

November 30, 2021

Linda Ritter, Senior Planner  
City of Mukilteo  
11930 Cyrus Way  
Mukilteo, WA 98275

Re: Proposed Harbor Grove Subdivision  
9110 53<sup>rd</sup> Ave West, Mukilteo, WA

Dear Ms. Ritter,

I have reviewed the documents submitted by Sea-Pac Homes to the City of Mukilteo for their proposed sub-division to construct seven single-family homes at 9110 53<sup>rd</sup> Ave West, Mukilteo. The applicant's submittals are not complete, and based on the submittals the proposed sub-division will result in environmental impacts that have not been addressed, alternatives have not been identified, discussed or evaluated. This proposal has potentially significant environmental impacts to the nearby properties and in other areas within the Smugglers Gulch watershed.

At this time the City should deny the applicants request for the required permits. If the applicant still wants to pursue a subdivision approval, the City must request the applicant for additional information and analyses, see my comments below. The applicant needs to prepare an evaluation of various alternatives and mitigation via the SEPA process, and lastly provide the public an opportunity to review and comment on the additional/new information and the SEPA analysis.

Provided below are my comments on the documents that applicant submitted to the City and were available for the public to review via the City's website.

**(1) Comments on the Supplemental Application Form**

Page 1, item #7 says: Lots per Acre = 2

item #8 states that the "Number of Proposed lots/units = 5"

The number of proposed lots and the size of each lot is different from what is stated in the SEPA Environmental Checklist (page 3, response to item 11). Here it states they are proposing 7 (not 5) single-family residential homes. The preliminary plans also say 7 lots. Please clarify the number of proposed lots/units.

**(2) Comments on the Critical Area Reconnaissance Report (dated May 6, 2021)**

current parcel and the property was very wet. At a recent meeting with the homeowners living on the north end Hargreaves Place, they have said their backyards receives a lot of water and they had to install drainage systems.

What alternatives have been evaluated for the discharge from the Bypass Basin area? Has the alternative of routing the water collected in the Bypass Basin area to the underground vault been evaluated?

#### Page 10 Retaining Walls

This report says drainage is proposed to be provided behind the retaining walls and connected to an approved discharge location. The applicant's documents do not analyze, discuss alternatives, or mitigation for the discharge of this drainage. All that is mentioned in the Storm Drain Report, is that the Bypass Basin is 0.46 acres, or 19% of the developed conditions. There needs to be more evaluation of this proposed discharge of drainage from the Bypass Basin area. Currently, the neighbors on the west (houses on north end Hargreaves Place) have excess water entering their backyards. What will this development do to prevent/mitigate the runoff or seeps from entering these neighbors' backyards?

#### **(4) Comments on the Preliminary Storm Design Report**

This report does not analyze, discuss, or mitigate the impact(s) of the discharge from the post developed site drainage and discharge, including its impact on the existing flow conditions of Smugglers Gulch Creek or other nearby drainage ways. Without this analysis, the City Council cannot make formal written findings that the applicant has plans for appropriate provisions to protect public health, safety and general welfare including the impact of the drainage ways as required in MMC 16.12.050.

The Preliminary Storm Design Report violates MMC 16.12.010. C.2.e since it does not discuss the disposal of stormwater from the Bypass Basin, nor of the Rain Garden. What are the downstream water quality and quantity impacts to neighboring properties, who will be managing these storm design structures, and what assurances will the property owners and/or developer guarantee that these storm water system operate properly? The city should require financial assurance (e.g., performance bond) from the developer to cover at least the first five years of maintenance and operations expenses in case these systems fail, and the city has to step in and take over these systems

The application is incomplete since it did not include a Hydrology report as required in MMC 15.16.060 for sites with a mass clearing and grading and development of a proposed sub-division site. According to MMC 15.16.060 D. 6. the hydrology report shall include :

“...an adequate hydrology study of the drainage basin in which the development site is located, conclusions setting forth existing and future changes in the hydrology and the extent of significant effects on the surrounding and downstream properties as a result of the proposed clearing, grading and development and design criteria for corrective measures whenever necessary, together with opinions and proposed project conditions. Recommendations included in the report shall be incorporated in the plans, specifications, or support material.”



proximity to the Smugglers Gulch watershed? Are there any rainfall records from Paine Field or Everett that can be used for this analysis (instead of the SEATAC rainfall region – Section 4.1, page 4.1)? And what is the basis for the Scale Factor of 0.833 mean and how is it used in the calculations?

In the last decade, the rainfall events have been larger and with longer durations. The city should analyze how the size of more recent storm events affects the design capacity of the wetvault. The City should be more protective of downstream stream impacts, require more vigorous upstream storm control systems, starting with the Harbor Grove wetvault system and not put the burden of future retrofits on the Mukilteo citizens. The City has already witnessed and experienced the impacts to the lower Smugglers Gulch Basin during the December 2007 storm event. And subsequently monetarily compensated the affected neighborhood for damages that occurred downstream in Smuggler's Gulch Creek. The City should start being more proactive in making decisions that will impact neighborhoods that could be affected by storm related discharges and the associated decisions, especially when climate change has affected the rain events (intensity and frequency).

## **(6) Comments on the Environmental Checklist:**

### 1. Earth

According to MMC 17B.52A.010:

“The purpose of this chapter is to designate geologic sensitive areas in the shorelines management area and **to regulate development activities in or near geologic sensitive areas** to safeguard the public health, safety and welfare.” (*emphasis added*).

“Several geologic conditions influence development on or adjacent to slopes including: slope inclination, soil types, underlying geology, groundwater and seepage, surface water runoff and vegetative cover. Therefore, for the purposes of this chapter, a geologic sensitive areas map has been prepared for the city that will be used to determine when additional site analysis will be required as a condition of development.”

The City's Critical Area map (pdf copy attached) indicates there are steep slopes to the west of the proposed project. The applicant has not evaluated nor discussed mitigation of the potential impacts this project will have on these steep slopes.

Also, in the City of Mukilteo's Pre-Design Report of the Smuggler's Gulch Stormwater Retrofit Study (dated 8-27-2010, prepared by Perteet) Figure 1.2 identifies a wetland area on the proposed sub-division about 175 feet south of where the creek goes under 53<sup>rd</sup> Ave W. (A copy of Figure 1.2 is attached.) The applicant needs to address the impacts to this wetland, alternatives to not disturb this wetland and mitigation for its loss if the applicant intends to fill in this wetland area.

### 3. Water



Since the applicant is proposing to cut down 76% of the significant trees on a 2.38 acre lot, the City should require a SEPA analysis per MMC 17.84. And before the City can approve this proposed subdivision, the applicant should evaluate and discuss the impacts of cutting down all these trees and submit it to public review and evaluation and also provide a discussion of feasible alternatives to not cut down these many trees, especially on the western part of the property. Here are my questions about the cutting down of 76% of these significant trees:

- the applicant needs to explain why these significant trees need to be cut down,
- will the removal of the trees and other vegetation on the west side of the property, adversely impact land stability? The applicant has not provided any analysis of land stability for their proposed plan.
- will it increase the amount of stormwater runoff?
- will cutting down 76% of the significant trees affect the local wind patterns in the area and adversely impact the stability of the other trees in the neighborhood that was protected by the existing 86 significant trees. Many years ago (I think about the early 2000's), the developer of the property adjacent to the Mukilteo Speedway and south of the Staybridge Hotel cut down the trees in this proposed development except for a row of trees along the east side of the property (adjacent to the Speedway). When a windstorm came through one (or more) of the remaining trees that was formerly protected by the forest or grove of adjacent trees, fell down onto the Speedway and killed a driver in a passing car. After this tragedy, the remaining trees were cut down and to this day this property is denuded and an eye-sore in the City of Mukilteo.

## 5. Animals

The discussion of animals on the existing property is not complete. There are other wildlife located on or near the existing property. I have observed the following list of birds and animals near the site:

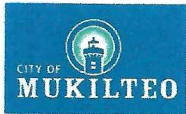
Barred Owls, Anna's Hummingbird, Red-Breast Sapsucker, Downy Woodpecker, Northern Flicker, Pileated Woodpecker, Great Blue Heron, Cooper's Hawk, Bald Eagle<sup>1</sup>, Red-Tailed Hawk, Northwestern Crow, Steller's Jay, deer, racoons, weasel, mountain beaver, coyote, and salmonid species.<sup>2</sup>

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<sup>1</sup> MMC 17.52C.130 Perf. Standard #3 states: Bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292).

<sup>2</sup> In April 1996, members of the Smugglers Gulch Creek HOA walked Smugglers Gulch Creek with Tony Opperman (biologist with WA Fish and Game) and he used a device to capture fish from the creek. He brought up several salmonid species. He also observed salmonids in the first 100 feet of the creek upstream of the railroad track where the creek enters Puget Sound. With the City's proposed project to replace the 61<sup>st</sup> Place Culvert over Smugglers Gulch Creek and the downstream streambed this will make the creek potentially habitable for fish passage. In the City's 8-27-10 Pertteet Report (Smuggler's Gulch Stormwater Retrofit Study) page 9, it says: "The City of Mukilteo staff have coordinated with the Washington Dept of Fish and Wildlife and determined the channel upstream of 61<sup>st</sup> Street culvert crossing is not conducive to fish habitat. However, with





2707 Colby Avenue, Suite 900, Everett, WA 98201 | P 425.252.7700

To: Matt Nienhuis  
Linda Ritter

From: Kurt Ahrensfield  
Brian Caferro  
Jason Walker  
Karla Boughton  
Cindy Flood  
Scott Dobner  
Rahmi Kutsal

Date: December 20, 2022

Re: Harbor Grove Submittal Review Comments

Cc: Brian Wirt                      Matthew Geiger                      Andrew Galuska                      Sarah Kress

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Dear Matt and Linda;

We have finished reviewing the Harbor Grove submittal package per your request, following are our review comments for your information, review, and distribution to the applicant.

These plans were reviewed for general compliance with the stormwater codes, grading, site, and overall site design. The review was not an exhaustive review of spot elevations/grading, utilities coordination, other design elements or design documents.

Please note that the redlines are attached at the end of this memorandum for plan sheets that had comments, below comments for all disciplines should be reviewed together with the attached redlines of plans and reports. Not to make the submittal even larger than it already is, I have removed the sheets with no comments on them and left only sheets with redlines on multiple discipline plan sets and reports.

Please also note that only a cursory review of The Revised Critical Area Reconnaissance Report for 9110 53rd Avenue West; Parcel 00611600015900 was performed and to confirm with the Department of Ecology.

**Documents Reviewed:**

- Civil Plan Set for Harbor Grove, prepared by The Blueline Group, dated 8/9/22.
- Storm Drainage Report for Harbor Grove, prepared by The Blueline Group, Date: May 3<sup>rd</sup>, 2022 and Revision Date: August 9<sup>th</sup>, 2022.
- Geotechnical Engineering Study for "Daffron Property", prepared by Earth Solutions NW, LLC, dated July 30, 2021 and Updated July 28, 2022.
- Groundwater Elevation Evaluation for "Proposed Development", prepared by Cobalt Geosciences, dated March 14, 2022.
- Stormwater Pollution Prevention Plan (SWPPP) for Harbor Grove, prepared by The Blueline Group, dated 08/09/2022.
- Revised Critical Area Reconnaissance Report for Sea Pac Homes, prepared by Wetland Resources, dated December 9, 2021.

**General:**

There are several different referrals to this project on different report such as; "Harbor Grove", "Daffron Property", and "Proposed Development". This should be reconciled and the next submittal should have the one exact name on all plans and report in the submittal package.

**Plans - Please review the below comments together with the redlines at the end of this memorandum:**

**General**

1. Provide Street Name for TRACT 998 on all applicable sheets.

**Sheet 2 of 21**

1. GENERAL NOTES 3: Provide Project Surveyor's Name and Phone Number.
2. GENERAL NOTES 4: Change "IS RESPONSIBLE" to "SHALL BE RESPONSIBLE" and Provide Project Engineer's Name and Phone Number.

**Sheet 3 of 21**

1. EX 8" CI WATER Note: Change "CONTRACTOR TO POTHOLE" to "SHALL POTHOLE".

**Sheet 5 of 21**

1. Provide a trench restoration detail for the trench cut needed to install the new storm drain system.
2. Add CB protection inserts to the existing CBs along 92nd St SW where pipe trench work will be occurring.
3. Show CB protection inserts for the proposed catch basin locations, the ones that will have a grated lid.
4. Include check dams along the interceptor swales.
5. EX 8" CI WATER Note: Change "CONTRACTOR TO POTHOLE" to "SHALL POTHOLE".
6. PERMANENT STORM Note: Change "TO BE" to "SHALL BE INSTALLED".

**Sheet 6 of 21**

1. Fill in surveyor's name and phone number at the end of Site Grading and Construction SWPPP Note #1.
2. Change all suggestion and recommendation language of "SHOULD", "MUST", etc. to "SHALL", see the attached Sheet 6 at the end of this memorandum for all the related redlines.

**Sheet 9 of 21**

1. There is a wall at southeast and south of hammerhead and access to Lot 7 up to 10' high, there must be a fence on top of this wall for public safety.

**Sheet 10 of 21**

1. The 10' private drainage easement should be called out as a 10' private sanitary sewer easement.
2. Revise the placement of the French Drain with Perf Pipe leader line.
3. EXISTING UTILITIES Note: Change "CONTRACTOR TO VERIFY" to "SHALL VERIFY"

**Sheet 11 of 21**

1. It is acknowledged that the applicant has bypassed the existing detention vault on 92nd. However, the existing conveyance system that you are connecting to does not currently see these flows from the project site. Therefore, this system will see an increase in runoff flows and the applicant will need to provide a quantitative analysis of the existing system up to its discharge point on the west side of Hargreaves Pl to make sure the system has capacity to handle the increase in flows.



2. The existing pipe on 92nd St needs to be upsized to at least a 12" pipe. You cannot go from a 12" pipe and then downsize to an 8" pipe.
3. Provide detail. Dimension of the pad, type of rock used, thickness of pad and any geosynthetic material used for separation.
4. Provide details for cleanouts when located in paved areas and when located in landscaped areas.
5. Vault footing drain is set at 392.5. The IE of the drainpipe heading to CB 4 will need to be lowered.
6. Show location of wall footing connections.
7. French Drain detail is not on this sheet, update reference.
8. Raise the IE of these pipes entering the vault as high as you can to limit the amount of backwater in the system. For sure bring the IE up above the top of dead storage elevation so that there will not be permanent standing water in the pipe.
9. This note does not apply to CB 1.
10. Provide a yard drain detail.
11. Where does the underdrain system for this rain garden connect to?
12. How does the existing storm drain intake pipe interact with the rain garden? If it is located at the bottom then it no longer functions as a rain garden, but as a swale. Refine design as needed to accommodate a rain garden design.
13. Per Mukilteo Development Standards 3.6.3.1 catch basins shall be spaced no greater than 150 feet. The civil plans show 271' of pipe between catch basins CB 1 and CB 1A on 92nd St SW. Please add another type 1 catch basin within this segment.
14. EX 8" CI WATER Note: Change "CONTRACTOR TO POTHOLE" to "SHALL POTHOLE".
15. There is a wall at southeast and south of hammerhead and access to Lot 7 up to 10' high, there must be a fence on top of this wall for public safety.

**Sheet 12 of 21**

1. Existing 8" pipe on 92nd St needs to be upsized to at least a 12" pipe.
2. Based on the conveyance design it looks like CB 7 can be made shallower.

**Sheet 13 of 21**

1. Specify type of lid and call out that steps should be provided at each of the 24" access openings.
2. Show the footing drain connection to the pipe heading to CB 4.
3. Conflict here between vault footing drain and vault outlet pipe.
4. Call out steps with the other 5'x10' access.

**Sheet 14 of 21**

1. Drainage report states that the 2014 manual is being used for this project. Confirm which should be used by date full application is made.
2. The sump at the bottom of the vault should be a 54" sump.
3. The vault footing drain is shown in conflict with the 12" outlet pipe.
4. Per calcs the upper orifice should be 1-1/8".

**Sheet 15 of 21**

1. Applicant shall address the concerns expressed in the September 27, 2022 letter from Rugosa Ridge Homeowner's Association.

2. CB 9 detail shows "inlet from CB 9". This should be "inlet from CB 10" from the pump structure.
3. Please address how the pump system is accessed for inspection and maintenance, and clearly note ownership/operation/maintenance responsibilities on this sheet.
4. Specify how the pump line can be serviced, repaired, or replaced under the walls when it becomes necessary.

**Sheet 21 of 21**

1. The rain garden detail has no information about a liner or underdrain system. Update detail to include this information.

**Storm Drainage Report:****Cover Sheet:**

1. Include project address and parcel number, applicant's phone number, and Engineer's phone number.

**Page 1.2**

1. Need to state somewhere in the report whether groundwater wells and septic systems are on-site or within 100 feet of the site.
2. If permit application was deemed complete prior to June 30, then the applicant can use the 2014 manual. Otherwise the 2019 manual needs to be used. 2014 and 2019 are both referred to throughout this report. This inconsistency needs to be corrected.

**Page 2.1**

1. Shouldn't the basin be the Smuggler's Gulch basin or the Puget Sound basin instead of the Snohomish River basin?
2. A wet vault is a basic treatment BMP. Revise design to include an approved enhanced treatment BMP. Smugglers Gulch Creek is a stream identified on Mukilteo Critical Areas Maps and as defined under local critical areas ordinance. A segment of this watercourse is identified as Type F (Fish use potential) near the marine shoreline. Stormwater from the project has been designed to discharge into this watercourse. Therefore, in comparison to Ecology manual section V-3.4, it is understood that this action would meet applicable criteria for "Discharge directly to fresh waters or conveyance systems tributary to fresh waters designated for aquatic life use or that have an existing aquatic life use".

**Figure I-3.1 and Table I-3.1**

1. Update Manual version if necessary.

**Page 3.1**

1. Use Possession Sound or Puget Sound Watershed instead of Snohomish River Basin.
2. Use Smuggler's Gulch sub-basin instead of Everett Drainage sub-basin.

**Page 3.2**

1. Smuggler's Gulch basin instead of Snohomish River Basin.
2. There is no discussion about the condition that the existing drainage system is in. Please add this discussion for each downstream route.

**Page 3.3:**

1. Smuggler's Gulch basin instead of Snohomish River Basin.



## Page 3.5

1. Photos 1, 2 and 3 do not show up on the Downstream Exhibit, please revise.

## Page 4.9

1. Enhanced treatment is required.

## Page 4.11

1. Where on the plans is BMP T5.13 enforced? Include a detail showing this soil depth section.

## Page 8.1

1. Include pump maintenance.

## Stormwater Pollution Prevention Plan (SWPPP):

## Cover Sheet

1. Delete 'w' in the address line.

## Page 23

1. Per the submittal, there is a rain garden proposed to be installed, which is LID BMP that will need to be protected.

## Page 25

1. Discharge points are not called out on the site map. Please add.

## Planning Review Comments:

Our Harbor Grove submittal package review was conducted for compliance with Planning Department comments provided in the City's February 17, 2022, letter to The BlueLine Group.

## Preliminary Plat Map (Sheet 1) Site Data

1. Number of lots proposed is 7.
2. The project's zoning district is RD 12.5, with a minimum lot size of 12,500 square feet. Lot averaging is not applicable. Sheet 1 of the Civil Drawings includes the lot sizes within each lot boundary. Lot 3 is shown as 12,415 square feet, below the minimum lot size. See Table 1 highlight for Lot 3 below. Also note that Lot 4 is at 12,501 square feet. Adjustment to Lot 3's lot size is necessary to meet minimum lot size. Attention to maintaining Lot 4's lot size is necessary as well as the modifications to Lot 3 might impact Lot 4.

**MMC 17.20.015 Table 1**  
**Lot dimensions submitted for review:**

Lot	Size	Setback Lot Line	Lot Line	Corner Lot Line	Minimum Average Depth
1	12,620	67	42	166	
2	12,677	67	67		189
3	12,415	73	73		168
4	12,501	75	67		165
5	12,515	73	60		165
6	12,939	74	39		165
7	15,213	60	60		209

3. Lot 6 appears not to meet the minimum lot dimensional standards.
4. Tract 999 does not meet the definition of open space. The applicant is proposing deeding 1,812 square feet to neighbor. It is unclear from the drawings the boundary of Tract 999 to be deeded; however, it appears to follow an existing driveway. City should review this to determine the proposed deeding is acceptable.
5. It appears that there is an existing storm drainage line and catch basin within the above-mentioned area and a new line from the existing catch basin to a new one in center of new street. An easement may be necessary for the new storm line in this area if it will eventually not be part of the plat.

**SEPA Checklist Revisions (to be reviewed by City Staff)**

## Section A, Background, Question 11

1. Revise the project description as the minimum lot size for this proposal is 12,500 square feet.

## Section B, Environmental Elements, Question 8(L)

1. Revise the response as this property is not eligible for transfer of density.

## Section B, Recreational Use, Question 12(B)

1. Revise as it should be "recreational" not "residential."

**Landscaping Sheets LS-01, LS-02, and DT-02:**

1. Tree Plan is acceptable - root management zones indicated on sheet TR-01.
2. TR-02 has listing of trees and arborist observed tree condition text.
3. Separate Arborist Report not included in submittal but information on TR-02 has tree information.
4. Tree retention meets 15.16.050C1. Table on TR-01 indicates 23 significant trees required and retained.

**Survey Review Comments:**

A title report was not provided, City requires easements to be shown and labeled with the recording number, a title report should be submitted to review and confirm the easements.

Please see the attached survey redlines by ESM, attached at the end of this memorandum.

1. City of Mukilteo file number should be added to each sheet of the plans.

**CITY OF MUKILTEO FILE NUMBERS  
SD-2021-001/ENG-2021-019/SEPA-2021-010**

2. A recent Title Report (Subdivision Guarantee) should be submitted to City for review and cross-check.
3. The legal description on Sheet 1 does not appear to be correct.
4. Easements cannot be verified without a Title Report. Easements were highlighted as checked, but they have only been checked to other surveys of record or other sheets within the plan set.
5. There is a need for an easement at the NW corner of the site, there is currently a gap between the plat boundary and the existing offsite easement.
6. Several easements are noted as "to be relinquished". City will need to determine what proof is required to confirm that relinquishments have been accomplished.
7. Storm related easements needs to be labeled on storm sheets.



## MEMORANDUM

Harbor Grove Submittal Review Comments-01

### Geotechnical Review Comments:

Please see the Geotechnical review comments by Terracon, dated November 14, 2022, attached at the end of this memorandum.

Please let us know if you have any questions.

Sincerely,



Rahmi Kutsal

Matthew Geiger <mgeiger@mukilteowa.gov>

1/24/2023 1:58 AM

## RE: Harbor Grove (21-073) - 2nd Review Comments Debrief Meeting - Email Follow up

To Luca Zirotti <lzirotti@thebluelinegroup.com> • rahmi.kutsal@perteet.com <rahmi.kutsal@perteet.com> • brian.caferro@perteet.com <brian.caferro@perteet.com> Copy  
nate@Perklsproperties.com <nate@perklsproperties.com> • Kristal Keating <kkeating@thebluelinegroup.com> • Jake Drake <jdrake@thebluelinegroup.com> • Brian Wirt <bwirt@mukilteowa.gov> • Meiring Borchers <mborchers@mukilteowa.gov> • Andrew Galuska <agaluska@mukilteowa.gov> • Sarah Kress <skress@mukilteowa.gov>

Hi all. I wasn't in the meeting last week, but the city engineering team has since sat down and discussed the outstanding items. Please see the responses in red.

- **Comment #1 on Sheet 11 of 21 of Plans:** It was discussed how the stormwater design was originally proposed to connect to existing storm system that runs north along 53<sup>rd</sup> Ave W and then west within Smuggler's Gulch Creek. The City of Mukilteo previously stated there being drainage complaints/concerns along that downstream drainage path, thus, directed the project to route stormwater south along 53<sup>rd</sup> Ave W to the storm system within 92<sup>nd</sup> St SW. The City mentioned that there have not been any drainage complaints/concerns to their knowledge along the proposed downstream drainage path within the existing piped system up to its discharge point on the west side of Hargreaves Pl. Note that the 100-year detained flow leaving the site in the developed condition to the existing system within 53<sup>rd</sup> Ave W is a minimal 0.0938 cfs. **City of Mukilteo/Perteet to confirm whether a quantitative analysis is required.**

The city directed the stormwater to re-route to the south, bypass the detention facility on 92<sup>nd</sup> St. due to stream capacity issues of the stream to the north. The city requests a quantitative analysis of the proposed system.

- **Comment #2 on Page 2.1 of Report:** It was agreed that the project needs to provide enhanced water quality. The project would like to avoid enhanced proprietary water quality facilities due to maintenance concerns. According to the 2014 Stormwater Management Manual for Western Washington, a treatment train including a wetvault followed by a sand filter vault meets enhanced water quality requirements. Is the project allowed to propose a treatment train with a wetvault followed by a basic proprietary water quality facility such as a Stormfilter by Contech? Note that basic water quality treatment is met with a sand filter vault. **City of Mukilteo/Perteet to confirm whether the project can propose a Stormfilter in place of a sand filter vault following a wetvault to meet enhanced water quality.**

Per 2014 SWMMWW Vol 5 Ch 3.4 a wet vault is designed for basic treatment and can be used in tandem with media filters for second treatment.



- **Comment #1 on Sheet 15 of 21 of Plans:** Rugosa Ridge Homeowners Association provided concern that a hydrological study would be required. It was unclear in the review comments whether the project was exempt (as requested) from providing a hydrology report. The project proposes to fill/flatten and collect majority of stormwater runoff from the subject site, thus, reducing surface and groundwater impacts to adjacent properties. Refer to the comment response memo provided at the end of the comment response letter dated August 11, 2022. **City of Mukilteo/Perteet to confirm if the project will need to submit a hydrology report.**

The city requests a hydrology report be completed for this proposal.

One concern is the elevation of the west French drain below the retaining walls. The groundwater table was evaluated by Cobalt Geosciences LLC on March 14, 2022 and found to be at 375 feet. The IE of the drainpipe varies from 391.92 to 375.32 leaving space for lateral groundwater movement under the French drain.

**Matthew Geiger | Senior Surface Water Technician**

Public Works Engineering | City of Mukilteo | 425.263.8082

[mgeiger@mukilteowa.gov](mailto:mgeiger@mukilteowa.gov) | [www.mukilteowa.gov](http://www.mukilteowa.gov)

*EmailStormSigLogo2*

*All email, including attachments, sent to or from the City of Mukilteo are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).*

**From:** Meiring Borchers <[mborchers@mukilteowa.gov](mailto:mborchers@mukilteowa.gov)>

**Sent:** Thursday, January 19, 2023 1:27 PM

**To:** Luca Zirotti <[lzirotti@thebluelinegroup.com](mailto:lzirotti@thebluelinegroup.com)>; Brian Wirt <[bwirt@mukilteowa.gov](mailto:bwirt@mukilteowa.gov)>; Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)>; Sarah Kress <[skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)>; [rahmi.kutsal@perteet.com](mailto:rahmi.kutsal@perteet.com); [brian.cafarro@perteet.com](mailto:brian.cafarro@perteet.com); Matthew Geiger <[mgeiger@mukilteowa.gov](mailto:mgeiger@mukilteowa.gov)>

**Cc:** [nate@Perklsproperties.com](mailto:nate@Perklsproperties.com); Kristal Keating <[kkeating@TheBluelineGroup.com](mailto:kkeating@TheBluelineGroup.com)>; Jake Drake <[jdrake@thebluelinegroup.com](mailto:jdrake@thebluelinegroup.com)>

**Subject:** RE: Harbor Grove (21-073) - 2nd Review Comments Debrief Meeting - Email Follow up

Good Day Luca,

Thank you for the meeting summary notes. We will get back to you as soon as possible on our comments. Please include Matthew Geiger in future meetings and correspondence as he is the SW Reviewer for the Development projects.

Sincerely,

**Meiring Borchers | Surface Water Program Manager**

Public Works Engineering | City of Mukilteo | C: 425.308.9110 W: 425.263.8083

[mborchers@mukilteowa.gov](mailto:mborchers@mukilteowa.gov) | [www.mukilteowa.gov](http://www.mukilteowa.gov)

*EmailStormSigLogo2*

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**From:** Luca Zirotti <[lzirotti@thebluelinegroup.com](mailto:lzirotti@thebluelinegroup.com)>

**Sent:** Wednesday, January 18, 2023 4:58 PM

**To:** Brian Wirt <[bwirt@mukilteowa.gov](mailto:bwirt@mukilteowa.gov)>; Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)>; Meiring Borchers <[mborchers@mukilteowa.gov](mailto:mborchers@mukilteowa.gov)>; Sarah Kress <[skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)>; [rahmi.kutsal@perteet.com](mailto:rahmi.kutsal@perteet.com); [brian.cafferro@perteet.com](mailto:brian.cafferro@perteet.com)

**Cc:** [nate@Perklsproperties.com](mailto:nate@Perklsproperties.com); Kristal Keating <[kkeating@TheBluelineGroup.com](mailto:kkeating@TheBluelineGroup.com)>; Jake Drake <[jdrake@thebluelinegroup.com](mailto:jdrake@thebluelinegroup.com)>

**Subject:** Harbor Grove (21-073) - 2nd Review Comments Debrief Meeting - Email Follow up

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

Hi All – Thank you for attending the meeting today. It was helpful to have everyone together to discuss our questions regarding the Harbor Grove 2<sup>nd</sup> submittal review comments. We had a productive discussion on a few review comments, topics summarized below. An excerpt of subject review comments attached for reference.

- **Comment #1 on Sheet 11 of 21 of Plans:** It was discussed how the stormwater design was originally proposed to connect to existing storm system that runs north along 53<sup>rd</sup> Ave W and then west within Smuggler's Gulch Creek. The City of Mukilteo previously stated there being drainage complaints/concerns along that downstream drainage path, thus, directed the project to route stormwater south along 53<sup>rd</sup> Ave W to the storm system within 92<sup>nd</sup> St SW. The City mentioned that there have not been any drainage complaints/concerns to their knowledge along the proposed downstream drainage path within the existing piped system up to its discharge point on the west side of Hargreaves Pl. Note that the 100-year detained flow leaving the site in the developed condition to the existing system within 53<sup>rd</sup> Ave W is a minimal 0.0938 cfs. **City of Mukilteo/Perteet to confirm whether a quantitative analysis is required.**
- **Comment #2 on Page 2.1 of Report:** It was agreed that the project needs to provide enhanced water quality. The project would like to avoid enhanced proprietary water quality facilities due to maintenance concerns. According to the 2014 Stormwater Management Manual for Western Washington, a treatment train including a wetvault followed by a sand filter vault meets enhanced water quality requirements. Is the project allowed to propose a treatment train with a wetvault followed by a basic proprietary water quality facility such as a Stormfilter by Contech? Note that basic water quality treatment is met with a sand filter vault. **City of Mukilteo/Perteet to confirm whether the project can propose a Stormfilter in place of a sand filter vault following a wetvault to meet enhanced water quality.**
- **Comment #1 on Sheet 15 of 21 of Plans:** Rugosa Ridge Homeowners Association provided concern that a



hydrological study would be required. It was unclear in the review comments whether the project was exempt (as requested) from providing a hydrology report. The project proposes to fill/flatten and collect majority of stormwater runoff from the subject site, thus, reducing surface and groundwater impacts to adjacent properties. Refer to the comment response memo provided at the end of the comment response letter dated August 11, 2022. **City of Mukilteo/Perteet to confirm if the project will need to submit a hydrology report.**

Once again, thank you all for your time and let us know if you have any additional questions to help best move forward the project.

Warm regards,

**Luca Zirotti** | PROJECT ENGINEER  
**BLUELINE** | [THEBLUELINEGROUP.COM](http://THEBLUELINEGROUP.COM)  
**DIRECT** 425.250.7223 | **MAIN** 425.216.4051

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- image002.png (105 KB)
  - image003.png (112 KB)

## RE: Request to review proposed Harbor Grove and Daffron project files

To sylvia6031 <sylvia6031@comcast.net> • Sarah Kress <skress@mukilteowa.gov> •  
Joseph Reyes <jreyes@mukilteowa.gov> Copy Kara Johnson <kjohnson@mukilteowa.gov>

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Ms. Kawabata,

I know Sarah set up a time for you to come in and view the file. I wanted to pass along a couple of documents I had handy in the meantime. Attached is the comment letter from Perteet as well as a follow up e-mail our staff sent to the applicant to clarify some questions they had about the Perteet comments. We have not received a resubmittal since these review comments were sent out. Right now we are working for a resubmittal from the applicant, I do not have a timeline for when the applicant will resubmit.

Andy Galuska  
Community Development Director



11930 Cyrus Way  
Mukilteo, WA 98275  
Ph: (425) 263-8084  
Cell: (425) 866-9129

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**From:** sylvia6031 <sylvia6031@comcast.net>  
**Sent:** Thursday, January 26, 2023 9:26 AM  
**To:** Sarah Kress <skress@mukilteowa.gov>; Andrew Galuska <agaluska@mukilteowa.gov>; Joseph Reyes <jreyes@mukilteowa.gov>  
**Cc:** Kara Johnson <kjohnson@mukilteowa.gov>  
**Subject:** RE: Request to review proposed Harbor Grove and Daffron project files

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]  
Hi Sarah,

Thank you for your quick response. I will come to review those two project files on Tues Feb 21st at 10:30am.

Is there any way to get all of the documents (e.g. Perteet's Dec 2022 report for the Harbor Grove project) put on the City's website?

And has the applicant or others submitted any documents for either project since Aug '22?

Lastly, do you have an updated timeline as to the next action the City will be taking for the Harbor Grove project or what information you are waiting for from the applicant.

Thank you,

Page 1 of 3



Sylvia Kawabata  
425 750 9893

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Sarah Kress <[skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)>

Date: 1/26/23 7:05 AM (GMT-08:00)

To: SYLVIA6031 KAWABATA <[sylvia6031@comcast.net](mailto:sylvia6031@comcast.net)>, Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)>, Joseph Reyes <[jreyes@mukilteowa.gov](mailto:jreyes@mukilteowa.gov)>

Cc: Kara Johnson <[kjohnson@mukilteowa.gov](mailto:kjohnson@mukilteowa.gov)>

Subject: RE: Request to review proposed Harbor Grove and Daffron project files

Good Morning Silvia,

I've cc'd our City Clerk on this email as this is a public records request. At this time, due to staffing, we are unable to accommodate the timing of your request. Please provide us times to review the paperwork the week of February 21<sup>st</sup> or later and we will confirm scheduling with you.

Sincerely,

**Sarah Kress C.P.T. | Associate Planner**

Community Development Department

(425) 263-8044 [skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)

**My normal hours are Monday – Thursday 6:30am-5pm**

*All email, including attachments, sent to or from the City of Mukilteo are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).*

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**From:** SYLVIA6031 KAWABATA <[sylvia6031@comcast.net](mailto:sylvia6031@comcast.net)>

**Sent:** Wednesday, January 25, 2023 8:45 PM

**To:** Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)>; Sarah Kress <[skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)>; Joseph Reyes <[jreyes@mukilteowa.gov](mailto:jreyes@mukilteowa.gov)>

**Subject:** Request to review proposed Harbor Grove and Daffron project files

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

I would like to review the City's files for the proposed Harbor Grove project located at 9110 53rd Ave W, and the Daffron project located at 9018 53rd Ave W.

Specifically, I would like to review the project files on Monday, January 30th at starting at 9:30am. My 2nd choice is Tuesday, Jan 31st at 10:30am to noon, with a continuation on Wed. Feb. 1st. at 9:30am

page 2 of 3

Please confirm my ability to view these files on Jan. 30th.

Thank-you,

Sylvia Kawabata  
6031 88th ST SW  
Mukilteo, WA 98275

[sylvia6031@comcast.net](mailto:sylvia6031@comcast.net)  
425-750-9893

- 
- RE: Harbor Grove (21-073) - 2nd Review Comments Debrief Meeting - Email Follow up.eml
  - City of Mukilteo - Harbor Grove Submittal Package Review Comments-01.pdf (23 MB)
  - image001.png (15 KB)

page 3 of 3

## RE: Harbor Grove - MMC 17.13.060(E) Close the Permit File

To SYLVIA6031 KAWABATA <sylvia6031@comcast.net> Copy Sarah Kress <skress@mukilteowa.gov> •  
Steve Powers <spowers@mukilteowa.gov> • Kara Johnson <kjohnson@mukilteowa.gov> •  
Steve Schmalz <ssch179156@aol.com> • Dave Tyler <david.d.tyler@comcast.net> •  
Erich Volkstorf <evolkstorf@earthlink.net> • jon boyce <jon@jonboyce.com> •  
Ronald Heiman <ronaldsheiman19@gmail.com>

Sylvia,

When the applicant resubmitted on August 12, 2022, they did respond to the request for quantitative capacity analysis and a hydrology report. In the Comment Response Letter dated August 11, 2022 and an accompanying memo the applicant responded to both requests. While the city did request additional information on these items, the design engineer has been clearly working to address the concerns about the project raised by city staff. In our last meeting with the applicant, we answered some questions about the additional information needed and it is my understanding that a hydrology report and quantitative analysis is being prepared.

Andy Galuska  
Community Development Director



11930 Cyrus Way  
Mukilteo, WA 98275  
Ph: (425) 263-8084  
Cell: (425) 866-9129

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**From:** SYLVIA6031 KAWABATA <sylvia6031@comcast.net>  
**Sent:** Saturday, March 4, 2023 5:06 PM  
**To:** Andrew Galuska <agaluska@mukilteowa.gov>  
**Cc:** Sarah Kress <skress@mukilteowa.gov>; Steve Powers <spowers@mukilteowa.gov>; Kara Johnson <kjohnson@mukilteowa.gov>; Steve Schmalz <ssch179156@aol.com>; Dave Tyler <david.d.tyler@comcast.net>; Erich Volkstorf <evolkstorf@earthlink.net>; jon boyce <jon@jonboyce.com>; Ronald Heiman <ronaldsheiman19@gmail.com>  
**Subject:** RE: Harbor Grove - MMC 17.13.060(E) Close the Permit File

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]  
Hi Andrew,

Thank you for your March 3rd email reply. Yes I agree with you that the City's 11-16-21 "Notice of Application" does say the City determined the application complete on 11-2-21. This Notice was done in accordance with MMC 17.13.050.

MMC 17.13.060 Permit Review Process, describes the consistency review that the City's completes to determine if the application is consistent with development regulations.



MMC 17.13.060 (E) is about when the City finds that the Applicant needs to submit additional information or corrections. And it provides consequences if the Applicant does not submit the requested information on a timely manner. The City's 2-17-22 letter to the Applicant ask for additional information including a quantitative capacity analysis and the hydrology study. On page 10 of the City's 2-17-22 letter to the applicant, it references MMC 17.13.060(E). and it says if the requested information is not submitted within the 90 calendar days, the application will be considered lapsed for failure to submit the necessary information in a timely manner and the file will be closed. (I assume the City gave the applicant a 90 day extension, pushing the deadline to mid-August 2022).

As your 3-3-23 email says, the Applicant is still in the process of responding to the City's 2-17-22 letter. As it stands now, the submittal of the quantitative capacity analysis and the hydrology study has not been submitted to the City and is over six months late.

As I read your March 3rd email reply, it does not appear that you as the Director of Planning are following MMC 17.13.060.(E). for the non-submittal of some requested information. As I read MMC 17.13.060(E) this is not a discretionary decision, the language says you "shall".

So are you as the City of Mukilteo's Director of Planning following MMC 17.13.060(E) and closing the Harbor Grove permit application file due to the Applicant's failure to submit the necessary information in a timely manner?

Sylvia Kawabata  
6031 88th ST SW  
Mukilteo, WA 98275

On 03/03/2023 11:59 AM Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)> wrote:

Sylvia,

The application was determined to be complete on November 9, 2021. The city has been in contact with the project applicant in regard to additional studies needed for the development including quantitative analysis and a hydrology report. Our engineering staff considered requests to exempt the need for these reports but have determined that they are necessary. They are currently working on preparing these reports, and the city will review these materials once they are submitted.

Andy Galuska  
Community Development Director



11930 Cyrus Way  
Mukilteo, WA 98275  
Ph: (425) 263-8084

page 2 of 7

Cell: (425) 866-9129

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**From:** SYLVIA6031 KAWABATA <[sylvia6031@comcast.net](mailto:sylvia6031@comcast.net)>

**Sent:** Thursday, March 2, 2023 10:40 PM

**To:** Andrew Galuska <[agaluska@mukilteowa.gov](mailto:agaluska@mukilteowa.gov)>

**Cc:** Sarah Kress <[skress@mukilteowa.gov](mailto:skress@mukilteowa.gov)>; Kara Johnson <[kjohnson@mukilteowa.gov](mailto:kjohnson@mukilteowa.gov)>

**Subject:** Harbor Grove - Request to Close the Permit File

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]  
Hello Mr. Galuska,

Attached is my letter to you regarding Harbor Grove's failure to submit the requested information to the City of Mukilteo in a timely manner. Pursuant to MMC 17.13.060.E. I recommend the City close the Harbor Grove permit application file.

Feel free to contact me if you have any questions about my letter.

Sincerely,

Sylvia Kawabata  
6031 88th ST SW  
Mukilteo, WA 98275

mailing address: PO Box 233, Mukilteo, WA 98275

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- image001.png (15 KB)

March 2, 2023

Andrew Galuska  
Community Planning Director  
City of Mukilteo  
11930 Cyrus Way  
Mukilteo, WA 98275

RE: Harbor Grove Application Incomplete and Request to Close the Permit File

Dear Mr. Galuska,

Thank-you for the opportunity on February 21<sup>st</sup>, to review the application file for the proposed Harbor Grove project (9910 53<sup>rd</sup> Ave W, Mukilteo). Based on this review of available documents and other documents provided by the City, I recommend the City (pursuant to MMC 17.13.060.E.) declare the Harbor Grove application incomplete, document that the application has lapsed for failure by the Applicant to submit the necessary information in a timely manner and close the permit application file.

The Applicant failed in at least two instances to submit the City's requested information in a timely manner. Specifically, the Applicant failed to submit the requested information for the hydrological study and the quantitative analysis (see City's February 17, 2022 letter to the Applicant). It has been over a year since the City made this request and the Applicant has still not submitted the study and analysis.

Here is the timeline of the review of the proposal and requests to the Applicant to submit required information (i.e., study and analysis).

- On **October 5, 2021** the City of Mukilteo received from The Blueline Group (the Applicant) their application and supporting documents for a proposed 7-lot subdivision (2.38 acres) located at 9110 53<sup>rd</sup> Avenue West, Mukilteo, Washington.
- On **November 12, 2021**, the City announced the Notice of Application for the Harbor Grove Subdivision Preliminary Plat and set a November 30, 2021 deadline for submitting comments to the City on this proposal.
- **November 30, 2021** was the deadline for the public to submit comments on the Applicant's proposed development. The City received over 17 comment letters, including comments from myself. Several of the commenters stated that the Applicant needs to provide a hydrological study (of the present and post development conditions) and a quantitative capacity analysis of stormwater flows entering the existing stormwater systems and stream channels.
- On **February 17, 2022**, the City completed its review of the applicant's submittal and public comments and sent a 11-page letter to the Applicant saying, "*Based on our review, the following revisions or additional information are necessary to complete our review of your project.*" Two of the additional information items the City requested as necessary was a quantitative capacity analysis and a hydrology report. Here is what



the City said in their 2-17-22 letter to the Applicant:

(pages 3 and 4) The City asked the Applicant to “...provide a quantitative capacity analysis for the existing drainage systems. Demonstrate that each system has the capacity for additional stormwater as proposed.”

(page 8, item #7 under the heading “Engineering Items for Resubmittal) The City stated the Applicant to needs to submit “A hydrology report for clearing slopes greater than 35% is required by MMC 15.16.050.C.2.b.i(b).”

In addition, the City said in its 2-17-22 letter, in accordance with MMC 17.13.060(E), an applicant has 90 calendar days to submit the additional information. And the applicant could request in writing an extension of up to an additional 90 calendar days, with no more than two 90 calendar extension permitted.

- On **May 12, 2022**, the applicant requested a 90-day extension. (NOTE: During my file review on 2-21-23, I could not locate in the files a response from the City saying they approved this 90-day extension request.) Assuming that the City did approve this request, the resubmittal due date was extended to August 15, 2022.
- On **August 12, 2022**, the City received the Applicant’s resubmittal. It included several documents, including the following:
  1. 8-1-22 Letter from Lucas Zirotti (Applicant) to Matthew Geiger (City’s Surface Water Technician) asking if a hydrology report for slopes greater than 35% was applicable to the proposed project. <sup>1</sup>
  2. 8-24-22 Civil Plans (21 sheets)
  3. 8-9-22 Stormwater Pollution Prevention Plan (SWPPP)
  4. 8-9-22 Storm Drainage Report (175 pages)
  5. 7-28-22 Geotechnical Engineering Study (by Earth Solutions NW LC)
  6. 3-14-22 Groundwater Elevation Evaluation
  7. 5-11-22 Certificate of Permittee for Construction Stormwater General Permit
- On **September 27, 2022**, the Rugosa Ridge Homeowners Association (RRHOA) sent a letter to the City regarding the Applicant’s 8-12-22 resubmittal. (NOTE: This letter was not in the City’s files.) The RRHOA identified significant issues with the Applicant’s resubmittal.

**Storm Drainage:** The Applicant’s resubmittal proposes a drainage swale and pump system with the Harbor Grove residents (homeowners) operating and maintaining this storm water system. RRHOA is concerned about the Harbor Grove residents operating and maintaining this highly specialized stormwater system. A simple power failure could cause a serious flood event west towards the RRHOA community. RRHOA state: “*This proposal transfers the risk and liability of a flawed design from Harbor Grove to Rugosa Ride and should not be approved in its current form.*”

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<sup>1</sup> Five-plus months after the City’s February 17, 2022 letter to the Applicant, Mr. Zirotti (the Applicant’s representative) finally questions in his 8-1-22 letter to the City about the need for a hydrology report. Why didn’t the Applicant ask this question earlier and not at the deadline for their resubmittal?



**Hydrological Study:** RRHOA disagrees with the Applicant's (Mr. Zirotti's) 8-1-22 letter stating that a hydrological study per MMC 15.16.050.C.2b.i(b) is not applicable to the subject project. The MMC requires a hydrological study for slopes > 35%. The Applicant's 8-1-22 letter states that this MMC does not apply to this project since the project proposes to "fill and flatten" the majority of the parcel with finish slopes < 35%. The Applicant's interpretation of this MMC is incorrect. This MMC states that the hydrology study:

"...shall include an adequate description of the hydrology of the site, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development and options and recommendations covering the carrying capabilities of the sites to be developed."

I interpret the MMC to say that the hydrological study should look at both **pre- and post** construction/development conditions of the site. The Applicant has not and disagrees with the need to complete a hydrological study for the proposed development. Since the hydrological study is a basic submittal requirement, the application in fact was never 'technically complete' and the Notice of Application was issued in error.

On **December 20, 2022**, Perteet, the City's contractor, submitted its review of the Applicant's August 2022 resubmittals to the City and the Applicant. (NOTE: This Perteet review was not included in the files I reviewed.) Perteet's review includes several pages of comments, including the non-submittal of the quantitative analysis (page 2 of 7, Sheet 11 of 21 #1). And on page 3 of 7, Sheet 15 of 21, the non-submittal and requirement for a hydrological study. The Perteet's review also says: "Applicant shall address the concerns expressed in the September 27, 2022 letter from Rugosa Ridge Homeowners Association."

On **January 18, 2023**, the Applicant's representatives (Luca Zirotti and others) met with the City to discuss the Applicant's questions regarding their resubmittal and the Perteet's report. I obtained this meeting information from an email that Mr. Zirotti sent to the City and Perteet representatives. (NOTE: this email was not in the files.) Mr. Zirotti found it helpful to have this meeting and summarized three discussion topics that he still needed the City to confirm:

1. Whether a **quantitative analysis** is required.
2. Whether the project can propose a Stormfilter in place of a sandfilter vault following a wet-vault to meet enhance water quality.
3. If the project (Applicant) will need to submit a **hydrology report**.

On **January 24, 2023**, Matthew Geiger, City's Senior Surface Water Technician (who was not at the January 18<sup>th</sup> meeting), replied via email to Mr. Zirotti and others:

1. "The City directed the stormwater to re-route to the south, bypass the detention facility on 92<sup>nd</sup> ST, due to stream capacity issues of the stream to the north. The city requests a quantitative analysis of the proposed system.
2. Per SMMWWW Vol 5 Ch3.4 a wet vault is designed for basic treatment and can be used in tandem with media filters for second treatment.

3. The city requests a hydrology report be completed for this proposal. One concern is the elevation of the west French drain below the retaining walls. The groundwater table was evaluated by Cobalt Geoscience LLC on 3-14-22 and found to be at 375 feet. The IE of the drainpipe varies from 391.92 to 375.32 leaving space for lateral groundwater movement under the French drain.

As the above shows, the Applicant was asked by the City in its February 17, 2022 letter to provide a quantitative capacity analysis for the existing drainage system and that each system has the capacity for additional stormwater as proposed. Also, in the City's letter of 2-17-22 (page 8), the Applicant was asked to submit a hydrology report for clearing on slopes greater than 35%. It has been over a year since the City asked for the quantitative analysis and hydrology report and the Applicant (as of today) has still not submitted the analysis and/or report to the City.

Pursuant to MMC 17.13.060.E. (Insufficient Information), I ask you Mr. Galuska, as the Community Planning Director, to document and notify the Applicant that their application has lapsed for their failure to submit the necessary (and requested) information in a timely manner and the you have determined to close the permit application file for the proposed Harbor Grove project. If you have determined the deadline for submitting additional information has not lapsed, please provide the City's documentation showing that the deadline has been extended, and the applicable date(s).

Feel free to contact me if you have any questions about my request to close the permit application file for the Harbor Grove project.

Sincerely,



Sylvia Kawabata  
6031 88<sup>th</sup> ST SW  
(Mailing Address: PO Box 233, Mukilteo, WA 98275)

cc: Rugosa Ridge HOA  
David Tyler, 9055 Hargreaves Place