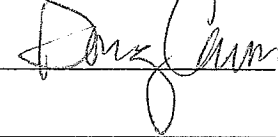

*** TX REPORT ***

JOB NO. 2073
DEPT. ID 504
ST. TIME 10/04 10:07
PGS. 15
SEND DOCUMENT NAME
TX/RX INCOMPLETE -----
TRANSACTION OK csanchez@cityofblaine.com Sheri Sanchez
ERROR -----

ASSOCIATED PROJECT CONSULTANTS, INC., P.S.
PROFESSIONAL CONSULTING ENGINEERS
1401 ASTOR STREET
BELLINGHAM, WA 98225
PHONE: (360) 671-1146 FAX: (360) 671-1169
EMAIL: apcengineers@nas.com
www.apcengineers.com



TRANSMITTAL SHEET

TO: Blaine City Clerk		FROM: Doug Campbell 	
COMPANY: City of Blaine		DATE: Oct 4 th , 2007	
FAX <input type="checkbox"/>	MAIL <input type="checkbox"/>	DELIVERY <input checked="" type="checkbox"/>	PICK UP <input type="checkbox"/>
FAX NUMBER:		TOTAL NO. OF PAGES INCLUDING COVER:	
RE: East Maple Ridge		SENDER'S JOB NUMBER: 93167	
CC: Jack Swanson, Doug Connelly, Tom Black		JOB NAME:	

☐ URGENT ☐ APPROVAL ☐ PLEASE COMMENT ☐ INFORMATION ☐

NOTES/COMMENTS:

City Clerk,

Please include this letter addressed to the City Council dated September 20th, 2007 from Jack Swanson in the packet for the next City Council Meeting, October 8th, 2007.

Thank you for your attention to this request.

ASSOCIATED PROJECT CONSULTANTS, INC., P.S.
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TRANSMITTAL SHEET

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COMPANY: City of Blaine DATE: Oct 4th, 2007
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NOTES/COMMENTS:

City Clerk,

Please include this letter addressed to the City Council dated September 20th, 2007 from Jack Swanson in the packet for the next City Council Meeting, October 8th, 2007.

Thank you for your attention to this request.

The information contained in this transmittal is privileged and/or confidential information intended for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately and destroy this transmittal. Thank you.

JOHN C. BELCHER
JACK O. SWANSON
CHESTER T. LACKEY
TERRANCE G. LEWIS
DOUGLAS K. ROBERTSON
JEFFERY J. SOLOMON

BELCHER SWANSON LAW FIRM, P.L.L.C.
BATTERSBY FIELD PROFESSIONAL BUILDING
900 DUPONT STREET
BELLINGHAM, WASHINGTON 98225-3105
TELEPHONE (360) 734-6390 • FACSIMILE (360) 671-0753

SCOT S. SWANSON
BRADLEY D. SWANSON
PETER R. DWORKIN

September 20, 2007

Blaine City Council
322 "H" Street
Blaine, WA 98230

Re: Doug Connelly's East Maple Ridge Project

Dear Council:

Connelly's Project

Doug Connelly has proposed East Maple Ridge off H Street in East Blaine. The Planning Commission has recommended denial of the proposal because of Connelly's failure to provide requested information. The Council will be considering that recommendation soon. Connelly requests relief from the Council as discussed below.

Connelly's Side

The purpose of this letter is to offer a brief explanation of Doug Connelly's side of the issues presented by the Planning Commission's recommendation.

East Maple Ridge is a good, well thought out project about which substantial information has been created and/or compiled and provided to the planning staff and Planning Commission. As will be discussed below, Doug Connelly is prepared to provide additional, relevant, specific information to the City to aid in reaching a reasoned decision on East Maple Ridge. However, in light of the way this application was handled by Staff and the Planning Commission, the present situation is exceedingly unfair to Connelly.

By the Numbers

90. This is days. The period of time that RCW 58.17.140 provides for the City to process Connelly's project to a decision after the application is complete. RCW 58.17.070 further provides that Connelly's application for preliminary plat "shall be processed simultaneously with applications for rezones, variances, *planned unit*

developments, site plan approvals....” (italics added). This 90 day requirement clearly applies to all project approvals required for East Maple Ridge.

600 +/- . The number of days that the City of Blaine Planning Department took to process the Connelly project from the date the application was found to be complete to the first Planning Commission Public Hearing.¹

\$18,000. The amount of money Doug Connelly paid the City of Blaine in order to receive **EXPEDITED TREATMENT**.

\$50,000. The estimated cost of supplying the additional information requested by the Planning Commission letter dated April 4, 2007 which was authored by Planning Director Terry Galvin.

64. The number of years of land use experience of just two of Connelly’s consultants (Campbell and Swanson). This means countless hours sitting in public hearings, work sessions and working with the various agencies and governments to obtain approvals for projects.

0. Number of times that either Campbell or Swanson has encountered a situation such as we have here.

The Surprise

Hours before the Planning Commission’s first public hearing, the Staff finally released its report. The Planning Staff’s portion of the report, authored by Mr. Galvin, made no comment on the substance of the proposal. Imagine Connelly’s surprise when, after responding to all the Staff’s requests for additional information, the report contained a cacophony of criticism citing the inadequacies of Connelly’s submission and announced a litany of additional information which would be needed before the Planning Commission should consider the merits of the proposal.

This occurred in the context where significant requests for additional information had been made by the Planning Staff a dozen times already.² We were in shock. The information necessary to cure these claimed deficiencies was terribly expensive and very time consuming to obtain.

The next blow, and no less of a surprise, was the portion of the staff report authored by the Public Works Department. This report essentially demanded that the project comply with the incomplete and unadopted comprehensive utility plan for East Blaine. The notion that compliance with this non-plan had a very negative effect on the Planning Commission which did not understand that it was an improper request until the City Attorney’s letter of August 1, 2007. Until then, it was clear that compliance with the non-plan was going to be required. The applicant’s representatives were told on several occasions that either: (1) a decision on the project would have to be delayed until the

¹ The clock is still ticking. That Planning Commission hearing was on March 20, 2007, over 180 days ago.

² See chronology on Exhibit “A.”

adoption of the plan, or (2) the project could only be approved if conditions of approval included the requirement that the project comply with the non-plan when it was finally adopted.

Procedural Meltdown³

At the conclusion of the public testimony portion of the first public hearing before the Planning Commission, the public record was kept open until a future meeting and Planning Director Galvin announced that the Planning Commission should reconvene in a work session to determine what additional information was required from Connelly in order to consider the proposal. He explained while the application was technically complete, it was otherwise inadequate. Still in shock, Connelly and his development team absorbed this information. Only later did we wonder why it took Mr. Galvin so long to decide that so much additional information was needed when he could have done so months earlier. Remember, Planning Staff had asked for revisions to the materials as late as February 7, 2007, which were provided by the applicant on February 17, 2007 without any further reference to his "problem" with the adequacy of the remainder of the information already provided.

Connelly had always assumed that additional information would be requested, especially after the public's input. In fairness, it must be said that some of the questions by the public did warrant additional investigation and discussion which Connelly was certainly prepared to provide.

A work session was convened March 29, 2007 where Mr. Galvin was basically given carte blanche to write a letter for the Planning Commission's signature. While it is true that the letter was signed by the Planning Commission chair, it was essentially Mr. Galvin's work. Examples on point are his request for a fiscal impact study which appears nowhere in the code as being required. He also requested a "development notebook" that he stated would be a guide for future generations of planners following the project through to completion. He stated the project might go for 15 or 20 years with an entirely new cast of planners unfamiliar with the background providing administration. This "development notebook" was for them.⁴

While Mr. Galvin was expounding to the Planning Commission on the need for additional information, Connelly and his representatives were present at the work session in the audience. We were never given an opportunity to provide input on what an appropriate level of additional information would be. To this day, we still do not understand exactly what Mr. Galvin has in mind despite requests for clarification of the letter which he steadfastly refused to provide. We wondered how a development notebook could be created when the conditions of approval for the project had yet to be written and approved. Our pleas for clarification fell on deaf ears. We concluded that we would never be able to satisfy Mr. Galvin's appetite for more information so we

³ We understand that the Council is considering whether or not to revise the City's procedures in dealing with land use matters by appointing a hearing examiner in lieu of the Planning Commission. If there was ever a project that was a poster child for a decision in favor of the hearing examiner this is probably it.

⁴ Oddly, the maximum duration for this proposal is 5 years plus a one year extension under BMC 17.56.070.

contacted the City Manager with a request for clarification and an inquiry about scaling down the project significantly.

A flurry of emails followed which are attached as Exhibit "B." Campbell requested a meeting. Banham replied saying Mr. Galvin said no. Campbell pleaded for a change of heart. Mr. Galvin responded by refusing to meet.⁵

Connelly's decision was to submit a scaled down proposal (2/3 reduction in units) which was briefly considered at the next work session. Mr. Galvin raised several objections, stating that the application would need to be completely revised much of consulting work, such as, traffic and drainage studies, would need to be redone and the SEPA determination of non-significance would have to be withdrawn and SEPA compliance done over again. When confronted with those objections and encouraged by comments from the Planning Commission that they wanted to proceed with the larger scale project Connelly withdrew his scaled down proposal. We actually thought the Planning Commission might take a leadership role at this point but that did not occur.

How Much Information is Enough?

As noted, Connelly felt blindsided by Mr. Galvin's request for additional information. We initially thought the Planning Commission would come to their senses and somehow nullify Mr. Galvin's over reaching request. It did seem to us, however, that the request for some of the information could actually be relevant to the project and could be tempered with some sort of reasonable standard. Here are the specific examples that especially choked Connelly, as follows: (1) the requirement for a fiscal impact study; (2) the development notebook; and (3) detailed designs for the structures to be built in the project. We are hopeful that the Council will temper the request for additional information to something which is reasonable and Connelly will be pleased to provide it.

It is not the Planning Commission's role (or Mr. Galvin's) to ask for information ad nauseum. Rather, the Planning Commission's role is to take the criteria for approval stated in the applicable ordinances and statutes and apply them to the specifics of the project. It is inappropriate to demand expensive information that does not aid in this process. It is especially inappropriate to demand information simply for the sake of having it or, possibly, for the purpose of imposing inappropriate or illegal conditions of approval, such as, those suggested in the public works staff report or which would otherwise not be allowed as a result of RCW Chapter 82.02.

Council's Role

Pursuant to RCW 58.17.100 and the Blaine Municipal Code, Council can approve or deny the project after receiving the Planning Commission's recommendation. Council can also modify the Planning Commission's recommendation while doing so. Unfortunately, Council is not authorized to have its own public hearing and supplement

⁵ The true flavor of what was happening here is best gleaned from Campbell's email of May 1, 2007 and Mr. Galvin's response which says he will not meet unless ordered to do so by the City Manager.

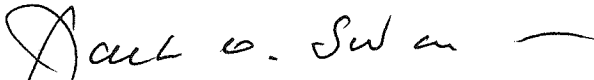
the record. Council can consider the existing record and give direction to the Planning Commission as part of a remand.

We believe it is appropriate for the Council to direct the Planning Commission with regard to the outstanding requests for additional information. We request the opportunity to discuss with Council in a work session environment what level of information would be appropriate to provide. As part of this work session, the applicant requests the opportunity to introduce the project to the Council.⁶ Armed with this information, Council should be able to resolve the dispute relating to the requirement for additional information.

Connelly's Request

We respectfully request that the Council dialogue with the applicant in a work session environment and reduce the request for information to that which is relevant and reasonable. We will be present on October 08, 2007, to pursue this request.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Jack O. Swanson". The signature is written in dark ink and includes a long horizontal flourish at the end.

JACK O. SWANSON

⁶ The power point "dog and pony show" identical to that presented to Planning Commission and can be delivered in approximately 20 minutes.

EAST MAPLE RIDGE PUD, PLAT AND MASTER DEVELOPMENT PERMIT
Outline of Correspondence, Action and Requests for More Information
By the City of Blaine from 11/30/03 through 07/17/07

Project Number -93-167 East Maple Ridge

Client- Doug Connelly

Prepared by: Associated Project Consultants, Inc. PC, Date: September 20th, 2007



DATE	ACTION
11/30/03	Discussion regarding the Coyote Ridge plat and the servicing via a package sewer treatment plant on the 3 rd
12/31/03	Discussion regarding the Coyote Ridge plat and the servicing via a package sewer treatment plant, phone calls to Orenco to get bid estimate for treatment plant, delivered copy of Orenco cost estimate to D. Connelly
02/29/04	Meeting with the DOE field office to discuss the membrane system for sewer disposal for the plat on the 26th
03/02/04	Spoke with client regarding letter to Steve Banham at the City of Blaine Public Works
03/21/04	Meeting with Steve Banham on the 12 th at the City Shop to discuss sewer options for the plat, resolution being proposed by the City to extend membrane technology to east Blaine reviewed and proposed in the comprehensive plan moving forward by Blaine (take up to 90 days)
06/02/04	Research property owners within 500 ft of Coyote Ridge for Public Notices; prepare mailing labels
06/03/04	Calls to Verizon; US Customs; WA State Border Patrol regarding locates of TV cable on H Street
06/07/04	Call Verizon to obtain electronic files of H Street, between Harvey and Odell
06/30/04	Phone calls and coordination with Utility companies, surveyor and wetlands consultant to enable us to proceed with a plat layout and sewer extension plan, work under way to prepare the plat application
06/30/04	Phone calls to the from the City of Blaine regarding letter mailed to APC ; Calls to TEC to obtain cost estimate for plat, calls to City to complete the loading information needed by TEC, discussions with Doug about gravity sewer
08/03/04	From MRM Consulting- Delineation of 90 Acre Coyote Ridge Property based on Army Corps of Engineer 1987 Manual. Also meets local agency requirements
07/31/04	Work on wetland points, survey, and with Katrina Jackson regarding wetland boundary
09/03/04	Deliver plans to Brian Christie's office
09/16/04	Attend technical review meeting with the City of Blaine
10/31/04	Work on SEPA check list for Plat Submittal
11/30/04	Work on preliminary storm drainage analysis and report; work in progress to revise preliminary plat layout and area calculations;

	work to pull Wetlands Reports, work on detention pond designs, work on tree placement plans
12/17/04	Pre-application meeting with the City of Blaine. Meet with the City staff for a technical review of the proposed plat at the City Shop, Set up a meeting with the City Attorney, Sitkin to discuss development agreement/conditions of annexations for Jan 3 rd , meeting with Jack Swanson representing D. Connelly's interest in amending the development agreement in order to proceed with a project
12/01/04	Phone call with Russell Nelson regarding submittal for pre-application review
12/09/04	Work to prepare plan copies for submittal to City of Blaine
12/21/04	Work to prepare SEPA check list; complete Master Land Use Application
12/09/04	Deliver color site plans to Russell Nelson with the City of Blaine
12/13/04	Email Russell Nelson regarding technical review date
12/15/04	Reschedule technical review date
01/31/05	Meetings with the city Staff and Jack Swanson to review the changes in the development agreement; review SEPA check list for submittal to the city with the plat
02/15/05	Prepare Preliminary long Plat submittal for the City of Blaine; deliver Long Plat application to the City of Blaine
02/22/05	Meeting with Ken Hertz to discuss joint effort to extend utilities up the hill to the plats
02/23/05	Distribute e-mails and faxes regarding story on E. Maple Ridge with the Bellingham Herald
02/28/05	Phone call with Russell Nelson regarding plat application; master plan language in PUD code
02/28/05	Hearing on annexation agreement changes; Testified in support of annexation agreement changes
03/11/05	Work to review correspondence from the City and items needed for the plat application
03/14/05	Meeting with the City Council to hear the issues related to the annexation agreement changes and discussions with Jack Swanson
03/16/05	Meeting with the City Manager, and attorney to discuss cleaning up the development agreement
03/28/05	Meeting with the City Council to review the annexation agreement and attend the Blaine City Council meeting
03/31/05	Meet with Terry and Russell to discuss the conditions of the plat approval
03/31/05	Meet with Steve Banham regarding offsite improvements needed for complete plat application; discuss final agreement
04/25/05	Create legal descriptions to Jack Swanson
04/30/05	Work to reply to Nelson regarding more information for a complete plat application; distribute email correspondence from Jon Sitkin
05/12/05	Email legal descriptions to Jenny Nielson
05/31/05	Meeting with Don Gustafson to review project for the purpose of

	completing the appraisal
06/20/05	Final Submittal to Terry Galvin at the City for Plat approval for numerous questions about housing types, development standards, better analysis of each lot size, etc., Terry Galvin indicated that the plat application was substantially complete on July 8 th .
06/22/05	Email from John Sitkin requesting tax parcel numbers
06/29/05	Copy, distribute emails regarding legal description and parcel numbers
07/07/05	Email preliminary plat to Brian Christie
07/17/05	Calls from Terry Galvin regarding 3 rd party review approval
07/28/07	Determination of complete approval
07/31/05	Discussion with Terry Galvin regarding the complete application; Terry Galvin indicated that the plat application was substantially complete on July 8 th , review of final completion letter of the plat
08/05/05	Email from Brent Baldwin regarding clearing permit
08/09/05	Forward email to Jon Sitkin's office, resend public notice update address of neighbor
08/11/05	Attend TRC meeting with City of Blaine; review the conditions of the plat approval, sewer extension, and clearing permits. Public Noticed published.
08/23/05	Work to prepare SEPA checklist for clearing permit
08/26/05	Contact City of Blaine for SEPA notification requirements
08/30/05	Email from Brent Baldwin
08/30/05	Calls to Sandy and Steve regarding sewer extension
09/02/05	Emails from Sandy Peterson regarding sewer analysis
09/06/05	Emails from B. Baldwin regarding comments from neighbor and photos
09/26/05	Email from Sandy Petersen with attached comments from 08/11/05 TRC meeting
09/29/05	Email from B. Baldwin regarding comments on development by neighbors
10/05/05	Email from S. Petersen with attached Traffic Study
10/10/05	Email from B. Baldwin regarding East Maple Ridge Plat
10/22/05	Submit logging permit to the to the City of Blaine
10/24/05	Delivered clearing permit to Blaine
11/17/05	Email from Steve Banham regarding traffic study scope
11/21/05	Email from Brent Baldwin regarding traffic study copy
11/30/05	Calls and discussions with Gibson Traffic and Steve B at Public works to get the scope of services correct.
01/25/06	Meeting with Public Works staff in Blaine to discuss the plat; meeting suggested a second meeting on the 13 th of Feb to keep the ball rolling; submittal of information to CHS engineers as requested in the meeting
01/31/06	Coordinate with CHS Engineers to provide CAD copy of preliminary plat drawings
02/07/06	Emails from S. Petersen and S. Banham regarding meeting schedule

2/21/06	Review letter from City
02/22/06	Attend meeting with the City of Blaine and CHS Engineers
02/28/06	Review of the meeting memo from the Feb 22 nd meeting with City staff and CHS Engineers
03/09/06	Look up adjacent property owner information
03/31/06	Prepare response to City regarding comments by the City regarding the plat approval and the conditions for same
04/21/06	Distribute letter to T. Galvin
04/26/06	Speak with D. Harger regarding paperwork signatures
05/15/06	Draft Response to City of Blaine third-party paperwork
05/31/06	Meet with J. Swanson to respond to the changes suggested by Public Works and as well how to respond to their request for more money
06/07/06	Emails from T. Galvin regarding Public Works meeting
06/14/06	Meet with J. Swanson to prepare letter arguing the payment of fees again to the City
06/15/06	Meet at the City Shop with design team; Jim Bailey to perform hydrologic study
06/21/06	Email distribution from City of Blaine (letter to D. Connelly)
06/26/06	Emails from T. Galvin regarding E. Maple Ridge projections
07/31/06	Work to adjust the plat street system in progress, calls to GTC regarding the comments by CHS and their traffic analysis that led to the 42 units
8/19/06	Mtg with city to reply to their request for more information
08/31/06	Issues that relate to commitments by the city for water connections and reduced impact fees, calls to GTC regarding the comments by CHS and their traffic analysis that led to the 42 units
09/22/06	Email from Elizabeth Anderson; forms sent
09/25/06	Work to complete City of Blaine Land Disturbance Project Reports
09/26/06	Letter to CHS regarding delay in reply regarding sewer extension and plat decisions
09/28/06	Email from Steven Banham regarding meeting time
09/30/06	Calls and discussions from Elizabeth Anderson regarding file information on clearing permit on the 6 th , Terry is gone on vacation, assembled the permit information appearing to be missing from her file and remailed (original permit of October 2005), meet with Chris Allen to visit site
10/05/2006	Meeting with the Blaine staff to discuss a newly created site plan, seventeen issues were raised that will change the plan completion in preparation for setting a planning commission meeting, work session on site plan on the 11 th to make the final changes,
10/11/06	Email from Steve Banham; meeting October 19th
10/19/06	Meeting at the City shop where the new plan is reviewed and essentially approved
10/16/06	Email from Bev. Kittel; copy of letter from COB Public Works

10/26/06	Several emails from Elizabeth Anderson; process for planning commission hearing
10/30/06 and 31st	Submit Land Disturbance and Stormwater applications to the City of Blaine (delivered), letter from CDS for more info.
11/14/06	Email from Terry Galvin, application update
11/17/06	Email from T. Galvin- review of preliminary plat
11/30/06	Work in progress on the site plan and changes suggested by Terry Galvin's memo
12/13/06	Work to complete ground water study, off site storm water plan, infiltration testing, down stream conveyance issues and problems that may occur at the 100 year storm, work submitted to Elizabeth Anderson; Calls from Terry Galvin regarding pushing the schedule out to March 07.
12/18/06	Contact Doug Connelly for submittal pick up
12/21/06	Email from E. Anderson -submittal update
01/08/07	Discussions with E. Anderson and T. Galvin regarding needing additional information and how the planning commission has to push the meeting out until March 22, preparation of materials to reorganize the City file for the meeting with staff on the 18 th of January
01/15/07	Meet with J. Swanson to discuss letter or email to the City to tell them that they are out of time and need to process the plat and PUD
01/18/07	Meeting with the City of Blaine to review submitted materials; discuss timeline for approval
01/18/07	Submittal of requested information in binders
01/18/07	Obtained Plat Certificate from Stuart Title for 4258 H Street
01/29/07	Email distribution from E. Anderson regarding plans and comments; distribution to E. Anderson and Terry Galvin regarding letter from J. Swanson
01/30/07	Email distribution from J. Swanson regarding application complete email to E. Anderson
01/31/07	Email distribution from E. Anderson regarding legal descriptions
02/01/07	Email from E. Anderson regarding Swanson's office; calls from T. Galvin; Meeting with Gary Tomsic regarding slow processing time for the plat and PUD,
02/02/07	Email distribution from E. Koltonowski regarding hearing meeting
02/05/07	Deliver plans to City of Blaine Public works and Planning Dept.
02/05/07	Email distribution from S. Petersen regarding PUD plan
02/06/07	Email distribution from S. Petersen and E. Anderson regarding planning commission meeting
02/07/07	Review City memo regarding submittal and write response letter
02/08/07	Calls to E. Andersen to get her the information that she needs to move toward the 22 nd planning commission meeting, deadlines set for the 28 th of February for the remaining items (mainly the plan for servicing needs to be roughed out)
02/12/07	Deliver letter/phasing plan to J. Swanson
02/19/07	Meet with the City Public Works regarding utilities and phasing

	issues
02/20/07	Meeting with Jack Swanson and Public Works (Steve and Sandy) for review servicing, reviewed the EES reports , APC East Blaine Servicing plan and the CHS report on servicing issues (street, sewer, water), prepared servicing summary plan and submitted to the City
02/21/07	Email distribution from S. Petersen regarding master plan creation
03/06/07	Email from T. Galvin regarding adding E. Blaine Servicing to application packet
03/07/07	Email distribution from A. Wenger regarding SEPA Determination; email SEPA Determination to J. Swanson
03/08/07	Email Terry Galvin and Karen Calvert affidavit of confirmed property owners; email distribution from Karen Calvert regarding sending notices to additional property owners
03/09/07	Notice of Hearing
03/12/07	Email from Terry Galvin regarding submittal requirements
03/13/07	Email from Terry Galvin regarding phased development and vesting ; emailed Terry Galvin list of property owners with explanation and returned mail;
03/15/07	Email Terry Galvin regarding meeting and ask when is it to be held
03/15/07	Email from Terry Galvin asking Jon Sitkin for information
03/21/07	Email from Terry Galvin regarding staff report
03/21/07	Review website for comments from Public Works, call Public Works for status on report
03/22/07	Attend Planning Commission Public Hearing
03/22/07	Meeting with Jack Swanson regarding legal aspects of the Planning Commission, preparation back to the staff for the Committee of Whole scheduled for the 29 th , summary response prepared to frame issues presented by the staff report for "more information"
03/29/07	Work Session
04/03/07	Email from T. Galvin regarding update
04/04/07	Letter from Planning Commission
04/05/07	Email from T. Galvin regarding final draft letter; email from Susan G regarding draft plan
04/10/07	Meeting with J. Swanson and D. Connelly to discuss Planning Commission Letter regarding plat review and response
04/16/07	Meet with J. Swanson and G. Tomsic to discuss down scaling of project
05/01/07	Several emails regarding Planning Commission from S. Banham
05/02/07	Several emails regarding unresolved public works issues from S. Banham and J. Swanson, planning commission meetings from T. Galvin; draft open public record document
05/03/07	Calls from City of Blaine regarding Tomsic meeting
05/08/07	Email from G. Tomsic regarding conference call follow up
05/14/07	Research next Planning Commission agenda with Karen from COB

05/21/07	Fax from Karen at COB regarding Planning Commission agenda; work with Karen
06/06/07	Down scale the plan to only include 118 sf lots and prepare a complete response back to the City; Attend the Planning Commission Work Session
06/15/07	APC response letter
06/15/07	Deliver 11 copies of Fiscal Impact Fees to City of Blaine Planning Department
06/18/07	Prepare transmittal for letter to Tom Black regarding PUD; deliver to post office
06/29/07	Email developer meeting minutes (T. Galvin)
06/30/07	Researched the fiscal impact issues and found several studies that determine sf development does not impact the City financially, reviewed the City of Bellingham annexation policy to enable us to argue the EMR has already paid \$282,000 for the impact to East Blaine in the annexation and that there should be no need to pay any more.
07/05/07	Attend Planning Commission Work Session regarding project review
07/09/07	Request minute notes for Planning Commission meeting, distributed requested notes from C. Fischer; Email C. Fischer requested minutes for workshop meetings for the Blaine Planning Commission
07/12/07	Email distribution M. Calkins
07/17/07	Email distribution regarding public hearing T. Black
07/18/07	Draft resolution for the City of Blaine

Exhibit
"B"

-----Original Message-----

From: Terry Galvin [mailto:THalvin@cityofblaine.com]

Sent: Wednesday, May 02, 2007 11:16 AM

To: Doug Campbell

Cc: Gary Tomsic; Jonathon Sitkin; Department Heads; Sandy Petersen; CED All

Subject: RE: East Maple Ridge meetings

Doug,

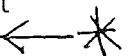
The Planning Commission currently has left the public hearing open to allow you to provide the additional information that they requested. At this point, the city has not had any formal response from the you or anyone else representing the applicant, Doug Connelly.

I talked with Gary Tomsic last week about your meeting with him and understand that you have plans to submit a different plan for the East Maple Ridge development. However, before we can discuss this with you the City needs to receive a response to the Planning Commission. They are holding open a public hearing, sent you a letter requesting additional information and are and waiting for your response. If you do not wish to proceed with the public hearing and review process as indicated in an April 4 letter sent to you, please advise the Planning Commission. The April 4 letter began with the following clarification:

At the end of their Thursday, March 29, 2007 worksession on subject project, the Planning Commission decided to request the applicant submit additional information in accordance with the City requirements. They instructed staff to prepare a letter that detailed the information that they have requested. This letter includes that list of additional submittals.

Please note that the additional information must be submitted to this office before the City can resume its review of the project. Prior to the resumption of PC review staff will be required to review the additional information and revise their staff report accordingly. Once completed, staff will submit both the additional information and revised staff report to the Planning Commission and notify all parties of record and the general public of the PCs intent to continue the Public Hearing and provide for a period of time for public comment on the complete information packet. Once the open public record is closed, the Planning Commission can then resume its review of the proposed project. Staff will keep you posted of these dates as they become clear.

Honestly, I have not encountered a situation like this in the past; As I understand it, you want to meet with staff to discuss an alternative development proposal on the same site that the Planning Commission is currently conducting a public hearing on the currently submitted development proposal. Jon Sitkin is out for the next few days but when he gets back I will check with him regarding our legal and procedural requirements. However, It is clear to me that until the planning Commission closes their review of the submitted development proposal, city staff should not engage in discussions with the applicant that address alternative development plans for the subject parcel. Unless otherwise directed by the City Manager, that is the course we are taking.



The best thing you can do to keep the project on track is to respond to the Planning Commission and declare your intent to either proceed with the hearing and the additional requested information

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or to request an alternative. Once that is done we can help you move forward with your application.

Regards

Terry Galvin
Community Development Director

-----Original Message-----

From: Associated Project Consultants, Inc. [mailto:apcengineers@nas.com]
Sent: Tuesday, May 01, 2007 8:02 AM
To: Steve Banham; Terry Galvin
Cc: Jack O. Swanson; Gary Tomsic
Subject: RE: East Maple Ridge

Steve and Terry,

I am following what Gary suggested we do to get this project back on line. I think preparing a proposal is obvious, however, we have been doing that for months and months and months. Let's get a consensus on what will be accepted before we spend more time preparing endless documents that don't lead to any meaningful progress. This project has been languishing and we all should have the same goal to simplify the proposal. I want to meet as scheduled. Please confirm.

Thanks

Doug Campbell

-----Original Message-----

From: Steve Banham [mailto:SBANHAM@cityofblaine.com]
Sent: Monday, April 30, 2007 5:36 PM
To: Doug Campbell
Cc: Terry Galvin
Subject: East Maple Ridge

Doug,

When I contacted Terry about this meeting he indicated that he was expecting to see some sort of written proposal responding both to the Planning Commission and letter from Gary Tomsic before having another meeting, so it looks like the meeting you were proposing for Wednesday may be bit premature.

Stephen Banham
City of Blaine Public Works Director
1200 Yew Avenue, Blaine, WA 98230
(360) 332-8820 Fax (360) 332-7124
pwwdir@cityofblaine.com

*** This email may be considered a record subject to public review. ***

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