

FROM STEVEN MENDELSON,
StevenMendel2001@ Yahoo.Com

Ms. Tayara;

As you recall I am the property adjacent to and immediately to the south of the proposed development. As you recall there is an existing easement on the southern most portion of the developer's land and that easement is principally for my benefit.

On reviewing the plans proposed in the SEPA plan I feel that the drawings are old and not updated. This makes it difficult if not impossible to definitively comment on the SEPA plan.

The letter below outlines my preliminary thoughts and potential conflicts and concerns with the documents as submitted.

In addition I did add today (06-15-2018) a short additional comment on utilities. The body of the document has no substantial changes.

Sincerely Steven Mendelsohn M.D.

***** LAST week's Email- (with minor corrections)

As you know I am the owner of the lot immediately to the south of the proposed development **PLN50589** As you know are aware the easement **AFB 200103260191** refers to an easement on Lot B and adjacent to my property immediately to the south.

As has been my position ever since the inception of this project – that it is my goal to preserve the rights and benefits to me that are detailed in **AFB 200103260191** and as described in the original plat maps.

My current concerns relate to both inaccuracies of the PDF's (specifically the drawings) for the SEPA (4/11/2018) and less than clear wording in the "Open space management plan". I believe that these inaccuracies and lack of clarity could significantly complicate the overall project.

The drawings below are directly copied and pasted from SEPA application.

My other concern is the wording of the "Open Space Mgt Plan 4-20-2018" and how it relates **AFB 200103260191**. Perhaps you will be able to clarify for me the intent of the "Open Space Mgt Plan 4-20-2018" as it relates to building a split rail fence between "open space" and "the lot or right of way".

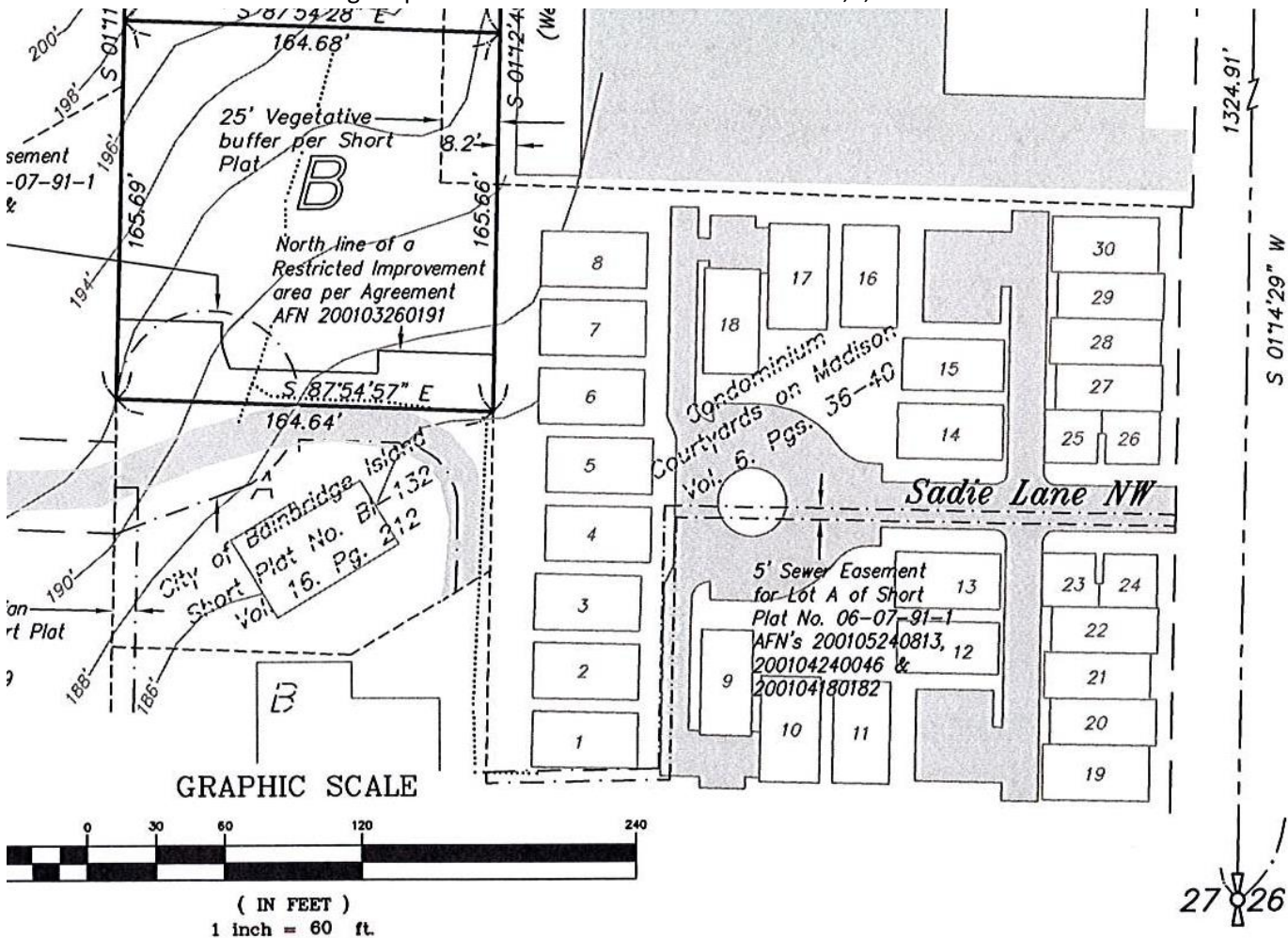
1. Specifically both drawings below shows a setback of 18.56 feet between Lot 8 and the southern boundary line of lot B. However, **AFB 200103260191** specifies a setback of 35 feet. My understanding from the builder is that the plans have changed and that the drawing on the SEPA document are likely in error and reflect an older document. Be that as it may, the SEPA plan as it stands is likely in error and I feel the SEPA plan should be corrected specific parties involved have ample time to review it. Once again, I point out that we were informed by the city that we were one of the properties did not receive the initial notification of the SEPA application.
2. Another concern is that "Open Space" is shown immediately to the south of Lot 8. Given the fact that the placement of lot 8 is likely off by 20+ feet to the south I do not know where the open space is intended to lie.
3. However assuming the open space lies within the easement.. **AFB200103260191**. Then there is likely conflict between the City's open space management plan (specifically fencing- and restrictions of the easement's fencing requirements). The city management plan contains the wording *"A low impact fence eg split rail delineating the boundary of the open space area shall be maintained along the boundary between the open space and the lot or right of way."* I have two problems with the above conflict.
 - I find the language of the open space manage plan vague wherein the wording "lot or right of way" lacks clarity. As outline above specific drawing (below) detailing the open space most likely contains substantial error in the placement of Lot 8 (off by 20+ feet to the south) In other words, will the "open space" lie within the easement or

will it be adjacent to the north border of the easement or both?

4. In either case above (ie. open space either within the easement or immediately north of the easement) *the easement AFB 200103260191 clearly specifies the details of a solid fence (ie. Not split rail). Furthermore this fence is currently in place and illustrated on the drawing below.* Therefore, the potential requirement for a split rail either along my property or along the north side of the easement could create a future legal issue between the builder, myself and the city.
5. Additionally the "utilities easement" AFB (?) has not yet been signed off on by the parties involved. Further comment on the "utilities easement" is offered on the addition to this document (06-15-2018) See below.

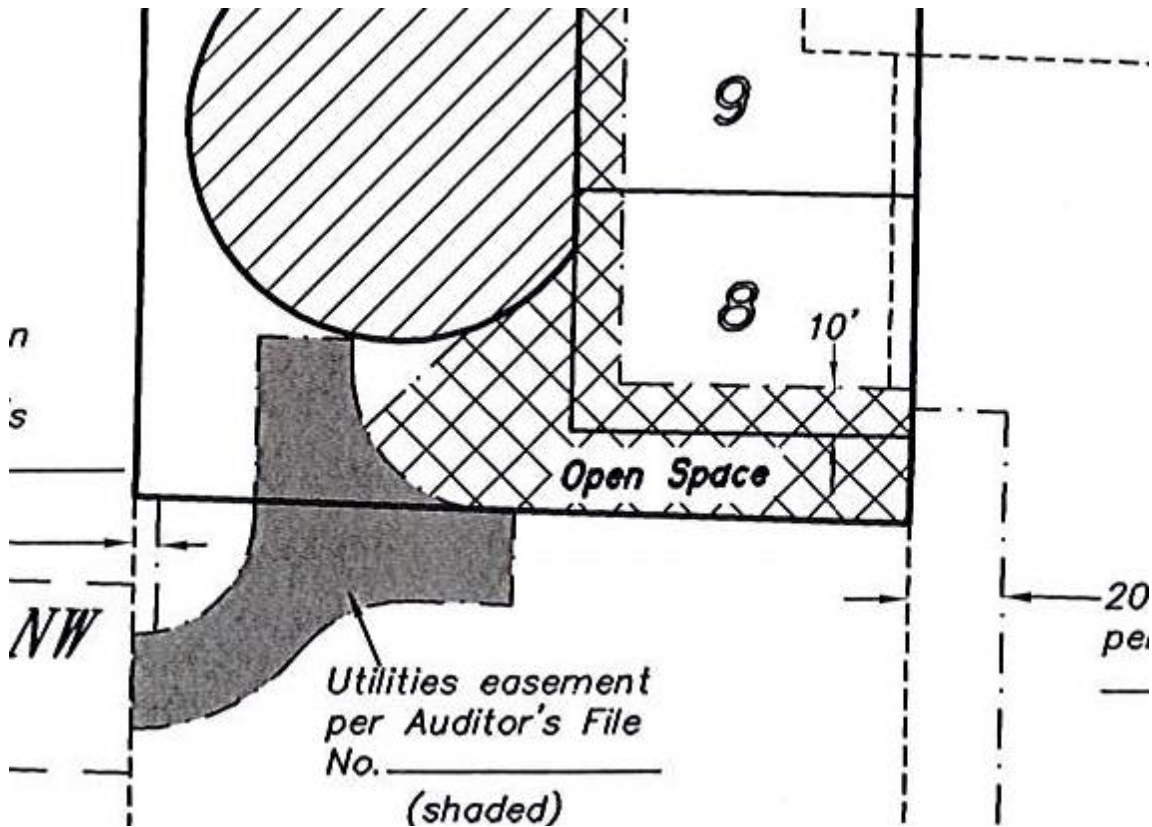
Sincerely,
Steven Mendelsohn

Please refer to the two drawings copied below from "Revised Plat Sheets 4,5,6 and 7.PDF



ABOVE ITEM is 4/22/1028 Revised Opens Space Management Plan 4-10-18.PDF The southern most aspect of this drawing outlines a "Restricted improvement area per agreement 920003260191

Furthermore The same document below shows the same land as "Opens Space" and does not show that it is in fact a "Restricted Improvement area per Agreement 920003260191"



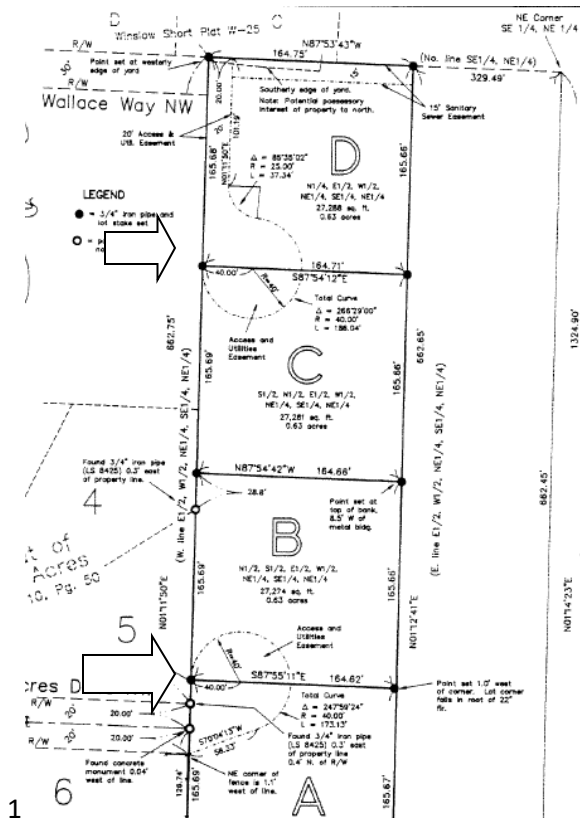
We (myself and the owner to the south of me) have had an ongoing dialog with the developer as regards to drainage for his property along the eastern portion of out lots.

Added 06-15-20128

I believe there may be an issue concerning the "Utilities easement" as shown above.

The plans show water to the development both across my property but also coming in from the north end of the development. The water line runs entirely north-south through the development.

However as per the original Plat(see drawing below) a utility easement across my property only serves Lot B (ie the southern most aspect of the development.)



LEGAL DESCRIPTION

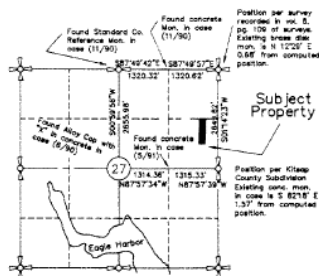
That part of the Southeast quarter of the Northeast quarter, Section 27, Township 25 North, Range 2 East, W.M., in Kitsap County, Washington, described as follows: Beginning 330 feet West of the Southeast corner of said Southeast quarter of the Northeast quarter, thence North 1320 feet; thence West 165 feet; thence South 1320 feet; thence East 165 feet to the Beginning. Except the South 560 feet thereof.

CONDITIONS

1. Lot D must access the City sewer off of Wallace Way.
2. Prior to the issuance of building permits, the City water line on Wallace Way must be extended to Lots C and D and the water line on Fir Acres Drive must be extended to Lots A and B.
3. Water volume and pressure from the lines on Wallace Way and Fir Acres Drive must be sufficient for residential and fire protection requirements.
4. A fire hydrant must be provided in the vicinity of the South end of the project prior to the issuance of building permits.
5. Access shall be provided to all lots at a minimum width of 20 feet. Any terminus of an access lane shall have a minimum driving surface radius of 40 feet with an additional 10 feet to remain unobstructed by mailboxes, plantings, etc.
6. A school impact fee of \$2,240.00 per dwelling unit must be paid prior to the issuance of building permits (City Ordinance 92-01).
7. A 25 foot vegetative buffer shall be maintained on Lots B & C adjacent to the utilities building.
8. Only the minimum amount of clearing and grading necessary for the building footprints of single family residences shall take place on any lot. All trees to be preserved are to be flagged and fenced prior to any clearing or grading.

NOTES

1. Survey accomplished by field traverse with a three second total station.
2. This survey conforms to the minimum field traverse standards for land boundary surveys as listed in WAC 332-130-090.



City of Bainbridge Island Kitsap County, Washington Short Plat SPT #06-07-91-1

Owner: Raymond W. Lindsay
Applicant: Cleaver Construction
File this record this 28th day of April, 1992 at the request of Adam Goldworthy, in Vol. 8 of Short Plats page 47 Auditors File # 920428007 Karen Flynn, Auditor, B. Wolan M. Johnson, Deputy

Surveyor's Certificate



I, James R. Goldworthy, registered as a professional land surveyor by the State of Washington, certify that this Short Plat is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of February and March, 1992, that the distances, courses and angles are shown hereon correctly, and the lot corners have been staked on the ground as depicted hereon.

March 28, 1992
Date
James R. Goldworthy
Signature

ADAM
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