

October 25, 2019

Amy Keenan, AICP
Senior Planner
Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097

RE: August 14, 2019 Governors Point Long Subdivision, Shoreline Substantial Permit and Development Agreement, LSS2018-00003, SHR2018-00018, SEP2018-00124 and PLN2018-00016 Notice of Additional Requirements (NOAR)

Dear Ms Keenan:

This Transmittal Letter from Governors Point Land LP providing information as required by the above referenced NOAR is designed to facilitate review of the requested information. Our responses are noted in each item in *italics* and by reference to the appropriate tab if additional information is provided.

Current Planning (Amy Keenan)

1. Submit an updated SEPA checklist consistent with the studies requested in this NOAR.

The SEPA checklist does not require updating to be consistent with the studies requested.

Shorelines (Andrew Hicks)/Critical Areas – Wetlands and Habitat Conservation Areas (Erin Page)

2. Fees in the amount of \$750.00 plus 3% technology fee for review of wetland delineation and No Net Loss Report

Fee paid.

3. Plat map with ALL critical areas (HCA and Wetland) and associated buffers overlaid with all proposed development. Buffers should reflect current code. Habitat conservation areas listed in the report titled "Wetland Delineation and Habitat Conservation Area Assessment" date stamped July 10, 2019.

See Tab 1 Pages 5 & 6. *All critical areas and associated buffers listed in the Wetland Delineation and Habitat Conservation Area Assessment" are identified on the Plat Maps. Per the agreement reached on October 8, 2019 among Amy Keena and Ryan Ericson of Whatcom County Planning and Development Services, and Randy Bishop, Craig Parkinson and Wayne Schwandt of Governors Point Land LP (October 8th meeting), shoreline setbacks reflect those identified in the Draft Development Agreement currently being negotiated.*

4. As described on Page 18 of the report titled "Habitat Conservation Areas No Net Loss Assessment" date stamped July 10, 2019 – show forest retention areas for each lot.

See the comment under Number 9 below. Per the agreement at the October 8th

meeting, forest retention areas for each lot will not be known until specific lot development plans are prepared for building permit submittal, and as such are not shown.

5. Please clarify if public access via water or land to the two beaches and public access via trails are included in the review for the long subdivision application. If, no please provided an updated Project Narrative.

See Tab 2. *Revised Project Narrative.*

6. Demonstration of how the proposed project will meet with conformance with WCC 16.16.265(C) – Tracts and Easements.

See Tab 1 Pages 5 & 6. *A conservation easement will be placed over the shoreline buffer area. Also, Tract A is dedicated to Whatcom Land Trust per WCC 16.16.265.C2.*

7. A habitat management plan and/or mitigation plan for all impacts to critical areas proposed, including critical saltwater habitats (WAC 173-26-221(2)). This includes all new development in critical areas including new pathways to the dock, road widening, utility installation, recreational uses, and the proposed 10,000 SF maintenance repair yard and structure on the proposed WLT side. All fish and wildlife habitat conservation areas discussed in the submitted HCA reports should be discussed for potential impacts as well as mitigation measures. Mitigation measures to address potential impacts to fish and wildlife habitat conservation areas may be included in a single habitat management plan. Each HCA identified in existing conditions report SHALL have a section in the habitat management plan addressing management recommendations.

See Tab 3. *Habitat Management Plan, Governors Point.*

8. Eel grass and Macro Algae delineation that follows the WDFW Eelgrass/Macro algae Habitat Interim Survey Guidelines:
<http://wdfw.wa.gov/publications/00714/wdfw00714.pdf>

See Tab 3 Page 7. *Additional site specific Eel Grass and Macro Algae delineation will be provided at the time of dock construction permit application.*

9. Revise wetland delineation and associated reports to reflect the findings in the discussion section above:

- a. Wetland A and B and associated ditch are all one Category III wetland with associated 110 foot buffer (see attached rating sheets). HGM class is Slope.
- b. Wetland C – Category IV wetland with 40 foot buffer. Any connected waters that connect to another wetland downslope should be counted as part of the wetland.
- c. Wetland D – Category III wetland with 110 foot buffer and associated non-fish bearing stream (50 foot buffer)

These items were addressed in the July 8, 2019 Wetland & Habitat Conservation Area Assessment.

Health (Sarah Cierebiej)

10. The applicant is required to show the location of the OSS for each proposed

lot as well as any easements needed for OSS that are located off parcel on the long plat application site plan. The applicant needs to demonstrate that each proposed lots has the required setbacks between the drainfield and the roads, driveways, stromwater infrastructure, any critical areas and buildings.

See Tab 1, Pages 5 & 6. *Per the agreement reached at October 8th meeting, Preliminary Plat Map submittal shall show maximum Developable Area on each Lot and Tract for the improvements noted above. Site specific location of those improvements will be made and reviewed at the time of building permit submittal for each Lot or Tract. This agreement was reached to recognize that specific siting of each home and other improvements will not be undertaken by Governors Point Land LP in a timeframe that allows for specific improvement location and analysis.*

11. The applicant must show water line utility easements on the long plat application site plan. If drinking water storage is required, the applicant must show the location and easements on the long plat application site plan.

See Tab 1. Plat Map

Critical Areas – Geologic Hazards (Andy Wiser)

12. Supplemental geotechnical analysis is required for all proposed stormwater disposal and septic drainfield systems located in or adjacent to regulated landslide or erosion hazard areas.

See Tab 4. *AES Technical Memorandum October 11, 2019, re: Steep Slope Setbacks. Per the agreement reached on October 8, 2019 among Amy Keena and Ryan Ericson of Whatcom County Planning and Development Services, and Randy Bishop, Craig Parkinson and Wayne Schwandt of Governors Point Land LP, site specific supplemental geotechnical analysis will be required when specific lot development plans are prepared for building permit submittal.*

13. Alterations to the proposed lot configuration or a reduced shoreline setback may require supplemental geotechnical analysis.

Noted.

Public Works (Laura Vandervort)

14. Submit a preliminary plat map. Plat map shall address requirements indicated per the Whatcom County Interim Administrative Manual. Map shall include contours and the location and widths of all proposed roads, rights-of-way and easements.

See Tab 1. Plat Map.

15. Provide a proposed conditions sheet in the plan set. Show proposed road and hydrants for the whole site, with contours, and lot numbers.

See Tab 5 Sheet C3. *A proposed conditions sheet has been added to the Road & Utility Schematic plan set.*

16. Turnaround legs at the road ends shall be 60 feet long, see Whatcom County Standard Drawing 505.L-2. Revise the road ends for Roads A and B to reflect this. The maximum grade of each turnaround leg is 10%.

See Tab 1 and Tab 5. Turnaround legs at the ends of Roads A and B have been revised to 60ft long.

17. Provide horizontal curve information for proposed road alignments. Horizontal curves shall meet Whatcom County Development Standard's minimum radius curvature per Roadway Alignment (Section 505. I. 3. Horizontal Curves) for Local Access Road, Table 7.

See Tab 5. Horizontal curve information has been added to the road plan set. Road design parameters are shown on sheet C3. Road centerline alignments with curve information has been added to sheets C5 thru C19.

18. Evaluate whether guardrail, or other traffic barrier, is warranted. See WSDOT Design Manual for Traffic Barriers.

See Tab 6. Cascade Engineering Group response memo.

19. The stormwater memo and latest stormwater site plan has been reviewed (Cascade Engineering Group, July 9, 2019 Revision). Additional information is required at this time to ensure that proposed on-site stormwater management practices are feasible given the development's terrain restrictions and setback requirements. Submit plans indicating the preliminary layout for each lot including house footprint, driveway, stormwater treatment facility and septic drain fields delineated, and shoreline setback. If storm dispersion is the proposed treatment BMP show the 100' flow path. Include contours and directional flow arrows, slopes.

The plans and report shall demonstrate that each buildable lot can accommodate the stormwater from up to 4,000 square feet of hard surface, consistent with the DOE stormwater manual.

Provide geotechnical support for the proposed stormwater drainage BMPs and given locations.

See Tab 7 Page 1. Response to County's August 14, 2019 NOAR Stormwater Comments.

20. Provide a basin map for the stormwater site plan. Delineation of the basins shall include the contributing areas and discharge points. Provide preliminary calculations for anticipated volumes generated for each sub-basin.

See Tab 7 Page 8. Response to County's August 14, 2019 NOAR Stormwater Comments document.

21. DOE indicates the maximum resultant roadway slope for the use of CAVFs is 9.4%; this is in conflict with sections of steeper gradient for this site, please address. Infiltration is a component of how CAVFs treat stormwater, note assumed infiltration rate for the site and provide geotechnical support for this assumption.

See Tab 7 Page 14. Response to County's August 14, 2019 NOAR Stormwater Comments document.

22. How will CAVFs be protected from vehicle traffic? Include proposed methods.

See Tab 7 Page 14. *Response to County's August 14, 2019 NOAR Stormwater Comments document.*

23. Provide downstream analysis for the stormwater discharging to the Pleasant Bay Road ditch and beyond to Pleasant Bay.

See Tab 7 Page 15. *Response to County's August 14, 2019 NOAR Stormwater Comments document.*

24. Provide design overview for proposed energy dissipation for the concentrated flows that will outfall from culverts under the roads.

See Tab 7. *Response to County's August 14, 2019 NOAR Stormwater Comments document.*

25. Fire apparatus access shall be in accordance with the Whatcom County Development Standards. The Fire Marshal's Office will only regulate private driveways serving 1-2 users in accordance with the adopted fire apparatus access standards in WCC Title 15. All of these features shall be shown on a scaled site plan as part of the plat.

Items 25, 26a,b,d,e, 27 and 28 refer to Fire Marshall requirements for individual lot improvements. Modifications to these items were agreed upon among former Fire Marshall Mark Sniffin, former Assistant Fire Marshall Mitch Nolze and Randy Bishop, Craig Parkinson and Wayne Schwandt of Governors Point Land LP.

26. Fire apparatus access driveways to one- and two-family dwellings shall be a minimum of 12' wide of all-weather drivable surfacing in accordance with WCC Title 15, including any hard surfacing requirements due to grade exceeding 12%.

a. Fire apparatus access roads/driveways shall be provided to within 150' of the closest portion of all structures. Approved walking path and/or stairway access shall be provided after that, up to the proposed structure for public safety use (i.e. medical aid, law enforcement, firefighting hose deployment). This access will be verified at time of building permit application.

b. Any fire apparatus access DRIVEWAY that is longer than 150' shall require a fire apparatus turn-around feature, in accordance with the WCC Title 15 standard that will allow for 45' "legs" of the turn-arounds, in lieu of the 60' requirements at the end of the Public Works designated private roads (different standard and purpose). The turn-around feature shall be placed between 50' and 150' from the building. On dead end roads a turnaround feature shall be installed with 60foot legs.

c. Fire apparatus access roads/driveways that include fire hydrants shall require a width of 26' for 20' in both directions, on center of each hydrant (total of 40' of widening). Please show this width on plan.

See Tab 5 Sheet C3. *Fire hydrants are provided on the main roads accessing the site (Road A and B). Fire hydrants are centered on fire apparatus turnouts of 26ft wide and 40ft long.*

d. Any areas where required road widths that are not able to be met due to

topographical or geographical constraints shall be proven through a survey and See station breakdown. These areas are subject to review and approval by the Fire Marshal prior to any preliminary plat approval. Additional fire protection features may be required depending on the impacts determined by the Fire Marshal.

See Tab 5 Sheet C22. A station breakdown of road widths is shown on the attached Schematic Road and Utility plans. Access roads will have a minimum width of 20ft (18ft hard surface with 1ft shoulders).

e. Any deficiencies or sub-standard fire apparatus access may require the installation of automatic fire sprinklers in all buildings accessed by that road/driveway as a minimum, prior to entertaining any other reasonable alternatives or concessions to access.

27. The proposal shall comply with all applicable codes and ordinances adopted by Whatcom County. Any overlooked hazardous condition and/or violation of applicable code shall not be construed to be an approval of any violation of any of the provisions of the International Fire Code or of any other Whatcom County codes.

28. Fire hydrants are not required if the lot sizes are a minimum of one acre and buildings have a minimum setback from property lines of twenty feet. See section C106, Subdivision Alternative. Please place this note on the plat (if applicable). If the lot size is under an acre, fire flow will be required at 500 gallons per minute at 20 psi. Fire hydrants shall be spaced not less than 600 feet for all building sites.


FIRE PROTECTION SETBACKS

AS THERE ARE NO PUBLIC OR PRIVATE FIRE PROTECTION FACILITIES AVAILABLE WITHIN 600 FEET OF LOTS WITHIN THIS SHORT PLAT, ALL BUILDINGS SHALL BE SET BACK AT LEAST 20 FEET FROM ALL SIDE AND REAR PROPERTY LINES FOR FIRE PROTECTION PURPOSES. PLEASE NOTE THAT DEVELOPMENT REGULATIONS MAY SUPERSEDE AND ALTER THIS SETBACK REQUIREMENT. ADDITIONALLY NO SINGLE FAMILY RESIDENCES OVER 4000 SQUARE FEET IN SIZE, OR DETACHED STORAGE BUILDINGS OVER 2500 SQUARE FEET IN SIZE WILL BE ALLOWED ON THE LOTS WITHOUT ADEQUATE FIRE PROTECTION. THE WHATCOM COUNTY FIRE MARSHAL HAS THE AUTHORITY TO SELECTIVELY OVERRIDE THIS RESTRICTION IN THE EVENT ADEQUATE FIRE PROTECTION FACILITIES BECOME AVAILABLE AS SPECIFIED BY THE FIRE CODE.

The applicant shall fulfill the requirements of the NOAR before submittal to the subdivision administrator and all items shall be submitted at one time with applicable fees.

Noted.

Respectively Submitted,



Wayne Schwandt
Governors Point Land LP
862 Peace Portal Way, Suite 101
Blaine, Washington 98230

Attachments