

## Sophia Cassam

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**From:** Tad Sommerville <tad@sommerwindgroup.com>  
**Sent:** Monday, November 28, 2022 2:32 PM  
**To:** Sophia Cassam  
**Subject:** WRITTEN TESTIMONY | APPLICATION #20-0004 | SJC CC HEARING DATE NOVEMBER 29 2022

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## WRITTEN TESTIMONY

San Juan County Council meeting on November 29, 2022

Date: NOVEMBER 28, 2022

Application Number: 20-0004 / October 7, 2020

RE: Land Use Review Request Designation Change for TPN: 261723001000, 261723002000, 261732001000, & 261734001000 by applicant, Orcas Vision Preserve, LLC aka John Vechy

From: Tad Sommerville, Trustee, Dakota Trust, adjacent property owner to TPN 261734001000.

Dear San Juan County Council:

According to application submitted on October 7, 2020, and confirmed by Adam Zeck, Planner III, in a letter dated April 7, 2021, the Applicant, seeks a land use designation change from FOR to RFF for the subject parcels. Interestingly, one of the parcels, 261734001000, is already designated RFF; however, in the application, the Applicant also thinks that TPN should have a FOR designation (described below), but this is not addressed by Mr. Zeck in his comments.

I am writing to you after spending time with the Applicant, Mr. John Vechy, on August 14, 2022, and walking his property with him. I do not know Mr. Vechy well; however, he seems of honorable character, and I consider him a friendly, respectful, and conscientious neighbor. He also impressed me as someone who cares about Orcas Island, and our south Deer Harbor/Pole Pass neighborhood; and that he and his wife want to pursue deeds of good work in our Orcas Island community.

I recognize that the Applicant, like any property owner, enjoys the right to seek a land use designation change of their respective land use designation(s). I recognize that the three parcels: TPNs 261723001000, 261723002000, 261732001000, probably no longer have any commercial forestry value because meadows constitute most of the natural cover. Furthermore, as one drives along Deer Harbor Road, adjacent to the subject property, the three parcels constitute the following: open meadow, farm buildings, a house or two, dirt roads, pond, small gardens, and sporadically situated, small groves of fir trees. It is hardly commercial forestland. A photo taken in 1932, and submitted by Adam Zeck, Planner III, in a letter dated April 7, 2021, confirms that 90-years ago, the natural cover was mainly meadow. For this reason, and for no other reason, I will accept a land use designation change of the three parcels from FOR to RFF.

The Applicant also explained in its application (dated, signed and certified by Mark Rising on October 7, 2020), Box 1, that TPN 261734001000 would benefit if it were designated FOR instead of the current RFF designation. I agree. WAC 365-190-060 describes the forest designation process. I believe that TPN 261734001000 was incorrectly designated RFF. Abandoned logging roads and a graveled access road exist on the property. The entire property is forested by Douglas Fir, Western Hemlock, Western Red Cedar, Alder, Madrona and some Shore Pine. There exist a few "balds" like those found on Turtleback. TPN 261734001000 seems to meet the criteria for some kind of FOR land use designation. WAC 365-196-480(2)(e) allows for designation changes if errors were made and discovered. The SJC Polaris

map confirms the arboreal coverage. My acceptance of land use designation changes for TPNs 261723001000, 261723002000, and 261732001000 is not contingent on TPN 261734001000 receiving a FOR land use designation change.

There seems to be some confusion regarding a supposed attempt by the Applicant to build multi-family clustered housing as described in SJCC 18.60.230. The Applicant told me that the SJC application required him to describe a potential land use provided the land use designation change was granted. This is substantiated in Box 2 of his application dated October 7, 2020. Whereas I understand that the Applicant has an interest in “affordable housing”, I also understand that the Applicant has no current plans to pursue such development schemes. Housing development schemes, pursued in non-traditional, multi-family housing areas such as the south Deer Harbor/Pole Pass neighborhood, would represent significant diversions from its rural character. The schemes would also be potentially contentious and would likely ignite passionate views from neighbors.

Perhaps the Applicants’ response to the “future use” question on the application has instilled fear in many neighbors. I am assuming that this hearing is only on the merits of the land use designation change of the subject parcels – nothing else. I am also assuming that any multi-family development scheme, if ever proposed by the Applicant, will be subject to a thorough SJC DCD hearing process and that SJC DCD would encourage the neighborhood to provide feedback, input, and participation. The SJC Council should confirm, if it rules in the Applicants’ favor, that the land use designation change, is distinct from any future use application and that the SJC Council’s ruling does not construe or guarantee that any proposed future use by the Applicant will be granted. All proposed future use proposals must be reviewed independent of land use designations. The SJC Council should confirm that land use designation changes are separate and distinct from DCD permit or property use applications and proposals.

To summarize, I support the land use designation change from FOR to RFF for the tax parcels: 261723001000, 261723002000, and 261732001000. I would also support a land use designation change for TPN 261734001000 from RFF to FOR. I also support the SJC Planning Commission’s recommendation of: No increase in density.

Thank you.  
Tad Sommerville  
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