

**COMMISSIONERS' MINUTES  
KITITAS COUNTY, WASHINGTON  
SPECIAL MEETING**

**TUESDAY**

**2:30 P.M.**

**JULY 31, 2006**

Board members present: Chairman David Bowen; Vice-Chairman Alan Crankovich; and Commissioner Perry Huston.

Others: Julie Kjorsvik, Clerk of the Board; Darryl Piercy, Director of Community Development Services; Joanna Valencia, Staff Planner; Rhys Sterling, representing the Proponent and 9 members of the public.

**APPEAL HEARING**

**STUTH APPEAL - BRZOZOWSKI**

**CDS**

At approximately 2:30 p.m. **CHAIRMAN BOWEN** opened a continued appeal hearing from July 18, 2006 to consider an appeal from Judith Brzozowski of the Conditional Preliminary Approval of the Stuth Short Plat (SP-05-93), a short subdivision of 9.10 acres into 3 lots consisting of 3.03 acres each, located South of Westside Road and a portion of the SW ½ of Section 05, T19N., R15E., W.M. The parent tax parcel number is 19-15-05056-0002. The record was closed with the exception of having given staff direction to respond to the Boards request to clarify information on latitude of the Board of County Commissioners to interpret conditional preliminary approval language. The parties of the appeal were given the opportunity to respond as well.

**JOANNA VALENCIA, STAFF PLANNER,** reviewed a Staff Report dated July 26, 2006. She explained the Board of County Commissioners has the authority to clarify and modify the Conditional Preliminary Approval that was granted to the short plat. The Boards decision on the appeal would be enforced through the processes in place of obtaining final approval on a short plat, including review and approvals from the Department of Health, Public Works and Community Development Services. She reviewed language that was presented by Attorney Sterling representing the proponent and said it could be included, if the Board desired. The language said in order to physically minimize and control the runoff from the road surface within the 100-foot sanitary control area of the F3 well, and subject to review and approval of the design and construction plans by the Kittitas County Health Department and the Department of Public Works, within this 100-foot radius (1) the hard road surface shall be slopped away from the F3 well, (2) the improved Steptoe Drive shall be constructed as far away as possible from the F3 well.

**CHAIRMAN BOWEN** indicated the Appellant suggested the Board has the ability to remand and modify findings if necessary. The Proponents Attorney felt there was enough information in the file to not remand it, but to make a decision. His concern was that if none of them were here in the future, would there be a delay in final plat approval and the language be picked up for certain. **DARRYL PIERCY** if there was an added condition, it would become part of the file and would be picked up as part of the final approval process. He said the Director would be the one to review it and the review is based on elements within file and any additional condition would be of utmost importance. He said in review of the proposed condition, he believed it would meet the content in appeal and provide suitable, adequate protection of wellhead. **CHAIRMAN BOWEN** asked if the County knew of the well would it have been included. **MR. PIERCY** said if they would have been aware the well currently existed, and since the road currently exists, they would have looked for way to slope road at least 100 feet of wellhead.

**COMMISSIONER CRANKOVICH** questioned how the road got to where it is because the well was put in before the road was put in. He felt it should be mitigated as adequately as possible.

**COMMISSIONER HUSTON** moved to uphold the appeal, direct staff to amend the conditions of preliminary plat to include the language provided in the Staff Report dated July 26, 2006 (Page 2) as offered by Proponent; to prepare enabling documents amending the preliminary plat, as well as letters to the parties on the agreement of the well. **COMMISSIONER CRANKOVICH** seconded.

**COMMISSIONER HUSTON** said it has been determined that the appellant had standing to bring appeal; the details in the conditions of the preliminary plat approval were not sufficient relating the protection of the well; and that the Board of County Commissioners have the authority to alter conditions of Preliminary Plat approval. He indicated the Board had always applied the process, that if changes are created, it warrants going back through the public process, but in this particular case, he argued it was dealing with a very specific change, an expansion of language already contained, meaning it does not alter the location of the roadway, it only expanded the language presented by staff. The Appellant should be kept in loop on how the decisions unfold.

Motion carried 3-0.

**COMMISSIONER HUSTON** moved to continue the hearing to August 15, 2006, at 2:00 p.m. in the Commissioner's Auditorium, Room 109, County Courthouse, noting the record is closed, for review of enabling documents. **COMMISSIONER CRANKOVICH** seconded. Motion carried 3-0.

Meeting adjourned at 3:05 p.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

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Julie A. Kjorsvik

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David B. Bowen, Chairman