

## **Sewers a Key Issue for South Kitsap's Woods View Site**

Kitsap Sun

25 Aug 2008

By Christopher Dunagan

The proposed 78-home Woods View development near Manchester meets all of Kitsap County's requirements and must be allowed to move to construction, said William Lynn, a lawyer for the developer.

No, plenty of things are wrong with the project, countered Ryan Vancil, a lawyer for the Beaver Creek Conservation Group. The off-site sewer system alone is enough to disqualify the development, he said.

Kitsap County commissioners listened to arguments from the two lawyers, asked a series of questions, then agreed to continue the hearing on Sept. 22 for a decision.

"This is complex, and there's so much data," said County Commissioner Jan Angel, who represents South Kitsap. "We want to have time to go through that."

Commissioner Steven Bauer called it "an important and sensitive issue" and the most complex land-use case he has faced since he came into office a year and a half ago.

More than 125 people crowded into the commissioners chambers, some standing in the back and along the sides. Some wore T-shirts that identified them as members of the Beaver Creek Conservation Group.

They had come to hear the cases for and against Woods View, characterized by county planners as an "urban-level" development in a rural area.

Under county procedures and state law, the commissioners cannot stop the development unless they identify errors made by the county hearing examiner, who denied the original appeal and allowed the development to move forward.

Woods View's 78 lots are among hundreds of tiny building sites platted in 1909. The county has always recognized them as legal lots, although the density was limited by the need for a septic tank and drainfield.

The Woods View property is 12.6 acres plus an additional 4.5 acres for open space. Sewage from the homes is to be treated in a high-tech plant and piped to an off-site drainfield of 2.6 acres.

That treatment system was Vancil's focus of discussion. He said the hearing examiner failed to look at the issue and should not have allowed an urban sewer in a rural zone.

"Allowing the LOSS (large on-site sewer system) is an expansion of the nonconforming use and not allowed by county code," Vancil said.

Vancil said environmental issues also are important but too complex to discuss in detail. He urged the commissioners to review the records provided to them on various issues.

Lynn, the attorney for Woods View LLC, said the main issue is whether the stormwater system meets state and local requirements, which he said it clearly does. The sewage-treatment system was approved by the state and will treat the effluent better than any septic system, he said.

Public sentiment cannot be a factor considered by the commissioners, Lynn said.

"Community displeasure cannot be a lawful basis for your decision," he told them.