

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Thursday, January 12, 2017 1:06 PM
To: 'b.greve@comcast.net'
Subject: RE: Comments - East Lake Sammamish Trail - Segment 2B (SSDP2016-00415)

Dear Mr. Greve,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: b.greve@comcast.net [mailto:b.greve@comcast.net]
Sent: Thursday, January 12, 2017 11:30 AM
To: Lindsey Ozbolt <LOzbolt@sammamish.us>
Subject: Comments - East Lake Sammamish Trail - Segment 2B (SSDP2016-00415)

Good morning Lindsey -

Please accept the attached document as a replacement for comments previously submitted in relation to the above project. This document includes comments in relation to the 60% design plan that we previously submitted but includes additional information that we would like to become part of the official file, seek support of by the Sammamish City City Council, and would ultimately like mitigated to our satisfaction by King County. It presents the information in a much more consolidated yet thorough way.

Best Regards,

William and Kathryn Greve
2417 E Lake Sammamish PL SE
Sammamish WA 98075

William R Greve & Kathryn A Greve

2417 E Lake Sammamish PL SE, Sammamish WA 98075 | 425.270.3840 | kbgreve@MSN.com”

January 12, 2016

Ms. Ozbolt

Staff Project Planner

City of Sammamish

801 228th Ave. SE, Sammamish WA 98075 | lozbolt@sammamish.us

Subject: Comments – East Lake Sammamish Trail Segment 2B – SSDP2016-00415 (60% Plan)

Dear Ms. Ozbolt:

Please accept the below listed comments, concerns, request for consideration and ultimately relief listed for the record and associated with the East Lake Sammamish Trail Segment 2B project (SSDP2016-00415).

Comments in Relation to King County’s Claims

- We hereby vehemently disagree with King County’s claim that King County acquired fee title, own the land outright, and are able to do anything other than build and maintain a trail not to exceed the existing footprint of the current trail. We disagree with King County’s contention that land within the trail corridor is “public land.”
- We contend that Federal Courts have indicated that all land within the abandoned rail corridor belongs to the adjacent property owners and the only right granted to King County pertains to the construction and maintenance of a surface only trail within the existing footprint.
- We contend that any action taken by King County to displace, disrupt, disturb property outside of the current trail footprint is illegal.
- We contend that any action taken by the city of Sammamish to approve, permit, or otherwise authorize King County to displace, disrupt, or disturb property owned by us or any citizen of Sammamish will subject the city to harm in the form of liability. The city of Sammamish can and will be held liable for any damages.
- We vehemently disagree and refuse to acknowledge King County’s claim that it has the right to restrict property owners from improving their land within the corridor, charge fees for usage, or demand special use permits in relation to the property within the corridor.
- Because of each of the above comments, concerns, issues and because for the most part the above comments are currently being litigated in court as well as the sheer number comments, concerns, and requests for the city’s support coming from the volume of negatively impacted citizens, we respectfully request that the City of Sammamish refrain from acknowledging or approving any permit requests presented by King County in relation to this project; until such time as King County adjusts its request to include only the surface rights to build and maintain a trail on the existing footprint and all citizen comments are addressed to our satisfaction. And further, that the city revoke any and all permits or acknowledgements previously granted in relation to segment 2B.

Comments in relation to the Existing Condition section of the 60% plan (EX6 – page 14)

- We contend that the line indicating “Trail R/W” (trail right of way) in relation to our property (2417 E Lake Sammamish PL SE) is misrepresented and if not corrected will allow King County to either in conjunction with this project or at some point in the future disturb, disrupt, or displace both our real and/or personal property up to the boundary as drawn.
- We contend that the line indicating “Trail R/W” as currently drawn on the 60% plan will have a negative impact on the value of our property as it will indicate that King County has right to restrict improvement, charge fees for usage, or disrupt the property either now or in the future.
- We respectfully request that the City of Sammamish require King County to re-draw the “Trail R/W” boundary to lie adjacent to both the West and East sides of the existing trail footprint in order to ensure no impact to our property now or in the future.

Comments in relation to the Plan and Profile section of the 60% plan (AL10 – page 42)

- We contest the westerly shift of the proposed center line as drawn. This, in conjunction with plans to widen the trail to 18’ (12’ pavement, 4’ gravel, and 2’ clear space) will have an unnecessary and yet again devastating impact to both our personal and real property, the value of our property, our security, and to our privacy. In addition, access to and from the concrete driveway on the easterly side of our home will be compromised considering the current driveway design and elevations of the driveway.
- Although we contend that the updated trail should be bound to the current footprint, there is a far better and more reasonable solution in relation to the proposed center line.
 - In the event that a broader footprint is required we formally request that the center line be shifted east; not west in order to prevent any impact to our property or its value, and that the west boundary of the current trail NOT be moved.
 - East of the current trail lies what is referred to as a “jurisdictional ditch” (#11B on the 60% plan). This is NOT a recognized wetland. This ditch is in place to capture run off in extreme weather conditions. This jurisdictional ditch although dry 90% of the time, does in fact create a liability for both the county and the city in that it floods and produces a hazard for both property owners and trail users during times of extreme weather.
 - There appears to be no plan to address flood water jurisdictional ditch #11B as part of this project as presented on the 60% plan, but there needs to be.
 - We formally request that King County or the City address the issue by installing an appropriately designed culvert and/or drainage infrastructure where the jurisdictional ditch lies. This was done to the Abernathy property just north of ours (stake 327+00) years ago, and is the reason the 60% plan shows the proposed center line taking a sharp easterly turn at stake 327+00 just north of our property. This will allow any expansion of the trail (should it be deemed legal and necessary) and be built on top of the eastern improvement as is the case with the Abernathy property. The above recommendation will also address and prevent the need to build the retaining wall west of the trail as proposed and drawn on the 60% plan.
- We contest and refuse to allow the clearing and dismantling of our current 6’ security fence, rolling driveway gate which currently borders the westerly side of the existing trail and its associated infrastructure; only to subsequently have the county build a chain link fence with no driveway gate. This fence and gate are in place to provide both security to the property, prevent trespass, and to ensure the safety of trail users. The driveway leads downhill directly to a boat launch that must be protected from both incident and use by trail users.
- We contest the clearing and grading (aka CG) boundary as currently drawn. As drawn the boundary will devastate a row of 20-year-old arborvitae, a substantial amount of landscaping as well as infrastructure to include both irrigation and lighting. We see this boundary as completely unnecessary even if the proposed center line were to move westerly and the trail were to be

widened as indicated on the plan as the arborvitae do not lie within the footprint of even the proposed trail plan.

- We recommend that traffic crossing the trail be bound by stop signs rather than yield signs in order to both ensure the safety of trail users but also minimize site distance triangle requirements.
- We contest the location of the driveway stake (not shown on the 60% plan) illegally drilled in our driveway designed to mark the decision point of the sight triangle. We insist that the decision point be measured and located based on:
 - A stop controlled intersection, and
 - A trail width no greater and the current footprint of the trail, or
 - The movement of the center line east instead of west (as described above)

Ultimately, we, like a majority of Sammamish property owners are not opposed to the trail or even improving the trail. We simply want recognition of our property rights, to not be harmed by the project, and for King County to respect the spirit and intent of Rails to Trails act let alone use common sense as the process unfolds.

We look to you, the Sammamish City Council to use your duly sworn responsibilities to take action, act our behalf and to protect us; your citizens and our property from the harm presented in the proposed 60% plan. We fully expect you, our City Council and associated city staff to take, understand, advocate, and represent us as our dedicated and biased representatives in any and all future discussions with King County in relation to this project; and to NOT simply “compile and provide” these comments to King County for their “review and response”.

Sincerely,

William and Kathryn Greve

Re: ELST

Ramiro Valderrama-Aramayo

Thu 1/12/2017 7:53 PM

To: John Rossi <roscoes4@msn.com>; Lindsey Ozbolt <LOzbolt@sammamish.us>;

Cc: Tom Odell <todell@sammamish.us>; Bob Keller <BKeller@sammamish.us>; Don Gerend <dgerend@sammamish.us>;

Hi John:

Thanks for sharing this information with us. I have asked the City Manager to schedule the King County Parks to update the Council and the Citizens on the 60% plan and for citizens to share with us and KC the issues of their properties, trees and lake. I hope that you will attend the meeting once it is scheduled. The members of SHO should also be keeping lake owners informed of meetings dates.

Best Regards,

Ramiro Valderrama
City Council Sammamish

From: John Rossi <roscoes4@msn.com>
Sent: Thursday, January 12, 2017 3:37 PM
To: Lindsey Ozbolt
Cc: Ramiro Valderrama-Aramayo; Tom Odell; Bob Keller; Don Gerend
Subject: ELST

Hello All,

Lindsey, I am sending this to you while cc'ing Ramiro, Tom, Bob, and Don as I have known them/you for many years. I'm writing this email to let you know the impact that the Sammamish Trail will have on our property and I'm sorry that you have to go through yet another one! I have lived on my property since 1983 and we have used the easement area since that time. We have had a garden basically from day 1, put in irrigation and planted trees and shrubs along the rail corridor with no objections from Burlington Northern. When we purchased the property from Mr Dargitz who had lived here since 1948 or so and he told us that the easement area was actually our property and it would revert to us if ever abandoned (for what it's worth).

Our trees have grown tall (birch are dead though from birch beetle), the rhodies bloom beautifully

RE: ELST

Don Gerend

Fri 1/13/2017 8:03 AM

To: John Rossi <roscoes4@msn.com>; Lindsey Ozbolt <LOzbolt@sammamish.us>;

Cc: City Council <citycouncil@sammamish.us>; Lyman Howard <lhoward@sammamish.us>; Jessi Bon <JBon@sammamish.us>;

Thanks, John, for the explanation of what is intended for your property. Staff is working to get the County out here to sit down and discuss all of these specific common sense issues.

Best regards,

Don Gerend, Mayor
City of Sammamish

From: John Rossi [mailto:roscoes4@msn.com]**Sent:** Thursday, January 12, 2017 3:38 PM**To:** Lindsey Ozbolt <LOzbolt@sammamish.us>**Cc:** Ramiro Valderrama-Aramayo <RValderrama-Aramayo@sammamish.us>; Tom Odell <todell@sammamish.us>; Bob Keller <BKeller@sammamish.us>; Don Gerend <dgerend@sammamish.us>**Subject:** ELST

Hello All,

Lindsey, I am sending this to you while cc'ing Ramiro, Tom, Bob, and Don as I have known them/you for many years. I'm writing this email to let you know the impact that the Sammamish Trail will have on our property and I'm sorry that you have to go through yet another one! I have lived on my property since 1983 and we have used the easement area since that time. We have had a garden basically from day 1, put in irrigation and planted trees and shrubs along the rail corridor with no objections from Burlington Northern. When we purchased the property from Mr Dargitz who had lived here since 1948 or so and he told us that the easement area was actually our property and it would revert to us if ever abandoned (for what it's worth).

Our trees have grown tall (birch are dead though from birch beetle), the rhodies bloom beautifully every year, our garden has provided us with fresh vegies every summer, and our kids have had many parties in that area so needless to say I was shocked to see how much of that space was now going to be inaccessible to us. I tried to take some pictures to show how much of my garden will be lost, basically half, and also how much of our landscaping will be destroyed. It appears that the county has designated our area to have a dispersion area for runoff from the trail as well as the clearing and grubbing area (CG on map) which appears to take 25' from the end of the trail! If you walk the trail from the north, you will not see this 25' designated CG area so I am at a loss to understand why it was placed here. We have a man-made wetland to the east of the trail that should be handling the runoff not creating a new location to the west. Why do that? Also have you seen how nicely the County has maintained their green spaces along the trail. This will now be in our yard!

My feeling is that the County is attempting to take this land before all of the legal issues are decided. As I'm sure you are aware there are several lawsuits that are trying to clarify ownership of this easement area and the one in our neighborhood is nearing the finish line in our favor. I know you are not the ones calling the shots on this but I just wanted you to be aware that this has gone beyond just putting a regional trail in place (which of course I love) but instead has amounted to a land grab by the county. Please know that my complaint is not with the original trail footprint of 18' but with the plans for the dispersion area and the not clearly defined clearing and grubbing area. Please hold them to the fire when they try to explain the rationale behind this. I am sending some pictures of my garden area just so you can have an idea what I am talking about. Thanks for all of your service to our city and I know that this is truly a labor of love for all of you.

The pictures show the garden with a tape measure on the ground. The end of the tape measure is 25'. As you can see that takes a really big chunk out of our garden and yard as well. Note how far back the trail is when you think about a dispersion area and grub area??

John Rossi







RE: ELST Project

Lindsey Ozbolt

Tue 1/17/2017 9:02 AM

To: John Vanderwulp <john.vanderwulp@gmail.com>; judev54@gmail.com <judev54@gmail.com>;

Dear John and Judy,

Thank you for contacting the City of Sammamish regarding the current Shoreline Substantial Development Permit Application for East Lake Sammamish Trail Segment 2B (SSDP2016-00415).

Your comments have been received and will be included in the project record. At the close of the comment period, all comments will be compiled and provided to King County for review and response. You will be included in future notices the City issues for this proposal.

Regards,

Lindsey Ozbolt

Associate Planner | City of Sammamish | Department of Community Development
425.295.0527

From: John Vanderwulp [mailto:john.vanderwulp@gmail.com]

Sent: Thursday, January 12, 2017 8:54 PM

To: Lindsey Ozbolt <LOzbolt@sammamish.us>

Subject: ELST Project

Ms. Ozbolt:

We are writing to you in regards to the East Lake Sammamish Trail Project (ELST). My wife, Judy, and I met with King County representatives of the ELST at the Sammamish City Hall on January 11, 2017 regarding our home located at 3131 E. Lake Sammamish Parkway SE, Sammamish, WA 98075, Segment B, Station 279.

After reviewing the 60% design plan, we are submitting the following for your review and consideration:

The design shows that a wall and a fence is to be erected on the hillside facing the lake. The design was not clear whether the wall would be concrete or a soldier wall. Could you please confirm the nature of the materials to be used for the wall and explain the purpose of the chain-link fence?

The design was not clear regarding the height of the wall and the fence. Could you please confirm

the height of the wall and the fence?

The design was not clear regarding the distance between the wall and the fence. Could you please clarify the distance between the wall and fence?

We have strong concerns regarding the proximity of the wall and the chain-link fence to our home. It appears from the design that the wall and fence will be placed very close, perhaps within 2' or less, of our deck. Can you please confirm the distance?

We were informed that the design does not reflect the presence of the sewer line or the grinder pump. They are located on the lake side in front of the deck.

We respectfully ask that the sewer line and grinder pump be included in the design plans going forward. We have attached drawings from the Sammamish Water and Sewer department showing the location of the pump and sewer line.

It should be noted the Sammamish Plateau Water and Sewer department needs to have enough room to maintain the grinder pump and that we, as the homeowner, have room around the sewer line for maintenance purposes, as well.

On another matter and since October 2013, we have been in touch with both Mona Davis, former Senior Planner, City of Sammamish and Gina Auld, Capital Project Manager, King County Facilities Management Division, Parks Cip, regarding the impact of the trail design on our home. The purpose of our contacts were to request access to the trail from our property. The design was clear that a wall is to be erected starting at about 200' to the south of our home and extending about 100' to the north and will not have any opening providing access to the trail. Our home is the only developed lot located behind the proposed wall.

We are strongly concerned about accessibility to the trail and we respectfully ask that a gate or opening of some type and stairs allowing access from our property be included in the wall. Further, we ask that signage be posted, stating "No public access" as the stairs would most likely lead directly to our property.

Our purpose for making this request is because Judy is legally blind and we feel the wall prohibits her safe and secure accessibility to the trail. Driving to a location, finding parking and accessing the trail, possibly crossing E. Lake Sammamish Parkway is not an option. The State of Washington revoked Judy's driver's license in 2008 due to her vision loss.

If she were to walk to an access point, there is no other option but to walk on E. Lake Sammamish Parkway SE which, when considering the amount and speed of traffic currently using the road, there would be high risk of being hit by a vehicle or injured in some other manner since Judy would not be able to react quickly enough to avoid injury.

We are also strongly concerned with the integrity of the hillside once the construction begins. We are not civil engineers who have knowledge regarding prevention of erosion during construction of the wall and fence. However, we have owned the home since 1981 and over the years have observed how the dirt is loosely packed. We have maintained the hillside using blackberries to prevent erosion which appears to have been effective.

Has an evaluation been completed regarding the impact of the clearing and grubbing (CG) on potential uncontrolled erosion?

Has an evaluation been completed regarding the feasibility, safety, and impact on our home and residents during construction of the wall and fence, possibly due to uncontrolled erosion?

In the unlikely event some harm should occur to our home, residents, and/or utilities, what is the resolution process for reimbursement?

We very much appreciate the opportunity to review the plan design. Our desire is to help make the trail a successful endeavor.

It appears to us that you will be our local contact for questions and concerns. Please respond to both our email addresses. Judy's email is judev54@gmail.com and mine is john.vanderwulp@gmail.com.

We look forward to hearing from you in the near future.

Thank you in advance,

John and Judy Vanderwulp

- SINGLE FAMILY
- MULTI FAMILY
- COMMERCIAL
- REPAIR OR ALTERATION

SAMMAMISH PLATEAU WATER & SEWER DISTRICT

1510 228th Ave. S.E.
Sammamish, Washington 98075

PERMIT NO. 2896

ACCT. # _____

SIDE SEWER PERMIT

CALL (425) 392-6256 FOR INSPECTION
24 HOUR NOTICE REQUIRED - NO EXCEPTIONS
(Inspections will be made during normal working hours only)

METER BOOK NO. _____

DATE _____

OWNER JOHN VANDERWULP

SIDE SEWER CONTRACTOR BOLLES

SERVICE ADDRESS 3131 E LK SAMM PKWY SE

CITY SAMMAMISH ZIP 98025

SUBDIVISION NAME _____

LOT NO. 072406908300

APPLICANT VERIFIES THAT SHE/HHE HAS READ THE TERMS AND CONDITIONS CONTAINED ON THE BACK SIDE OF THIS PAGE AND AGREES TO ABIDE BY THEM.

FEES SIDE SEWER FEE _____
FRONT FOOTAGE _____
AREA CHARGE _____
RIGHT OF WAY PERMIT _____
TOTAL _____
RECEIPT NO. _____

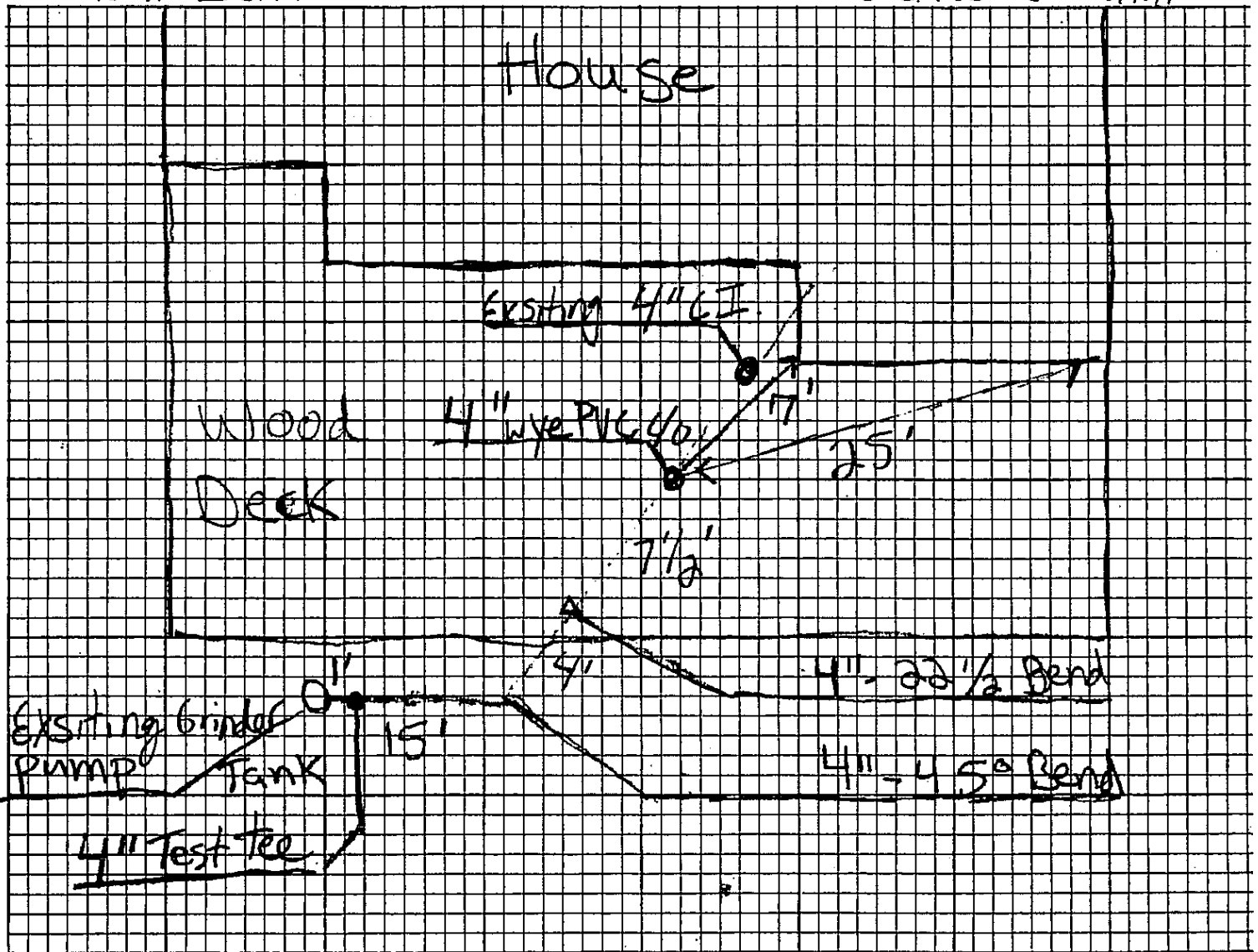
SIGNATURE _____

Sammamish Plateau Water & Sewer District by _____

DUPLICATE

AS BUILT DRAWING

GRINDER PUMP



I HEREBY CERTIFY THAT TESTING HAS BEEN APPROVED AND THE ABOVE CONNECTION HAS BEEN MADE AS SHOWN.

Date 12-19-03

12-19-03

- SINGLE FAMILY
- MULTI FAMILY
- COMMERCIAL
- REPAIR OR ALTERATION

SAMMAMISH PLATEAU WATER & SEWER DISTRICT
 1510 228th Ave. S.E.
 Issaquah, Washington 98027

PERMIT NO. 2896
 ACCT. # _____
 METER BOOK NO. _____
 DATE 10-23-03

SIDE SEWER PERMIT
CALL 392-6256 FOR INSPECTION
24 HOUR NOTICE REQUIRED - NO EXCEPTIONS
(Inspections will be made during normal working hours only)

OWNER VANDERWULP
 SERVICE ADDRESS 3131 Elk Sammamish Pkwy
 SUBDIVISION NAME _____

SIDE SEWER CONTRACTOR _____
 CITY ISSAQUAH ZIP 98027
 LOT NO. 07-1006-1005-00

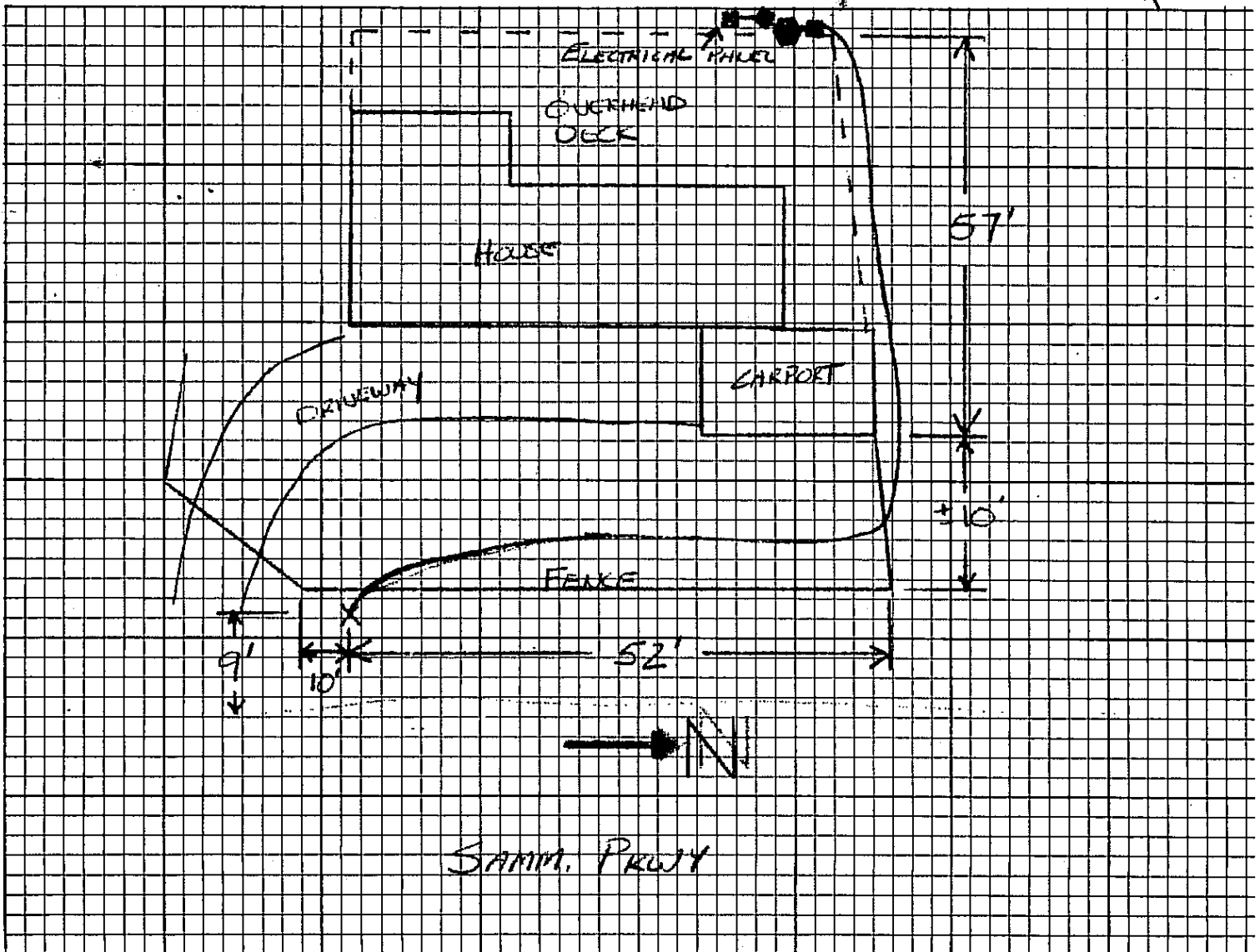
APPLICANT VERIFIES THAT SHE/HE HAS READ THE TERMS AND CONDITIONS CONTAINED ON THE BACK SIDE OF THIS PAGE AND AGREES TO ABIDE BY THEM.

SIGNATURE John W. Vanderwulp for
 Sammamish Plateau Water & Sewer District by Angela M. Bawls

FEES SIDE SEWER FEE 4410 3-10
 FRONT FOOTAGE 5-10
 AREA CHARGE 4410 3-10
 RIGHT OF WAY PERMIT _____
 TOTAL 4410 3-10
 RECEIPT NO. Assessment

AS BUILT DRAWING

Grinder Pump



I HEREBY CERTIFY THAT TESTING HAS BEEN APPROVED AND THE ABOVE CONNECTION HAS BEEN MADE AS SHOWN.