



CITY OF EDMONDS

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HEARING EXAMINER

DAVE EARLING
MAYOR

RECEIVED
APR 30 2012
PLANNING DEPT.

BEFORE THE HEARING EXAMINER FOR THE CITY OF EDMONDS

Phil Olbrechts, Hearing Examiner

RE: City of Edmonds Noise Variance PLN2012-0003	FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECISION
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INTRODUCTION

The Applicant has requested a variance to City of Edmonds noise standards for temporary nighttime work at nine wastewater lift stations as part of a wastewater lift station rehabilitation project. The application is provisionally approved, subject to strict conditions that the Applicant may or may not be able to meet.

The excess noise generated by the project is potentially highly significant. The lift stations are dispersed throughout the City's residential neighborhoods as identified in Attachment 3 to the staff report. Overnight noise would reach levels of up to 70 decibels ("dB") on a continuous basis for all evenings over periods of two to four weeks. ECDC 5.30.040 imposes a limit of 45 dB for the receiving properties in these residential areas. The variance is a request to exceed City noise standards by 25 dB.

Prior to questions raised by the Examiner at the hearing, the Applicant and the staff report had provided no information on the noise levels of the project or how those noise levels could potentially affect receiving properties and their occupants. At the close of the hearing, there was still virtually no information in the record on how continuous noise levels that exceed noise standards by 45 dB could adversely affect Edmonds residents. For this reason the conditions of approval require review by a noise expert and a finding by the expert that the noise generated by the project will not adversely affect Edmonds residents. Strict monitoring and time limits are also imposed.

ORAL TESTIMONY

March 22, 2012 Hearing

Jen Machuga, Edmonds Planner, stated that Edmonds City Code 5.30 establishes the maximum permissible sound levels in commercial and residential districts in Edmonds. This application is for a variance from the maximum permissible sound levels for a wastewater rehabilitation project. The project will include work at 9 existing lift station sites. The locations of the sites are indicated on the map in attachment 3 of the staff report. The daytime construction activities are permissible under the provisions of the noise ordinance. However, pumping equipment will need to be run through the night in order to maintain a certain level of water flow. The project cannot be completed without being able to maintain these flows. The work will be done one site at a time. Staff believes the application is consistent with all variance criteria and recommends approval with 8 conditions.

Rodney Langer, CHS Engineers, stated that at each site the contractor is required to use the least disturbing method of bypassing sewage. The first choice would be an electric-powered pump connected to the utility grid, along with a back-up generator. If an electric pump is not feasible because of the size or flow of the station, the contractor would use an engine-driven pump. In response to questions from the Examiner, Mr. Langer testified that the engine driven pump would generate noise in the 60-70 dB range. This range is standard for sound intonated equipment. Further backup methods would be used only in an emergency situation and are not required to be sound intonated. Emergency back-up noise would also be in the 60-70 dB range. A sound enclosure in the form of a large box could be used to further reduce noise pollution; however, most of the stations are located in backyards or other areas that do not provide enough access room for these type of sound-proof structures. It is not an issue of cost, but an issue of access for enclosing the lift stations.

Alvin Rutledge stated that the timetables for the project have not been clearly established (referencing page 5 of the staff report). He asked that a finish date be set for the project and a procedure for granting more time be created. He also asked that the city consider the affect the noise could have on local business revenue. The city also needs to consider public safety.

Jen Machuga stated that the work at each station will take longer than 2-4 weeks, but the nighttime pumping will not take longer than 2-4 weeks. The lift stations are located primarily in residential zones or adjacent to residential zones.

Rodney Langer stated that the variance is a request to allow equipment to operate 24 hours a day while the bypass operations are occurring. All construction activity will be conducted during regular hours as dictated by city code. The activities will be monitored, and the contractors are required to secure the sites from the public using methods such as barricades. Emergency access will be provided at all times. The

1 property owners have been contacted twice, along with the notices about this hearing.
2 They will be contacted again with a construction schedule.

3 The Examiner noted that he needed to have some basis for noise comparison to
4 understand what noise levels Edmonds residents would be subjected to by the project.
5 He asked the parties if they would have any objections to his referencing Washington
6 State Department of Ecology noise charts for this comparison. The parties did not
7 object and did not need any opportunity to respond to this information.

8 **April 12, 2012**

9 Jen Machuga, Edmonds Planner, stated that the Edmonds Noise Ordinance
10 establishes maximum noise levels in residential and commercial zones. The
11 application being presented is for a temporary noise variance for the rehabilitation of
12 nine wastewater lift stations throughout the city. The construction is exempt from the
13 noise ordinance, but the requirement to run the equipment through the night to
14 maintain sewer service requires the variance.

15 The Hearing Examiner noted that as authorized by the March 22, 2012 hearing
16 participants he had reviewed a FAQ published by the Washington State Department
17 of Ecology on "Noise Pollution – for Citizens" for a comparison of the project noise
18 to everyday noise levels and that 70 dB was the sound generated by a vacuum
19 cleaner. Darrel Frame, CHS Engineers, confirmed that project noise levels would be
20 comparable to a vacuum cleaner operating outside. He noted that noise level depend
21 on the flow that needs to be provided. The primary pump will have a muffler, but a
22 backup generator is required in case the primary fails. The back-up would be around
23 65 dB. The access areas are not large enough to put a closure around. Plywood has
24 been used previously to stifle some sound. The city recognizes that this project is an
25 inconvenience, but they are attempting to minimize the amount of time it will take by
26 running the systems at night.

27 Jeff Carson stated he is the treasurer for the homeowners association surrounding
28 Pump Station 15. He said there are three residences in the association elevated above
29 the pump station and, in his experience, generators are quite noisy. He is worried
30 about sound gravitating upwards to these homes. He asked that the project somehow
31 be enclosed in order to avoid residents hearing 6-months of loud noises. There is no
32 way to know how long the generators really will be running and how much noise they
33 will cause.

34 Roger Hertrich, 1020 Puget Drive, stated he lives in a busy area with a lot of noise.
35 He is concerned with the number of stations that are going to be worked on
36 throughout the city. Station 14 is located at the end of cul-de-sac and is very close to
37 residences. People like their neighborhoods quiet. The city has not offered any
38 expertise in the sound levels. He fears that the noise will bother neighbors, but there
39 will be no way out of moving forward with the project. The city needs to provide

1 more information about ways to alleviate the high level of sounds. There need to be
2 more requirements written in to the decision to protect the citizens.

3 Alvin Rutledge stated that he believes more notification needs to be given to the
4 residences surrounding the nine areas that will be affected. The citizens need to be
5 more aware of what will be happening over the next 14 months. There is no
6 information about public safety in any of the reports given, and with a 24 hour a day
7 project, dangerous situations could occur. People could break in to the site or the
8 homes because the loud noise would cover them.

9 Jen Machuga stated that staff does not believe a noise study is necessary for the
10 application. The applicant has provided sufficient information about the volume of
11 noise that will occur.

12 Pamela Lemcke testified that the pump-stations already exist so the pump noise will
13 be no louder. The noise will be from the generators being used to keep the pumps
14 going. The city is aware that these are residential neighborhoods. Some stations
15 could have the generators running all night.

16 Darrel Frame noted that the intended number of project days is 4-6 weeks at each
17 station. He is unsure if plywood enclosures would make a significant difference. The
18 next step to noise buffering would be large enclosures that are impractical for the size
19 of the sites. There is not a feasible alternative power source from the generators due
20 to public safety, cost, and work being done on the current power sources. A noise
21 study is not necessary.

22 Roger Hertrich testified that, in the past, the city has not met projected timelines. He
23 fears the project will take much longer than expected. The engineers' guess of 2-4
24 weeks is not a certainty. The city has no expertise on sounds. In his experience, it
25 takes 2 inches of solid wood with no gaps to block sound from penetrating walls.

Alvin Rutledge stated he wanted clarification about the procedure for the applicant to
be given a time extension for the project. The residents need to be notified if there
will be a time extension for the project.

Jen Machuga noted that the time spent at each water-station will be more than the
amount of time that requires a noise variance. Staff does not wish to require an
additional hearing if the project runs over the estimated timeframe.

Darrel Frame stated that it is not clear if each station will take the same amount of
time, but they are asking for a maximum of 6 weeks for each pump.

EXHIBITS

Attachments 1-11 of the March 15, 2012 staff report were admitted as Exhibits 1-11
into the record at the hearing. The following exhibits were also admitted:

12. Recording of March 22, 2012 hearing.
13. Re-hearing notices.
14. March 15, 2012 staff report.

FINDINGS OF FACT

Procedural:

1. Applicant. The Applicant is the City of Edmonds.
2. Hearing. A hearing was initially heard on the application on March 22, 2012. However, some notices for that hearing date erroneously advertised that the hearings were cancelled on that date. Consequently a rehearing was held on April 12, 2012. The recording of the March 22, 2012 hearing was entered as an exhibit to the April 12, 2012 hearing. The Hearing Examiner conducted both hearings at 3:00 p.m. at the Edmonds Public Safety Complex in the Council Chambers.

Substantive:

3. Site/Proposal Description. The Applicant has requested a variance to the City of Edmonds' noise standards for temporary nighttime work at nine wastewater lift stations located throughout the City of Edmonds as part of a wastewater lift station rehabilitation project. The location of the work is identified in Attachment 3 to staff report. The project would generate noise levels of 60 to 70 dB all night long for periods of two to four weeks at each of the lift stations. The noise would be generated by equipment necessary to maintain continuous sewer flows during evening hours. Work would be done consecutively at each lift station and the rehabilitation of all 14 stations is anticipated to be completed within 14 months.

Work at each station will result in temporary disconnection of electrical and mechanical equipment used to move wastewater through the station and the pressure pipe ("force main") downstream of each station for improvements and equipment replacement. The contractor will be required to maintain continuous sewer service at all stations, using temporary power supply and/or pumping equipment as appropriate to the site conditions and his reasonable and efficient methods. The contractor will be required to use temporary pumps and power supplies for continued service. He will also be required to have redundant pump and power supply equipment at each site. The duration of each temporary equipment operation is anticipated to be between two and four weeks, but may be longer if construction or unanticipated conditions warrant an extension. The force main at some stations will be replaced, necessitating use of temporary force main piping from the station to the point of discharge (typically a sewer manhole). The rehabilitation work will take place during normal construction hours, within the constraints of the noise ordinance. The exception will be the use of temporary equipment for continuous sewer flows, which will need to be in service over night.

1 4. Characteristics of the Area. All stations are in residential areas, with
2 proximity to residential units ranging from less than 20 feet to over 100 feet.

3 5. Adverse Impacts. No reasonable inferences can be made on the impacts
4 of the requested noise levels to adjoining property owners. Until the Examiner made
5 inquiries the Applicant and staff did not provide any information on how much noise
6 the project would generate. In any request for a variance to noise standards, the noise
7 level of the proposal should be the first bit of information and how it affects adjoining
property owners the second. In the absence of this key information, further
evaluation is necessary and strict monitoring requirements and time frames must be
imposed to ensure that the proposal will not adversely affect Edmonds residents.

8 Although the Applicant did provide some information on the noise level of the project
9 during the hearing, that information was not entirely clear. In the March 22, 2012
10 hearing Rodney Langer, an engineer for the Applicant, testified that the proposal
11 would involve noise levels of 60 to 70 dB. It was somewhat unclear, but apparently
12 the equipment that would be used on a continuous basis would operate in this noise
13 level and emergency back-up equipment, which would only be rarely used, would
14 operate within this range as well. A different engineer, Darrel Frame, spoke on
15 behalf of the Applicant at the April 14, 2012 hearing. He confirmed from Examiner
16 inquiries that this noise level generated by the equipment was similar to the noise
generated by a vacuum cleaner. He also testified that the back-up equipment would
generate noise levels of 65 dB and didn't identify the dB level of the regular
equipment. Given that the Applicant has the burden of proof in meeting permit
criteria and the absence of any concrete information in the application or other written
materials on the noise levels generated by the project, it is determined that the noise
generated by the proposal will reach levels of 70 dB.

17 The only frame of reference for assessing acceptable noise levels in the administrative
18 record for this project is the Edmonds noise ordinance itself. ECDC 5.30.040, in
19 conjunction with ECDC 5.30.050(A), sets the evening noise levels within residential
20 areas at 45 dB at the property line for evening hours. ECDC 5.30.050(A) allows 55
21 dB levels to be maintained for "existing stationary equipment used in conveyance of
22 water by a utility", but the temporary equipment that necessitates the variance does
23 not qualify as "existing stationary equipment" and it is debatable whether the
24 conveyance of sewer flows is covered by an exception that applies to the conveyance
25 of water flows. In short, the 70 dB proposed by the Applicant for evening hours is 25
dB higher than what is legislatively determined to be acceptable night noise levels in
Chapter 5.30 ECDC. Since decibel levels are logarithmic¹, the increase in noise
proposed by the Applicant is more than 300 times louder than that allowed by
Edmonds noise regulations.

¹ According to the Merriam Webster on-line dictionary.

1 On paper, by decibel standards, the requested variance is huge. However, it is
2 recognized that the energy levels of noise, which relate to decibels, do not correlate
3 directly with human perception of noise. The noise generated by the proposal is
4 unlikely to be perceived as 300 times louder than the maximum noise levels set by the
5 noise ordinance. Further, the noise generated by the noise generating equipment
6 presumably only generates up to 70 decibels at the location of the equipment and
7 these noise levels could potentially be significantly reduced by the time they reach the
8 property lines of adjoining property owners. Finally, there is the testimony of the
9 public works staff that they do not believe the noise levels of the equipment to be
10 unreasonably high.

11 On balance, although there is a very minor amount of evidence to suggest that the
12 noise levels generated by the proposal may not adversely affect adjoining property
13 owners, that modicum of evidence is nowhere near sufficient to alleviate the
14 reasonable concerns raised by such a large departure from City noise standards.
15 Since the adverse impacts of a noise variance are a determinative consideration in
16 variance approval, the insufficiency of evidence in this application would normally
17 merit denial. However, in this case it is possible to craft conditions of approval that
18 will assure that as administered the variance will not adversely affect neighboring
19 residents. In order to move forward, the City will need a written opinion from a
20 qualified specialist in noise impacts that the proposal will not unreasonably interfere
21 with the sleep of adjoining property owners or create any adverse health impacts. All
22 properties that may potentially be subjected to noise exceeding City noise standards
23 will need to be notified of the noise generating work in advance and be provided a
24 contact number to share any concerns or complaints. City staff shall forward a report
25 of all complaints to the Mayor and City Council within five days of receipt of each
complaint.

6. Feasibility of Additional Noise Reduction. The Applicant testified that the noise
generating equipment is already noise attenuated (except for the back-up equipment)
and that the next step in noise reduction would be placing the equipment in an
enclosure. The Applicant noted that this was not feasible because there was
insufficient space on the lift station properties and easements to provide for this type
of enclosure. There is no evidence to the contrary on this testimony and it is
reasonably likely that tracts and easements for lift stations will not contain a
significant amount of excess space to accommodate enclosures. For these reasons it
is determined that placing the equipment in enclosures is the next step in noise
attenuation and generally there is insufficient existing space available to the
Applicant to accommodate enclosures to mitigate against noise. However, the record
contains no information on the feasibility of acquiring temporary easements from
adjoining property owners to accommodate the need for additional space. Adjoining
owners may be more than willing to grant the easements to reduce the noise,
especially if the easements would not require the removal or alteration of any existing
structures or landscaping.

CONCLUSIONS OF LAW

Procedural:

1. Authority of Hearing Examiner. ECDC 20.85.020 provides the Hearing Examiner with the authority to review and act upon variance applications as Type III-A.

Substantive:

2. Zoning Designations. The areas in which the lift station work will be conducted are zoned residential.

3. Review Criteria and Application. As discussed in Finding of Fact No. 5, the project will generate night time noise levels up to 70 dB in residentially zoned areas². ECDC 5.30.040, in conjunction with ECDC 5.30.050(A), limits noise levels to 45 dB in residentially zoned areas during the between the hours of 10:00 pm and 7:00 am. As noted in the staff report, the noise generated by the proposal during daylight hours is exempt from Chapter 5.30 ECDC standards as construction and utility noise. ECDC 5.32.120(C)(3) provides that variances to noise standards shall be processed as required by and meet the criteria of ECDC 20.85.020 [sic]. ECDC 5.30.120(A) and (B) also add additional criteria to noise variances. Applicable criteria are quoted below and applied through corresponding conclusions of law.

ECDC 5.30.120(A): *Variances may be granted to any person from any requirement of ECC 5.30.040 or 5.30.110 if findings are made that immediate compliance with such requirement cannot be achieved because of special circumstances rendering immediate compliance unreasonable in light of economic or physical factors, encroachment upon an existing noise source or because of nonavailability of feasible technology or control methods.*

4. As determined in Finding of Fact No. 6, the enclosure of the equipment is the next noise attenuation measure available for the project and the space limitations of the existing tracts and easements that accommodate the lift station do not make it feasible for the Applicant to take this next step. However, temporary easements to expand space may be available to the Applicant. The standard quoted above is based upon reasonableness, which necessarily involves a balancing of adverse impacts upon property owners verses the burden on the Applicant to achieve compliance. If the noise expert required by the conditions of approval is able to conclude that the project

² ECDC 5.30.040 imposes the 45 and 55 dB levels for noises originating from properties in residentially zoned districts that are received in residentially zoned districts. Exhibit 6 shows that both the originating (source) and receiving properties at all nine lift stations are residentially zoned. The staff report does not that the source properties for two of the site is unzoned right of way. It is unclear whether these unzoned properties would be considered residential under the noise ordinance, but the project would violate any night time noise level that would apply under ECDC 5.30.040.

1 will not adversely affect property owners in the vicinity of the project as required by
2 the conditions of approval, it is concluded that the Applicant has adequately
3 demonstrated that it has done all it can to reasonably comply with the City's noise
4 standards as required above. However, if the noise expert cannot conclude that the
project will not adversely affect property owners, further investigation into the
feasibility of acquiring temporary easements and/or alternative noise mitigation
measures would have to be explored in a reapplication for the noise variance.

5 **ECDC 5.30.120(B):** *Any such variance or renewal thereof shall be granted only for*
6 *the minimum time period found to be necessary under the facts and circumstances.*

7 5. As determined in Finding of Fact No. 3, work that exceeds City noise standards
8 will take four to six weeks at each lift station. As conditioned, the variance is granted
9 for up to six consecutive weeks at each lift station with provision for a two week
extension granted by City staff.

10 **ECDC 20.85.010:** *No variance may be approved unless all of the findings in this*
11 *section can be made.*

12 **ECDC 20.85.010.A(1) – Special Circumstances:** *That, because of special*
13 *circumstances relating to the property, the strict enforcement of the zoning ordinance*
would deprive the owner of use rights and privileges permitted to other properties in
the vicinity with the same zoning.

- 14 a. *Special circumstances include the size, shape, topography, location or*
15 *surroundings of the property, public necessity as of public structures and*
16 *uses as set forth in ECDC [17.00.030](#) and environmental factors such as*
vegetation, streams, ponds and wildlife habitats.
- 17 b. *Special circumstances should not be predicated upon any factor personal*
18 *to the owner such as age or disability, extra expense which may be*
19 *necessary to comply with the zoning ordinance, the ability to secure a*
20 *scenic view, the ability to make more profitable use of the property, nor any*
factor resulting from the action of the owner or any past owner of the same
property;

21 6. The special circumstance of the proposal is the location of the lift stations
22 in residential areas. As can be inferred from the City's comprehensive plan, the lift
23 stations cannot reasonably be located elsewhere and the rehabilitation work is
reasonably necessary to provide an essential public service.

24 **ECDC 20.85.010(B) – Special Privilege:** *That the approval of the variance would*
25 *not be a grant of special privilege to the property in comparison with the limitations*
upon other properties in the vicinity with the same zoning;

7. As noted in Conclusion of Law No. 6, the variance is necessary to support
the provision of an essential public service. Under similar conditions the variance

1 would likely be granted for other essential public services as well. The variance does
2 not constitute a grant of special privilege.

3 **ECDC 20.85.101(C) – Comprehensive Plan:** *That the approval of the variance will
4 be consistent with the comprehensive plan;*

5 8. Page 86-87 of the Edmonds Comprehensive Plan contains a section on
6 noise pollution. This section of the Plan recognizes that noise can adversely affect
7 health and that measures should be taken to preserve a quiet environment. The
8 conditions of approval of this decision, in requiring an expert noise assessment and
9 monitoring, further the noise objectives of the Comprehensive Plan.

10 **ECDC 20.85.010(D) – Zoning Ordinance:** *That the approval of the variance will be
11 consistent with the purposes of the zoning ordinance and the zone district in which
12 the property is located;*

13 9. ECDC 16.10.000(B)(4) provides that one of the purposes of all residential
14 zones is to keep residents free from noise. The strict conditions of this variance
15 decision maintain the freedom from noise.

16 **ECDC 20.85.010(E) – Not Detrimental:** *That the variance as approved or
17 conditionally approved will not be significantly detrimental to the public health,
18 safety and welfare or injurious to the property or improvements in the vicinity and
19 same zone;*

20 10. As conditioned, the variance will not be significantly detrimental to public
21 health, safety and welfare or be injurious to property or improvements in the vicinity.

22 **ECDC 20.85.010(F) – Minimum Variance:** *That the approved variance is the
23 minimum necessary to allow the owner the rights enjoyed by other properties in the
24 vicinity with the same zoning.*

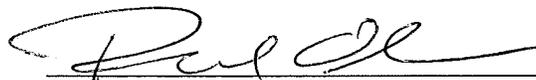
25 11. As determined in the Findings of Fact, the Applicants have provided as
much noise mitigation as they reasonably can (through noise attenuation of the
primary equipment) under the circumstances and the variance is limited to the time
necessary to complete the project. The criterion is satisfied.

DECISION

The variance application is provisionally approved subject to the following
conditions:

1. The Applicant shall hire a qualified noise expert to evaluate the noise impacts of the project. The noise expert shall have professional training and at least five years of experience in assessing noise impacts and the adequacy of noise mitigation. To maintain some degree of independence, the noise expert shall be hired by and report to Edmonds planning staff as opposed to public works staff. The noise expert shall determine whether noise generated by the project that exceeds City noise standards will adversely affect the occupants of the receiving properties subjected to the excess noise. The excess noise will be considered to adversely affect these occupants if it unreasonably interrupts their sleep or adversely affects their health or otherwise unreasonably interferes with the quiet enjoyment of their property. **If the noise expert cannot conclude that the occupants are unaffected, the variance shall be deemed denied without prejudice.**
2. If the Applicant is able to comply with Condition No. 1, the Applicant shall provide written notice to all occupants of property who will potentially be subject to noise from the project that exceeds City noise standards. The notice shall apprise the occupants of this variance decision and approximately when lift station work is scheduled that affects them. The notice shall state that the occupants may contact the City if the noise creates any problems for them. The notice shall provide a City contact number for this purpose. A report of any complaints made for noise generated by the project will be provided to the Mayor and City Council. The report(s) shall be submitted within five business days of each complaint.
3. Work that exceeds City noise standards shall not exceed six consecutive weeks for each lift station. A two week extension may be granted by City staff upon confirmation by the noise expert that the additional work will not adversely affect property occupants as outlined in Condition No. 1 above.
4. As required by ECDC 5.30.120(D), nothing in this variance decision shall be construed as authorizing a public disturbance noise prohibited by ECDC 5.30.130, including noises covered by ECDC 5.30.130(C), which is identified as “[f]requent, repetitive or intermittently continuous sounds made in connection with the starting, operation...of any...internal combustion engine.”

Dated this 27th day of April, 2012.



Phil A. Olbrechts
Edmonds Hearing Examiner

Appeal Right and Valuation Notices

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This decision is final and only subject to appeal to superior court as governed by Chapter 36.70C RCW. Appeal deadlines are short (21 days from issuance of the decision) and the courts strictly apply the procedural requirements for filing an appeal.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

DECLARATION OF MAILING

RECEIVED
APR 30 2012
PLANNING DEPT.

Variances – PLN20120003 (Edmonds) and PLN2012004 (Kancyugowski)

I, Phil Olbrechts, make the following declaration:

1. I am a resident of the State of Washington, over the age of 18 years, not a party to this action, and competent to be a witness herein.

2. On the 28th day of April, 2012, I mailed, via First Class U.S. Mail, a true and correct copy of the Final Decision of the above captioned matters as follows:

PLN20120003 (Edmonds) and PLN2012004 (Kancyugowski):

Diane Cunningham
121 5th Ave N
Edmonds, WA 98020

Alvin Rutledge
7101 Lake Ballinger Way
Edmonds, WA 98020

PLN2012004 (Kancyugowski):

Kamila and Miloslaw Kanczugowski
23811 77th Place West
Edmonds, WA 98026

Daniel Kanczugowski
23811 77th Place West
Edmonds, WA 98026

Russell and Loretta Olson
23800 77th Place West
Edmonds, WA 98026

Michael Cimino and Mary Clara Horrigan
7707 238th PL SW
Edmonds, WA 98026

Jennifer Fillmore

7632 238th PL SW
Edmonds, WA 98026

Sarah S. Mixson and Oshuna Oma
23807 77th Place West
Edmonds, WA 98026

PLN20120003 (Edmonds):

Roger Hertrich
1020 Puget Dr.
Edmonds, WA 98020

Jim Carson
7735 168th PL SW
Edmonds, WA 98026

Pam Lemcke
City of Edmonds
121 – 5th Ave. N.
Edmonds, WA 98020

Rodney Langer
CHS Engineers, LLC
12507 Bel-Red Rd, Suite 101
Bellevue, WA 98005

I declare under penalty of perjury under the laws of the State of Washington that
the foregoing is true and correct.

EXECUTED at Granite Falls, Washington, this 28th day of April, 2012.



Phil Olbrechts