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September 12, 2006

Transmitted by Fax (206) 264-9300

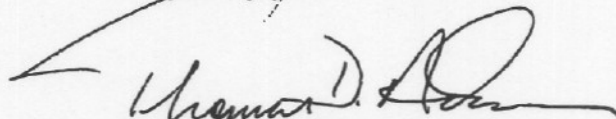
Ms. Jennifer A. Dold
Attorney at Law
Bricklin Newman Dold, LLP
1001 Fourth Avenue, Suite 3303
Seattle, WA 98154

Re: *Panther Lake*

Dear Jennifer:

Faxed herewith is a copy of a letter which I received a copy of from Jim Toomey. I assume Mr. Toomey sent the original to the Hearing Examiner. I am going to check on that this morning.

Very truly yours,



Thomas D. Adams

TDA/dd

cc: Clients

August 21, 2006

Robert Backstein
Hearing Examiner
M/S 405
3000 Rockefeller Avenue
Everett, Washington 98201

RE: Panther Lake Ridge, PFN 04-112029 SD

Mr. Backstein,

I am an adjacent property owner to the Panther Lake Ridge property now under consideration for a Rural Cluster Subdivision (see map attached).

In reviewing the maps and considering the matter as it relates to my property, it is evident to me that the developer in this case, Cimarron West, LLC has proposed to place the cluster of lots in the only place that is available on the property, on the far eastern portion of the property. The area to the west of Wetland F is all ridge area, and is visible to my property. I can even see into the interior of the Western Ridge in wintertime, and can see the existing home described on the map as located on Lot 32. This is a prominent ridge; we can see all the way to Mt. Baker at times during the year.

The Wetlands in the central area of the project (directly west of the BPA power lines) are meant to be protected under the RCS statutory scheme. These wetlands are extremely important to this area as there is seasonal flooding, and these wetlands fill up and retain water, assisting in keeping the quality of the water high by not creating sediment and other erosion problems. The wildlife in this area is meant to be protected, as the developer is supposed to be placing their building lots on the most buildable, least environmentally sensitive areas of the site. That is straight out of the code. As such, the developer's proposal for lots on the eastern portion of the site makes the most sense.

Additionally, 30.41C.200(13) Design standards - general says, "The rural cluster subdivision or short subdivision shall be designed, to the greatest extent possible, to configure the residential lots in accordance with the natural features of the site and to minimize topographic alteration" The words, 'shall' and 'to the greatest extent possible' certainly must carry some weight here. The developer shall to the greatest extent possible minimize the alteration of the topography. How can the developer follow this very specific provision in the code if they were to be required to blast through numerous wetlands, bull trout streams, steep hills, and under power lines, building numerous roads, detention ponds, and the like.

I am asking you and the County Council to stand by both the intent of the RCS Code as well as the specific design standard of the code mentioned above, as it relates to minimizing alteration of the topography, and thereby minimizing the destruction of the environment.

Sincerely,



Jim Toomey
15219 62nd St. SE
Snohomish, Washington 98290

CC: PDS

1/4 NW 1/4 & S 1/2, NW 1/4, NE 1/4 SECTION

