

**Aven, Heather M.**

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**From:** Fran Maas <fmmaas@comcast.net>  
**Sent:** Thursday, September 15, 2022 3:18 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Platt

Please send notices about PMBC to Fran & Matt Maas @ fmmaas@comcast.net

**Aven, Heather M.**

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**From:** agstodola@comcast.net  
**Sent:** Thursday, September 15, 2022 1:12 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542

Thank you,

Ann & Geoff Stodola  
631 Briar Road  
Bellingham, WA 98225  
(360) 752-0463

**Aven, Heather M.**

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**From:** laura widman <laurajgw@yahoo.com>  
**Sent:** Sunday, September 18, 2022 3:50 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Hello!

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542"

Thank you

Steve and Laura

Sent from my iPhone

**Aven, Heather M.**

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**From:** laura widman <laurajgw@yahoo.com>  
**Sent:** Sunday, September 18, 2022 3:51 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary play

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542"

Forgot to add our address

Laura and Steve Widman

500 Bayside Road

Bellingham WA

98225

Thank you

Sent from my iPhone

## Aven, Heather M.

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**From:** Comeau, Christopher J.  
**Sent:** Monday, September 19, 2022 5:10 PM  
**To:** MY - mayorsoffice@cob.org; Kelcie Sheriff  
**Cc:** Bell, Kathy M.; Nabbefeld, Kurt D.; Lyon, Blake G.; Baldwin, Brent L.  
**Subject:** RE: Jones Preliminary Plat

Hi Kelcie,

This subdivision has been subject to the same level of development review and requirements, including all applicable transportation standards, regulations, and requirements, as all other projects in the City of Bellingham.

If the subdivision meets all of the development requirements and is ultimately approved, the subdivision will have to pay all of the applicable fees that the City requires before permits will be issued.

I am copying the Project Planner, SEPA official, Planning Director, and Development Review Manager, all of whom may be able to provide additional information.

Sincerely,

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### Chris Comeau, FAICP-CTP, Transportation Planner

Bellingham Public Works Engineering  
104 W. Magnolia Street, Bellingham, WA 98225  
Phone: (360) 778-7946 Email: [ccomeau@cob.org](mailto:ccomeau@cob.org)



*NOTE: All email subject to public disclosure requirements per RCW 42.56*

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**From:** MY - mayorsoffice@cob.org <mayorsoffice@cob.org>  
**Sent:** Monday, September 19, 2022 11:17 AM  
**To:** Kelcie Sheriff <ksjlm96@yahoo.com>  
**Subject:** RE: Jones Preliminary Plat

Dear Kelcie,

On behalf of Mayor Fleetwood, thank you for your email and pointing out your traffic concerns on Viewcrest Road. I am sharing your message with the staff in the Public Works transportation planning.

Best,

Brooksana Raney  
Executive Assistant to the Mayor  
City of Bellingham  
[Mayorsoffice@cob.org](mailto:Mayorsoffice@cob.org)  
360-778-8100

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**From:** Kelcie Sheriff <[ksjlm96@yahoo.com](mailto:ksjlm96@yahoo.com)>

**Sent:** Friday, September 16, 2022 11:20 AM

**To:** MY - [mayorsoffice@cob.org](mailto:mayorsoffice@cob.org) <[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)>; CC - Shared Department ([ccmail@cob.org](mailto:ccmail@cob.org)) <[ccmail@cob.org](mailto:ccmail@cob.org)>

**Cc:** Kelcie Sheriff <[ksjlm96@yahoo.com](mailto:ksjlm96@yahoo.com)>

**Subject:** Jones Preliminary Plat

Dear Mayor and Council Members,

I am a resident of the neighborhood adjacent to the Jones' property on Viewcrest Road. I am writing today to describe my traffic concerns related to the proposed sub-division.

Traveling along Viewcrest Road is currently very scary as a pedestrian and driver. It requires incredible attention and slow speeds. There is very little traffic on the road so that helps with the hazards but when the school bus goes through 6 times per day or other public service vehicles like SSC, cars have to pull over and stop to let them by.

There are many blind spots and areas where you have to hug the shoulder to safely travel over the hill because you cannot see on-coming traffic (and hope they are doing the same). There are very few areas along Viewcrest between Chuckanut and Fieldston where you can easily see other traffic. There is no center line, no sidewalks, and at many spots, I pull over onto someone's lawn to allow for traffic flow. It is precarious at best. And, this is with the current traffic load.

My concern is the added traffic flow from a subdivision of 35+ homes. I cannot imagine the danger to my neighbors and myself if this is allowed. I can see the street being able to handle 4 or 5 more lots, but there is no way our road can safely handle more.

Please do not allow this subdivision to be built. There are many, many reasons it is not sustainable (and actually, the environmental impact is by far the most egregious) but I wanted to write today regarding traffic safety.

Thank you for your consideration,  
Kelcie Sheriff  
332 Viewcrest Rd  
360-961-9801

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**Aven, Heather M.**

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**From:** Adam Resnick <adamsresnick@hotmail.com>  
**Sent:** Monday, October 3, 2022 3:30 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Hello Kathy,

Could you please send me notices about the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542?

I'm happy to receive such notices over email, but my snailmail address is:

Adam Resnick  
700 Linden Rd  
Bellingham WA 98229

Thank you, Adam

--

Adam Resnick  
voice/text: 360-319-7731

**Aven, Heather M.**

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**From:** Jamie K Donaldson <jamiek@netidea.com>  
**Sent:** Monday, October 24, 2022 2:35 PM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Hello again, Ms. Bell

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542.

Thanks for your attention to this matter,

Jamie K. Donaldson  
1133 13th Street Apt A  
Bellingham, WA 98225



**Aven, Heather M.**

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**From:** rh <hunrv@gmail.com>  
**Sent:** Tuesday, October 25, 2022 9:57 AM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application @ 352 Viewcrest Rd/Parcel #370213075542.

Thank you.

Ron Hunt  
639 Hunters Pointe Dr.  
Bellingham, 98225

## Aven, Heather M.

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**From:** Paul Brock <brock\_paul@hotmail.com>  
**Sent:** Thursday, December 1, 2022 2:11 PM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; MY - mayorsoffice@cob.org; Lilliquist, Michael W.  
**Subject:** The Woods at Viewcrest / This application should be considered complete

Attn: Kathy Bell, Steve Sudin, Kurt Nabbenfeld, Seth Fleetwood and Michael Lilliquist

This application should not be considered complete because it is missing the critical stormwater calculations and the calculations that they are attesting to using reflect an outdated standard and not the legal standard from 2019.

I am writing about the proposed project titled "The Woods at Viewcrest". I live on the corner of Crest Ln and Viewcrest and have quite a few concerns about the project as it's been defined so far. My main concern isn't that development will happen but in the way that it's being proposed. It seems obvious that the developer is trying to maximize the number of building sites with no concern for the long term impacts of the proposed density given the challenging topology. There is a reason this is the last large tract of land in Edgmoor. If this project had been proposed in the 1950's they would have just bulldozed and blasted the whole site to make it more friendly or more than likely just moved on to an easier site to build on. Now we find ourselves in 2022 and that type of development isn't legal any longer.

This brings us to the preliminary reports and some of the concerns I have. Most notably it looks like the developer has used boiler plate language around the stormwater report and although he left out his calculations it appears he used outdated standards that are no longer legal to produce the report. Given the lack of calculations it might be fair to assume the developer is approximating the stormwater requirements and made no calculations at all. The stormwater report is the clearest example of missing information that I believe needs to be addressed by the developer before the application is accepted as complete. I know it's long but below is this list of all the concerns I have about this project given the proposed density.

- The Preliminary Stormwater Report is completely missing "section 5.5". Section 6.6 says "The site improvements will meet Enhanced Treatment for this project with the use of modular wetland devices. The treatment method and sizing calculations are detailed in Section 5.5"
- The Preliminary Stormwater Report appears to be using standards from 2005 while I believe the legal standards that must be followed are the current 2019 standards. The calculations for either of these standards should be documented in the report.
- The drawings with lot lines and slope map, is for numerous lots, the area outside the orange/red where one could legally build is relatively small, like 50-60 ft wide, and somewhere in that flat spot is also a road. So although these are large lots, they have small legal building spaces.
- The wildlife report completely overlooks a large eagle nest that can be seen from anywhere in mud bay. If they missed such an obvious nest I don't know how we can take the rest of the report seriously.
- The plan calls for keeping a vast number of trees to hold the ground. I live on Viewcrest and I know it's hard to believe but 100 Mph winds are not uncommon at the head of this bay. There is no way any home owner is going to feel good about a 100 foot fir tree between their house and the bay. The south winds are brutal there. This property is currently protecting Clark, Viewcrest and Fieldston from the worst of those winds that those areas are going to have to endure with the inevitable loss of the tree canopy from this project.
- With so many lots crammed so close together there will be no room for the large trees on the site once the realities of the wind in that location are felt.
- The proposed subdivision is on property that is so steep that the proposed roads approach 14% grade
- The project is looking for many exemptions because of the challenges of this property

- There is no final plan on what to do with sewer because of the challenging topology but connecting into Sea Pines seems to be the preferred route. I know there is some issue with that sewer line but I'm not quite sure what it is. Their tack on this was it's not ideal but "it can be done".
- The environmental impact document they were working off is still 10 years old.
- The topology is so steep that to get to most of the lots they will need "private" roads or driveways to get around the road requirements. Once these private roads are in place there will be precious little room for actual houses without removing the sandstone rock for the building sites.
- The zoning says that lots in this neighborhood need to be 20K sf. They took this as an average in a subdivision (for now I believe this on its face). They are platting several lots from on the hill down the cliff face to the beach. These larger lots include a tract they graciously are including in a green zone between the beach and up the sandstone cliffs. Those few larger lots with massive steep cliffs are then being used to offset most of the other lots that are under 10K sf with private roads or cliffs splitting those lots in half again.
- We have been told that this project matches the characteristics of the neighborhood so many times it feels like if they said it enough times it will become true. It's not.
- There was no plan to deal with increased traffic on Viewcrest, 16<sup>th</sup> Street or the 12<sup>th</sup> street bridge. They did propose trimming some bushes on the corner of Viewcrest and Chuckanut to increase visibility while turning onto Chuckanut so it's not like they didn't think of traffic issues at all but trimming vegetation isn't a plan.
- The topology is challenging enough that fire trucks can't access most of the sites.
- The large boulders on the beach below the site didn't come up from the bay. It's obvious to a layman that the ground on the site is unstable in its current undisturbed state.

Thank you for your attention,  
Paul Brock  
301 Crest Ln  
Bellingham WA 98229

## Aven, Heather M.

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**From:** Larry Horowitz <dakini1@comcast.net>  
**Sent:** Friday, December 2, 2022 3:22 PM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; Fleetwood, Seth M.; Lilliquist, Michael W.  
**Subject:** Time Sensitive pulic comment: The Woods at Viewcrest application is NOT complete  
**Attachments:** PMBC letter re Woods at Viewcrest application NOT complete.pdf; 4-25-22 Email from Larry Horowitz to Kathy Bell re Stormwater Report.pdf

Kathy, Steve, Kurt, Seth and Michael,

Please find attached a time-sensitive public comment letter from the *Protect Mud Bay Cliffs* community group regarding the 11/23/22 *Woods at Viewcrest* application materials.

This letter is submitted as evidence that the *Woods at Viewcrest* application is not complete. Accordingly, we respectfully request the City issue a second, more comprehensive *Request for Information* and not issue a *Notice of Application* at this preliminary stage.

Because the City has a 12/7/22 deadline to make its *Determination of Complete Application*, time is of the essence.

Please take time to read this letter at your earliest convenience. If you have any questions or would like additional information, please do not hesitate to contact me.

Thanks in advance for your consideration.

Sincerely,  
Larry Horowitz  
Landline: 360.746.7154

PS: Also attached is my 4/25/22 email to Kathy Bell as referenced in the letter.



Virus-free. [www.avg.com](http://www.avg.com)



1050 Larrabee Ave Suite 104 · PMB #476  
Bellingham, WA 98225

December 2, 2022

Kathy Bell, Senior Planner  
Steve Sundin, Senior Planner  
Kurt Nabbefeld, Development Services Manager  
Seth Fleetwood, Mayor  
Michael Lilliquist, Councilmember  
City of Bellingham  
210 Lottie Street  
Bellingham, WA 98225  
*Sent Via Email*

Dear Ms. Bell, Mr. Sundin, Mr. Nabbefeld, Mr. Fleetwood, and Mr. Lilliquist:

*Protect Mud Bay Cliffs* (PMBC) is a community group sponsored by *Responsible Development*. PMBC was formed in 2021 out of the public's concern regarding the significant adverse environmental impacts *The Woods at Viewcrest* subdivision proposal will impose.

As the president of Responsible Development and a member of the PMBC Steering Committee, I am writing to provide public comment that the November 23<sup>rd</sup> application for *The Woods at Viewcrest* is not complete.

The City should not make a *Determination of Complete Application* and should not issue a *Notice of Application*.

Doing so would force the public, public agencies, tribes, and other stakeholders to waste valuable resources reviewing the more than 900 pages of incomplete application materials now - and then again once the significant omissions are corrected.

This duplication of effort can be avoided if the City's issues a second, more comprehensive, Request for Information.

**Why is *The Woods at Viewcrest* application not complete?** In a word, stormwater.

Everyone we have spoken with - including an engineering geologist who is very familiar with the site - agrees: The stormwater saturation of the post-developed geology of the steep cliffs overlooking Mud Bay is a disaster waiting to happen.

The October 19, 2022 [Preliminary Stormwater Management Report](#) (Stormwater Report), submitted as Exhibit F, is the key document of the more than 900-page consolidated application materials.

The most important element of the Stormwater Report is the “treatment method and sizing calculation” based on the *Continuous Simulation Modeling* described in the [2019 Washington State Stormwater Management Manual for Western Washington](#) (WSMWW / Ecology Manual).

**Here’s why** the Stormwater Report, the key document of the entire application, is not complete:

- 1) The [Stormwater Management Report](#) (Section 6.1.5 on page 9) indicates that their permanent stormwater control plan has been developed in accordance with “the guidelines outlined in the Section 3.1.5, Volume I of the WSDOE Manual.” However, the 2019 Ecology Manual does not include a Section 3.1.5, Volume I. The only manual we could find that includes a Section 3.1.5 and mirrors the guidelines referenced in the application’s Stormwater Report is the outdated [2005 Ecology Manual](#).
- 2) The section of the [Stormwater Management Report](#) that should address the treatment method and sizing calculations for the proposed modular wetland devices (Section 5.5, as referenced in Section 6.6 on page 7 of the report) is entirely missing from the report. In other words, the report provides no information regarding the treatment method and sizing calculations.

Regarding item 2, on 4/25/22 (three days before the City issued its 4/28/22 Request for Information), I informed Kathy Bell that the original 3/8/22 Stormwater Report was missing Section 5.5 and the “treatment method and sizing calculations.” The RFI should have included a request to provide Section 5.5. A copy of my 4/25/22 email to Kathy is attached.

I understand that staff does not typically receive public comment prior to issuing its Notice of Application. But issuing a Notice of Application when the most important elements of the application are missing will waste valuable resources of key stakeholders. Please do not do that.

Related links are provided below.

Thank you for the opportunity to provide public comment on The Woods at Viewcrest application. Please do not hesitate to contact me if you have any questions or would like additional information.

Sincerely,  
Larry Horowitz  
On behalf of Protect Mud Bay Cliffs

*A Responsible Development Program*  
dakini1@comcast.net / Info@MudBayCliffs.org  
(360) 746-7154

Related Links:

10/19/22 Preliminary Stormwater Management Report  
<https://cob.org/wp-content/uploads/exhibit-f-preliminary-stormwater-report.pdf>

2/28/22 Preliminary Stormwater Management Report  
<https://cob.org/wp-content/uploads/exhibit-f-preliminary-storm-report.pdf>

4/28/22 Request for Information  
<https://cob.org/wp-content/uploads/2022-04-28-rfi.pdf>

2019 Washington State Stormwater Management Manual for Western Washington  
<https://fortress.wa.gov/ecy/ezshare/wq/Permits/Flare/2019SWMMWW/Content/Resources/DocsForDownload/2019SWMMWW.pdf>

**Subject:** Jones subdivision: Stormwater Report; Phasing, Request for Information; City Council briefing  
**From:** Larry Horowitz <dakini1@comcast.net>  
**Date:** 4/25/2022, 9:18 AM  
**To:** Kathy Bell <kbell@cob.org>

Good morning Kathy,

I hope you enjoyed the sunny weekend.

Thanks again for updating me on the Jones applications last week. Our group has a few questions we're hoping you can answer when time allows:

1) **Stormwater Report Sections 5.4 and 5.5:** Has the applicant provided the Planning Department with Sections 5.4 and 5.5 of the Stormwater Report? As you know, Section 6.6 of the report indicates that Section 5.5 details the "treatment method and sizing calculations" for the modular wetland devices. Unfortunately, in [the version of the report we have access to](#), there is no Section 5.5. Nor is there a Section 5.4. And neither are listed in the Table of Contents.

2) **Phasing and average lot size:** Our group is very concerned that the project applicant is applying for a Phasing Plan in which neither Phase 1 nor Phase 2 meets the 20,000 sq ft average lot size requirement for this location.

Phase 1 includes lots 1 through 7, lot 24 and lot 37. These lots average only 19,005 sq ft.

Phase 2 includes lots 8 through 20 and lot 23. These lots average only 15,529 sq ft.

Combining Phases 1 and 2 results in an average lot size of only 16,889 sq ft.

Our group is opposed to permitting any Phasing Plan in which each phase does not meet the 20,000 sf ft average lot size requirement. We believe the applicant should be required to modify its site plan so that each phase meets the requirement. As you know, many developments never complete all phases. If the developer walks away after the second phase, the 16,889 sq ft average lot size is substantially below the legal requirement.

3) **Request for Information & Notice of Application:** We understand that the Planning Department has the option to issue a Request for Information and the Notice of Application concurrently. Because we have not yet seen the missing sections of the Stormwater Report, and because we strongly believe the Phasing Plan violates the intent of the average lot size requirements, our group would not support the Planning Department's decision to take advantage of this option. We believe that option would have us chasing a moving target and require us to submit, revise, and re-submit comment letters. We encourage the Planning Department to issue the Request for Information, receive the requested information, and make the new information available to the public BEFORE issuing a Notice of Application.

4) **City Council briefing:** You had mentioned that the Planning Department informed City Council about this project and advised them to remain independent in the event of an appeal of the Hearing Examiner's decision. When the Planning Department informed City Council about this project, did you



do so in writing? If so, would it be possible to receive a copy of what the Planning Department sent to Council? If the information was provided verbally during a Council meeting, can you provide the date of the Council meeting?

As always, thank you for your time in responding to these questions. We greatly appreciate your help in keeping us informed and for your consideration of our concerns.

Best,  
Larry Horowitz  
Landline: 360.746.7154

## **Aven, Heather M.**

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**From:** Nabbefeld, Kurt D.  
**Sent:** Friday, December 2, 2022 3:54 PM  
**To:** Larry Horowitz; Bell, Kathy M.; Sundin, Steven C.; Fleetwood, Seth M.  
**Cc:** Lyon, Blake G.  
**Subject:** RE: Time Sensitive pulic comment: The Woods at Viewcrest application is NOT complete

Hello Larry –

Thank you for submitting your comments, they will be considered as we continue to review the recently submitted information. As a clarification, I want correct the record and make sure we are all understanding and using the same language as it relates to the project applications.

The city issued a [Determination of Completeness](#) for this project on April 5, 2022. We also issued a Request for Information (RFI) on April 28<sup>th</sup>. On November 23<sup>rd</sup>, the city received a response to the RFI from the applicant. We are now reviewing whether or not the resubmitted information is adequate to continue our review.

Determining whether or not an application is “complete” is substantially different than whether or not the city has all of the information needed to make a decision. Completeness revolves around our application submittal requirements, not the level of detail of a component of the submittal. For example, our application requirements state that a preliminary stormwater plan must be submitted. A plan has been submitted and therefore we can check that box on the submittal application checklist. Making a determination of completeness does not mean we have all of the details or specifics, it means that it has been submitted and we can move forward, even though additional clarification of the stormwater plan may still be needed.

The project is already complete from a process perspective, after reviewing the recently submitted information we will determine whether we can continue review or need to issue another RFI.

I hope this clarifies the process. We will consider your email and continue to appreciate your involvement in the public participation phase of this project!

Best Regards -

---

**Kurt Nabbefeld, Development Services Manager,  
SEPA Responsible Official**

City of Bellingham  
Planning and Community Development  
Tel: (360) 778.8351  
Fax: (360) 778.8302  
Email: [knabbefeld@cob.org](mailto:knabbefeld@cob.org)

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[Permit Center Survey](#)

***My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56***

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**From:** Larry Horowitz <dakini1@comcast.net>  
**Sent:** Friday, December 2, 2022 3:22 PM

**To:** Bell, Kathy M. <kbell@cob.org>; Sundin, Steven C. <ssundin@cob.org>; Nabbefeld, Kurt D. <knabbefeld@cob.org>; Fleetwood, Seth M. <smfleetwood@cob.org>; Lilliquist, Michael W. <mlilliquist@cob.org>

**Subject:** Time Sensitive pulic comment: The Woods at Viewcrest application is NOT complete

Kathy, Steve, Kurt, Seth and Michael,

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This letter is submitted as evidence that the *Woods at Viewcrest* application is not complete. Accordingly, we respectfully request the City issue a second, more comprehensive *Request for Information* and not issue a *Notice of Application* at this preliminary stage.

Because the City has a 12/7/22 deadline to make its *Determination of Complete Application*, time is of the essence.

Please take time to read this letter at your earliest convenience. If you have any questions or would like additional information, please do not hesitate to contact me.

Thanks in advance for your consideration.

Sincerely,  
Larry Horowitz  
Landline: 360.746.7154

PS: Also attached is my 4/25/22 email to Kathy Bell as referenced in the letter.



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**Aven, Heather M.**

---

**From:** Larry Horowitz <dakini1@comcast.net>  
**Sent:** Friday, December 2, 2022 4:23 PM  
**To:** Nabbefeld, Kurt D.; Bell, Kathy M.; Sundin, Steven C.; Fleetwood, Seth M.  
**Cc:** Lyon, Blake G.  
**Subject:** Re: Time Sensitive pulic comment: The Woods at Viewcrest application is NOT complete

Hi Kurt,

Thanks for your timely response. I have an issue with your statement that because a stormwater plan has been submitted, you can check that box on the submittal application.

[BMC 15.42.060.F](#) requires that Stormwater Site Plans "be prepared in accordance with the current editions of the Ecology Manual." Stormwater Site Plans include the preparation of a "permanent stormwater control plan."

The fact that the Woods at Viewcrest stormwater plan has clearly not been prepared in accordance with the current 2019 edition of the Ecology Manual and the fact that the most critical element of the permanent stormwater control plan is entirely missing from the stormwater report is clear evidence that the application is not complete.

By issuing a Notice of Application, you start the 30-day public comment period, which places pressure on the public to review the 900-page application materials. Because the stormwater plan is so flawed, asking the public to engage now is the wrong thing to do.

I reiterate my request for the City to issue a second *Request for Information*, especially since the since the City failed to request Section 5.5 of the stormwater report in its first RFI even after being alerted that this critical section was missing three days before the 4/28/22 RFI was issued. Additionally, in the 4/28/22 RFI, the City should have required the applicant to prepare the permanent stormwater control plan in accordance with the 2019 Ecology Manual, not the 2005 manual.

Thanks again for taking time to respond.

Best,  
Larry  
Landline: 360.746.7154

On 12/2/2022 3:53 PM, Nabbefeld, Kurt D. wrote:

Hello Larry –

Thank you for submitting your comments, they will be considered as we continue to review the recently submitted information. As a clarification, I want correct the record and make sure we are all understanding and using the same language as it relates to the project applications.

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Best Regards -

---

**Kurt Nabbefeld, Development Services Manager,  
SEPA Responsible Official**

City of Bellingham  
Planning and Community Development  
Tel: (360) 778.8351  
Fax: (360) 778.8302  
Email: [knabbefeld@cob.org](mailto:knabbefeld@cob.org)

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**From:** Larry Horowitz <[dakini1@comcast.net](mailto:dakini1@comcast.net)>  
**Sent:** Friday, December 2, 2022 3:22 PM  
**To:** Bell, Kathy M. <[kbell@cob.org](mailto:kbell@cob.org)>; Sundin, Steven C. <[ssundin@cob.org](mailto:ssundin@cob.org)>; Nabbefeld, Kurt D. <[knabbefeld@cob.org](mailto:knabbefeld@cob.org)>; Fleetwood, Seth M. <[smfleetwood@cob.org](mailto:smfleetwood@cob.org)>; Lilliquist, Michael W. <[mlilliquist@cob.org](mailto:mlilliquist@cob.org)>  
**Subject:** Time Sensitive pulic comment: The Woods at Viewcrest application is NOT complete

Kathy, Steve, Kurt, Seth and Michael,

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Because the City has a 12/7/22 deadline to make its *Determination of Complete Application*, time is of the essence.

Please take time to read this letter at your earliest convenience. If you have any questions or would like additional information, please do not hesitate to contact me.

Thanks in advance for your consideration.

Sincerely,  
Larry Horowitz  
Landline: 360.746.7154

PS: Also attached is my 4/25/22 email to Kathy Bell as referenced in the letter.



Virus-free. [www.avg.com](http://www.avg.com)

**Aven, Heather M.**

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**From:** Ava Ferguson <avaferguson@gmail.com>  
**Sent:** Saturday, December 3, 2022 8:30 PM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; Fleetwood, Seth M.; Lilliquist, Michael W.  
**Subject:** The Woods at Viewcrest-Public Comments  
**Attachments:** AFerguson Comments 12-3-22.docx; AFerguson Comments 12-3-22.pdf

Dear Kathy, Steve, Kurt, Seth and Michael,

Please find my public comment letter attached regarding The Woods at Viewcrest. (The letter has been formatted as a pdf and as an Microsoft Word document.)

I'm submitting this letter as evidence that The Woods at Viewcrest application materials are not complete. As such, I'm requesting the City to issue a second Request for Information to the developer until the errors and omissions in the current application materials can be rectified.

Thank you for considering my comments.

Sincerely,

Ava Ferguson  
520 Linden Road  
Bellingham, WA 98225

**Aven, Heather M.**

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**From:** janet migaki <migakijanet@gmail.com>  
**Sent:** Sunday, December 4, 2022 3:29 PM  
**To:** Nabbefeld, Kurt D.; Bell, Kathy M.; ssunding@cob.org  
**Cc:** Fleetwood, Seth M.; Lilliquist, Michael W.; Larry Horowitz; j migaki  
**Subject:** Application not complete for: The Woods at Viewcrest, Project # SUB2022-0011  
**Attachments:** DEC 4e LETTER to city.pdf

Dear Mr. Nabbefeld, Ms. Bell, Mr. Sundin, Mr. Fleetwood, Mr. Lilliquist and Mr. Horowitz,

Please find attached a Comment Letter pointing out some of the reasons why the project application for *The Woods at Viewcrest* (Project # SUB2022-0011) is incomplete, and the City should not issue a *Notice of Application* at this time.

Respectfully,  
Janet Migaki  
Bellingham Resident



## **Aven, Heather M.**

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**From:** Bob Dillman <dillmanbob@gmail.com>  
**Sent:** Monday, December 5, 2022 7:58 AM  
**To:** Nabbefeld, Kurt D.; Lyon, Blake G.; Bell, Kathy M.; Fleetwood, Seth M.; Sundin, Steven C.  
**Subject:** Woods at Viewcrest trickery

Dear Kurt,

I am writing you express my displeasure and overall discomfort with the approval process for the Woods at Viewcrest.

I know you have been in conversation with some of my neighbors but I would like to express my personal problem I have with the process as I see it.

This process has been going on for awhile now. It is not unknown to you that there is substantial opposition to this project as it sits.

My personal feeling is that this family is jamming an environmentally abysmal project down the throats of myself and my neighbors. And we will suffer for it.

It is no secret the wife of the developer works for the city, and it is also no secret that communication over the approval process was delayed and shortened and communicated unprofessionally to our group at the last minute during the holiday season after many delays; leaving us with a short window to reply.

In addition, your reply regarding "checking the boxes" with respect to storm water is not only disingenuous, but insults our intelligence.

We have read the regulations the city has implemented and you are basically saying the developer just needs to say "there is a stormwater plan" to move forward and have the proposal accepted as complete.

This entire process stinks of nepotism and self-dealing. That is how I see it. There is a process our neighborhood group is sticking to. But it seems the deck is stacked to benefit a developer and a family that will not have to walk through or paddle through the stormwater that will be pouring into my neighborhood beach.

So do us all a favor and require an Environmental Assessment for this project instead of changing dates and rules and obfuscating the true process here.

They are trying to put 38 homes on an unstable slope and let the runoff further poison our bay. Yet you are not taking this serious enough to hold them to basic standards that have been agreed upon.

You want us to play by the rules? You need to.

I appreciate your attention to this matter!

Sincerely,

Bob Dillman

--

Bob Dillman 415-307-9120

**Aven, Heather M.**

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**From:** John Goodman <goodman.wb@gmail.com>  
**Sent:** Monday, December 5, 2022 9:06 AM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; Fleetwood, Seth M.; Lilliquist, Michael W.  
**Subject:** Time Sensitive public comment: The Woods at Viewcrest application is NOT complete  
**Attachments:** John Goodman comment letter 12-3-22.pdf

Dear Kathy, Steve, Kurt, Seth and Michael,

Please find attached a time-sensitive public comment letter from the Protect Mud Bay Cliffs community group regarding the 11/23/22 Woods at Viewcrest application materials.

This letter is submitted as evidence that the Woods at Viewcrest application is not complete. Accordingly, we respectfully request the City issue a second, more comprehensive Request for Information and not issue a Notice of Application at this preliminary stage.

Because the City has a 12/7/22 deadline to determine whether to issue a Notice of Application to the public and initiate the 30-day public comment period, time is of the essence.

Please take time to read this letter at your earliest convenience. If you have any questions or would like additional information, please do not hesitate to contact me.

Thanks in advance for your consideration.

Sincerely,  
John Goodman



1050 Larrabee Ave Suite 104 · PMB #476  
Bellingham, WA 98225

December 3, 2022

Kathy Bell, Senior Planner  
Steve Sundin, Senior Environmental Planner  
Kurt Nabbefeld, Development Services Manager & SEPA Responsible Official  
Seth Fleetwood, Mayor  
Michael Lilliquist, Councilmember  
City of Bellingham  
210 Lottie Street  
Bellingham, WA 98225

Dear Ms. Bell, Mr. Sundin, Mr. Nabbefeld, Mr. Fleetwood, and Mr. Lilliquist:

I am on the Steering Committee of a citizen group called *Protect Mud Bay Cliffs*, which has been formed to minimize the adverse impacts of proposed Woods at Viewcrest 38-lot development - tentatively to be located on the cliffs overlooking the North Chuckanut Bay Pocket Estuary, also known commonly as *Mud Bay*. I am also a 42-year resident of Chuckanut Village in South Bellingham, which is located near the proposal site.

The proponents submitted an application last spring which resulted in the City of Bellingham issuing a *Request for Information* (RFI) with a deadline of August 26, 2022. There have been two extensions granted to the proponents who finally responded with a newly submitted application on November 23rd, the eve of the most recent deadline of Thanksgiving Day.

Our group had asked to be notified when the proponents had responded to the RFI and was told to regularly check the project website and also to contact planning as often as we desired, which we have done almost weekly. Unfortunately, we saw nothing on the website and heard NO response until five days after the deadline passed leaving us to now scramble in order to review and respond to the newly submitted application materials in a short amount of time. There is a 14-day period from the submission date for the city to determine whether to issue a Notice of Application to the public; December 7, 2022 as we understand it.

Here are some egregious issues we have found so far:

1. It appears that the modeling in the Preliminary Stormwater Management Report in the application is based on an outdated 2005 WSDOE Stormwater Management Manual for Western Washington. It should be based on the most current manual from 2019 according to BMC 15.42.060F and other regulations.

2. It appears that section 5.5 of the Preliminary Stormwater Management Report is still missing. (It was missing in the first submitted application and not even requested in the RFI). Section 5.5 is referenced in Section 6.6 on page 17 as follows: "The site improvements will meet Enhanced Treatment for this project with the use of modular wetland devices. The treatment method and sizing calculations are detailed in Section 5.5." In other words, the Stormwater Report is missing the entire section that justifies the modular wetland sizing. It should be detailed on page 7 but there is NOTHING there.

Stormwater handling is a hugely important aspect of this proposal as any released pollutants will negatively affect the enclosed (blocked mostly by a rock trestle) pocket estuary. There is not a proper flushing of the estuary to the open bay according to at least one recent study. Polluted stormwater could further harm the Chuckanut Creek struggling salmon runs, the estuary shellfish beds, and the Chuckanut Village Class 1 wetland. Literally millions have been spent over decades trying to improve these features and any developer needs to assure the public that we won't be losing any significant gains due to a short-sighted proposal.

These items alone should be enough evidence that the City should not issue a Notice of Application to the public at this point. If the Notice of Application is issued, then the 30-day public comment is triggered. Being that people are understandably distracted or absent during this current holiday season will severely impact the ability of many concerned citizens to appropriately respond to this proposal.

Please, I ask that you take a careful look at these things and make sure that the process is completed properly, according to state and local regulations.

I welcome your questions and feedback.

Sincerely,  
John Goodman, *Protect Mud Bay Cliffs* Steering Committee Member  
1704 Fairhaven Ave.  
Bellingham, WA 98229  
360-739-6398

## Aven, Heather M.

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**From:** Elizabeth Paley <ezpaley@gmail.com>  
**Sent:** Monday, December 5, 2022 4:30 PM  
**Subject:** concern about the RFI updated info and future of The Woods at Viewcrest

To All of You Whom it May Concern,

I sent a letter in late March of this year ('22) delineating which supporting data studies seemed poorly timed and that further data was still needed to validate conclusions in the SEPA documents for The Woods at Viewcrest subdivision application. Unfortunately, that letter didn't appear to have been read and didn't have any influence upon what was requested in the first Request for Information from AVT on this subdivision.

I own property that hits Viewcrest Rd. nearly directly across from the applicant's entry road. Our house, itself, is set back a ways, but we do have a Viewcrest Rd. address. We are one of the closest properties to the proposed subdivision.

1) After November 2021's record rains when much of our 1+ acre yard filled with water (photos, if needed) from heavy rain and runoff and only drained slowly over time into the already saturated soil, I am now far more concerned about the stability of this area and any flooding of established properties near the subdivision. We already have had flooding, and how much worse will that become after the mature trees and other helpful vegetation is replaced with impervious surfaces such as roads, infrastructure, driveways, roofs, etc.?

Along this section of Viewcrest Rd., in particular, many of the drains seem inadequately engineered and are not catching the flowing water. During stronger downpours, incredible amounts of water regularly pour right down the middle of the actual road vs. through the drains on Viewcrest Rd. {flowing west from where the entry road to the subdivision will be to Fieldston and beyond (photos from this year '22)}. This situation already exists before the Jones' property's wonderful, natural absorption system next to and above Viewcrest Rd. has even been disturbed. So the idea of adding runoff from the subdivision's newly-built roads, drains, & also possibly pumping stormwater from the east/southeast side of the development into "existing conveyance along Viewcrest" are not well thought out.

Please request a broader and more thorough study, including the present water flow patterns and measurements of the water's depth in test holes during cumulative, intense rains (after the soil has already become saturated, which is often the case for months). During mid Nov.-early Dec '21, the large and deep wetland that exists along the east side of our CrestView Plat filled completely with water at one point, and was close to inundating the house to the east of it on Viewcrest Rd. before it very slowly percolated down. That took a period of at least 6 weeks. And for longer than that, it had remained above its normal level. That wetland, it appears to me, might be just across the street from where previous landslides have occurred on the Jones property...making me question the stability of that entire area when saturated.

So the SEPA supporting measurements of water depth in test pits and other data gathered during the summer of '21 (during an inordinately dry spell, including the hottest days ever recorded in Bellingham) for AVT's application in section 3c (water) in their report are not indicative of what would actually happen with stormwater runoff here in fall or winter. This needs more comprehensive testing during the correct season, along with historical averaging and noting the trend in order to adequately reveal the truth of the situation. There may already be safety issues with this area's management of high volumes of stormwater runoff. Please request this data and any further related information from AVT.

2) The application and SEPA support documents that were initially included were generally less-than-adequate. Some were misleading, inaccurate, and/or biased. I have found errors where two separate entry roads off of Viewcrest Rd. are referred to in the application. This is no longer the case for this subdivision and is an error. There are other places, too, where the initial proposal didn't get edited before inclusion in the application. These are a source of concern, in that it might be construed that the City's not having asked for correction of information reflected acceptance of a map that we had been informed no longer existed. One map shows the newly designed single entry to be almost across from vacated Lyla Ln (our property's location) when there is definitely an existing house right across from the Lyla Ln vacation, for example. I had notified the City of these errors prior to the first RFI. Please ask AVT to correct the maps and submit edited and accurate ones.

My request at this point in time, then, is that the City ask AVT and the Jones family to correct or to document the

above issues and others. Studies and data collection should be done at more appropriate times of year and more fully until every segment of their application reveals the truth of the current situation. Hopefully this will be the goal in a second Request for Information, as after this first RFI, too many safety issues remain which have only been partially explored. Thorough and unbiased studies are what I am requesting, and if that is not possible, please require an Environmental Impact Study to be certain that all areas have been assessed and all existing homeowners are fully protected from harm. As I understand it, it is the responsibility of the City of Bellingham's Planning Dept. to be absolutely certain that nearby existing homeowners as well as the future inhabitants will be protected from any of the potential negative consequences of a development.

Thank you in advance for fully considering this letter, making certain we remain safe, and for letting me know you have not only received but have read this letter,

Elizabeth Paley

357 Viewcrest Rd, Bellingham, WA 98229

**Aven, Heather M.**

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**From:** Brent Woodland <brent.woodland@gmail.com>  
**Sent:** Monday, December 5, 2022 7:31 PM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; Fleetwood, Seth M.; Lilliquist, Michael W.  
**Subject:** Public Comment - The Woods at Viewcrest Application  
**Attachments:** PMBC Project Management Review letter - Woods at Viewcrest 05Dec2022.pdf

Dear Kathy, Steve, Kurt, Seth, and Michael,

Please find attached a public comment letter from the Protect Mud Bay Cliffs community group regarding the 11/23/22 Woods at Viewcrest application materials.

This letter is submitted as evidence that the Woods at Viewcrest application is not complete. Accordingly, I respectfully request the City issue a second, more comprehensive ***Request for Information***.

The attached public comment letter includes a Project Management evaluation of the submitted application materials. Given the scope of the development, the safety, environmental and ecological sensitivities inherent to the site, and the “feasibility-level” level of engineering provided thus far, more information should be required. The updated RFI is needed to provide sufficient engineering details on how the proposed development will address the significant Geotechnical and Stormwater Management hazards outlined in the application.

If you have any questions or would like additional information, please do not hesitate to contact me.

Sincerely,

Brent J Woodland  
360-595-3804





1050 Larrabee Ave Suite 104 · PMB #476  
Bellingham, WA 98225

December 5, 2022

Kathy Bell, Senior Planner  
Steve Sundin, Senior Planner  
Kurt Nabbefeld, Development Services Manager  
Seth Fleetwood, Mayor  
Michael Lilliquist, Councilmember  
City of Bellingham  
210 Lottie Street  
Bellingham, WA 98225  
*Sent Via Email*

Dear Ms. Bell, Mr. Sundin, Mr. Nabbefeld, Mr. Fleetwood, and Mr. Lilliquist:

*Protect Mud Bay Cliffs* (PMBC) is a community group sponsored by *Responsible Development*. PMBC was formed in 2021 out of the public's concern regarding the significant adverse environmental impacts *The Woods at Viewcrest* subdivision proposal will impose.

As a member of the PMBC Steering Committee, I am writing to provide public comment that the November 23<sup>rd</sup> application for *The Woods at Viewcrest* is not sufficiently complete to issue a Notice of Application.

The City should not make a *Notice of Application* at this time. Instead, the City should issue a second *Request for Information*.

### **Why is *The Woods at Viewcrest* application not complete?**

The Geotechnical study provided in the application is limited to a “feasibility-level” analysis of site conditions. Therefore, further engineering evaluation of both the Geotechnical and highly integrated Stormwater management plans should be required prior to staff review to ensure the safety, environmental, ecological, and economic risks of the proposal are properly mitigated.

Attached to this letter is a Project Management assessment of the November 2021/October 2022 Geotechnical Investigation & Geohazard Report.

Following are two key points of the assessment:

*Protect Mud Bay Cliffs* is a local community group sponsored by *Responsible Development*. *Responsible Development*, formed in 2005, is a Bellingham, WA based qualified Public Charity under Section 501(c)(3) of the Internal Revenue Code.

1. The Geotechnical Investigation states that additional evaluation is required beyond their assigned feasibility scope
2. Because of the higher than typical safety, environmental, ecological, and economic risks inherent to the Woods and Viewcrest project, further engineering is still needed

I appreciate that the City development and planning processes may not normally require more rigorous design details as part of the permit application process. However, due to the high geotechnical and stormwater hazards -- within the proposed plat and the adjacent Mud Bay estuary - it is important that both the developer and municipal permit reviewers understand the limits and errors in the submitted documents and request additional design details as a condition of plat approval.

Thank you for the opportunity to provide public comment on The Woods at Viewcrest application. Please do not hesitate to contact me if you have any questions or would like additional information.

Sincerely,  
Brent J. Woodland

On behalf of Protect Mud Bay Cliffs  
*A Responsible Development Program*

Brent.Woodland@gmail.com / Info@MudBayCliffs.org  
(360) 595-3804

Related Links:

10/06/2022 Geotechnical Investigation and Geohazard Report

<https://cob.org/wp-content/uploads/exhibit-e-geotechnical-investigation-geohazard-report.pdf>

10/19/22 Preliminary Stormwater Management Report

<https://cob.org/wp-content/uploads/exhibit-f-preliminary-stormwater-report.pdf>

## **Project Management Assessment - Woods at Viewcrest Geotechnical Study**

Protect Mud Bay Cliffs (PMBC) – December 5, 2022

### **Executive Summary**

The November 2021/October 2022 Geotechnical Investigation & Geohazard Report is a “**feasibility-level**” evaluation of the proposed 38-lot Woods at Viewcrest residential subdivision. The use of *Feasibility* as a construction industry project term implies that further study or examination is expected prior to project commitment/implementation. This is made clear in the Cover Letter as well as within numerous sections of the report.

Furthermore, the report anticipates a “lot-by-lot review of existing geohazard features” and makes recommendations on the additional detailed scope that will be needed prior to implementation.

Due to high geohazard uncertainties and other potential environmental impacts -- within the proposed Woods at Viewcrest plat and the adjacent Mud Bay estuary -- it is important that both project developer and municipal permit reviewers understand the limited nature of the report and request additional design details as a condition of plat approval.

Proceeding without this expected review will potentially expose the developer and the local ecosystems to poorly mitigated economic, safety, and ecological hazards.

### **Background Discussion – Project Phases and Risk Mitigation**

Numerous Project Management Institute and Construction Industry Institute studies (\*) cite poor/incomplete planning as the top reason for project failures. Best practice standards in Project Planning and Execution have therefore been developed and implemented across numerous industries to facilitate more successful outcomes.

In multi-phase project planning and execution, feasibility is considered as the very first early/preliminary step (or phase) in a project life cycle. “Phase 0” is intentionally applied to **Feasibility** due the broad, pre-project nature of the work. Many ideas do not pass beyond this phase.

To illustrate, the Construction Industry Institute (\*) lists the following sequence in key project development from Feasibility at Phase 0 to Construction at Phase 5:

**0.Feasibility =>1.Concept=>2.Detailed Scope=>3.Detailed Design=>4.Procurement=>5.Construction**

Subsequent project phases, while some overlap is expected, depend on successful completion each of the prior phase(s).

Regulatory permitting and project funding should depend on thorough completion of the appropriate phases – typically at conclusion of the **Detailed Scope** phase. As such, many project ideas do not move forward due to financial or regulatory constraints.

Effective Risk Management is another key factor in project success or failure. Guidance on this process is also detailed in Project Management Institute and Construction Industry Institute case studies and procedures (\*). These best practices in project risk management include detailed evaluation of the consequences and probabilities of incidents and/or hazards throughout a project lifecycle. The consequences typically include, at minimum, cost, schedule, safety, environmental, ecological and society impacts. A register of potential consequences, probabilities, and mitigation plan for each item is then kept up-to-date as the project passes project phases through completion.

### **Geotechnical Report - Purpose and Limitations**

The Geotechnical Investigation & Geohazard Report issued in November 2021 and October 2022 is a “feasibility-level” study. The purpose and limitations of the study are laid out in the Cover Letter, included throughout the body, and emphasized again the Conclusions and Recommendations.

For reference, the term “feasibility” is used more than 15 times within the document. The need for additional lot-specific assessment is also repeated. A collection of important statements and limitations from the report are listed below (bold emphasis added):

- *“This report is intended to provide the project team with site-wide geologic information, **project feasibility commentary**, and relevant geotechnical recommendations to inform project decisions, conceptual planning, and engineering design considerations for the proposed plat at the Jones-Edgemoor Estate property.” (Cover Letter)*
- *“The site-wide geohazard review completed to date represents an overview of site features with specific attention paid to potential hazards identified along the boundaries of or intermittently within the large hilly property. **It is not intended to serve as a detailed examination of the conditions on individual lots to advise on lot designs.**” (Section 4.4.3 Need for Lot-Specific Reviews, p.23).*
- *“**This study was conducted as a feasibility-level evaluation for the plat and is not intended to present detailed information for individual lot constructions.**” (Section 5 Conclusions and Recommendations – Project Feasibility Discussion, p. 24)*
- *“The results of this **feasibility-level** review are suitable for general planning purposes, **but are not intended to provide final design recommendations for individual lots without further review.**” (Section 5.7 Stormwater Infiltration – Design Commentary, p.34)*

- ***“The contractor is responsible for reviewing this information in full, and asking for clarifications, if necessary, prior to conducting work. The contractor should also conduct independent confirmation of conditions as needed to successfully plan and implement their proposed systems of construction, including but not limited to shoring and dewatering design, if required.*** (Section 5.11 Contractor Responsibilities, p.41)

### **Risk Management/Hazard Mitigation**

The Geotechnical Investigation & Geohazard Report issued by Element Solutions in November 2021 and October 2022 lists numerous recommendations to guide hazard mitigation. While the report makes numerous recommendations to mitigate potential geohazards, they are not specifically categorized and prioritized by consequence and probability in a well-documented risk management process. See below for examples from the report:

- *“For instance, homes should be carefully sited and designed in areas where steep grades are present or proximal to ensure long-term stability of slopes and structures. Local adjustments may be necessary to avoid small-scale features not fully evaluated in the scale of the current work. **Foundations on or near slopes will require embedment and suitable placement on stable subgrades to avoid unacceptable risk** (Section 4.4.2, Preliminary Building Setback & Avoidance Recommendations, p. 21)*
- *The recommended setbacks should be reviewed and adjusted as necessary during future individual lot design.* (Section 4.4.2, Preliminary Building Setback & Avoidance Recommendations, p. 21)
- *We recommend ample avoidance or protective measures be incorporated for areas immediately downslope of cliff exposures* (Section 4.4.2, Preliminary Building Setback & Avoidance Recommendations, p. 21)
- *“The site-wide geohazard review completed to date represents an overview of site features with specific attention paid to potential hazards identified along the boundaries of or intermittently within the large hilly property. **It is not intended to serve as a detailed examination of the conditions on individual lots to advise on lot designs.**”* (Section 4.4.3 Need for Lot-Specific Reviews, p.23).
- *“We recommend a contingency plan of off-site disposal be available in the event that infiltration is found to be nonviable upon further review on a per-lot basis. The current proposed plat stormwater plan, with stormwater conveyance pipes following roads, appears to provide such an alternative for off-site disposal along the frontage of the lots”.* (Stormwater Infiltration Design Feasibility P.25)
- *“Development drainage and stormwater controls should be implemented in a manner that does **not lead to an increased potential for erosion or instability on the site slopes, nor places downgradient properties at risk.** On-site stormwater release systems*

*(infiltration or dispersion) for lots or roadways are not considered viable among areas on or proximally above steep slopes.” (Section 5.12.1 Stormwater Management, p.42)*

### **Conclusion/Recommendations**

The Geotechnical Investigation & Geohazard Report is limited to a “feasibility-level” study with high hazard consequences. Therefore, the following elements should be conditions of plat approval:

1. Additional engineering detail should be required to address the economic, safety, environmental, ecological, and community risks associated with the development.
2. Detailed risk analysis and mitigation processes need to be documented and updated throughout the project development phases.

\* Sources:

Project Management Institute

<https://www.pmi.org/>

Construction Industries Institute

<https://www.construction-institute.org/about-cii>

## Aven, Heather M.

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**From:** Colin Wahl <biowahl@gmail.com>  
**Sent:** Thursday, December 15, 2022 11:07 AM  
**To:** Sundin, Steven C.  
**Subject:** Re: Process to submit public comment for Jones Subdivision?

Steven,

Thanks, this was very helpful. What are the potential outcomes of a SEPA determination? If the city deems the project is likely to adversely effect critical or sensitive species and habitats, is there an EA or EIS process? What role does the Hearing Examiner play?

Colin

On Wed, Dec 14, 2022 at 1:02 PM Sundin, Steven C. <[ssundin@cob.org](mailto:ssundin@cob.org)> wrote:

Good afternoon Austin. As you and MRC members may be aware – on November 23, 2022 the applicant submitted a REVISED application in response to the City's 4/28/2022 request for information. All materials can found here: [The Woods at Viewcrest - City of Bellingham \(cob.org\)](#)

City staff have reviewed the revised application and have notified the applicant that the City intends to issue a follow up request for information. We intend on providing this follow up RFI to the applicant prior to the holiday period. Simultaneously, we would also post this RFI on the webpage link above so that the general public at large can easily see what's been requested.

MRC members are free to submit comments on the current revised application received on 11/23/2022 at any time BUT we expect that additional new information will be provided by the applicant after the new year in response to our follow up RFI. Waiting to comment has merit as certain elements of the proposal MAY be further revised. There is no penalty or risk in waiting to comment until the additional information is provided by the applicant. This is further fortified by the fact that the once we issue the Notice of Application the 30-day comment period will START. We expect many comments during this 30-day comment period.

There will be additional comment periods: one 14-day comment period after we issue a SEPA determination AND prior to and leading up to the Hearing Examiner's public hearing on the proposal. (A date has NOT been scheduled for this)

Hopefully, this information is helpful, and I'm available for clarifications if necessary, sincerely,

Steve Sundin, Senior Planner. **360-778-8359**

Planning and Community Development Department

Please note that all incoming and outgoing emails are subject to public disclosure requests.

The Permit Center is open for in-person services as of **March 1, 2022** during the following hours:

**Mon, Tues, Thurs: 8:30am – 3:30pm / Wed: 9:30am – 3:30pm / Fri: Closed to in-person services**

We are available by phone 360.778.8300 and email [permits@cob.org](mailto:permits@cob.org) Mon-Fri

8am-5pm and eTRAKiT portal <https://permits.cob.org/etrakit> 24/7.

Please visit <https://cob.org/services/permits> for more information, applications, access to the online portal, inspection scheduling and other resources.

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**From:** Austin Rose <[ARose@co.whatcom.wa.us](mailto:ARose@co.whatcom.wa.us)>

**Sent:** Thursday, December 8, 2022 3:23 PM

**To:** Sundin, Steven C. <[ssundin@cob.org](mailto:ssundin@cob.org)>

**Cc:** Alex <[glal1952@gmail.com](mailto:glal1952@gmail.com)>; Andrew Gamble <[oscar1987@yahoo.com](mailto:oscar1987@yahoo.com)>; Baumgarten, Kurt <[kurtb@portofbellingham.com](mailto:kurtb@portofbellingham.com)>; Benjamin, Sara Brooke <[sbbenjamin@cob.org](mailto:sbbenjamin@cob.org)>; Bob Cecile <[bobc1952@yahoo.com](mailto:bobc1952@yahoo.com)>; Bob Seaman <[rlseaman@peoplepc.com](mailto:rlseaman@peoplepc.com)>; Fogelsong, Clare G. <[cfogelsong@cob.org](mailto:cfogelsong@cob.org)>; Colin Wahl <[biowahl@gmail.com](mailto:biowahl@gmail.com)>; Dan Sulak <[dansulak@gmail.com](mailto:dansulak@gmail.com)>; Eleanor Hines <[eleanorehines@gmail.com](mailto:eleanorehines@gmail.com)>; Elizabeth Lorence <[elizabethlorence@gmail.com](mailto:elizabethlorence@gmail.com)>; Elma Burnham <[eccburnham@gmail.com](mailto:eccburnham@gmail.com)>; Heather Spore <[leba.heather@gmail.com](mailto:leba.heather@gmail.com)>; jackie dexter <[jedexter@gmail.com](mailto:jedexter@gmail.com)>; JIM BOYLE <[BOYLE21@msn.com](mailto:BOYLE21@msn.com)>; Kathy Ketteridge ([kathy@gobluecoast.com](mailto:kathy@gobluecoast.com)) <[kathy@gobluecoast.com](mailto:kathy@gobluecoast.com)>; Mike MacKay <[starsailor@fidalgo.net](mailto:starsailor@fidalgo.net)>; Misty Peacock <[mdbpeacock@gmail.com](mailto:mdbpeacock@gmail.com)>; Paul Troutman <[ptroutman@fastmail.com](mailto:ptroutman@fastmail.com)>; LaCroix, Renee S. <[rlacroix@cob.org](mailto:rlacroix@cob.org)>; Todd Donovan <[TDonovan@co.whatcom.wa.us](mailto:TDonovan@co.whatcom.wa.us)>

**Subject:** Re: Process to submit public comment for Jones Subdivision?

Hi Steve,

The MRC has been discussing the opportunity to submit a comment letter regarding the Jones Subdivision in order to express their concerns about the potential ecological effects that development could bring to N. Chuckanut Bay. It would be very helpful if you could update the committee on where the City is in the process of reviewing the applicant's response to a Request For Information and what the next steps may be. There are newer members on the Committee that would appreciate some clarity on how the process works and what their timeline is to provide comment.

The MRC is cc'd, so it would be helpful if you please "reply all" to this message.

Thanks,



*Austin Rose (she/her)*

Marine Resources Planner/ Whatcom MRC Coordinator

Whatcom County Public Works – Natural Resources

322 N. Commercial St. Suite 110 (second floor) | Bellingham, WA 98225-4042

360-778-6286 or cell (360) 319-6719

<https://www.whatcomcountymrc.org>

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## Aven, Heather M.

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**From:** Wendy Larson <wendy.larson@comcast.net>  
**Sent:** Thursday, December 22, 2022 2:23 PM  
**To:** Bell, Kathy M.; Sundin, Steven C.; Nabbefeld, Kurt D.; Fleetwood, Seth M.; CC - Shared Department (ccmail@cob.org)  
**Subject:** Protect Mud Bay Cliffs / The Woods at Viewcrest - recent communications  
**Attachments:** PMBC Comments on Dec 8 2022 Woods at Viewcrest Letter 12-22-22[3][1].pdf; Jones family letter 12-8-22[3].pdf

To: Kathy Bell, Steve Sundin, Kurt Nabbefeld, Mayor Fleetwood, Bellingham Councilmembers

From: Wendy Larson, Member, Protect Mud Bay Cliffs Steering Committee

Subject: Protect Mud Bay Cliffs / The Woods at Viewcrest - recent communications

Dear City of Bellingham officials and Councilmembers,

I am a member of Protect Mud Bay Cliffs (PMBC), a Bellingham grassroots citizens' group dedicated to protecting Mud Bay Cliffs and the adjacent estuary from development risks. An application to subdivide and develop four existing lots into 38 lots is under review by the city as *The Woods at Viewcrest* project.

Attached please find a communication that PMBC recently shared with neighbors in response to a bulk-mail letter that *The Woods at Viewcrest* developers sent to residents of the Edgemoor and Chuckanut neighborhoods. PMBC aims to be transparent and fact-based in all our communications, and we want to ensure that you are fully informed. Our update and comments can also be viewed online at: <https://mudbaycliffs.org/updates/updates-and-comments-on-developers-12822-letter>.

You will also find attached, for your reference, a copy of the 12/8/22 letter the developers sent.

Thank you for your attention to our efforts to protect Mud Bay Cliffs and the Chuckanut Pocket Estuary from development risks.

Sincerely,

Wendy Larson





1050 Larrabee Ave Suite 104 · PMB #476  
Bellingham, WA 98225  
Info@MudBayCliffs.org

## Comments on Developers' December 8, 2022 *Woods at Viewcrest* letter

Edgemoor and Chuckanut residents recently received a bulk-mail letter dated 12/8/22 from *The Woods at Viewcrest* developers. In their letter, the developers imply that their proposed 38-acre project will impose little, if any, adverse impacts on the environment and on Bellingham residents.

Members of *Protect Mud Bay Cliffs* (PMBC) have been evaluating various proposals submitted by the developers since the pre-application neighborhood meeting held on 2/24/21. Working with technical experts, we have uncovered a variety of significant adverse impacts this large-scale development will impose that are not addressed in the developers' 12/8/22 letter. We are in the process of preparing a public comment letter detailing these adverse impacts, which will require (a) the city to issue a *Determination of Significance* under the State Environmental Protection Act (SEPA) and (b) the preparation of an *Environmental Impact Statement* (EIS) by an objective environmental firm.

Here is our commitment to you, our Bellingham neighbors:

- PMBC will continue to closely monitor the developers' responses to the city's Requests for Information (RFI) and identify ways in which the proposal may fail to meet city, state, and/or federal requirements.
- We will continue to keep you aware of key developments as they arise.
- We will employ legal and technical experts to ensure that biases which may be present in the application materials are identified and addressed.
- We will refrain from exaggerations and ensure our communications to you are grounded in demonstrable facts.

The developers' letter has caused some confusion about the development proposal, and we have received questions about it. Here are a few comments from *Protect Mud Bay Cliffs*, which we hope will clarify matters.

- 1) **Project Webpage**: The proposal to subdivide Mud Bay Cliffs is under review by the Bellingham Planning Department. Information about the current proposal can be viewed on the city's website at: <https://cob.org/project/the-woods-at-viewcrest>
- 2) **Requests for Information (RFI)**: After the developers submitted their initial applications on 3/8/22, city staff determined that required information was missing and issued an RFI on 4/28/22. The developers submitted their response seven months

later, on 11/23/22. On 12/21/22, after concluding that further information is still needed, city staff issued a second RFI. The developers have until 4/20/23 to respond.

- 3) **Geohazards:** To evaluate the potential impacts of this project, it's important to consider the geologically hazardous areas that exist within the 38-acre parcel. Below are direct quotes (with emphasis added) from the 12/31/09 Geologic Feasibility Investigation. Given these geologically hazardous areas, it is difficult to imagine how the proposed subdivision would not impose significant impacts on the environment:
- a) The site was observed to consist of **ridge or cliff forming units** of Chuckanut Formation Sandstone.
  - b) In addition to steep topography, several **vertical or near vertical bedrock cliffs** were observed across the site.
  - c) Portions of the site have been identified as having **High Landslide Potential** in that they have slopes greater than 30%, slopes exceeding 80%, and slopes greater than 15% that may be **potentially unstable** because of other factors.
  - d) Seismic induced **slope failure** and rock fall are possible at this site.
  - e) Field observations suggest that the soils on the project site have a relatively low susceptibility to erosion in an undisturbed state because of dense vegetation, but that **alteration of these conditions could significantly increase the erosion potential**.
  - f) **Future development** of the site could impact the current hydrologic condition... Changes in hydrology can alter the probability, frequency and magnitude of **mass wasting (landslide) activity**.
  - g) **Development on or above steep slopes could impact slope stability** by changing surface or groundwater flow on the slopes. In addition, the **risk of landslides could be impacted by construction** near or on steep slopes because of grading disturbance or additional load application from structures such as buildings, road fill embankments, topographic alterations or retaining walls.
  - h) Because of the steep slopes and existing groundwater conditions, **modifications of groundwater or surface water flow** may impact the potential size and frequency of **mass wasting (landslide) events**. The fine-grained soils found on site are **susceptible to soil erosion** resulting from the movement of heavy equipment or site grading.
- 4) **Density:** The 38-lot site plans submitted by the developer illustrate that, due to critical area constraints, no additional homesites could be added. The submitted site plans are clearly designed to maximize the number of lots.
- 5) **Critical Areas:** Although the developers state they wish to avoid the wetlands, the shoreline, and the mandatory wetland and shoreline buffers, doing so is required by city and state law.
- 6) **Setbacks:** The majority of the “additional setbacks” are comprised of geologically hazardous critical areas that cannot be built upon under city law.

- 7) **Stormwater Treatment**: The "enhanced standard" for stormwater treatment referenced in the letter is a legal requirement by the Department of Ecology. The developers must use this standard; it is not voluntary.
- 8) **Current Law**: In their letter, the developers compare their project with neighboring subdivisions that were approved under environmental laws adopted more than 30 years ago. This comparison ignores the progress made in environmental law over the past three decades. New developments must comply with current regulations.
- 9) **Stormwater Runoff**: The developers' claims about stormwater management cannot be verified because their stormwater management report is missing the required calculations for their proposed Modular Wetland Systems (MWS). What we do know is that discharges from modular wetland systems are anything but clean. The most commonly used devices have been tested for their efficacy on removing pollutants. These systems only remove 45% of nitrogen and 64% of total phosphorus. Nitrogen and phosphorus are directly linked to low dissolved oxygen levels in receiving waters, and these are the primary pollutants associated with nearby Chuckanut Creek and the Chuckanut Bay estuary. One of the major stormwater pipes proposed in the current plan will discharge large amounts of runoff directly into Mud Bay. The other stormwater pipe will discharge runoff into a wetland buffer.
- 10) **Variances**: The developers have requested variances to the city's regulations. PMBC believes these variances are not in the public interest. PMBC does not support the city granting special permissions and variances simply to enrich property owners. For example:
  - a) The developer has requested an exception/exemption to not follow shoreline jurisdiction law: the developer wishes to excavate shoreline area to erect a large above-ground pipe with rock-filled metal cages for discharging much of the site's runoff.
  - b) The "new, minimal impact design features" for roads and utilities discussed in the letter do not comply with city regulations and require the developers to apply for variances of the law as part of their application. The long, narrow private roads and driveways the developers are proposing will make access by firefighting equipment extremely difficult.

If you would like further information, we encourage you to contact Bellingham Senior Planner Kathy Bell by phone (360-778-8347) or via email ([kbell@cob.org](mailto:kbell@cob.org)).

You can also email us at [Info@MudBayCliffs.org](mailto:Info@MudBayCliffs.org). We are an all-volunteer group whose mission is to minimize adverse impacts of the proposed subdivision on Mud Bay Cliffs. Please visit our website at [www.MudBayCliffs.org](http://www.MudBayCliffs.org).

We thank you for your ongoing support to protect this rare and unique Bellingham gem, comprised of shoreline, steep cliffs, mature woodland, and wetlands.

# The Woods at Viewcrest

**Dec. 8, 2022**

**Dear Edgemoor and Chuckanut neighbors,**

Bellingham is a special place, blessed with stunning waterfront vistas, lush vegetation and views of majestic mountains. Our family knows this as well as any since three generations have lived here for over 120 years.

In addition to growing up in Bellingham and living in Edgemoor, we've resided next to approximately 38 acres that our family owns on the north side of Chuckanut Bay. Our family has been exploring options for development of our property for over 30 years, with the intent to prepare the most thoughtful, ecologically balanced proposal for the property. Now, after the significant forest fire event in 2021 that was caused by trespass camping activity, and which put the existing forest and neighboring homes at risk, we decided to move into a more active phase of planning.

We've been working with City of Bellingham officials on The Woods at Viewcrest, a single-family residential project designed to improve the property with housing while protecting the environment and showing sensitivity to neighboring property owners and the neighborhood's character. We are working with local professional planners, designers, engineers, biologists and other local consultants on this plan.

Our entire team cares about the well-being of the property and the community. We recently submitted additional information to the City, which now is giving residents an opportunity to comment on our plans. This letter is intended to inform you and correct some misinformation about the project that has been circulating in the community.

## **Density**

Our property is nearly 38 acres. It has City Residential Single zoning, which allows a density of 1 lot per 20,000 square feet of land. (Please note this doesn't mean that 20,000-square-foot lots are required.) This means the zoning would allow 82 houses on the property.

However, we are proposing a plat that consists of only 38 lots (37 housing lots and one reserve lot) at The Woods at Viewcrest – just 46% of the total allowable density. We are clustering this development to reduce project impacts; all the lots will be consolidated in approximately one-third of the property toward its northwest boundary.

We are forfeiting over half of the potential value through the reduced density and design, with the intent to preserve and protect the most sensitive areas of the site and balance our community's human needs with habitat and wildlife needs.

### **Environmental setbacks/buffers**

The project design avoids all wetlands and wetland buffers. No infrastructure, building areas, other improvements or clearing/tree removal is proposed in the wetlands or their buffers. All wetlands and buffers are retained intact under this proposal. **All wetlands and buffers will be placed in a conservation easement for long-term protection.**

The project design avoids the entire 200-foot shoreline jurisdictional area (which includes the 200-foot shoreline buffer) from the Ordinary High Water Mark (OHWM) of Chuckanut Bay. The only improvements within this buffer area are related to the required storm water outfall. (See discussion of storm outfall below.) This entire area, totaling over 8 acres, will also be protected in a conservation easement and separate tract. It will be retained in native vegetation. No tree removal for development is proposed in this area, but we, in coordination with the City, will actively manage these areas to assure safety to our community and neighbors.

The building envelopes for the lots that abut this 200-foot shoreline buffer are set back even further. The setbacks for the building envelopes range from 424 feet to 561 feet from the OHWM of Chuckanut Bay, with an average setback of 475 feet. These additional setback areas outside the 200-foot shoreline buffer will also be retained in native vegetation and will preserve an additional 6-8 acres of land. **This is very different from existing developments to the east (Briza) and west (Clarkwood), where homes are built much closer to the OHWM (between 100 feet and 150 feet).**

### **Mud Bay Cliffs**

The above setbacks and buffers protect all of a majority of the steep slopes on the site, and the steep slopes or "cliffs" adjacent to Chuckanut Bay. This area will be placed in a conservation easement for long-term protection. **This is very different from existing developments to the east (Briza) and west (Clarkwood), where private lot lines extend to the beach for private access. Our proposal creates a beach nature-preserve.**

On the upper portion, new, minimal impact design features are incorporated. By following existing grade lines as much as reasonable, roads and utilities will have reduced impacts. We have proposed variances to allow shared driveways that greatly reduce road widths from the standard requirement in order to retain more natural vegetation.

The storm water for this project will be treated to an enhanced standard. **This will result in storm water leaving the site at a higher level of treatment than any other outfall to Chuckanut Bay (including the Clarkwood and Briza developments and all of the Chuckanut Village area, where there are septic systems in use).**

All runoff from pollution-generating surfaces (roads, driveways, etc.) will be captured, contained, and routed through treatment filters before leaving the site. Runoff will then be conveyed to dispersion structures before being discharged into Chuckanut Bay. The outfall pipes running down the slope will be above grade (not buried) and will be placed to avoid large trees, so no excavation or significant tree removal is anticipated to be necessary for their construction.

The dispersion facility at the bottom of the pipe will be placed above the sandstone rocks at the beach level so it will be hidden from view from the water and surrounding properties. This water will disperse through the facility, then disperse further over the sandstone rocks, reducing the risk of any scouring at the beach. **Storm water leaving the project will be clean and will not result in beach scour.**

### **Public trail**

A public trail easement will be provided from Viewcrest Road through to Sea Pines Road, allowing Edgemoor residents to reach the existing public beach access stairs located within the Briza community. Public beach access from this property is unsafe due to steep terrain and would be environmentally damaging. However, this will eliminate the need for a new beach access on site, which would result in clearing and unnecessary environmental impact. Another access point would be unsafe due to the steep terrain along the beach. **The new public trail easement will provide a key beach access link for the Edgemoor neighborhood.**

### **Summary**

Studies addressing all of the above issues have been completed by qualified professionals and will be reviewed by the City of Bellingham's Planning, Public Works and Parks staff. We have prepared a storm water report, a habitat assessment, a geotechnical report, a critical areas report, a cultural resource assessment and a traffic impact analysis.

The project will be reviewed by the City with a hearing in 2023. After the City's Hearing Examiner grants approval, construction permitting requirements may also be processed in 2023. Development will be constructed in phases, with the initial phase occurring primarily along Viewcrest Road.



If infrastructure design and permitting is completed in 2023, infrastructure construction could occur in 2024. Once this is complete, then The Woods at Viewcrest will be able to receive final approval, creating individual lots for home construction. These lots could then be sold or developed on a lot-by-lot basis.

We appreciate the time you are taking to become informed about The Woods at Viewcrest. By reading this letter, it suggests that you are willing to learn from those who know the most about the property and their project - our family. We have a lifelong interest in preserving the ecological value of the property and Chuckanut Bay while also providing more homes for people to live within the City limits of Bellingham.

We ask you to support this very reasonable, thoughtfully conceived and balanced project, which incorporates extraordinary environmental protection measures while still providing infill development of residential homes in an area served by existing City infrastructure.

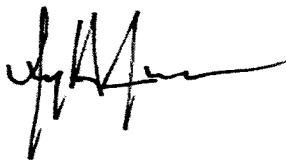
If you would like to learn more about our project or if you have any questions, please call or email Ali Taysi, principal of AVT Consulting of Bellingham, at [ali@avtplanning.com](mailto:ali@avtplanning.com), (360) 527-9445.

Sincerely,

Rogan Jones



Susan Jones



Elizabeth Jones



**Aven, Heather M.**

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**From:** Bell, Kathy M.  
**Sent:** Thursday, January 5, 2023 7:57 AM  
**To:** Bell, Kathy M.  
**Subject:** FW: MUDBAY DEVELOPMENT AND JONES SUBDIVISION

Kathy Bell, Senior Planner  
City of Bellingham  
Planning and Community Development  
Tel: (360) 778-8347  
Website: [www.cob.org](http://www.cob.org)

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

**Tell us how we're doing!**  
[Permit Center survey](#)

**The Permit Center is currently experiencing significant staffing issues. Please plan accordingly. Thank you for your patience!**

Please utilize the Permit Center's online resources via <https://www.cob.org/services/permits>

The Permit Center is open for in-person and appointment only services during the following hours:

Walk-in's: Mon, 8:30am – 3:30pm / Wed: 9:30am – 3:30pm / BEGINNING SEPT. 1<sup>st</sup>: APPT only Tues/Thurs, Fri: Closed to in-person services

We are available by phone 360.778.8300 and email [permits@cob.org](mailto:permits@cob.org) Mon-Fri 8am-5pm and eTRAKiT portal <https://permits.cob.org/etrakit> 24/7.

Appointments beginning Sept. 1<sup>st</sup> for Permit Center Counter Staff can be made here: <https://cob.org/services/permits/permit-center-appointment-request>

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**From:** MY - mayorsoffice@cob.org <mayorsoffice@cob.org>  
**Sent:** Monday, April 11, 2022 12:16 PM  
**To:** Bob Dillman <dillmanbob@gmail.com>  
**Subject:** RE: MUDBAY DEVELOPMENT AND JONES SUBDIVISION

Dear Bob,

On behalf of Mayor Fleetwood, thank you for taking the time to email and share your thoughts about a potential development near your neighborhood. Your concerns have been shared with Mayor and his team as well as the Planning Department.

Best,

Brooksana Raney

Executive Assistant to the Mayor  
[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)  
360-778-8100

Incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56

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**From:** Bob Dillman <[dillmanbob@gmail.com](mailto:dillmanbob@gmail.com)>  
**Sent:** Monday, April 11, 2022 8:03 AM  
**To:** CC - Shared Department ([ccmail@cob.org](mailto:ccmail@cob.org)) <[ccmail@cob.org](mailto:ccmail@cob.org)>; MY - [mayorsoffice@cob.org](mailto:mayorsoffice@cob.org) <[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)>  
**Subject:** MUDBAY DEVELOPMENT AND JONES SUBDIVISION

Seth Fleetwood  
Mayor of Bellingham  
City of Bellingham  
201 Lottie Street  
Bellingham, WA 98225  
And via email mayors [office@cob.org](mailto:office@cob.org)  
[Ccmail@cob.org](mailto:Ccmail@cob.org)

Dear Seth,

My name is Bob Dillman, I have been a resident of Bellingham for over ten years now and I am a supporter of some of your political ideology.

I am writing you to express my concern and hope for your intervention in the proposed Jones Subdivision Development Project. This project will impact myself, my neighborhood and the natural area in a negative fashion.

Whereas we have formed a neighborhood group to work with your Planning Department if this project comes to that stage, I am proposing you look at this now to offer a creative proposal that allows for development, let the property owner get a fair return, and protect this beautiful area overlooking Mud Bay, where I kayak nearly every day.

I am starting to lose faith in our process as this particular project has several obvious flaws and quite honestly insults the intelligence of those that actually read the proposed development. To make everyone feel better about this I implore you to require a thorough Environmental Assessment to determine its exact impacts in an independent fashion.

Mud Bay impact (clearly a separate ecosystem from Bellingham Bay), the runoff, building new roads, potential landslides, impact on the wildlife and salmon that spawn in my backyard are just a few issues. Thousands of truck trips up and down Chuckanut, dust from construction, dramatic impact on Fairhaven and certainly the people of that neighborhood all need to be considered. This is a potential environmental and social disaster.

Can we not get creative to utilize the local Land Trust groups to mitigate these abominations that threaten to bring down a hillside that is adjacent to a marsh area the city just spent money to protect while letting a few homes still be developed?

I have seen first hand what these developers do when they get the green light. They do what they want, maybe pay a fine and a bad development stays. As does the impact. And this will impact everyone in Bellingham.

I would love to see the city take an active stance toward responsible development with a seat at the table to steer this gem in the right direction instead of seeing it simply go through the Planning Process. As that process at times lacks the vision of the big picture.

This proposed development impacts many residents of Bellingham other than myself due to traffic, affected natural areas and throwing caution to the wind with unfettered development. It is time to give our beautiful areas and the associated wildlife and natural areas greater focus before they are destroyed forever.

Feel free to contact me at 415-307-9120 or [dillmanbob@gmail.com](mailto:dillmanbob@gmail.com)

Thanks for your help!

BOB DILLMAN

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Bob Dillman 415-307-9120