11. We require applicant to file enclosed Appendix "A" to include roadway from West Camano Drive to the East line of subject land prior to final approval. Appendix "B" is enclosed for applicant's use upon sale of either lot.

12. The easement must be aligned to match access through Kenwood Acres, Lot 11, and to provide a continuous easement at least 30' wide throughout.

13. Further comments will result only as a result of improper short plat format.

Mr. Madsen stated that based upon the comments from the Health and Engineering Departments, the Planning Department has no objections to giving conditional approval for the short plat, provided that the Board waive the specific modification of the easement width and the roadway width requirements per Mr. Spanjer's recommendations, and that Mr. Huddleston meet all requirements of the various County Departments (Health Department and Engineering Department specifically).

Chairman Dunlop observed that one of the considerations was the fact that the access over Lot 11 of Kenwood Acres and the proposed roadway separating the short plats does not line up, however, it is the Chairman's understanding that Mr. Huddleston has agreed to dedicate additional property so there will be a more direct alignment; Mr. Spanjer indicated this to be his understanding also.

Mr. Huddleston confirmed he shows an extra 30' to 60' going into his property to take care of the problem. He noted that individual wells, one on each piece of property, is planned.

Commissioner Kemp pointed out as indicated that Mr. Huddleston came before the Board on 23 May, and the matter was remanded back to the staff for further consideration, with Commissioner Kemp specifically pointing out to Mr. Huddleston that because of some indecision, same was being done out of fairness to him, and indicated to staff that that in no way would indicate that the Board would direct the staff as to what decision to make. At this time, Commissioner Kemp moved that the Board uphold the appeal of Mr. Huddleston for Short Plat Denial of Short Plat 81/27, the approval contingent on the conditions pertaining to the Health and Engineering Departments and as outlined by the Planning Director, and further, contingent on a 30' right of way, 14' roadway, and proper alignment again as outlined. Motion, seconded by Commissioner Romeo, carried unanimously.

SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION NUMBER SDP 0383 BY SCS INVESTORS, LTD.

The matter of Shoreline Management Substantial Development Permit Application Number SDP 0383 by SCS Investors, Ltd., came on before the Board for consideration beginning at 3:00 p.m. as scheduled. Robert J. and Mary Smith, Robert Smith, Jr., applicants, were present, as well as Mr. Tom Roehl, Applicants' planning consultant. The permit is being requested for construction of a drainage system with outfall to serve a proposed five-lot subdivision, including access road and community drainfield, located on a sixteen acre parcel between the Plats of Possession Shores and Sandy Hook, within the Southwest Quarter of Section 14, Township 28 North, Range 3 East, W.M., Whidbey Island.

Bruce Smith, Island County Planning Department, gave the Board aerial photographs showing the subject property extending from the shoreline to Cultus Bay Road, proposing four shoreline lots with a remnant parcel on the north portion running from approximately 200' inland up to Cultus Bay Road. There is currently a drainage ditch constructed on the South boundary with a small retention pond, and the applicants, propose to convert that to a drainage ditch which would be intercepted by the access road to serve the short plat, which would feed into a small retention pond of a temporary nature with a culvert under the access road extending parallel to the south boundary to another catch basin, and north to another catch basin/outfall system to be protected by rock riprap. The drainfield area is proposed to accommodate four drainfields for the lots, with a curtain drain around the drainfield which will also feed into the drain system.

Mr. Smith reported that the matter had been heard by the Planning Commission on 19 April 1983, with Findings of Fact, Conclusions of Law and Entry of Order approved on 10 May 1983. The Planning Commission found that an Environmental Impact Assessment was made of the project,

and the proposal determined to not have a significant adverse impact on the environment and an Environmental Impact Statement is not required; a Proposed and Final Declaration of Non-Significance was issued for the proposal. The proposed project as conditioned, was found to be consistent with the policy and intent of the State Shoreline Management Act and Island County's Shoreline Master Program under provisions (a) through (e). The Planning Commission therefore did vote (with one dissenting vote) to recommend approval of the permit, subject to the following conditions:

1. that the offsite drainfields not be located on private property intended for residential development, and that they not be subject to the pedestrian traffic within the proposed access and utility corridor;

2. that the tidelands remain in private ownership;

3. that the relationship of the one hundred-year flood plain to the drainfield site be studied to ensure that the drainfields will be located above the one hundred-year flood plain;

4. that final approval of a drainage plan be obtained from the Island County Engineering Department prior to construction; and,

5. that subdivision or development of the upland portion of the property be subject to review under a shoreline permit.

Mr. Smith advised that the County had received a number of letters in response to the Notice of Application, primarily from the Possession Shores community expressing concern about the proposed access off Bay Shore Avenue.

Chairman Dunlop commented that he had visited the property under discusion. In response to a question from the Chairman concerning a temporary retention pond, Mr. Smith advised that the way it was described by the applicant, it would be temporary -- although with eventual development of the upland portion of the property, it may have to be reactivated; Robert Smith will have further information later in the presentation in regard to the drainage plan and communication with the Possession Shores community to resolve those concern. As Mr. Smith indicated, Frank Spanjer, Civil Engineer, Island County Engineering Department, noted that one of the conditions for approval was that the Island County Engineering Department approve the drainage plan; as of this point, the Department has not had the time to review the plan adequately, but could recommend that the permit be approved subject to that condition.

Bob Smith, Jr., clarified that the drainage plan referenced is somewhat preliminary but the Planning Commission did specify the condition that it be submitted to the County Engineer for approval prior to construction. With regard to the retention pond area, Mr. Smith noted that it is Ryan Kingma's (Fakkema & Kingma, designer of the drainage system plan) intention that where the road comes together that a pond be placed for the construction period and revegetation of the open ditch portion of the drainage plan to allow for an area of collection of siltation while the area revegetates and restabilizes; this pond should not be necessary for continuation once the initial vegetation occurs. For the record, Mr. Smith entered a 27 June 1983 letter from himself to Allan G. Rook, President, Possession Shores Estates, Inc., confirming SCS Investors', Ltd. intention as discussed with that group on 26 May 1983, specifically agreeing as follows: (Letter entered as Exhibit #1)

1. At such time as SCS develops in any manner the approximately 13.5 acre tract remaining from the Short Plat No. 82/83 32814, 200-1650 Island County, Washington, and commences any additional development or construction activity as it relates to the additional platting or subdivision of the balance of said acreage, SCS will construct a suitable road from Cultus Bay Road to provide ingress and egress to and from all the lots or parcels in any future development of the said remainder of the acreage.

2. The above described road will connect with the road serving the 4 lots in Short Plat 82/83 32814 and the access shall be blocked off from said 4 lots to Bayshore Drive provided it is economically and aesthetically feasible, and provided such action is acceptable to Island County agencies.

3. SCS will make every reasonable effort to develop the remaining tract and the above described road by July 1, 1987.