

Before the
HEARING EXAMINER
Snohomish County, Washington

LIST OF EXHIBITS & WITNESSES

Applicant: DR Horton

Case No.: 21 107364 PSD

Hearing Date & Time: 3/24/22, 2PM

Project Name: Riverstone Estates

EXHIBITS: Submitted for the March 24, 2022, open record hearing:

A. APPLICATION:

- A.1 Master Permit Application filed April 16, 2021
- A.2 Project Narrative received October 12, 2021
- A.3 120 Day Waiver received October 12, 2021
- A.4 Signing Authority Information received April 16, 2021
- A.5 Plat Name Reservation Certificate expires August 20, 2022

B. PLANS:

- B.1 Preliminary Plat Map and Rural Cluster Site Plan received March 16, 2022
- B.2 Open Space Management Plan received October 12, 2021
- B.3 Preliminary Civil Drawings received October 12, 2021
- B.4 Landscape Plans received October 12, 2021

C. REPORTS:

- C.1 Traffic Report received April 16, 2021
- C.2 Targeted Drainage Report, received October 12, 2021
- C.3 Geotechnical Report received April 16, 2021
- C.4 Critical Area Study and Wetland Mitigation Plan Report received October 12, 2021
- C.5 Stormwater Pollution Prevention Plan received April 16, 2021

D. PROPERTY:

- D.1 Ownership – Zoning Map
- D.2 Aerial Map
- D.3 Verification of Boundary

E. ENVIRONMENTAL:

- E.1 Determination of Nonsignificance with Environmental Checklist

F. NOTICE AND ROUTING DOCUMENTS:

- F.1 Affidavit of Mailing – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- F.2 Affidavit of Notification (publication) – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations
- F.3 Posting Verification – Notice of Open Record Hearing, Threshold Determination, and Concurrency and Traffic Impact Fee Determinations

G. OTHER SUBMITTAL ITEMS:

- G.1 EDDS Deviation 21-107364 WMD
- G.2 LDC Request that SCC 30.14.C.080 Apply, dated February 22, 2022
- G.3 Ordinance 21-106, effective March 6, 2022

H. CITY / AGENCY COMMENTS:

- H.1 Water Availability Certificate
- H.2 Snohomish County P.U.D. letter dated May 4, 2021
- H.3 Snohomish Health District approval memo dated June 25, 2021
- H.4 Snohomish School District
- H.5 Washington State Department of Transportation
- H.6 Marshland Flood Control letter dated April 27, 2021, February 3, 2022, with enclosure, email dated February 25, 2022, and letter dated March 10, 2022
- H.7 Department of Ecology email and letter dated May 17, 2021
- H.8 Declaration of Gary Brandstetter, Marshland Flood Control Dist., March 18, 2022
- H.9.a Email from Marshland Flood Control District, dated March 18, 2022
- H.9.b Emailed response to H.9.a from Brian Dorsey, dated March 21, 2022
- H.10 Declaration of Three Marshland Flood Control Dist. Members, dated March 21, 2022
- H.11 Marshland Flood Control District's Brief, dated March 22, 2022
- H.12 Marshland Flood Control District Supplemental Brief, dated March 23, 2022

I. PUBLIC COMMENTS:

- I.1 Letter from Bacon, Bob, dated February 11, 2022
- I.2 Letter from Don and Barbara Bailey, dated April 29, 2021s
- I.3. Email from Beyer, David, dated February 22, 2022
- I.4 Email from Cahan, Eric, dated April 28, 2021
- I.5 Email from Chamberlin, Bob, dated May 19, 2021, May 27, 2021, with attachments following, June 12, 2021, and February 14, 2022.
- I.6 Letter from Elchlepp, Brian, dated February 22, 2022
- I.7 Emails from Freeman, Anne and Boone, dated May 26, 2021, and March 2, 2022
- I.8 Emails from Harvey, Kandace, dated April 26, 2021, with Department response, and February 3, 2022, with attachment
- I.9 Email from Miasnik, Greg, dated February 21, 2022
- I.10 Email from Montemayor, Steve, dated May 17, 2021
- I.11.a Email from Smith, Craig and Dana, dated June 1, 2021, with attachments and February 22, 2022, with attachments.
- I.11.b Email cover letter from Attorney Knappe, Carl, dated June 8, 2021, with attachment (June 7, 2021, letter from Creighton to Smith).
- I.12 Email from Spaetig-Peterson, Kimberlee, dated February 21, 2022
- I.13 Email from White, KC, dated February 23, 2022
- I.14 Declaration of Randy Yates, dated March 12, 2022

J. RESPONSE TO AGENCY / PUBLIC COMMENTS:

J.1 Public comment response letter dated September 30, 2021, March 11, 2022, and March 16, 2022.

K. STAFF RECOMMENDATION - Department of Planning and Development Services

K.1 Staff Recommendation, Updated March 24, 2022

ZOOM LINK

<https://zoom.us/j/96288594982?pwd=L1BUQUpWL1ILY1laY3BTaDdVLOJNUT09>

WITNESSES

Stacey Abbott, Senior Planner, PDS
Jack Hurley, Engineer III, PDS
Erin Harker, Senior Environmental Planner, PDS
Mark Villwock, Engineer, LDC

Gary Brandstetter, Counsel for Marshland Flood Control
Robert Chamberlain, member of the public
Dana Sue Smith, member of the public

Mary Joy Dingler, Counsel for Applicant

ZOOM RECORDING

2:00PM:

<https://zoom.us/rec/share/nGi7RLzoYJHRpMn5vrSSupnPPEvIQxmO7XxfljWx3cOpzsaBLTsiGgOTlticyQsr.a-Th7OH9T4gQIBOG>

3:30PM:

https://zoom.us/rec/share/w7NcSAbYbS94Dk81kOrrrj_1KqvDVMZg34DB6-tv6-PHHVOMc_TtnQGMt0khZ4AR.zNT06gXHt8NoV6hr

NOTE:

FINAL DECISION issued on April 14, 2022 Hearing Examiner's Decision
FINAL DECISION appealed to Snohomish County Council on April 27, 2022
Contact Clerk of the Council for Hearing Examiner Exhibits at 425-388-3494 or contact.council@snoco.org
(Clerk Note: saved in G:\ECAF\Council Approved\2022\22-0560 Appeal Riverstone Estates\HE Record)