surfaces drainage ditch. The stormwater from the new development should not be added to the drainage ditch in Poulsbo Gardens. Rather the stormwater should continue to run south along Caldart street until NE Watland street. It should then be routed west along Watland street to the culvert that crosses under Watland.

This would be a better solution because it keeps additional stormwater away from the already saturated area within Poulsbo Gardens.

Yours truly  
