EXHIBIT 13.d: Comments received after Notice of Application Comment Period 2/Optional DNS

From: Rob Gelder
To: Heather Wright; Nikole CH. Coleman
Subject: Fw: Pinnacle at Liberty Bay
Date: Sunday, July 5, 2026 9:01:47 AM
Attachments: 5.png
4.png
1.png
3.png
2.png
6.png

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From: Kevin Walthall <kswalthall@gmail.com>
Sent: Thursday, 02 July 2026 21:44:57
To: Council Members <CouncilMembers@cityofpoulsbo.com>; Ed Stern <estern@poulsbo.gov>; City of Poulsbo Planning and Economic Development <information@cityofpoulsbo.com>
Subject: Pinnacle at Liberty Bay

Dear Mayor Stern, Council, and Planning Commission,

Pinnacle at Liberty Bay is producing a tremendous amount of infrastructure for the city to maintain, and I'm skeptical a neighborhood of single-family homes produces enough property tax revenue to cover the ongoing maintenance liabilities associated with normal expenses, to say nothing of retaining walls. First, I just want to ask... Has the City ever analyzed whether subdivisions of this type are revenue-positive over their full lifecycle?

Second, I want to say that it isn't my cup of tea, but for what it is, it seems well-planned. I have tremendous respect for Heather and everyone at DCD. They work hard to negotiate on the public's behalf. Nice tree retention. Nice addition to road network connectivity and route redundancy. Seems aesthetically pleasing, for what it is. These are important public impacts that seem to have been thought through.

But I said the same about Sandstone Ridge, and now it's effectively clear cut. What happened to the buffer of mature trees on Languanet that were supposed to be preserved?

Nobody likes seeing forests cut down, but it's a reasonable compromise if it solves the housing problem. Sandstone Ridge and Pinnacle don't solve the problem. Sacrificing a good portion of 42 acres to 132 new SFRs is not a meaningful dent in demand. It's a tremendous price to pay to not actually solve the problem.

To be clear, I'm not anti-development or even anti-clear-cutting. But if we're going to clear-cut, I would prefer it to yield a dense, mixed-use urban village with public spaces, public vistas, and meaningful transit connections -- one that can carry its weight on the city budget.

Low-density residential development generates less tax revenue per acre than compact housing, while requiring substantially more infrastructure per household. It costs the city more and pays the city less. When you add in additional liabilities such as retaining walls, I just don't see how this pencils out for the city. What's going to happen in thirty years when the impact fees are spent and the road, utilities, and retaining wall need serious repairs? What if growth slows, and the impact fees are reduced to a trickle? What if the grant money dries up? Do these neighborhoods support their own infrastructure with their taxes?

I do these municipal finance deep-dives for Strong Towns Kitsap from time to time. Strong Towns, if you don't know about it, Strong Towns is worth checking out. They're big time community resiliency advocates, and one of their mantras is "Do the Math." I did a value-per-acre analysis of a suburban multifamily project (Norland Trail) and a SFR subdivision by Walmart, (Vinland Pointe). See attached. It amounts to lower income households effectively subsidizing higher level households. I won't pretend this is the entire picture, but it isn't nothing.

I live in a SFR. I get the appeal. I'm not looking to punish SFR residents or builders. But I think we unintentionally have a system of perverse incentives that isn't sustainable economically, ecologically, or socially. Kitsap needs to build about 33,000 new units of housing within the next 20 years. We're not going to get there by clear cutting forests for a sprinkle of luxury houses.

If it isn't being done already, I encourage the city to include a lifecycle fiscal sustainability assessment as part of its land use and permitting process, so future land use decisions can be made with a filter for density of tax base as well as unit count. Preferably comprehensive assessments on the front end, to make it easy for developers to hit the mark without undue discouragement.

In the hopes of a beautiful and resilient Poulsbo,

Kevin Walthall

Planning Commission
City of Poulsbo
200 NE Moe Street

Pinnacle at Liberty Bay Development — Public Notice and Unresolved Review Issues

30 June 2026

To the Planning Commission:

We are writing regarding the proposed Pinnacle at Liberty Bay development, which is located very close to our property in the Crystal View community.

We are concerned that the public meeting scheduled for July 7 does not appear to have been properly noticed to many Crystal View residents. I learned of the meeting only because a neighbor on Sunrise Ridge Ave NE showed me a City postcard notice. I did not receive the notice, and several neighbors on our street did not receive one either. The public comment period also does not appear to be widely known.

Because this project may significantly affect the entire Crystal View neighborhood, we ask the City to send meeting and comment notices to every home in Crystal View and to postpone the July 7 meeting to allow adequate time for full notice and public participation, especially during the summer vacation period.

We also ask the City to fully consider and resolve the following issues before making any recommendation of approval:

- Removal of mature trees and disturbance to habitats for bald eagles, pileated woodpeckers, owls, fish, and other wildlife.
- Project circulation, including the proposed opening of the lower Sunrise Ridge Avenue S-curve, increased traffic, safety impacts, limited passage & project access.
- Setbacks, density, and placement of homes near existing Crystal View residences.
- Effects on the park-oriented, walkable character of our neighborhood.
- Design, safety, and maintenance of proposed retaining structures, especially along Crystal View boundaries.
- Impacts on water, sewer, and other public infrastructure.
- Long-term maintenance responsibilities for project infrastructure.
- Construction impacts, including heavy truck and construction vehicle traffic.

We ask that the review process be complete, transparent, and fair to the residents most directly affected. The questions raised in the City's recent review should be fully answered before this project proceeds further or receives any recommendation of approval.

Thank you for your attention to these concerns.

Sincerely,

Michael Thelen & Barbara Zingg
17787 Sunrise Ridge Ave NE
Poulsbo, WA

Pinnacle at Liberty Bay Project Public Comment

July 6th, 2026

Planning Commission and City of Poulsbo Staff
City of Poulsbo of Poulsbo
200 NE Moe Street
Poulsbo, WA

Re: Pinnacle at Liberty Bay PRD - Protected Avian Species and Habitat Review

Dear Commissioners and Staff:

We are residents of the Crystal View neighborhood and respectfully submit the following comments regarding the proposed Pinnacle at Liberty Bay PRD.

We appreciate the City of Poulsbo 's decision to issue a revised Notice of Application and to provide a second public comment period. I/we also understand from the City of Poulsbo 's project materials that the Planning Commission meeting was postponed after City of Poulsbo staff determined that additional technical revisions were necessary before the application could proceed.

We submit this comment to raise one focused concern: the administrative record should clearly demonstrate compliance with all applicable federal, state, and City of Poulsbo requirements protecting bald eagles, osprey, red-tailed hawks, great blue herons, owl species, and associated fish and wildlife habitat conservation areas before any recommendation of approval is made.

Residents have anecdotally observed bald eagles, osprey, red-tailed hawks, herons, and owl species using the project vicinity. These observations have not yet been compiled into a formal biological record. However, they are sufficient to request that the City of Poulsbo confirm whether the applicant's critical areas and habitat materials include current field verification for protected avian species, nesting habitat, seasonal use, habitat connectivity, and construction timing restrictions.

The City of Poulsbo 's project record confirms that the site includes wetlands, streams, forested uplands, open space tracts, and a peer-reviewed Habitat Management Plan. The City of Poulsbo 's independent peer review materials also indicate that fish and wildlife habitat conservation area issues are being reviewed under Poulsbo Municipal Code Chapter 16.20. Because the project would alter land, vegetation, road corridors, buffers, and forested habitat, I/we respectfully request that the City of Poulsbo make explicit findings regarding protected avian species before project approval.

We ask the City of Poulsbo to evaluate and document the following before making any recommendation for approval:

- Whether the applicant's Habitat Management Plan and related addenda identify bald eagles, osprey, red-tailed hawks, great blue herons, and owl species as known or suspected species using the project site or adjacent habitat.
- Whether qualified biological field surveys were conducted during appropriate seasonal windows to identify active nests, nest trees, roosting areas, perching habitat, foraging use, and breeding-season activity.

- Whether the record demonstrates compliance with the Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668-668d, and the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712, as applicable.
- Whether the record demonstrates compliance with Washington's Growth Management Act critical areas requirements, including RCW 36.70A.172 and the best available science standards reflected in WAC 365-195-900 through 365-195-925.
- Whether the record demonstrates compliance with Poulsbo Municipal Code Chapter 16.20, including fish and wildlife habitat conservation area designations, development standards, habitat assessment report requirements, and habitat management plan requirements.
- Whether WDFW Priority Habitats and Species information and management recommendations were consulted where required or appropriate for raptors, heron rookeries, bald eagle habitat, and other priority species or habitats.
- Whether mitigation sequencing, avoidance, seasonal clearing restrictions, buffers, monitoring, and long-term habitat protection measures are sufficient to avoid degradation or loss of fish and wildlife habitat functions.
- Whether the City of Poulsbo should require updated or supplemental biological review if the existing record does not specifically address protected avian species observed by residents in the project vicinity.

We are not asking the City of Poulsbo of Poulsbo to deny development. Rather, we are asking the City of Poulsbo to ensure that the applicant demonstrates compliance with applicable federal, state, and City of Poulsbo requirements before the project proceeds further in the review process.

Because the observations described above are currently anecdotal, I/we also intend to work with neighbors to compile a written observation log with dates, locations, species, behavior, photographs where available, and observer information. I/we respectfully request that the City of Poulsbo keep the record open for such documentation and require supplemental biological review if those observations indicate potential nesting, roosting, or priority habitat use.

Thank you for your consideration.

Respectfully submitted,

Tracey and John Langley

1783 NE Crystallia Ct.
Poulsbo WA 98370

References Reviewed for This Summary Letter

- City of Poulsbo of Poulsbo, Pinnacle at Liberty Bay Planned Residential Development and Preliminary Plat project page.
- City of Poulsbo project page, Project Documents: Critical Areas exhibits E.1 through E.7; Tree Retention exhibits G.1 through G.3; Public Notices and SEPA materials.
- Grette Associates, Pinnacle at Liberty Bay: Third-Party Review, August 29, 2025.
- Grette Associates, Pinnacle at Liberty Bay: Third-Party Critical Areas Review, April 27, 2026.
- Poulsbo Municipal Code Chapter 16.20, Critical Areas.
- RCW 36.70A.172; WAC 365-195-900 through 365-195-925; WAC 365-190-130.
- U.S. Fish and Wildlife Service, Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668-668d; Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712.

Tiffany Simmons

From: Andrew Hitchings <andyhitchings@gmail.com>
Sent: Friday, July 10, 2026 8:33 AM
To: City of Poulsbo Planning and Economic Development
Cc: Public Works Information; City Clerks; mayor@cityofpoulsbo.com
Subject: PUBLIC COMMENT: Roadway Geometry & Safety Deficiencies – Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

Subject: PUBLIC COMMENT: Roadway Geometry & Safety Deficiencies – Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

Dear Poulsbo Planning Department and City Engineering Staff,

Please enter this formal comment into the active project file for the Pinnacle at Liberty Bay Planned Residential Development (Permit No. P-06-20-25-03).

As the City reviews the required roadway design revisions due from the applicant on July 21st, I am writing to formally flag an existing, critical infrastructure failure at the proposed neighborhood connection point that threatens public safety.

1. Unmitigated Grade Break at Sunrise Ridge / Crystal View Transition The transition at the top of Sunrise Ridge Ave NE to the developed Crystal View segment drops abruptly from a flat surface directly into a steep 7-degree slope (an approximate 12.2% grade). This connection completely lacks a standard transitioning vertical curve (crest curve). This severe "grade break" creates significant blind spots in both directions:

- **Downhill Crest Blind Spot:** Oncoming traffic, pedestrians, and children are entirely invisible to descending vehicles until the front wheels tip over the crest.
- **Uphill Sag Blind Spot:** Ascending vehicle headlights shoot into the air at night rather than illuminating the flat intersection ahead.

This sharp vertical angle directly violates city-adopted engineering rules requiring vertical curves to smooth out major grade changes [^1], as well as regional design requirements establishing maximum allowable street grades for safe transit [^2].

2. Existing Official Municipal Hazard Designation (Winter Operations) The City of Poulsbo is already on the record recognizing the extreme safety hazards of this specific roadway geometry. In official city winter weather emergency maps and public safety notifications, the City explicitly classifies Sunrise Ridge Ave from Crystalia Ct to Johnson Road as a high-hazard zone that is too steep to safely plow or maintain during sub-standard winter conditions, designating it for potential full emergency closure. Forcing hundreds of new daily residential trips and heavy multi-axle construction vehicles into a corridor that the City itself admits its own trained plowing crews cannot safely navigate violates basic municipal public safety and concurrency frameworks [^3].

3. AASHTO Heavy Vehicle Stopping Distance Overruns According to AASHTO geometric design standards, a 12.2% downgrade nearly doubles the required stopping distance for heavy commercial

vehicles [^4]. A fully loaded 50,000+ lb dump truck traveling at a residential speed of 25 mph requires approximately 168 feet of pure braking distance on this slope—excluding air brake lag and perception-reaction time.

Given that the blind intersection profiles on these segments offer less than 60 feet of visibility, forcing construction haulers and increased residential volumes through this existing un-engineered grade break violates strict local mandates requiring adequate, unobstructed sight distances at intersections [^5].

4. Substandard Roundabout Approach Geometry (Johnson Road NE) The horizontal and vertical alignment approaching the existing traffic circle from Johnson Road NE presents a severe, unmitigated hazard. Traffic ascending toward the roundabout faces an immediate incline of 5 degrees or more (an approximate 8.7% grade) that transitions directly into the traffic circle with no flat staging area or sight-distance transition. This configuration violates core municipal and state geometric design criteria for modern roundabouts [^7]:

- **Line-of-Sight Blockage:** Ascending drivers are physically blinded by the crest of the hill, unable to see circulating vehicles already inside the traffic circle, pedestrian crosswalks, or yielding vehicles until they are actively entering the roundabout.
- **Heavy Vehicle Start-Stop Failure:** An 8.7% uphill grade directly at a yield point forces loaded dump trucks and commercial vehicles to attempt to stop, hold their weight, and accelerate into a tight circular radius from a dead stop on a steep hill. This drastically increases the risk of rollback accidents, transmission stall-outs, and severe traffic queuing that compromises the intersection's operational capacity.

5. Question of Administrative Oversight and Concurrency Approval Given that these compounding vertical and horizontal safety hazards are already documented structural realities on our local right-of-way, the community must formally ask: **How are these basic, textbook traffic safety and engineering code violations being allowed to serve as the structural foundation for a major new subdivision expansion?** Under standard municipal concurrency laws, the City cannot legally approve a project that exacerbates an existing, unmitigated infrastructure hazard without requiring immediate structural remediation or alternative routing.

Conclusion & Request for Actions: Before any civil or roadway plans are approved for this subdivision, the City must require the developer to structurally remedy these existing grade-break and approach hazards. Furthermore, to protect public safety, the City must write the following explicit **Conditions of Approval (COA)** into the project files before any land-clearing or civil permits are issued [^6]:

- **Mandatory SR 305 Construction Access:** The Pinnacle developer must be strictly mandated to utilize the SR 305 border corridor for primary heavy construction staging, equipment ingress, and material haul routing.
- **Explicit Residential Route Prohibition:** An absolute, legally binding prohibition must be placed against construction vehicles, heavy equipment haulers, or worker staging utilizing the developed residential segments of Crystalia, Sunrise Ridge Ave NE, and NE Midnight Sun Loop.
- **Enforcement Thresholds:** Implementation of immediate, non-discretionary "Stop-Work" penalties and code enforcement fines levied against the developer if any subcontractors violate these residential haul restrictions.

Sincerely,

Andrew P. Hitchings

Crystal View
Poulsbo, WA

📑 CITATION FOOTNOTES

[^1]: **Poulsbo Municipal Code (PMC) § 12.02.010 & City Design Standards:** Incorporates the *Washington State Department of Transportation (WSDOT) Design Manual Chapter 1220 (Vertical Alignment)*, which mandates that a vertical curve (crest or sag) must be constructed for any algebraic grade change (A) exceeding 1% to 2% to prevent severe "grade breaks" and vehicle undercarriage scraping.

[^2]: **PMC § 16.24.050 (A) (Subdivision Street Design):** Dictates that all new or connecting residential streets must conform to municipal geometry standards. Public residential access roads are generally restricted to a maximum preferred grade of 10% to 12%; an unmitigated 12.2% profile exceeds the standard safety thresholds for routine neighborhood access.

[^3]: **PMC § 16.24.040 & RCW 36.70A.070(6) (Transportation Concurrency):** Under Washington State Growth Management law adopted by Poulsbo, the city cannot approve a development whose traffic will cause a local facility to drop below acceptable safety or Level of Service (LOS) standards unless mitigation is provided. A road officially designated as too hazardous for basic municipal winter maintenance cannot legally be granted a concurrency capacity increase without structural remediation.

[^4]: **AASHTO Geometric Design of Highways and Streets ("The Green Book"), Chapter 3 (Elements of Design):** Provides the standard civil engineering formula for braking distance on a grade: $d=V2/[30\times((a/32.2)\pm G)]$. On a steep downhill downgrade ($G=-0.122$), gravity drastically reduces braking friction, mathematically expanding a heavy vehicle's stopping distance by up to 102%.

[^5]: **PMC § 18.180.060 (Clear View Triangle / Intersection Sight Distance):** Mandates that all intersections and connecting street approaches must maintain an unobstructed clear view triangle to ensure safe stopping and turning sight distances. A blind vertical drop that hides oncoming traffic violates this safety boundary.

[^6]: **PMC Chapter 10.24 (Overweight Vehicle Routes):** Grants the City Engineer and Public Works Department the explicit administrative authority to restrict commercial heavy vehicle traffic from local residential streets to protect public safety and prevent the premature structural failure of neighborhood pavement subbases.

[^7]: **WSDOT Design Manual Chapter 1320 (Roundabouts) & FHWA Guidelines:** State and federal engineering standards dictate that roundabout approaches should ideally be flat or on a minimal grade (typically under 2% to 4%) for at least one truck-length prior to the yield line. Forcing an 8.7% vertical incline directly into a circulatory yield point violates standard maximum entrance grade profiles and severely compromises the "Visibility Triangle" required for safe roundabout operations.

From:	Andrew Hitchings
To:	Nikole CH. Coleman; City of Poulsbo Planning and Economic Development
Subject:	Fwd: [EXTERNAL] Fwd: TECHNICAL INQUIRY: WSDOT Sign-Off & Slope Stability Concerns regarding Road D / Tract E — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
Date:	Monday, July 20, 2026 11:27:50 AM

Dear Planning and Engineering Departments,

In regards to the upcoming July 21 resubmittal deadline for the Pinnacle at Liberty Bay application, please see the forwarded statement below from Andrew Larson, PE, Development Services Engineer for WSDOT.

WSDOT has explicitly confirmed that they **have not reviewed or accepted any engineering, grading, slope-stability, or stormwater plans** for this development. WSDOT has only reviewed high-level traffic numbers (the TIA).

Because Road D and the Tract E primary storm pond run directly along the State Route 305 right-of-way corridor on a hazardous steep slope, the absolute lack of state civil engineering review is a critical safety and compliance deficiency.

As individual residents, we request that this admission be placed immediately into the official project file. If the applicant's July 21 submittal lacks completed, WSDOT-approved civil engineering details for this high-risk highway boundary, the application is fundamentally incomplete and must be denied under concurrency guidelines.

Respectfully,

Andrew Hitchings

Poulsbo Resident

---------- Forwarded message ---------
From: **Larson, Andy** <andrew.larson@wsdot.wa.gov>
Date: Mon, Jul 20, 2026 at 11:19 AM
Subject: RE: [EXTERNAL] Fwd: TECHNICAL INQUIRY: WSDOT Sign-Off & Slope Stability Concerns regarding Road D / Tract E — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
To: Book, Victoria <victoria.book@wsdot.wa.gov>, Andrew Hitchings <andyhitchings@gmail.com>
Cc: WSDOT OR Development Services <ORDevelopmentServices@wsdot.wa.gov>

In response to the questions below, WSDOT has not reviewed or accepted plans for this development at this time. Our Traffic Office has reviewed the TIA for the development.

Andrew Larson, PE

Development Services Engineer (he/him/his)

(360) 900-9541

From: Book, Victoria <victoria.book@wsdot.wa.gov>
Sent: Monday, July 20, 2026 11:13 AM
To: Andrew Hitchings <andyhitchings@gmail.com>; Larson, Andy <andrew.larson@wsdot.wa.gov>
Cc: WSDOT OR Development Services <ORDevelopmentServices@WSDOT.WA.GOV>
Subject: RE: [EXTERNAL] Fwd: TECHNICAL INQUIRY: WSDOT Sign-Off & Slope Stability Concerns regarding Road D / Tract E — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

Andy,

Please see email below from Mr. Hitchings.

Andrew,

Some resources:

WSDOT Development Services

https://wsdot.wa.gov/business-wsdot/development-services-and-access

Region Reviewers map

https://wsdot.wa.gov/sites/default/files/2022-02/Statewide-map-for-non-WSDOT-Project-SEPA-reviews.pdf

Kitsap County is in Olympic Region -- WSDOT OR Development Services
ORDevelopmentServices@WSDOT.WA.GOV

From: Andrew Hitchings <andyhitchings@gmail.com>
Sent: Monday, July 20, 2026 11:06 AM
To: Book, Victoria <victoria.book@wsdot.wa.gov>

Cc: WSDOT MBNW Development Services <MBNWDevelopmentServices@wsdot.wa.gov>
Subject: [EXTERNAL] Fwd: TECHNICAL INQUIRY: WSDOT Sign-Off & Slope Stability Concerns regarding Road D / Tract E — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Victoria could you forward this to Andy Larson or the department that would oversee this?

Thanks,
Andrew

Dear Poulsbo Planning and Engineering Departments,

CC: WSDOT Olympic Region Development Services, Washington Department of Ecology, and Suquamish Tribe

In anticipation of the applicant's July 21, 2026, resubmittal deadline, we are writing to place specific technical inquiries on the record regarding the mandated connection to the Baywatch subdivision.

Per Item 11 of the City's recent requirements, the construction of a public street connection to the Baywatch subdivision at Road D is a condition of approval. Based on the project site plan, Road D and the adjacent primary stormwater pond (Tract E) run directly along the border of the high-speed State Route 305 corridor on a steep slope.

Because of this extreme proximity to state infrastructure, we formally request clarification on the following before any SEPA determination is issued on July 30th:

1. **WSDOT Jurisdiction & Sign-Off:** Has the Washington State Department of Transportation (WSDOT) formally reviewed and signed off on the specific grading, clearing, and slope-stability plans for Road D and the Tract E storm pond? Heavy grading right against the SR 305 right-of-way presents a significant structural hazard to state transportation infrastructure and drainage systems.
2. **Traffic Queueing & Safety:** Does the Traffic Impact Analysis Peer Review Memorandum (dated July 1, 2026) explicitly model vehicle queueing and shortcut traffic at the Road D / Baywatch connection, given its extreme proximity to SR 305?

If the developer's July 21st submittal fails to provide comprehensive engineering

details that completely satisfy both City standards and WSDOT safety criteria for this high-risk southwest corner, we request that the application be denied for failure to demonstrate transportation concurrency.

Respectfully,

Andrew Hitchings

Poulsbo Resident

From:	Andrew Hitchings
To:	City of Poulsbo Planning and Economic Development
Cc:	EBischoff@suquamish.nsn.us; OR-Submittals@wsdot.wa.gov; ECY RE NW SEPA (NWRO); ksimons@suquamish.nsn.us; kkumpf@suquamish.nsn.us
Subject:	TECHNICAL INQUIRY: WSDOT Sign-Off & Slope Stability Concerns regarding Road D / Tract E — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
Date:	Monday, July 20, 2026 10:22:50 AM

Dear Poulsbo Planning and Engineering Departments,

CC: WSDOT Olympic Region Development Services, Washington Department of Ecology, and Suquamish Tribe

In anticipation of the applicant's July 21, 2026, resubmittal deadline, we are writing to place specific technical inquiries on the record regarding the mandated connection to the Baywatch subdivision.

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2. **Traffic Queueing & Safety:** Does the Traffic Impact Analysis Peer Review Memorandum (dated July 1, 2026) explicitly model vehicle queueing and shortcut traffic at the Road D / Baywatch connection, given its extreme proximity to SR 305?

If the developer's July 21st submittal fails to provide comprehensive engineering details that completely satisfy both City standards and WSDOT safety criteria for this high-risk southwest corner, we request that the application be denied for failure to demonstrate transportation concurrency.

Respectfully,

Andrew Hitchings

Poulsbo Resident

From:	Andrew Hitchings
To:	Nikole CH. Coleman; City of Poulsbo Planning and Economic Development
Cc:	ECY RE NW SEPA (NWRO); ksimons@suquamish.nsn.us; kkumpf@suquamish.nsn.us; ORDevelopmentServices@wsdot.wa.gov; Book, Victoria
Subject:	Formal Request for New SEPA Public Comment Window — Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
Date:	Wednesday, July 15, 2026 10:03:44 AM

Dear Ms. Colman,

I am writing to formally request that the City of Poulsbo establish a new, full 14-day public comment period when the updated SEPA threshold determination is issued (tentatively scheduled for July 30, 2026).

The City's July 2, 2026, Request for Revisions (No. 4) mandates that the developer construct the "NR-12" public street connection to the Baywatch subdivision. As the city is aware, routing a public road connection through this specific alignment physically forces the developer to construct a roadway corridor directly across protected wetlands and a salmon-bearing stream.

This directive introduces severe, new environmental impacts that were **not** detailed in the developer's previous submittals reviewed by the public and state agencies prior to the July 1st SEPA comment deadline.

Because the city's mandate completely changes the physical and environmental footprint of this project:

1. The original SEPA environmental checklist is now obsolete.

2. The public and agencies like the Department of Ecology must be given a fair, lawful opportunity to review the developer's new stream-crossing engineering plans, wetland mitigation proposals, and critical area assessments once they are resubmitted on July 21st.

We request formal confirmation that a new SEPA public notice and comment window will be triggered upon the release of the July 30th determination.

Thank you for your dedication to protecting Poulsbo's critical areas and ensuring a transparent public process.

Respectfully,

Andrew Hitchings

Poulsbo Resident - Crystal View

From:	Andrew Hitchings
To:	City of Poulsbo Planning and Economic Development; Nikole CH. Coleman
Cc:	Joshua M. Ranes; Heather Wright; City Clerks
Subject:	Formal SEPA & Planning Commission Comments – Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
Date:	Tuesday, July 28, 2026 11:20:30 AM

SUBJECT: Formal SEPA & Planning Commission Comments – Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

DATE: July 28, 2026

TO:

1. **Heather Wright**, Director / Responsible SEPA Official (hwright@cityofpoulsbo.com)
2. **Nikole Coleman**, Planning Manager & PED Department (ncoleman@cityofpoulsbo.com)
3. **Josh Ranes**, City Engineer & **Diane Lenius**, Public Works Director (jranes@cityofpoulsbo.com)
4. **Members of the Poulsbo Planning Commission**

   City of Poulsbo, 200 NE Moe Street, Poulsbo, WA 98370

   Email for Official Administrative Record: plan&econ@cityofpoulsbo.com

FROM: Neighborhood Coalition of Crystal View, Baywatch, and Concerned Poulsbo Residents

Lead Contact: Andrew Hitchings

Demands for Substantive Mitigation, Mandatory Haul-Route Restrictions, Strict Concurrency Enforcement, Fire/Emergency Access Compliance, Rejection of Exemption Requests, Prohibition of Severe Slope Transitions, and Code-Compliant Geometry

I. INTRODUCTION & EXECUTIVE SUMMARY

This formal submittal is entered into the official administrative record for the Pinnacle at Liberty Bay Planned Residential Development (PRD) and Preliminary Plat (Permit No. P-06-20-25-03). As surrounding residents directly impacted by this proposal, we submit these comments under the State Environmental Policy Act (SEPA), local municipal code, and Planning Commission public hearing procedures.

The current 138-lot proposal represents an unmitigated, over-dense footprint on a highly constrained site. Moving forward without addressing severe traffic, geotechnical, vertical curve geometry, steep-ramp intersection transitions, emergency access isolation, and critical infrastructure deficiencies presents substantial public

safety risks and fails to satisfy City concurrency and engineering standards.

The Developer's Own Submittals Prove 138 Lots is Non-Viable

By the applicant's own technical admissions and critical engineering omissions, they cannot construct a 138-lot development on this site while providing safe, code-compliant access on *any* side of the property:

- **Admitted Inability to Connect Safely Near Johnson Roundabout (South):** In their formal Divoky Exemption request, the developer explicitly admitted that connecting toward the Johnson Parkway NE roundabout is physically and geometrically hazardous—creating non-compliant >30% slopes, sub-standard 80-foot intersection spacing from the roundabout, and extreme 120-degree driver blind spots.

- **Admitted Inability to Connect to Baywatch / NR-12 (West):** In their July 21 resubmittal, the developer explicitly declared that establishing the mandatory public street connection to Baywatch (required under Comprehensive Plan NR-12 and PMC 17.80.050) is "infeasible" due to stream and slope constraints—yet failed to reduce lot density accordingly.

- **Unaddressed Safety & Engineering Failures at NE Crystallia Court (North):** While citing slope and stream rules to reject southern and western connections, the developer applies a blatant double standard at NE Crystallia Court by forcing access over the site's most severe vertical drop via an unengineered, artificial "ramp" transition directly into an active residential cul-de-sac.

- **Complete Lack of Safe, Code-Compliant Access:** With connections near Johnson Parkway admitted to be non-viable, the Baywatch connection admitted to be infeasible, and the Crystallia Court connection unengineered and unsafe, the project lacks a single legal, safe access corridor capable of supporting 138 homes and 60–80 daily 40-ton haul trucks.

- **Failure Across Core Environmental & Safety Standards:** Furthermore, the applicant fails to comply with standard street slope rules, vertical curve safety geometry (K-values), SEPA mandates, International Fire Code (IFC) emergency access rules, stormwater/wetland buffer protections, and landslide safety standards adjacent to 65% slopes.

When a developer formally admits that mandatory connections on multiple fronts are infeasible or hazardous while failing to demonstrate safe engineering over severe slope transitions elsewhere, the City's legal obligation under SEPA, municipal code, and the International Fire Code is clear: **deny the current over-dense preliminary plat submittal and require the applicant to return with a significantly smaller, contour-following proposal that can be engineered safely.**

I-A. PATTERN OF DEFICIENT SUBMITTALS & OMISSION OF CRITICAL SITE CONSTRAINTS

A careful review of the applicant's July 21 resubmittals reveals a concerning pattern:

rather than correcting fundamental design conflicts identified by City staff and peer reviewers (Parametrix), the applicant's engineering team (ESM Consulting Engineers) has repeatedly omitted essential site constraints, requested exemptions from mandatory connectivity rules, masked geometric safety hazards through artificial design assumptions, and attempted to push structural liabilities onto future homeowners.

Specific examples from the July 21 resubmittals include:

- **Blatant Double Standard on Slope Limits & NE Crystallia Court Ramp:** While ESM correctly cites City code (PMC 17.80.060) prohibiting street slopes over 12% to justify rejecting the Divoky property connection, they apply a blatant double standard at NE Crystallia Court. At Crystallia Court, ESM proposes forcing access over the site's most severe vertical slope drop via an abrupt, artificial "ramp" transition. The developer has provided zero detailed vertical profile engineering demonstrating how 40-ton construction vehicles can safely transition down this steep crest without creating sight-line blockages, severe undercarriage grounding, or runaway vehicle hazards directly entering an active residential cul-de-sac.

- **Formal Exemption Request for Divoky Property Connectivity (PMC 17.80.060):** In an explicit admission of site infeasibility, ESM submitted a formal exemption letter declaring that a public street connection to the Divoky property to the south is physically and geometrically impossible under City code. ESM confirmed that Connection #1 requires non-compliant slopes exceeding 30% (versus the 12% max code), Option A creates sub-standard 80-foot intersection spacing (violating the 125-foot minimum from the Johnson Parkway NE roundabout), and Option B creates an extreme driver sight-distance hazard requiring a 120-degree neck rotation obscured by vehicle B-pillars.

- **Declaring Mandatory Access "Infeasible" Without Lowering Density (NR-12):** Despite City peer-review (Parametrix) confirming that the Baywatch connection is legally required under Comprehensive Plan NR-12 and PMC 17.80.050(C), ESM declared the connection "infeasible" due to stream and slope constraints—yet failed to propose the mandatory engineering remedy: scaling back overall lot density to match available access.

- **Masking Vertical Sight-Distance Deficits (Item #13):** Rather than re-engineering Road C to comply with mandatory AASHTO vertical curve safety criteria (K = 12 crest / K = 26 sag), ESM artificially reduced the assumed design speed down to an unrealistic 15 mph to justify a sub-standard K-value of 3. Furthermore, at Road D/Road C, ESM dropped the K-value to an extreme 1.31, attempting to use an All-Way Stop sign as a "band-aid" to obscure severe vertical sight-line limitations on steep grades.

- **Omitting Infrastructure Liability Handoffs (Items #4 & #5):** ESM omitted long-term maintenance realities by transferring massive structural retaining walls supporting stormwater ponds and private lots in Tract F entirely onto the HOA, attempting to absolve the developer of long-term failure risks on 65% slopes.

- **Deferring Critical Safety & Utility Engineering (Item #9):** When called out for deep 20+ foot sanitary sewer manholes (#10 and #11) requiring specialized WAC/WSDOT safety ladder standards, ESM provided no engineering solution, kicking critical utility and worker-safety designs down the road to "future plat engineering."

II. TECHNICAL, GEOMETRIC, ENVIRONMENTAL, & SAFETY DEFICIENCIES

1. Construction Traffic, Infrastructure Destruction, & NE Crystallia Ct Safety

- **Heavy Truck Volumes:** The developer’s Traffic Impact Analysis (TIA) confirms that peak mass grading will bring 60 to 80 heavy tri-axle haul trucks per day (over 400 heavy trips per week) onto local residential access roads over a 3- to 4-week period.

- **Dense Pedestrian & Youth Cyclist Conflict (NE Crystallia Ct):** NE Crystallia Court functions as an active residential play, walking, and biking zone with high youth cyclist density. Pushing 40-ton loaded dump trucks down an unengineered, steep ramp grade directly into an active play cul-de-sac creates an unmitigated life-safety hazard.

- **Failing Highway Concurrency:** The TIA acknowledges that primary intersections along SR 305 (including Liberty Rd, 7th Ave/Forest Rock, and Bond Rd) currently operate at failing Levels of Service (LOS E/F) and will remain deficient through 2044. Adding 1,254 daily trips (128 PM peak-hour trips) to already failing corridors without fully pre-funded, operational state/city mitigation violates Growth Management Act (GMA) concurrency principles.

2. Extreme Fire Safety Risk, Emergency Isolation, & Ingress/Egress Bottlenecks

- **Violation of Emergency Access Standards (IFC Appendix D107.1 & PMC 17.80.050):** Under **IFC Appendix D107.1**, developments exceeding 30 single-family units require at least two separate, functional fire apparatus access roads. By the applicant's own admission, secondary emergency access through Baywatch (NR-12) is "infeasible." Concentrating 138 lots onto steep grades with no functional secondary or tertiary access roads creates an unacceptable single point of failure.

- **Landslide & Fire Trapping Risk:** The project site is characterized by extreme 65% slopes directly adjacent to a documented off-site landslide zone. In the event of a slope failure, wildfire, or severe structural fire along the primary access corridor, both existing residential exits could be simultaneously blocked —trapping over 130 households with zero ingress/egress for emergency medical and fire apparatus access.

3. Unsafe Geometric "Band-Aids": Sight-Line & Vertical Curve

Violations (K-Values)

- **Unengineered Vertical Slope Transition at NE Crystallia Court:** The proposed grade change connecting Road A/C to NE Crystallia Court represents the single most severe vertical drop-off along the entire developed neighborhood perimeter. Forcing heavy construction traffic and daily passenger vehicles down an extreme, unengineered slope transition directly into a short cul-de-sac eliminates stopping sight distance (SSD) for drivers entering from the north. Under AASHTO standards, abrupt slope breaks on steep approach grades create blind spots where drivers cannot see pedestrians or children playing at the foot of the hill.

- **Sunrise Ridge Blind Crest (K = 3 Drop):** In response to City Item #13 regarding vertical curve safety criteria (AASHTO standard K = 12 for crests, K = 26 for sags), ESM admitted dropping the crest vertical curve at Road C / Sunrise Ridge to a K-value of 3. To justify this unsafe drop, ESM artificially reduced the assumed design speed to 15 mph. Forcing an artificial 15 mph speed standard on a primary hilltop access curve creates a severe, permanent blind-crest hazard for turning vehicles and pedestrians.

- **Using Stop Signs to Mask Geometry Deficits (K = 1.31):** At the Road D / Road C intersection, ESM dropped the vertical curve to an extreme K-value of 1.31, claiming an All-Way Stop control eliminates sight-distance issues. Using stop control as a design "band-aid" to excuse fundamental vertical sight-line deficits on steep grades represents unacceptable civil engineering design under SEPA and municipal standards.

- **Unsafe Driver Orientation Hazards at Divoky Access Options:** ESM's own geometric analysis of the Johnson Parkway NE roundabout / Sunrise Ridge connection demonstrates that attempting street connections on steep curves forces drivers to rotate sight lines up to 120 degrees—far exceeding standard human comfort thresholds (60–75 degrees)—and blinds driver line-of-sight behind vehicle B-pillars.

Technical Inapplicability of Passenger-Car K-Values to 40-Ton Heavy Dump Trucks

The applicant's reliance on sub-standard K-values (K = 3 and K = 1.31) represents a fundamental failure of civil engineering design when evaluated against the physical dynamics of heavy commercial construction traffic:

- **Misuse of Minimum Passenger Car Formulas:** Standard AASHTO K-value formulas are derived specifically for passenger cars. While a truck driver sits higher up, a fully loaded 40-ton tri-axle dump truck requires **1.5 to 2.0 times the stopping distance** of a passenger vehicle, especially on steep downgrades. The developer's engineers manipulated design speeds down to 15 mph to claim a K = 3 crest, completely ignoring heavy truck physics and braking dynamics on downhill slopes.

- **Physical Undercarriage Grounding & High-Centering Hazards:** A K-value of 3 creates an abrupt, razor-sharp vertical grade break. Long-wheelbase tri-axle

dump trucks, heavy equipment flatbeds, and low-boy transport trailers moving over a K = 3 crest risk **scraping, dragging, or physically high-centering (hanging up)** on the peak, creating an immediate physical hazard and road blockage.

- **Blind Bumper Line-of-Sight Deficits:** Due to the long hood profiles and high cab positions of heavy haul trucks, a truck cresting an abrupt K = 3 hill will push its front bumper, wheels, and frame several feet past the crest and into the pedestrian walking zone **before the driver's eyes clear the ridge line**. On narrow residential streets with high youth play density like NE Crystallia Court, a child at the foot of the hill remains completely obscured from the truck driver's sight line until the vehicle is already over top of them.

- **Failure to Apply Decision Sight Distance (DSD):** When introducing 60 to 80 daily 40-ton heavy haul trips into a complex residential play area, engineering best practices require **Decision Sight Distance (DSD)** rather than bare-minimum passenger car stopping distance. DSD dictates K-values between **K = 30 and K = 45** to allow heavy vehicles sufficient time to detect hazards, evaluate pedestrian movements, and safely bring 80,000 pounds of momentum to a full stop on steep grades.

4. Topography, Mass Grading, & Geotechnical Risks

- **Slope & Earthwork Volatility:** The project site features extreme slopes up to 65% and directly borders a dormant off-site landslide to the east. To accommodate the grid layout, the developer proposes clearing 30 acres, stripping ~1,200 mature trees, and executing a massive 520,000 cubic yards of grading (including 190,000 cu. yd. of imported fill).

- **Critical Area Encroachment:** The site contains Barrantes Creek (Stream C) and three seasonal streams (A, B, D). Installing utility lines directly beneath seasonal stream channels alongside a post-construction 35% impervious surface cover poses severe erosion, slope failure, and watershed degradation risks to Liberty Bay.

5. Retaining Wall Risk-Shifting & Right-of-Way Crowding

- **Private HOA Liability Dumping:** ESM confirmed that massive structural retaining walls supporting stormwater facilities and private lots in Tract F will be dumped entirely onto the Homeowners Association (HOA), absolving the developer of long-term structural failure risks adjacent to steep 65% slopes.

III. CONSTRUCTIVE & CODE-COMPLIANT ALTERNATIVES

The physical and legal infeasibility of a 138-lot layout does not preclude development on this parcel; rather, it dictates that the project must be scaled back to a safe layout that complies with municipal code and fire standards:

1. **Phase 1 Lower Loop Design:** The developer should be required to resubmit a

scaled-back, single-phase loop layout located entirely below the current terminus of Sunrise Ridge Avenue NE, with both ends of the loop connecting safely to the unimproved right-of-way. This avoids extreme mass grading on 65% slopes while providing natural traffic circulation and meeting emergency access standards.

2. **Johnson Way Roundabout Cul-de-Sac Concept:** Alternatively, a lower-density cul-de-sac layout accessed directly off the existing Johnson Way traffic circle would eliminate construction haul traffic and steep-grade bottlenecks on developed residential streets altogether, adhering fully to local fire and safety standards.

IV. PHOTOGRAPHIC EXHIBITS OF SITE HAZARDS & VULNERABLE USERS

(Note: Photographic image attachments referenced below are attached directly to this email submittal)

- **EXHIBIT A (Youth Cyclist Density on NE Crystallia Court):** Photo documenting 7 neighborhood children actively biking in the NE Crystallia Court cul-de-sac at the site terminus. Demonstrates the intense pedestrian/cyclist character of the street where 40-ton dump trucks would be routed.

- **EXHIBITS B & C (Extreme Slope Drop & Fence Terminus at NE Crystallia Ct):** Photos showing the City Notice sign and fence line at NE Crystallia Court, highlighting the severe, forested vertical slope drop behind the fence line where ESM proposes an artificial, steep "ramp" transition.

- **EXHIBIT D (Top of Sunrise Ridge Avenue NE – Blind Crest Hazard):** Photo showing the severe vertical crest where ESM proposes reducing geometry to K = 3. Demonstrates that a loaded dump truck cresting this hill has zero stopping sight distance (SSD) for pedestrians obscured over the ridge line.

- **EXHIBIT E (Johnson Way / Sunrise Ridge Roundabout Entrance):** Photo showing the steep downhill entry into the roundabout yield line and marked crosswalks, highlighting brake-failure, jackknife, and pedestrian-collision risks for 40-ton haul vehicles.

- **EXHIBIT F (Divoky Access Feasibility & Geometry Figures):** ESM Feasibility Letter Figure 1 illustrating >30% slope barriers, sub-standard 80-foot roundabout spacing, and 120-degree sight-angle blind spots near Audrey Estates.

V. COALITION FORMAL DEMANDS & MANDATORY CONDITIONS

We request that the City of Poulsbo Planning Commission and SEPA Official impose the following binding conditions on any threshold determination or preliminary plat recommendation:

1. **Permanent Heavy-Truck Prohibition on Local Residential Access Streets:**
    - Impose a mandatory condition of approval stating:

        "All construction hauling, mass earth-moving transport, tri-axle dump trucks, heavy equipment flatbeds, and project-related subcontractor transit associated with the Pinnacle at Liberty Bay development are strictly prohibited from accessing or utilizing NE Crystallia Court and the developed section of Sunrise Ridge Avenue NE. This restriction shall not apply to local residential deliveries, emergency services, municipal services, or contractors serving existing residences."

    - Mandate that the applicant construct a temporary, dedicated construction haul access route directly off a secondary arterial or state-approved corridor (such as direct access to SR 305), equipped with mandatory speed-monitoring devices, wheel-wash facilities, and pre/post-construction structural pavement inspections funded by the developer.
2. **Rejection of Severe Slope Transitions, Connectivity Exemptions, & Design Speed Reductions:**
    - The City Engineer must reject unengineered, steep "ramp" connections across severe slope drop-offs at NE Crystallia Court.
    - The City Engineer must reject the requested connectivity exemption under PMC 17.80.060(B)(6) unless accompanied by a corresponding scaling back of plat density.
    - Reject ESM's request to lower design speeds to 15 mph (K = 3), use stop-control (K = 1.31), and build non-compliant vertical curves to bypass mandatory AASHTO safety criteria on steep access grades.
3. **Strict Enforcement of Emergency Access Requirements (IFC Appendix D107.1) OR Density Scaling:**
    - Because ESM has formally declared both the Comprehensive Plan NR-12 (Baywatch) connection and the Divoky property connectivity "infeasible," the City must find the application non-compliant with PMC 17.80.050(C) and IFC emergency access standards.
    - If civil engineering and environmental constraints demonstrate that additional public connections cannot safely meet municipal standards, the City must scale back the project density to a lower lot yield that existing access roads can safely accommodate under local concurrency laws.
4. **Mandate a Low-Density, Contour-Following Site Design:**
    - Reject the proposed mass earthwork plan (520,000 cu. yd. grading).
    - Require a contour-following design (such as the Phase 1 Lower Loop or

Johnson Way Cul-de-Sac concept) that aligns building envelopes and roadways with natural topography, drastically reduces cut-and-fill operations, preserves mature tree canopy, and prevents off-site landslide activation.

5. **Independent Technical Peer Reviews:** Require independent, third-party geotechnical and hydrology peer reviews—funded by the applicant but reporting directly to the City—for all utility crossings under stream beds and grading adjacent to the eastern landslide zone.

VI. MUNICIPAL LIABILITY, PUBLIC RISK ASSUMPTION, & PROFESSIONAL RESPONSIBILITY REVIEW

TO: City of Poulsbo City Attorney, Responsible SEPA Official, City Engineer, and Members of the Planning Commission

RE: Notice of Heightened Civil Liability, Standard of Care Deficits, and Municipal Exposure regarding Preliminary Plat P-06-20-25-03 (Pinnacle at Liberty Bay)

1. NOTICE OF ACTUAL KNOWLEDGE & LOSS OF DISCRETIONARY IMMUNITY

This submittal serves as formal administrative notice that the City of Poulsbo, its planning officials, and its licensed municipal engineering staff have been provided explicit, technical, and photographic evidence detailing critical sight-distance deficits, physical vehicle high-centering risks, and fire/emergency isolation hazards inherent in the proposed subdivision plan[cite: 1, 2].

Under Washington land-use jurisprudence and municipal tort law, while legislative land-use decisions often enjoy broad discretionary immunity, **engineering approvals that consciously bypass established safety standards (AASHTO, WSDOT, IFC) in the presence of known, documented physical hazards create direct municipal tort exposure.**

Should the City grant preliminary plat approval or SEPA clearance based on artificial design assumptions—specifically knowing that 40-ton construction vehicles and passenger traffic will traverse unengineered vertical slope transitions and non-compliant curve geometries—the City will have established **actual notice** of a dangerous condition, severely compromising its legal defenses in future civil action.

2. PROFESSIONAL ENGINEER (P.E.) STANDARD OF CARE & ARTIFICIAL DESIGN ASSUMPTIONS

The administrative record demonstrates that the applicant's engineering submittals rely on arbitrary, non-standard design manipulations to bypass mandatory code requirements:

- **Arbitrary Design Speed Reduction (15 mph / K = 3):** Artificially lowering an

assumed design speed down to 15 mph on a primary residential access collector solely to mathematically justify an extreme vertical curve drop (K = 3) violates basic civil engineering standards of care.

- **Failure to Account for Heavy Vehicle Physics:** Professional engineering standards require designing vertical alignment for the heaviest foreseeable vehicle classes using the corridor. Approving a K = 3 crest and a K = 1.31 intersection curve for 60 to 80 daily 40-ton tri-axle haul trucks—where stopping sight distance (SSD) and front-bumper undercarriage clearances are physically compromised—exposes both the City and certifying engineers to claims of gross negligence under state licensing and public safety standards (RCW 18.43).

- **Using Traffic Control as a Geometric Substitute:** Relying on an "All-Way Stop" sign as a design band-aid to excuse severe vertical sight-line limitations (K = 1.31) on steep downhill approach grades fails to meet AASHTO geometric design principles and establishes a foreseeable hazard for brake-failure and low-visibility collisions.

In the event of a catastrophic vehicle-pedestrian collision, runaway haul truck incident, or severe injury involving local youth on NE Crystallia Court or Sunrise Ridge Avenue, the City's administrative approval of these manipulated values—over explicit public and peer-review warnings—will serve as prima facie evidence of arbitrary and capricious agency action.

3. INGRESS/EGRESS BOTTLENECKS, EMERGENCY ISOLATION, & FIRE CODE TORTS

The developer has formally admitted that establishing the secondary public street connection to Baywatch under Comprehensive Plan NR-12 and PMC 17.80.050 is "infeasible," while simultaneously admitting that southern access near the Johnson Parkway roundabout is non-viable due to >30% slopes and blind spots[cite: 1, 2].

- **Violation of International Fire Code (IFC Appendix D107.1):** Mandating or approving a 138-lot single-access density pattern without a functional, code-compliant secondary emergency access corridor directly violates IFC standards[cite: 1, 2].

- **Catastrophic Exposure During Slope Failure or Wildfire:** The project directly borders a documented dormant landslide zone and 65% steep slopes. If a localized landslide, wildfire, structure fire, or construction collapse blocks the sole remaining access bottleneck on Sunrise Ridge Avenue NE, over 130 households will be physically trapped without ingress or egress for fire apparatus and emergency medical services.

Approving a high-density subdivision while formally acknowledging that mandatory emergency access connections cannot be built creates actionable municipal liability under state emergency response and public safety statutes.

VII. CONCLUSION & UNREFUTABLE RECORD

The administrative record for Permit No. P-06-20-25-03 leads to one unavoidable legal and civil engineering conclusion: **by the developer's own admissions, a 138-lot layout exceeds the physical capacity and environmental safety limits of this highly constrained site.**

The applicant's July 21 resubmittals and exemption requests demonstrate that in order to cram 138 lots onto 65% steep slopes bordering a dormant landslide zone, the applicant must:

1. Declare legally mandated public road connections "infeasible" (Baywatch NR-12 / PMC 17.80.050).

2. Formally request code exemptions for street connectivity due to >30% slopes, sub-standard 80-foot roundabout spacing, and 120-degree driver blind-spot angles (Divoky Property Exemption Request under PMC 17.80.060).

3. Force access over the site's most severe vertical slope drop at NE Crystallia Court via an unengineered, artificial "ramp" transition, applying a blatant double standard to City street slope limits.

4. Request dangerous design exceptions that lower vertical curve safety geometry (K = 3 and K = 1.31) and manipulate assumed design speeds down to 15 mph.

5. Funnel 60 to 80 heavy 40-ton tri-axle haul trucks per day onto narrow, steep residential streets with blind crests and downhill roundabout crosswalks.

6. Create severe fire safety and emergency isolation risks under IFC Appendix D107.1 by funneling 138 homes onto a single access bottleneck adjacent to 65% slopes.

7. Dump long-term structural liabilities for massive retaining walls and stormwater facilities onto a private HOA on 65% slopes.

Under SEPA and local land-use law, when an applicant’s own engineering firm admits that basic municipal codes, street connectivity rules, emergency access mandates, and safe road geometry cannot be met under the proposed design, the City cannot lawfully approve the application as submitted[cite: 1, 2].

We urge the Planning Commission, City Engineer, and SEPA Responsible Official to deny the current 138-lot preliminary plat submittal, reject the requested connectivity exemptions, prohibit severe unengineered slope transitions, enforce permanent heavy-truck prohibitions on local neighborhood streets, and require the developer to resubmit a scaled-back, low-density, contour-following proposal that strictly honors City plans and prioritizes neighborhood safety[cite: 1, 2].

Respectfully submitted,

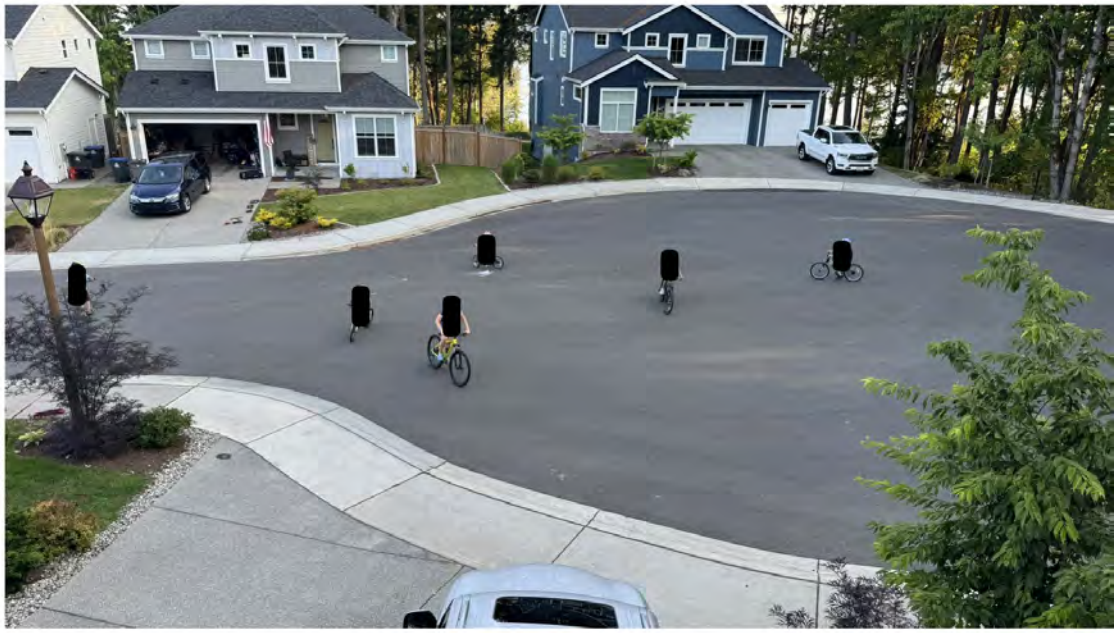
The Neighborhood Coalition of Crystal View, Baywatch, & Concerned Poulsbo Residents

Signatures:

Andrew Hitchings & Coalition Representatives

cc: Poulsbo City Council, City Engineer Josh Ranes, Public Works Director Diane Lenius

High Density Pedestrian and Bicycle traffic Crystallia CT - Crystallia CT has 7 small children residents.



Blind Transition Sunrise Ridge to Crystal View

Blind Crystal View Tranistion below.png

Blind transition top of Crystal View.png

Uphill Blind entry into Johnson Traffic Circle

johnson traffic circle 2.png

johnson traffic circle 3.png

johnson traffic circle - 1.png

Steep Slope at Crystallia Ct entry point. Developers propose steep blind dirt entry slope construction entrance into dense pedestrian traffic area.


Crystallia Ct Street End slope.png


Steep slope of proposed entrace Crystallia.png

From:	Andrew Hitchings
To:	City of Poulsbo Planning and Economic Development; Nikole CH. Coleman
Cc:	Joshua M. Ranes; Heather Wright; City Clerks
Subject:	Technical & Legal Clarification Regarding Entrance Separation Measurement - Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)
Date:	Wednesday, July 29, 2026 9:22:34 AM

Subject: Technical & Legal Clarification Regarding Entrance Separation Measurement - Pinnacle at Liberty Bay (Permit No. P-06-20-25-03)

Dear Members of the Poulsbo Planning Commission and Planning Staff,

I am writing on behalf of the Neighborhood Coalition of Crystal View, Baywatch, and Concerned Poulsbo Residents regarding a fundamental technical and legal conflict in the preliminary plat submittal for Pinnacle at Liberty Bay (Permit No. P-06-20-25-03).

We strongly concur with the City's position that the project's proposed entrances fail to meet the mandatory 940-foot access separation requirement. The developer's assertion—that separation can be measured from the internal terminus of NE Crystallia Court (at proposed Road A)—is legally and geometrically flawed. NE Crystallia Court is a dead-end cul-de-sac whose sole access point originates at NE Sunrise Drive. Therefore, the true functional access point is the intersection of NE Crystallia Court and NE Sunrise Drive.

Evaluating access separation based on functional life-safety rather than artificial interior property boundaries is supported by three key legal, statutory, and civil engineering standards:

1. International Fire Code (IFC Appendix D107) – Remoteness & "Common-Stem" Doctrine

Under IFC Appendix D107.1 and D107.2, developments exceeding 30 dwelling units must provide at least two separate, approved fire apparatus access roads placed remotely from one another.

- **The Common-Stem Rule:** Established fire code precedent holds that if two internal routes merge into a single roadway before reaching the surrounding public street network, those routes share a "common stem."
- **Operational Reality:** A single incident (such as a vehicle collision, fallen tree, or fire emergency) at the Sunrise/Crystallia junction blocks access to the entire interior network on Road A, regardless of how far the interior streets extend. Measuring separation from an interior cul-de-sac bulb ignores the common single point of failure and violates the core life-safety mandate of IFC D107.

2. SEPA & Washington Land-Use Jurisprudence (WAC 197-11-660) – Functional Operational Safety

Under Washington State Environmental Policy Act rules (WAC 197-11-660), municipal decision-makers hold explicit substantive authority to condition or deny proposals to mitigate specific adverse health, traffic, and safety impacts.

- **Substance Over Form:** Washington courts and land-use hearing examiners consistently rule that regulatory compliance must be evaluated on real-world operational performance rather than paper boundaries or plat labeling.

- Claiming "two independent access points" over a shared physical funnel creates an unmitigated emergency isolation risk. The City is fully within its statutory SEPA authority to enforce separation from the actual physical choke point at NE Sunrise Drive.

3. WSDOT & AASHTO Geometric Standards – Access Management & Throat Clearance

Standard transportation engineering criteria, including the WSDOT Design Manual (Chapter 1300 / Corner Clearance Standards) and AASHTO guidelines, dictate how functional intersections are defined:

- **Centerline Measurement:** Corner clearance, intersection spacing, and access separation are universally measured from the **centerline or curb-return radius of the intersecting public collector streets**—never from an interior property fence line or cul-de-sac head.

- **Access Throat Depth:** The entire length of NE Crystallia Court functions as the entry "throat" for Access #1. Therefore, Access #2 must be separated by 940 feet from where that throat meets the active public street network at NE Sunrise Drive.

Conclusion

When measured correctly from the true point of public access at NE Sunrise Drive, the applicant fails to meet the mandatory 940-foot separation distance. Measuring from an interior cul-de-sac line is a paper technicality that defeats the fundamental purpose of emergency access redundancy.

We request that the Planning Commission and Hearing Examiner uphold the City’s correct reading of these standards, reject the applicant's flawed measurement methodology, and enforce mandatory secondary connectivity (such as the Baywatch / NR-12 connection) or require a proportional reduction in overall project density.

Respectfully submitted,

Andrew Hitchings

Lead Contact, Neighborhood Coalition of Crystal View, Baywatch, & Concerned Poulsbo Residents

Permit No. P-06-20-25-03

From:	Andrew Hitchings
To:	adminsupportservices@poulsbofire.org
Cc:	Nikole CH. Coleman
Subject:	Technical Clarification Request – IFC Appendix D107 Access Remoteness (Pinnacle at Liberty Bay, Permit P-06-20-25-03)
Date:	Wednesday, July 29, 2026 10:24:49 AM
Attachments:	Pinnacle Civil Plan Set Excerpt .png Site Aerial 1 - Real Access Distance .png Site Aerial 2 - Developer Line.png

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Dear Chief / Fire Marshal,

I am writing on behalf of the Neighborhood Coalition of Crystal View, Baywatch, and Concerned Poulsbo Residents regarding the preliminary plat review for the proposed Pinnacle at Liberty Bay project (Permit No. P-06-20-25-03). We are seeking technical clarification regarding the application of International Fire Code (IFC) Appendix D107 concerning secondary apparatus access remoteness for this 138-lot proposal.

The developer's preliminary civil plans present two proposed access points. However, our aerial mapping of the submitted layout highlights a critical life-safety concern regarding the functional separation distance:

1. Real-World Public Road Separation (~360 ft): As shown in the attached "Screenshot 1," the actual physical distance between the two proposed connection points along the active public right-of-way (NE Sunrise Ridge Ave) is only approximately 360 feet.

2. Developer's Measurement Method (~941 ft): As shown in "Screenshot 2," the applicant calculated their 940+ foot separation by measuring past the initial access bottleneck and drawing a line directly to the far interior terminus bulb of NE Crystallia Court inside the plat boundary.

Our Primary Life-Safety Concern: Because all traffic exiting NE Crystallia Court must travel along that same 360-foot segment of NE Sunrise Ridge Ave to reach the surrounding arterial network, any single blocking event on that 360-foot stretch (such as a structure fire, fallen trees or utility lines, or a jackknifed commercial vehicle) would simultaneously disable both proposed emergency access routes.

Clarification Requested:

- Does the Fire Department consider measuring separation distance to an interior dead-end cul-de-sac terminus (ignoring the 360-foot shared feeder bottleneck on NE Sunrise Ridge Ave) to satisfy the remoteness requirements of IFC Appendix D107.2?

- From an operational response perspective, does the Fire Department require the minimum separation distance to be measured between the actual functional connection points on the active public street network?

We want to ensure the final plat layout provides true, uncompromised emergency access and evacuation capability for both existing neighborhood residents and future homeowners.

Thank you for your time, service, and technical guidance on this matter.

Respectfully,

Andrew Hitchings

Lead Contact, Neighborhood Coalition

Permit No. P-06-20-25-03

Attachments:

- Site Aerial 1 - Real Access Distance (360ft).jpg
- Site Aerial 2 - Developer Line (941ft).jpg
- Pinnacle Civil Plan Set Excerpt (Sheet C2.0)

CC: Nikole Coleman, Planning Manager (ncoleman@cityofpoulsbo.com)

Petition to Protect Crystal View Infrastructure & Enforce Land-Use Deadlines

Regarding the Pinnacle at Liberty Bay Subdivision Proposal (Permit No. P-06-20-25-03)

We, as individual residents of Poulsbo and the Crystal View community, formally request that the City of Poulsbo protect our established neighborhoods, public safety, and critical infrastructure from the severe impacts of the proposed Pinnacle at Liberty Bay development.

Note: This initiative is supported by individuals. It is not an HOA initiative.

1. Permanent Heavy Truck Restriction (Commercial & Construction Vehicle Ban)

Regardless of approval or denial of the Pinnacle at Liberty Pay Proposal, we request that the City of Poulsbo immediately and continuing permanently, place strict "No Heavy Trucks - Local Deliveries Only" restrictions on both **NE Crystallia Court** and the **developed section of Sunrise Ridge Avenue NE.**

Rationale: These residential streets are not structurally engineered to withstand the concentrated axle-loads of heavy commercial vehicles. Additionally, Construction and/or Commercial vehicles pose a hazard to children/pedestrians, as evidenced by the fact that both roads are designated as roads that may be closed in adverse snow or ice conditions due to steep grade.

Enforcement: We strongly recommend that any violation trigger an automatic, non-appealable $10,000 per-incident fine assessed directly against any future developer's grading permit, with repeated violations resulting in an immediate Stop Work Order.

Because the Pinnacle at Liberty Bay proposals fail to comply with basic safety and structural standards, we strongly request that the City incorporate the following conditions into any final land-use decisions:

2. Zero Off-Site Roadway or Grade Modifications

We strongly request that the City of Poulsbo stipulate that all civil engineering, slope-matching, and road grading occur 100% within any future developer's own property lines. This includes the NE Crystallia Court traffic circle and all connecting slopes.

Rationale: Grading, cutting, or physical modifications to existing developed infrastructure will adversely affect existing properties, including increases to the grade of already steep driveways.

3. Denial of Additional Traffic Under Concurrency Laws

We strongly request adherence to, and documented evidence to demonstrate how the current and any future proposals are consistent with the Washington's Growth Management Act (GMA) and Poulsbo transportation concurrency laws, which state that sufficient infrastructure must be in place/planned for, prior approval of any new development.

Rationale: The City has already recognized the steep slope of Sunrise Ridge Avenue NE as hazardous during winter weather (ice/snow). Introducing hundreds of additional daily vehicles onto a steep, seasonally dangerous slope with limited visibility on curves is not consistent with concurrency safety requirements.

4. Adherence to Land-Use Decision Timelines

The Pinnacle developer has not provided (repeatedly requested) road detail across 4 resubmissions. We strongly request that the City of Poulsbo make no extensions beyond the timeline published in a letter to Montebanc Management LLC on July 2, 2026:

- July 21: **Resubmittal Due**
- July 30: Issue SEPA Determination
- August 4: Planning Commission Staff Report Due
- August 11: Planning Commission Public Meeting
- August 28: Hearing Examiner Public Hearing

If the Resubmittal due July 21 does not include sufficient road detail for the Engineering Department to evaluate compliance, we strongly request that the application be denied.

Rationale: The Pinnacle application was deemed **technically complete on August 14, 2025, over 300 days ago**. Our community has been in a continued state of uncertainty, which is creating negative financial impact for residents. We implore the City to grant no further leniency in this already extended process.

Neighborhood Signatures in Support

In support of the petition to deny non-compliant access and protect Crystal View infrastructure (Permit No. P-06-20-25-03).

Date	Name (Print)	Signature	Address & Contact (Email/Phone)
7/19/26	Brian Womack	Brian Womack	17602 NE Crystallin Ct Poulsbo, WA 98370
7/19/26	Dana Womack	Dana M Womack	17602 NE Crystallin Ct Poulsbo WA 98370
7/19/26	Jennifer Cooper		17858 NE Crystal View Ct Poulsbo WA 98128
7/19/26	Gayla + Brian Walsh	Gayla Walsh	17979 Sunrise Ridge Ave NE
7/19/26	Chase Tessman	Chase Tessman	17751 Sunrise Ridge Ave 98370
7/19/26	Katharine Wright		17751 Sunrise Ridge Ave Poulsbo, WA 98370
7/19/26	Joyce Kilmer		17786 Sunrise Ridge Ave NE Poulsbo, WA 98370
7/19/26	Korinne Reilly		17647 NE Crystallin Ct Poulsbo, WA 98370
7/19/26	Jeremy Rice		17805 Sunrise Ridge Ave NE Poulsbo WA 98370
7/19/26	Stan Lumsden		17823 Sunrise Ridge Ave NE Poulsbo, WA

Date	Name	Signature	Address Contact Info
7/19/26	Jason Hamilton		17841 Sunrise Ridge Ave NE Poulsbo, WA 98370
7-19-26	Francois Rougeau	Francois Rougeau	17844 SUNRISE RIDGE AVE NE POULSBO WA 98370
7/20/26	MARTKAY MAGRAW	Mk—Magraw	1755 NE CRYSTALLIA CT POULSBO, WA 98370
7-20-26	SCOTT MAGRAW	Scott Magraw	1755 NE CRYSTALLIA CT. POULSBO WA. 98370
7-20-26	Laura Fyrqvist	Laura Fyrqvist	17505 Johnson Way NE Poulsbo, WA 98370
7/20/26	Mateen ZARAFSHAN	Mateen ZARAFSHAN	17505 Johnson way NE Poulsbo WA 98370
7/20/26	Patrick Connelly		1798 NE Crystallia Ct Poulsbo WA 98370
7/20/26	Tracey Langley	Tracey Langley	1783 NE Crystallia Ct Poulsbo, WA 98370
7/20/26	John LANGLEY		1783 NE. Crystallia Ct. Poulsbo, WA 98370
7/20/26	Craig Bailey		17844 Sunrise Ridge Ave. NE Poulsbo, WA 98370
7/20/26	Frances Rougeau		17844 Sunrise Ridge Poulsbo WA 98370
7/20/26	SYDNEY THOMPSON		17844 Sunrise ridge AVE NE POULSBO WA 98370
7/20/26	ANDREW Hitchings		1774 NE Crystallia CT Poulsbo, WA 98370
7/20/26	Lacey Wheat-Hitchings		1774 NE. Crystallia CT Poulsbo, WA 98370

4. Adherence to Land-Use Decision Timelines

The Pinnacle developer has not provided (repeatedly requested) road detail across 4 resubmissions. We strongly request that the City of Poulsbo make no extensions beyond the timeline published in a letter to Montebanc Management LLC on July 2, 2026:

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Rationale: The Pinnacle application was deemed **technically complete on August 14, 2025, over 300 days ago.** Our community has been in a continued state of uncertainty, which is creating negative financial impact for residents. We implore the City to grant no further leniency in this already extended process.

Neighborhood Signatures in Support

In support of the petition to deny non-compliant access and protect Crystal View infrastructure (Permit No. P-06-20-25-03).

Date	Name (Print)	Signature	Address & Contact (Email/Phone)
7/19/26	Josh Powers		1792 NE Crystal View Ct 206-618-9102
7/19/26	Paula Pazzoli		17933 Summit Ridge Ave NE 503.784.7133
7/19/26	Lee-Ann Lonie		1782 NE Crystal View Ct, Poulsbo
7/20/26	Nga McWalters		1776 NE Crystal View
7/20/26	~~Andrew Ference~~ Kristina Ference		1773 NE Crystal View Ct
7/20/26	Andrew Ference		1773 NE Crystal View Ct
7/20/26	Greg Costello		1772 NE Crystal View Ct
7/20/26	Cindy Costello		172 NE Crystal View Ct
7/20/26	Santhia-Powers		1792 NE Crystal View Ct

4. Adherence to Land-Use

We strongly request that the City of Poulsbo make no further extensions to land-use timeline published in a letter to Montebanc Management LLC on July 2, 2026:

- July 21: **Resubmittal Due**
- July 30: Issue SEPA Determination
- August 4: Planning Commission Staff Report Due
- August 11: Planning Commission Public Meeting
- August 28: Hearing Examiner Public Hearing

If the Resubmittal to be received on July 21 does not include the repeatedly requested road information, with sufficient detail for the Engineering Department to evaluate compliance with the City's adopted engineering and construction standards, we strongly request that the application be denied.

Rationale: The Pinnacle at Liberty application was deemed **technically complete on August 14, 2025, over 300 days ago.** The application has been resubmitted four times since then, and the applicant has failed to provide sufficient road information with each application, as summarized in the City's July 2 letter to Montebanc Management LLC. Our community has been in a continued state of uncertainty, which in turn is creating hardship and negative financial impact to current residents. We implore the City to grant no further leniency in this already time-extended process.

Neighborhood Signatures in Support

In support of the petition to deny non-compliant access and protect Crystal View infrastructure (Permit No. P-06-20-25-03).

Date	Name (Print)	Signature	Address & Contact (Email/Phone)
07/20/26	Tracie Hannah	T. D. Hannah	1767 NE Crystallia Ct. Poulsbo, WA 98370
07/20/26	Troy Hannah	Troy Hannah	1767 NE Crystallia Ct. Poulsbo, WA 98370

4. Adherence to Land-Use Decision Timelines

The Pinnacle developer has not provided (repeatedly requested) road detail across 4 resubmissions. We strongly request that the City of Poulsbo make no extensions beyond the timeline published in a letter to Montebanc Management LLC on July 2, 2026:

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Neighborhood Signatures in Support

In support of the petition to deny non-compliant access and protect Crystal View infrastructure (Permit No. P-06-20-25-03).

Date	Name (Print)	Signature	Address & Contact (Email/Phone)
7/19/2026	Dana Lockhart	Dana Lockhart	1780 NE Crystal View Ct d.lockhart@verizon.net (571) 291-1039

4. Adherence to Land-Use Decision Timelines

The Pinnacle developer has not provided (repeatedly requested) road detail across 4 resubmissions. We strongly request that the City of Poulsbo make no extensions beyond the timeline published in a letter to Montebanc Management LLC on July 2, 2026:

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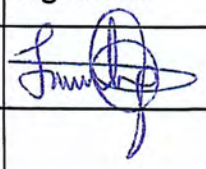
Date	Name (Print)	Signature	Address & Contact (Email/Phone)
7/20/26	LUCKY ADIKE		1775 NE CRYSTAL VIEW CT POULSBO WA 98370

June 29, 2026

Ms. Nikole Coleman
Planning Manager, Planning and Economic Development Department
200 NE Moe Street
Poulsbo, WA 98370

Re: Pinnacle and Liberty Bay PRD Second Public Comment Period

Dear Ms. Coleman and Review Committee,

Thank you for the opportunity to comment on the revised Notice of Application. I am within 300 feet of the construction zone and am focusing my comments on NE Crystallia Court.

The most recent Pinnacle at Liberty Bay application documents indicate a stabilized construction entrance (SCE), by design standards at least 15 feet wide and 100 feet long, to be placed at the apex of Crystallia Court. Characteristics of this location create multiple utilities protection issues and human safety concerns. These characteristics include:

- Steep grades on both sides of the SCE create limited visibility of children and pedestrians on Crystallia Court as trucks climb out of the construction zone and into Crystallia Ct.
- Critical public utilities are located directly within (sewer manhole & water valve) or in close proximity (telecom riser, electrical power box, fire hydrant) to the SCE.
- SCE location is directly up a steep, paved road from a storm drain. Daily street sweeps will be insufficient to prevent sediment from flowing into this drain given the road grade, lack of attenuation and downhill flow on smooth surface, and truck frequency.

Context:
There are seven children ages 3 – 12 that live directly on Crystallia Court, with additional children joining them to ride bikes and scooters on the Crystallia Ct incline directly in front of the proposed SCE entrance. Given the steep elevation change beyond the apex of Crystallia Court, trucks will have extremely limited visibility as they climb out of the construction zone and enter Crystallia Ct which immediately starts to decline in an opposite grade. This will severely limit truck driver visibility at the entrance and place children/pedestrians at risk of death, truck drivers at risk of remorse, and City planners at risk of liability given this readily recognizable risk.

The sanitary sewer manhole located within the SCE it is not designed—or intended—to have a stabilized construction entrance (SCE) placed over it, because that configuration introduces concentrated loading and settlement which increases risk of utilities failures, and obstructs required access for maintenance and emergency response. Similar risks are present for additional critical infrastructure located in close proximity to the proposed SCE.

Given the massive landfill requirements of this project, the rock surface of SCE will inevitably fill in with dirt, reducing the ability of the SCE to prevent deposits of sediment onto Crystallia Ct.

Daily street sweeps will be insufficient to prevent entrance of sediment into the storm drain directly below the SCE given the road grade, lack of attenuation of flow, and truck frequency.

Specific Comment & Clarification Request: **Child & Pedestrian Safety**
The City of Poulsbo requires compliance with its adopted Construction Standards, including stormwater requirements that incorporate the Washington State Department of Ecology's Stormwater Management Manual for Western Washington (SWMMWW). Under BMP C105 (Stabilized Construction Access), entrances must be designed and maintained to prevent hazardous conditions.

1. Has the City reviewed and affirmatively determined that grade of the SCE, combined with the grade of NE Crystallia Ct will not limit sight distance and create a blind approach?
    - If yes, identify the specific engineering, BMP, or line of sight analysis that establishes this conclusion, and provide the road grade profile for the SCE.
    - If no, identify what additional review, design modification, or additional measures such as regrading, relocation, or enhanced high-visibility controls are required.

Specific Comment & Clarification Request: **Utility Protection & Construct. Stormwater Safety**
Pursuant to WAC 197-11-330 and applicable Construction Stormwater General Permit (NPDES) requirements for protection of existing infrastructure, please provide a clear yes/no determination supported by citations to the record:

2. Has the City evaluated whether the placement of a stabilized construction entrance in close proximity to existing utility appurtenances (sewer manhole, water valve, telecom riser, electrical power box, fire hydrant) creates a risk of physical damage, loss of operability, or access impediment during construction activities?
    - If yes, identify the specific engineering, SWPPP/TESC, or SEPA analysis that establishes this conclusion.
    - If no, identify what additional review, design modification, or condition of approval will be required before such a determination can be made.

Pursuant to WAC 197-11-330 and WAC 173-226-130, the environmental documentation and associated construction stormwater controls must demonstrate that probable significant adverse impacts are avoided or mitigated through specific, enforceable measures. The proposed stabilized construction entrance at NE Crystallia Court is located immediately upslope of a steeply descending roadway segment with an existing storm drain inlet situated downgradient. This configuration creates a continuous hydraulic and sediment transport pathway in which (1) track-out from construction vehicles will be deposited onto the adjacent traveled way at the rock-pad/pavement interface, (2) gravity-driven flows on the steep grade will rapidly convey deposited sediment and roadway runoff downslope, and (3) concentrated runoff will discharge directly to the storm sewer inlet with minimal attenuation on the paved surface. The current

application does not contain a site-specific analysis demonstrating that the proposed BMP suite (including inlet protection and stabilized entrance) is designed to function under these combined conditions of steep slope, minimal attenuation of paved path, and high-frequency construction traffic, nor does it identify intermediate controls (e.g., secondary sediment trapping, energy dissipation, or redundant inlet protection) sufficient to prevent discharge of sediment-laden water to the municipal stormwater system.

3. Has the City determined that the proposed entrance configuration will not result in a violation of water quality standards under WAC 173 201A or failure of BMP effectiveness as contemplated under the Ecology Stormwater Management Manual for Western Washington (SWMMWW), in relationship to the storm drain located in front of 1783 Crystallia Ct, located directly downhill from the SCE entrance?

    - If yes, identify the BMPs and design assumptions that support this determination, and clarify whether any physical devices will be placed in front of existing homes on NE Crystallia Ct to attenuate sediment flow to the storm drain.

    - If no, specify what additional BMPs or revisions are required to ensure that the stabilized entrance and downgradient inlet protection perform as intended given the documented topographic and infrastructure constraints.

<u>Recommended Alternative:</u>

There are alternative entrances to the proposed Pinnacle Bay development on Sunrise Ridge Ave NE that avoid these conspicuous human safety, utilities protection, and construction and stormwater safety issues. Those entrances are much more level, are not near public utilities nor uphill from existing storm drains and present significantly less risk to children/pedestrians. These locations are much closer to the Phase 1 build, and would allow for land fill to occur from the bottom up, rather than from the top (Crystallia Ct) down. The proposed location of the SCE is close to Phase 2 and 3 construction and given the steep grade (15-42%) beyond Crystallia Ct, the proposed plan seems analogous to starting construction of a skyscraper from the top down. Please see Appendix A for graphical representations of the concerns expressed in this letter.

Please place the City's responses to these comments and questions in the public record for consideration by the Planning Commission and Hearing Examination.

Sincerely,



Dana Womack, PhD, RN
1762 NE Crystallia Court
Poulsbo, WA 98370

Cc: Crystal View Homeowners Association

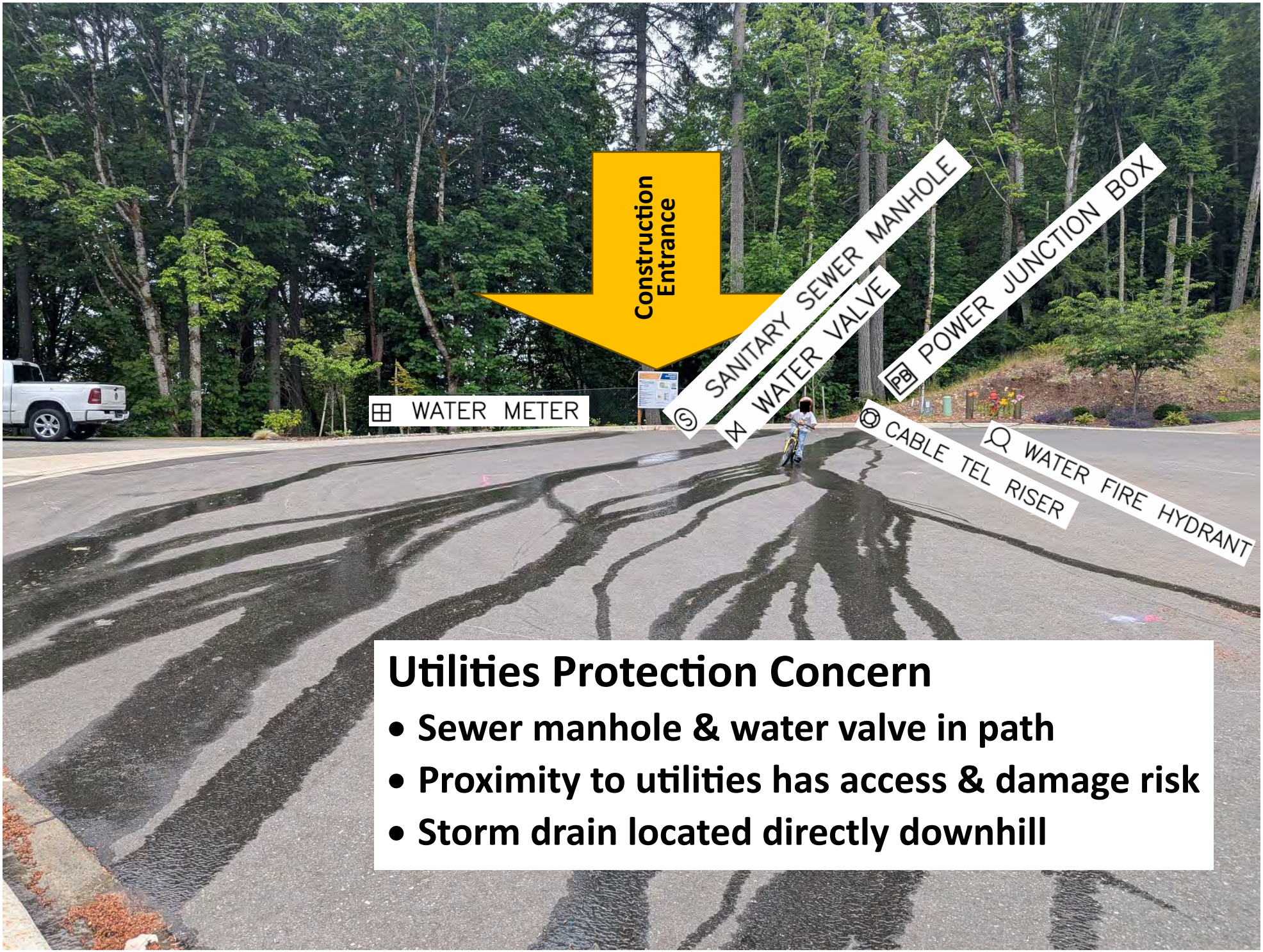
Appendix A: Photo Evidence Supporting Comments & Questions





Traffic Safety Concerns:

- **Narrow corridor for trucks when cars park**
- **Trucks create a hazard getting in/out of cars**
- **Parked cars limit visibility of kids playing nearby**

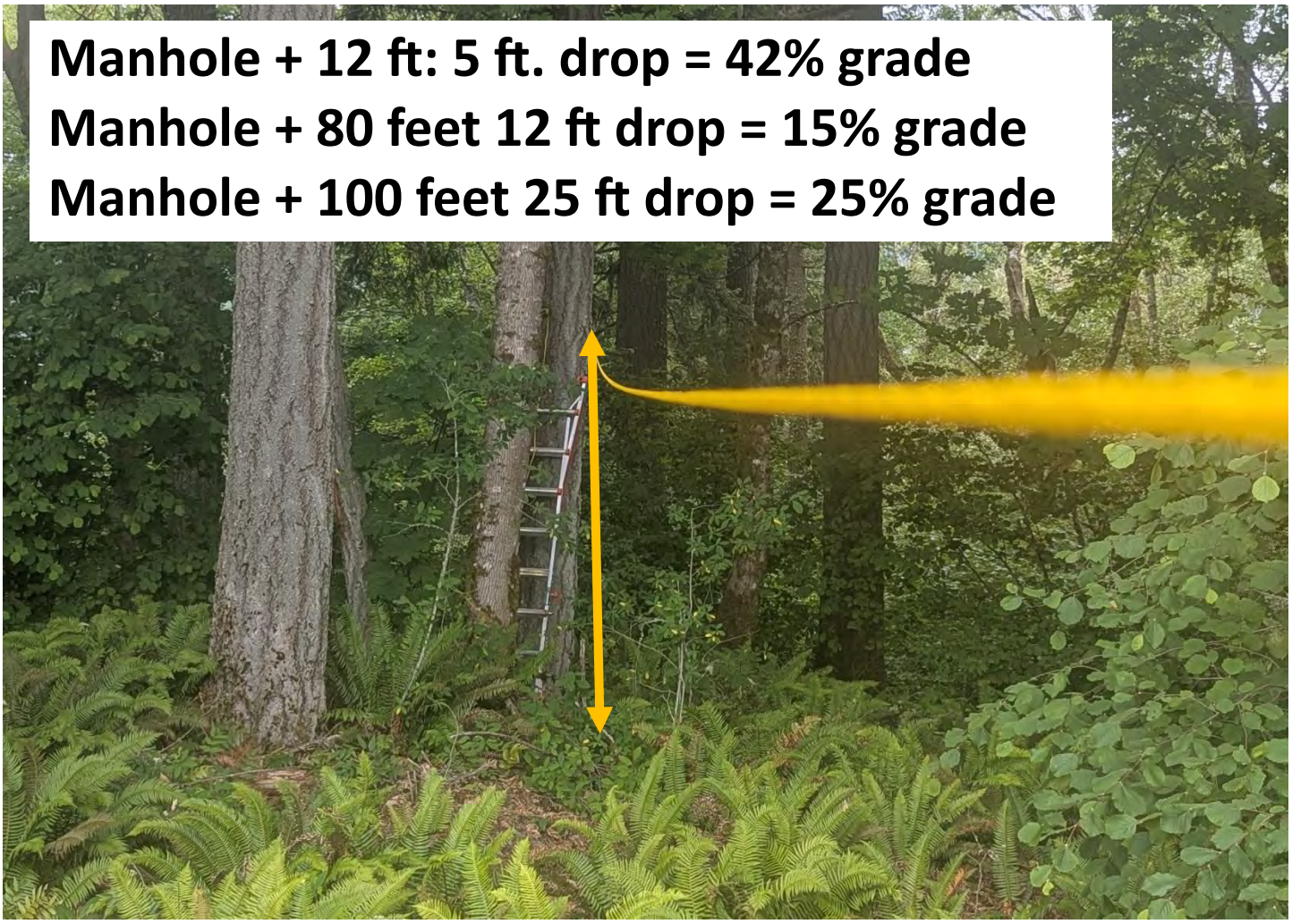


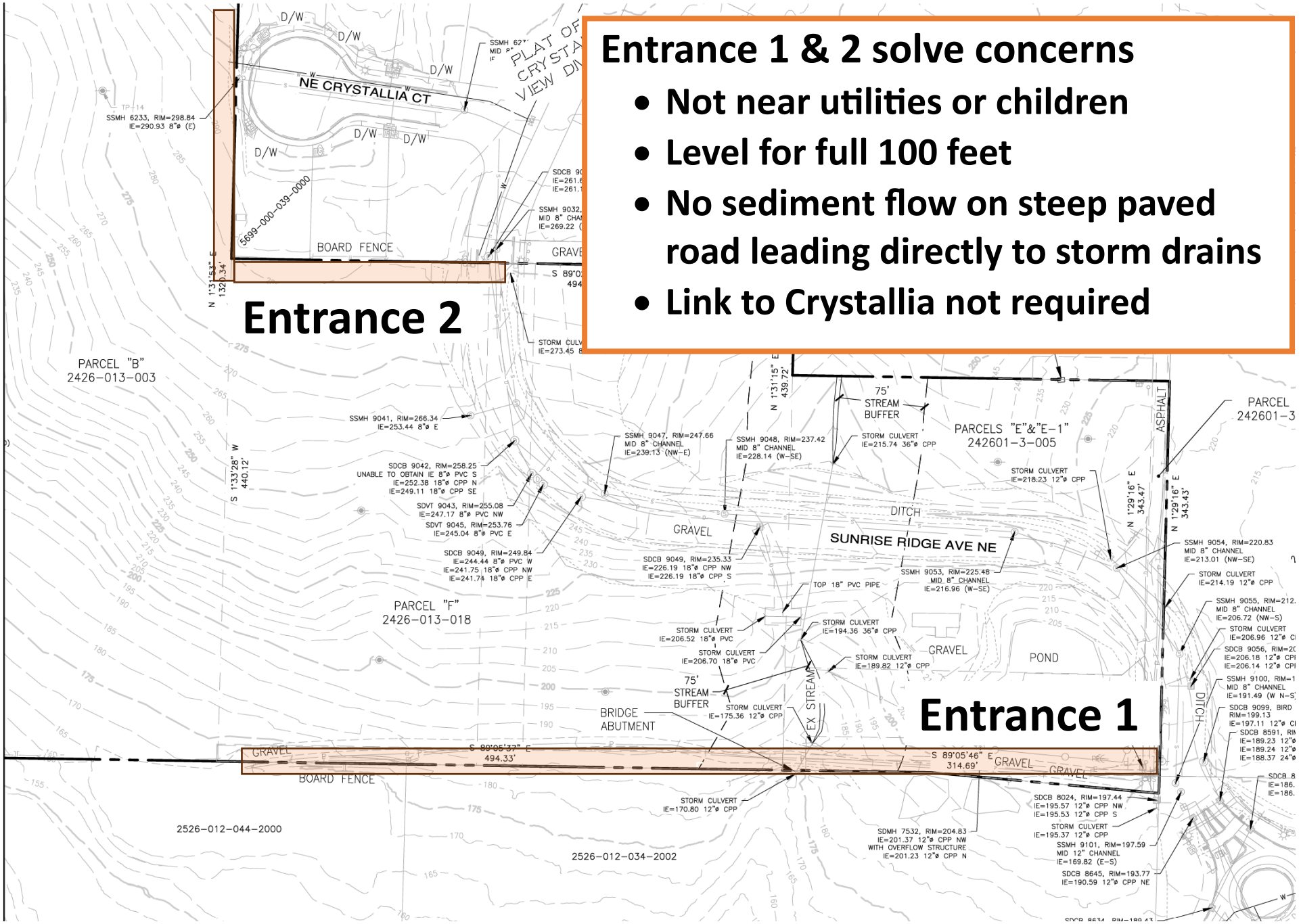
Utilities Protection Concern

- Sewer manhole & water valve in path
- Proximity to utilities has access & damage risk
- Storm drain located directly downhill


Utilities Protection Concern:
• Nothing to attenuate flow directly to Storm Drain (this drain is not addressed in application)
• May require tire wash station


Safety concern: Entrance will have steep grade, creating low visibility at crest.
Proximity to utilities: Entrance will be wider than minimum 15 ft because road is elevated
Sewer Manhole


Manhole + 12 ft: 5 ft. drop = 42% grade
Manhole + 80 feet 12 ft drop = 15% grade
Manhole + 100 feet 25 ft drop = 25% grade


Entrance 1 & 2 solve concerns
• Not near utilities or children
• Level for full 100 feet
• No sediment flow on steep paved road leading directly to storm drains
• Link to Crystallia not required
Entrance 2
Entrance 1
NE CRYSTALLIA CT
SUNRISE RIDGE AVE NE
PARCEL "B"
2426-013-003
PARCEL "F"
2426-013-018
PARCELS "E"&"E-1"
242601-3-005
PARCEL
242601-3
BOARD FENCE
GRAVEL
DITCH
POND
ASPHALT
75' STREAM BUFFER
EX STREAM
BRIDGE ABUTMENT
2526-012-044-2000
2526-012-034-2002
5699-000-039-0000
SSMH 6233, RIM=298.84
IE=290.93 8"ø (E)
SSMH 9041, RIM=266.34
IE=253.44 8"ø E
SDCB 9042, RIM=258.25
UNABLE TO OBTAIN IE 8"ø PVC S
IE=252.38 18"ø CPP N
IE=249.11 18"ø CPP SE
SDVT 9043, RIM=255.08
IE=247.17 8"ø PVC NW
SDVT 9045, RIM=253.76
IE=245.04 8"ø PVC E
SDCB 9049, RIM=249.84
IE=244.44 8"ø PVC W
IE=241.75 18"ø CPP NW
IE=241.74 18"ø CPP E
SSMH 9047, RIM=247.66
MID 8" CHANNEL
IE=239.13 (NW-E)
SSMH 9048, RIM=237.42
MID 8" CHANNEL
IE=228.14 (W-SE)
STORM CULVERT
IE=215.74 36"ø CPP
STORM CULVERT
IE=218.23 12"ø CPP
SDCB 9049, RIM=235.33
IE=226.19 18"ø CPP NW
IE=226.19 18"ø CPP S
SSMH 9053, RIM=225.48
MID 8" CHANNEL
IE=216.96 (W-SE)
TOP 18" PVC PIPE
STORM CULVERT
IE=206.52 18"ø PVC
STORM CULVERT
IE=206.70 18"ø PVC
STORM CULVERT
IE=194.36 36"ø CPP
STORM CULVERT
IE=189.82 12"ø CPP
STORM CULVERT
IE=175.36 12"ø CPP
STORM CULVERT
IE=170.80 12"ø CPP
SSMH 9054, RIM=220.83
MID 8" CHANNEL
IE=213.01 (NW-SE)
STORM CULVERT
IE=214.19 12"ø CPP
SSMH 9055, RIM=212.
MID 8" CHANNEL
IE=206.72 (NW-S)
STORM CULVERT
IE=206.96 12"ø CI
SDCB 9056, RIM=2(
IE=206.18 12"ø CPI
IE=206.14 12"ø CPI
SSMH 9100, RIM=1
MID 8" CHANNEL
IE=191.49 (W N-S)
SDCB 9099, BIRD
RIM=199.13
IE=197.11 12"ø CI
SDCB 8591, RIM
IE=189.23 12"ø
IE=189.24 12"ø
IE=188.37 24"ø
SDCB 8024, RIM=197.44
IE=195.57 12"ø CPP NW
IE=195.53 12"ø CPP S
STORM CULVERT
IE=195.37 12"ø CPP
SSMH 9101, RIM=197.59
MID 12" CHANNEL
IE=169.82 (E-S)
SDCB 8645, RIM=193.77
IE=190.59 12"ø CPP NE
SDMH 7532, RIM=204.83
IE=201.37 12"ø CPP NW
WITH OVERFLOW STRUCTURE
IE=201.23 12"ø CPP N
N 1°31'53" E
320.34'
S 1°33'28" W
440.12'
N 1°31'15" E
439.72'
N 1°29'16" E
343.47'
N 1°29'16" E
343.43'
S 89°05'37" E
494.33'
S 89°05'46" E
314.69'

From:	Andrew Hitchings
To:	Nikole CH. Coleman
Subject:	Fwd: Technical Clarification Request – IFC Appendix D107 Access Remoteness (Pinnacle at Liberty Bay, Permit P-06-20-25-03)
Date:	Thursday, July 30, 2026 5:43:28 PM

Dear Nikole,

I am forwarding the response below from Deputy Fire Marshal Brian Ramey regarding our recent technical query on IFC Appendix D107 emergency access remoteness.

As Captain Ramey noted, the Fire Department defers the official code interpretation of IFC Appendix D107 separation distance to the City's Planning and Building Departments.

Because our submitted aerial mapping demonstrates that the actual physical distance between the two proposed access points along the active public right-of-way (NE Sunrise Ridge Ave) is only **approximately 360 feet**—well short of the mandatory threshold—we respectfully request that the City's upcoming official **Staff Report** explicitly address the following technical and legal points:

1. **Measurement Methodology & Street Extensions:** How the City defines the functional measuring points for access remoteness under IFC D107.2 for this specific layout. Under statutory definitions and ICC Code Commentary, extending an existing dead-end street (NE Crystallia Court) into a new phase does not change its legal character as a single access stem. It merely increases the cumulative population funneled through the sole downstream connection.

2. **Off-Site Loop Geometry & IFC Remoteness Criteria:** The proposed connection connecting NE Crystallia Court and NE Sunrise Ridge Ave creates a localized loop. Under IFC Appendix D107.2, two access points serving a development must be separated by a distance equal to at least **one-half the maximum overall diagonal dimension** of the site area being served. Measuring remoteness within an internal or localized loop connection rather than between true, independent access points fails to meet this half-diagonal rule on the public road network.

3. **Functional Redundancy & Single Points of Failure:** Whether the NE Crystallia Court / NE Sunrise Ridge Ave loop can lawfully be used to satisfy access separation requirements when all outbound emergency traffic from both access legs funnels back through the same 360-foot bottleneck on NE Sunrise Ridge Ave. As established in Washington land-use precedents, where a single road obstruction along that 360-foot stretch would simultaneously trap all traffic exiting both legs of the loop, the arrangement constitutes a single point of failure and fails to provide true, independent secondary egress.

4. **SEPA Cumulative Evacuation Capacity:** How the environmental review accounts for the combined evacuation burden placed on NE Sunrise Ridge Ave when existing homes and 138 proposed new units are funneled through one 360-foot neck during a wildland, structure fire, or medical emergency.

5. **Fire Marshal Sign-off:** That the Fire Marshal's formal technical memo regarding the operational safety and access remoteness of this 360-foot shared corridor be included as

an explicit exhibit in the published Staff Report.

Thank you for logging our technical exhibits into the official administrative record for Permit No. P-06-20-25-03. We look forward to reviewing the City's analysis in the published Staff Report ahead of the August 11 hearing.

Respectfully,

Andrew Hitchings

Lead Contact, Neighborhood Coalition of Crystal View, Baywatch, & Concerned Poulsbo Residents

Permit No. P-06-20-25-03

---------- Forwarded message ---------
From: **Ramey Brian** <bramey@poulsbofire.org>
Date: Thu, Jul 30, 2026 at 3:00 PM
Subject: RE:Technical Clarification Request – IFC Appendix D107 Access Remoteness (Pinnacle at Liberty Bay, Permit P-06-20-25-03)
To: andyhitchings@gmail.com <andyhitchings@gmail.com>

Hi Andrew,

Thank you for your advocacy on behalf of the surrounding community — we genuinely appreciate the time and care you've put into outlining your concerns regarding emergency access for the Pinnacle at Liberty Bay project.

The Poulsbo Fire Department takes access and emergency response capabilities in all neighborhoods very seriously. We also work closely with the City of Poulsbo throughout the review process to help ensure safe and effective access is maintained for current and future residents.

I have forwarded your email to the City's Planning and Building Departments, where it has been recorded as public comment for the project. Interpretation of the applicable codes, including IFC Appendix D107, is handled by the City, and their conclusions will be shared publicly through the official Staff Report once their review is complete.

Thank you again for your engagement and for raising these important access-related concerns.

Respectfully,

Brian Ramey
Captain | Deputy Fire Marshal | Marine Program Manager
Poulsbo Fire Department
(360)697-8284 office
(360)865-2117 mobile
911 NE Liberty Rd | Poulsbo WA 98370

From:	Andrew Hitchings
To:	Nikole CH. Coleman; City of Poulsbo Planning and Economic Development
Subject:	Permit P-06-20-25-03 – Comments on Request for Revisions No. 5 & 30-Unit Density Cap
Date:	Monday, August 3, 2026 11:11:12 AM

Dear Nikole,

On behalf of the Neighborhood Coalition, thank you and the City review team for your thorough work on **Request for Revisions No. 5**. The Planning and Engineering departments' firm stance on public safety, road geometry, critical areas, and long-term infrastructure liability is deeply appreciated by our community.

Following up on our recent email regarding IFC Appendix D107, we wanted to formally highlight one crucial framing point for the administrative record:

- **Scale vs. Access Compliance (The 30-Unit Fire Code Cap):** As highlighted in Engineering's comments regarding the mandatory Baywatch (NR-12) connection, the applicant's access conflicts are the result of a design choice, not an inherent land constraint. Under **IFC Appendix D107.1**, single-access development is explicitly capped at **30 single-family units**.

- **A Buildable Alternative:** A scaled-back, 30-home plat situated below the existing Crystal View development could be built safely within existing single-access constraints without violating fire codes or forcing secondary connections through adjacent neighborhoods. The current safety and traffic bottlenecks exist only because the developer is choosing to push a 138-unit layout beyond the lawful capacity of the street network.

Thank you again for holding the line on code compliance during this 90-day review window. We look forward to reviewing the published Staff Report ahead of the public hearing.

Respectfully,

Andrew Hitchings

Lead Contact, Neighborhood Coalition of Crystal View, Baywatch, & Concerned Poulsbo Residents

Permit No. P-06-20-25-03

From:	Andrew Hitchings
To:	Nikole CH. Coleman
Cc:	Heather Wright; Joshua M. Ranes; City of Poulsbo Planning and Economic Development
Subject:	Follow-up: Construction Access Conditions, Third-Party Feasibility Review, & IFC Sprinkler Exception Limitations (Permit P-06-20-25-03)
Date:	Thursday, August 6, 2026 4:18:50 PM

Dear Nikole,

Thank you for speaking with me today regarding the ongoing review of the Pinnacle at Liberty Bay project. I appreciated our discussion regarding both the construction traffic management controls and the third-party engineering feasibility study currently evaluating the proposed Baywatch (NR-12) street connection.

Following up on the specific operational details we discussed, we want to formally submit the following points for the administrative record:

1. Construction Traffic Restrictions, Public Record, and Enforcement

During our conversation, you clarified that heavy equipment and truck traffic would **only** be permitted to use NE Crystallia Court during the initial construction of the physical street connection itself. Once that specific connection is built, all subsequent heavy equipment, truck traffic, and construction deliveries must route exclusively through the lower entrance.

Because construction haul routes present serious safety and structural impacts for existing residents, we respectfully request that the City explicitly document these operational conditions in the published Staff Report and project conditions of approval. Specifically, we ask that the record publicly state:

- The strict limitation restricting truck and heavy equipment access on NE Crystallia Court solely to the phase during which the physical connection is being constructed.
- The explicit requirement that all remaining construction traffic utilize the lower entrance exclusively once that initial connection phase is complete.
- The specific enforcement mechanisms and penalties for non-compliance, including mandatory stop-work orders and monetary fines for unauthorized construction access.

2. Municipal Connectivity Codes (PMC 17.80.060) Remain Independent

In the event that the third-party study determines the Baywatch connection is topographically or physically infeasible, we want to reiterate that the applicant cannot simply install interior fire sprinklers across all homes as a "magic bullet" to justify a single-access 138-unit layout.

While **IFC Appendix D107.1, Exception 1** permits a fire code official to grant relief

from the national model code's 30-unit single-access cap if all homes are equipped with NFPA 13D residential sprinklers, municipal street connectivity mandates under **PMC 17.80.060(B)** are public transportation and grid requirements, not fire code rules. NFPA 13D sprinklers inside private residences hold zero legal authority to waive municipal platting, block length, or public street connection standards under city code. If an off-site street connection cannot be made, the density of the plat must be scaled down to fit the capacity of the existing road system; sprinklers cannot substitute for missing street grid connections.

3. SEPA Evacuation & Emergency Service Access (PMC 16.04)

Residential fire sprinklers suppress internal room fires—they do **not** evacuate 138 families during a wildland fire, natural gas leak, landslide, or power line failure, nor do they clear traffic jams for incoming ambulances. Funneling 138 proposed new homes through a single ~360-foot bottleneck on NE Sunrise Ridge Ave creates a severe single point of failure. Under **SEPA (PMC 16.04)**, the City must evaluate cumulative emergency evacuation capacity. Sprinklers in a living room do not clear a gridlocked evacuation corridor if that 360-foot neck is physically blocked by an emergency vehicle or hazard.

4. Local Discretionary Authority to Deny Waivers (IFC Section 102.1 & D101.1)

Model code exceptions under Appendix D107.1 are discretionary and do not compel the City Engineer or Fire Marshal to grant a waiver if site conditions create elevated operational risks. Under IFC Section 102.1, the City retains full legal authority to require true, remote secondary egress due to local steep slopes and single-corridor access risks, regardless of interior sprinklers.

If the third-party review concludes that connecting to Baywatch is infeasible, the lawful solution under City code is not to grant a blanket sprinkler waiver for 138 homes on a single access stem, but rather to **scale the project down to a safe density** that aligns with the single-access limits of the existing infrastructure.

Thank you for including these technical, legal, and operational enforcement considerations in the administrative record for Permit No. P-06-20-25-03.

Respectfully,

Andrew Hitchings

Lead Contact, Neighborhood Coalition of Crystal View, Baywatch, & Concerned Poulsbo Residents

Permit No. P-06-20-25-03

From:	Andrew Hitchings
To:	Ramey Brian; City of Poulsbo Planning and Economic Development
Cc:	Nikole CH. Coleman; Heather Wright; Joshua M. Ranes
Subject:	Technical Comments & Proposed Phasing Conditions – Permit P-06-20-25-03 (Pinnacle at Liberty Bay)
Date:	Thursday, August 13, 2026 11:31:22 AM
Attachments:	image001.png image001.png

To: City of Poulsbo Fire Marshal / Chief, City Planning Department, Hearing Examiner

From: Andrew Hitchings & Neighborhood Coalition

Date: August 13, 2026

Re: Public Comment & Technical Egress Analysis for Permit P-06-20-25-03 (Pinnacle at Liberty Bay)

MEMORANDUM

TO: Poulsbo Fire Department, City Planning Commission, and Hearing Examiner

FROM: Andrew Hitchings & Neighborhood Coalition

SUBJECT: Technical Egress Standards, NFPA 13D Scope, and Proposed Phasing Conditions (Permit P-06-20-25-03)

1. Executive Summary

The Neighborhood Coalition submits this formal technical comment regarding Permit P-06-20-25-03 (Pinnacle at Liberty Bay). While community development is welcomed, the current site access layout relies on a single bottleneck access corridor and an invalid application of residential fire suppression rules to bypass mandatory municipal access standards.

Official advisory opinions from the Washington State Deputy Fire Marshal and the Kitsap County Fire Marshal confirm that **NFPA 13D residential fire sprinklers do not mitigate exterior vehicular evacuation bottlenecks, nor do they waive physical emergency access requirements.**

We request that the City enforce standard International Fire Code (IFC) access limits by restricting initial density and conditioning full buildout on the completion of the secondary access connection to Baywatch Way (NR-12).

2. Technical Consensus & Official Inter-Agency Statements

Official written opinions obtained directly from state and regional fire officials confirm that internal residential sprinklers cannot be substituted for external road infrastructure or vehicular evacuation capacity:

Exhibit A: Washington State Deputy Fire Marshal Advisory Opinion

- **Source:** Official Advisory Correspondence from Deputy State Fire Marshal Talley
- **Date:** August 2026

- **Reference:** Technical Inquiry regarding NFPA 13D Egress Equivalence
- **On NFPA 13D System Purpose:**

  > *"NFPA 13D systems are designed strictly for internal life safety and occupant egress from individual rooms. They are not intended, engineered, or code-authorized to mitigate off-site vehicular access bottlenecks, exterior wildland fire hazards, or neighborhood egress limitations."*

- **On Egress Equivalence:**

  > *"Internal fire suppression does not replace or waive the physical apparatus access roads or secondary vehicular access points required by adopted fire and building codes."*

Exhibit B: Kitsap County Fire Marshal Advisory Opinion

- **Source:** Official Written Guidance from Kitsap County Fire Marshal Lynam
- **Date:** August 2026
- **Reference:** Jurisdictional Code Interpretation & IFC Access Standards
- **On Access Standards & Evacuation Capacity:**

  > *"NFPA 13D residential sprinklers do not lessen or substitute for physical emergency access requirements, nor do they alter vehicular evacuation flow and road capacity standards required for residential subdivisions."*

- **On Code Jurisdiction:**

  > *"County amendments permitting specific density exceptions do not automatically apply within incorporated city limits. The City of Poulsbo defaults to the stricter adopted International Fire Code (IFC) standards."*

3. Technical Code Analysis

- **IFC Appendix D104.3 (Remoteness Requirement):** The proposed single access stem provides approximately 360 feet of separation between ingress points, failing the strict remoteness requirement intended to prevent single-point-of-failure blockages during emergencies.
- **Jurisdictional Applicability:** While Kitsap County local amendments permit higher density thresholds under specific county criteria, the City of Poulsbo defaults to stricter IFC standards unless a local ordinance explicitly states otherwise.
- **Scope of NFPA 13D Systems:** NFPA 13D systems are engineered exclusively for interior life safety and room fire containment to allow occupant egress. They are not exterior wildfire protection devices, nor do they mitigate water main pressure drops or vehicular congestion during community-wide wildland-urban interface (WUI) evacuation events.

4. Civil Engineering & Financial Realignment Options

The Coalition recognizes the significant structural and civil engineering challenges associated with the current proposed primary entrance at NE Crystallia Ct, which requires extensive structural fill, heavy grading, and tall retaining walls to match off-site road elevations.

Replacing or scaling back the NE Crystallia Ct entrance in favor of a direct connection to Baywatch Way (NR-12) provides a major practical engineering and economic advantage for the applicant:

- **Direct Cost Offset by Dropping NE Crystallia Ct:** Shifting the primary access point to Baywatch Way allows the developer to completely eliminate (or substantially downsize) the high-cost structural fill, deep utility trenching, and massive retaining wall infrastructure currently required at NE Crystallia Ct.

- **Balanced Development Phasing:** Conditioning future development phases on the Baywatch connection allows Phase 1 (up to 30–54 units) to proceed immediately under the initial layout, generating revenue for the developer while the permanent Baywatch Way access is constructed.

5. Requested Actions & Proposed Conditions

We respectfully request that the Fire Marshal, City Planning, and Hearing Examiner attach the following conditions to Permit P-06-20-25-03:

1. **Phase 1 Cap:** Cap initial development at **30 units** (or a maximum of **54 units** strictly subject to written Fire Marshal sign-off under IFC Appendix D107 exceptions).

2. **Mandatory Secondary Egress Condition (Phasing):** Approval and construction of Phase 2 and Phase 3 (density exceeding 30–54 units up to full buildout) shall be strictly contingent upon the completion and opening of a physical, secondary vehicular access route to Baywatch Way (NR-12).

3. **Complete Access Re-Engineering Option:** *The applicant retains the explicit option to re-engineer the site layout to **completely drop the NE Crystallia Ct entrance connection** and utilize Baywatch Way (NR-12) as the primary access corridor, thereby eliminating the need for expensive structural fill and retaining walls along NE Crystallia Ct.*

6. Attached Exhibits

- **Exhibit A:** Written Advisory Opinion – Washington State Deputy Fire Marshal Talley (Confirming NFPA 13D intent and egress non-equivalence).

- **Exhibit B:** Written Advisory Opinion – Kitsap County Fire Marshal Lynam (Confirming access standards and jurisdictional code application).

Respectfully submitted,

Andrew Hitchings

On behalf of the Neighborhood Coalition

Exhibit A

Dear State Fire Marshal's Office Plan Review & Advisory Division,

I am writing to request a brief technical advisory clarification regarding the application of the International Fire Code (IFC Appendix D107.1), as adopted under WAC 51-54A, regarding residential single-access thresholds and fire sprinkler exceptions.

Specifically, I am seeking guidance on the operational scope and intent of **IFC Appendix D107.1, Exception 1** (which permits an exception to the 30-unit single-access cap when single-family homes are fitted with NFPA 13D automatic fire sprinklers) in relation to broader community evacuation safety.

Could your office provide a brief technical clarification on the following three general code principles?

1. **Internal Structure Suppression vs. Community Evacuation**
   Is an NFPA 13D residential sprinkler system recognized under the state fire code as a functional substitute or mitigation tool for physical vehicular egress capacity during a community-wide evacuation event (e.g., a Wildland-Urban Interface fire, natural gas main breach, or landslide) where residents must flee a bottlenecked corridor simultaneously?
   1. No. An NFPA 13D system is not recognized by NFPA as a substitute for community vehicular egress capacity or an evacuation route.
   NFPA 13D is limited to the design, installation, and maintenance of automatic sprinkler systems protecting the fire hazards within one- and two-family dwellings, manufactured homes, and townhouses.(1) Its purpose is to aid in detecting and controlling residential fires and to improve protection against injury and loss of life—not to provide transportation capacity or manage community evacuation.(2)
   For wildland, rural, and suburban development, NFPA 1141 addresses community infrastructure and emergency preparedness separately. Its evacuation provisions require a public safety and evacuation element that protects residents and area workers threatened by potential emergencies.(3) That element includes evacuation routes, shelter locations, evacuation authority, notification procedures, and related operational policies.(2) NFPA 1141 also addresses maintaining evacuation routes by requiring easements for vegetation clearance alongside roads to reduce the likelihood that routes will be blocked during wildfire or other natural disasters.(1)
   Practical conclusion
   An NFPA 13D system may be a structure-level fire-protection or risk-reduction measure, but it does not:
   - Add roadway capacity
   - Provide a second evacuation route
   - Reduce the number of vehicles needing to use a bottleneck
   - Substitute for required access roads or evacuation routes
   - Assure safe evacuation during a gas release, landslide, wildfire, or other non-structure fire emergency

   Whether a state or local fire code allows sprinklers as part of a broader development mitigation package is a jurisdiction-specific decision. However, based on the NFPA provisions reviewed, NFPA 13D itself does not establish equivalency between residential sprinklers and physical community evacuation capacity. The AHJ, planning authority, or state fire marshal would need to approve any proposed alternative or mitigation strategy.

2. **Single Access vs. Physical Remoteness (IFC D104.3)**
   When assessing fire apparatus access roads, if a residential development utilizes a continuous internal loop, but both ends of that loop connect to the exterior road network

within ~400 feet of each other along the same feeder corridor, does the state code view that setup as a single access bottleneck subject to single-access limitations?

2. **Not automatically.** A continuous internal loop with two exterior connections may be considered two access connections geometrically, but the fact that the connections are only about 400 ft apart along the same feeder corridor could lead the AHJ to determine that they do **not** provide meaningful independent access.

NFPA 1 does not establish a universal "400-ft separation" rule in the material reviewed. Instead, it requires more than one fire apparatus access road when the AHJ determines that access by a single road could be impaired by vehicle congestion, terrain, climate, or other factors limiting access. (1)

How the arrangement would likely be evaluated

The key question is not simply whether the internal road forms a loop. The AHJ would likely evaluate whether a failure or blockage of the common feeder corridor would disable **both** connections. If both loop ends depend on the same short segment of exterior roadway, that segment may be viewed as a common point of failure or a single access bottleneck.

Thus:

- **Internal loop:** Provides circulation and may provide alternate apparatus travel within the development.
- **Two nearby connections to the same feeder:** May not provide independent community access if the feeder corridor can be blocked, congested, flooded, damaged, or otherwise rendered unusable.
- **Meaningful secondary access:** More defensible where each connection can reach the broader road network through independently functioning routes that are not subject to the same foreseeable obstruction.

NFPA 1141 also treats access and evacuation as infrastructure issues. For example, it addresses roadway maintenance intended to reduce the likelihood that evacuation routes will be blocked during wildfire or other natural disasters. (2) Its emergency-preparedness provisions separately require consideration of evacuation routes and procedures. (3)

Regarding IFC D104.3

I cannot make a definitive statement about **IFC D104.3 as adopted by a particular state** without the state, adopted code edition, and amendments. IFC provisions are jurisdiction-dependent, and the state's adopted text may differ from the model code.

Bottom line: A loop with two connections approximately 400 ft apart is not automatically treated as independent access. If both connections rely on the same feeder corridor, the AHJ could reasonably classify the arrangement as effectively single-access for purposes of evaluating blockage or impairment. The state code official or fire marshal would need to make that determination under the adopted code and local amendments.

3. **Local Authority Discretion (IFC 102.1 / D101.1)**
   When a developer proposes exceeding 30 units on a single access point by offering NFPA 13D sprinklers, does the local Fire Code Official retain full discretionary authority under IFC Section 102.1 and D101.1 to deny that exception if local terrain or single points of failure present an unmitigated operational risk to emergency response or evacuation?

Yes—generally, the AHJ may deny the proposed exception if the developer does not demonstrate equivalent fire-safety performance. However, I would not characterize that as unlimited or "full" discretion; the authority is exercised within the adopted code, its stated equivalency criteria, and the jurisdiction's administrative and appeal procedures.

NFPA 1141 permits the AHJ to approve alternative methods only when they secure **equivalent fire safety** and do not provide less fire safety than the standard's provisions, in the AHJ's judgment.(1) It also permits equivalent or superior systems or methods only when technical documentation is submitted to demonstrate equivalency and the system, method, or device is approved for the intended purpose.(2)

That framework supports denial where the proposed NFPA 13D sprinklers address building fire control but do not adequately address risks associated with:

- A single point of failure in the access network
- Terrain, grades, turns, or roadway instability
- Simultaneous evacuation demand
- Emergency apparatus access or staging
- A roadway becoming blocked or unusable
- Loss of water supply, power, or sprinkler-system availability

NFPA 1141 separately addresses the number of means of access for land developments; it states that a development is to have one or more means of access in accordance with the applicable access-route tables.(3) Its evacuation provisions also require planning for the safety of residents and area workers threatened by potential emergency incidents, including designated evacuation routes.(4)

Accordingly, a residential sprinkler system should not automatically be treated as an equivalent substitute for a required second access route or adequate access capacity. The developer would need to submit a technical equivalency analysis showing that the proposed mitigation provides equivalent overall fire safety—not merely that it reduces the probability or consequences of a dwelling fire. If the local Fire Code Official reasonably determines that the single-access condition creates an unmitigated operational or evacuation risk, NFPA 1141's alternative-method provision supports denial.(1)

One caution: the citations above are from **NFPA 1141**, not the International Fire Code. NFPA provisions do not independently establish the legal authority of a state or local official under IFC Sections 102.1 or D101.1. That authority depends on the edition and text of the IFC adopted by the jurisdiction, any state amendments, and applicable appeal rights.

I hope this helps answer your question, please check with you local fire marshal they may have other more restrictive ordinances of codes.

Thank you for your time and for providing technical guidance on the intent and scope of the state fire code.

Respectfully,

Andrew Hitchings
814-574-4129
andyhitchings@gmail.com

Lance Talley

Deputy State Fire Marshal

FPB Inspections & Plan Review Sections

State Fire Marshal's Office

Phone: (360) 890-2658

lance.talley@wsp.wa.gov.

Exhibit B

Good morning Andrew,

Please see below for answers to the questions you presented:

> Before jumping in I think it is important to remember that the fire code was never meant to be the standard by which vehicular traffic control and circulation is designed when serving communities. In fact, RCW 19.27 (state Building Code) exempts the sections of the fire code requiring fire apparatus access roads stating that it is the intent that fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards. I generally agree with that except that for commercial uses of course a road standard does not apply once you get on a site, and the county's road standards only apply to public roads leaving the fire code as the only access standard for private roads. To that end Kitsap County has re-adopted those provisions in Title 14: Buildings and Construction - County of Kitsap, WA.

1. That's an interesting question. The inclusion of automatic fire sprinkler protection in homes and other buildings in lieu of some other requirement including access where they were not otherwise required has been accepted nationwide for some time. The reason that is so is because if there is a fire the sprinkler system holds the fire at bay and most often extinguishes the fire reducing the magnitude and perhaps need for a full fire response. Sprinklers in homes and other buildings reduce the likelihood of fire starting in homes and buildings and spreading to nearby vegetation, wildland and other exposures. An increased level of protection is also provided by preventing a fire in a

nearby exposure from lighting a home on fire. The addition of fire sprinklers is a tool to mitigate the effects of a large-scale disaster, but the fire code was ever intended to take the place of local developed and adopted street and access standards to regulate normal and emergency transportation needs and circulation.

2. Appendices are not adopted as part of the state building code in RCW 19.27. The county recently amended and adopted Appendix D of the fire code. The purpose of D104.3 is to require two points of access a sufficient distance apart so that if one becomes blocked the other would be accessible to fire apparatus.
3. IFC Section 102.1 discretionary authority applies to existing conditions where there are hazardous conditions – new construction is in accordance with the provisions of the fire code. The county amended D107.1 to allow up to 100 homes without a second fire apparatus access point but put an upper limit on it at 250 even with sprinklers. The road standards require two access points with 100 homes for circulation (but the county road standards do not apply to private roads). As far as fire apparatus access 100 homes was the highest risk acceptable without sprinklers and 250 is the highest risk acceptable with sprinklers. Our local fire districts supported these amendments.

You also mention density and land subdivision. Both of those topics are regulated by state and county code. Our land division code is Title 16: Land Division and Development - County of Kitsap, WA. It is a complicated process that tries to balance the need for housing with requirements for environmental and critical area protection, stormwater regulations, reduction of pervious pavement, generation of open space and fire protection to name a few of the considerations. It's also important to remember that our fire and building codes are established as the minimum regulation required to obtain a reasonable risk of fire in our community.

I hope this helps and feel free to contact me if you have further questions.

David Lynam

Fire Marshal / Building Official

Kitsap County

Your Partner in Building Safe, Resilient, and Sustainable Kitsap County Communities!

(360) 337-5777
Kitsap.gov/DCD/

Tiffany Simmons

From: Andrew Hitchings <andyhitchings@gmail.com>
Sent: Monday, September 28, 2026 9:31 AM
To: City of Poulsbo Planning and Economic Development
Subject: Fwd: TECHNICAL SUPPLEMENT AND EVIDENTIARY SUBMISSION: FAILURE OF FIRE CODE ACCESS REMOTENESS, UNMITIGATED WUI HAZARDS, AND ECONOMIC FEASIBILITY OF ALTERNATIVE CODE-COMPLIANT ACCESS

Follow Up Flag: Follow up
Flag Status: Flagged

Please submit this to the public record.

RE: PINNACLE AT LIBERTY BAY PRELIMINARY PLAT & PRD

PERMIT NO.: P-06-20-25-03

1. EXECUTIVE SUMMARY

This technical supplement formally submits into the administrative evidentiary record critical code interpretations, geometrical analysis, and civil engineering evaluations regarding the proposed 138-lot Pinnacle at Liberty Bay Preliminary Plat and PRD (Parcel Nos. 232601-4-001-2003, 232601-3-003-2008, et al.).

Based on the failure of the proposed layout under the International Fire Code (IFC Appendix D107.2) and municipal connectivity policies, the City and Hearing Examiner face **two clear regulatory determinations**:

1. **Reject the Preliminary Plat as Proposed:** Deny the 138-lot submittal due to the applicant's refusal to construct the required **Baywatch Court NE** connection, which is necessary to satisfy life-safety remoteness standards and eliminate an unsafe 360-foot single-access bottleneck.
2. **Require a Phased Approval Capped at Single-Access Limits (30–50 Units):** Restrict approval strictly to **Phase 1 (30 to 50 homes)** and condition all future phases on constructing a clear-span bridge to Baywatch Court NE. This path requires removing the non-compliant NE Crystallia Court connection—saving millions in structural fill and retaining walls that directly fund the western bridge crossing.

2. FIRE CODE GEOMETRY & GEOMETRIC FAILURE OF REMOTENESS

Under **IFC Appendix D107.1**, developments exceeding 30 single-family dwelling units require two independent and approved fire apparatus access roads. **IFC Appendix D107.2** dictates that where two access roads are required, they must be placed a distance apart equal to not less than **one-half the length of the maximum overall diagonal dimension** of the property or area served, measured in a continuous straight line between accesses.

A. Baseline Measurement Errors (NE Sunrise Ridge Ave to Baywatch Ct NE Stub)

- **Primary Entrance / Bottleneck:** The primary access connection enters the development via **NE Sunrise Ridge Avenue (Road A)**. Based on the 41.41-acre site's overall diagonal dimension, the mandatory 1/2-diagonal separation distance under IFC Appendix D107.2 requires a secondary exit located approximately **940 to 960 feet** away at the **Baywatch Court NE right-of-way (ROW) stub** on the western boundary.
- **The Eastern Pseudo-Loop:** The applicant's proposed secondary connection ties into **NE Crystallia Court** via internal **Road B**. However, traffic exiting via NE Crystallia Court travels merely ~300–350 feet before dumping directly back into **Road A at NE Sunrise Ridge Avenue**—a single 360-foot bottleneck stem through which 100% of the traffic from Lots 1 through 138 must pass.
- **Operational Independence vs. Real Estate Boundaries:** Measuring remoteness strictly to a private property line that immediately funnels back into the primary entrance neck on NE Sunrise Ridge Avenue violates the core life-safety intent of IFC Appendix D107.2. Property lines are real estate boundaries, not operational fire barriers. The Authority Having Jurisdiction (AHJ) retains clear authority and responsibility to evaluate real-world egress points to ensure two separate, operationally independent routes exist.

3. HYBRID EGRESS RISKS IN A WUI HAZARD ZONE

The subject site is encapsulated on three sides by heavy old-growth conifer forest along Parcels 4-046, 4-008, and 4-006, presenting significant Wildland-Urban Interface (WUI) fuel loads.

1. **Inclusion of Legacy Structures in Evacuation Scope:** By establishing a secondary evacuation route through **NE Crystallia Court**, the applicant forces all 138 new households to evacuate past existing, un-sprinkled legacy homes.
2. **Radiant Heat & Conifer Crown Fire Hazards:** In a wildfire scenario, radiant heat, fallen timber, or structure fires in the un-sprinkled legacy zone along NE Crystallia Court can easily render the narrow roadway impassable.
3. **Ineffectiveness of NFPA 13D Sprinklers for Exterior Egress:** While the applicant highlights 100% NFPA 13D interior residential sprinklers for the new homes, interior sprinklers do not prevent forest embers or off-site structure fires from blocking vehicular evacuation along the single 360-foot access neck on **NE Sunrise Ridge Avenue**.

4. CIVIL ENGINEERING RE-ALIGNMENT & COST-OFFSET MECHANICS

In their submittal dated September 16, 2026 (Job No. 2090-004-022), ESM Consulting Engineers concluded that a western crossing over **Stream C** to the **Baywatch Court NE ROW stub** is "technically and legally infeasible". A rigorous engineering review reveals this conclusion is fundamentally flawed and financially driven:

A. Culvert Selection vs. Clear-Span Bridge at Stream C

- ESM's "infeasibility" finding is predicated entirely on a low-profile 12-foot bottomless arch culvert. A culvert sits deep within the stream channel, forcing low road approach profiles that conflict with fire apparatus vertical approach grades (6.0% max approach for the Poulsbo E-One Pumper) and City stream clearance standards (3.0 ft above OHWM).
- A standard **clear-span bridge** anchors high on the ravine banks, completely spanning Stream C without touching the active channel, eliminating the profile conflict, avoiding the 8-to-10-foot retaining wall conflict along Parcel 5146-000-001-003, and preventing stream buffer

degradation. The applicant selected a cheap culvert design for cost savings, not engineering necessity.

B. Capital Cost-Offset: Eliminating the Crystallia Waste

The applicant's current plan allocates massive capital to force the eastern connection at **NE Crystallia Court**, requiring:

- **15 to 30 feet of heavy structural imported fill** to elevate internal road grades.
- **20 to 35-foot structural retaining walls** along steep slopes adjacent to Parcels 3-018 and 3-023.
- **Severe 16%–21% grade transitions** that complicate winter driving and emergency access.

C. The Feasible Engineering Solution

By **eliminating the non-compliant NE Crystallia Court connection**, the applicant allows internal roadways (**Road A/B**) to follow natural topography, immediately eliminating millions of dollars in earthwork, retaining walls, and off-site slope liability. **Redirecting these savings fully funds a clear-span bridge over Stream C to Baywatch Court NE**, delivering true 940-to-960-foot remote access, meeting municipal street connectivity goals, and preserving site development viability.

5. FORMAL REQUESTED ACTIONS & RELIEF

Based on the evidentiary record and applicable code standards, we respectfully request that the Hearing Examiner issue the following orders:

1. **Mandate True Remoteness:** Reject the NE Crystallia Court connection as a valid secondary access point under IFC Appendix D107.2 due to its failure to satisfy the 940-to-960-foot remoteness separation from the primary entrance at NE Sunrise Ridge Avenue.
2. **Require Clear-Span Bridge Evaluation:** Direct the applicant to submit a complete civil design for a clear-span bridge connecting to the Baywatch Court NE ROW stub over Stream C, utilizing capital cost savings from removing the eastern structural fill and retaining walls.
3. **Enforce Density Caps Absent Dual Access:** In the event the applicant refuses to construct a code-compliant western bridge access, enforce strict IFC single-access density limits by capping overall development on the site to **30 to 50 units maximum**.

6. CONCLUSION

Ultimately, the administrative record supports only two legally defensible choices for the City of Poulsbo:

1. **Reject the Preliminary Plat Application** based on the developer’s refusal to build the **Baywatch Court NE** connection, which is required to meet the City's street connectivity policies and IFC Appendix D107 remoteness standards.
2. **Approve Phase 1 Only (Capped at 30 to 50 Units)** with strict conditions requiring the total removal of the NE Crystallia Court entrance. Removing the steep structural fill and retaining walls along Crystallia Court frees up the necessary capital savings to fund the required **Baywatch Court NE** clear-span bridge for all subsequent phases.

Respectfully submitted,

Andrew P. Hitchings

Neighborhood Coalition Representative

INDEX OF ATTACHED EXHIBITS

- **Exhibit A:** Written Code Interpretation Letter from State/County Fire Marshal Advisory Staff regarding NFPA 13D Sprinklers & Physical Access Standards.
- **Exhibit B:** Official Written Guidance regarding IFC Appendix D107 Single Access Bottleneck & Remoteness Calculation Criteria.
- **Exhibit C:** Applicant's Engineering Technical Justification Letter & Access Figures (ESM Consulting Engineers, Sept 16, 2026, Job No. 2090-004-022).
- **Exhibit D:** Pinnacle at Liberty Bay Preliminary Plat & PRD Site Plan Maps (Sheet EN-35 / Figure 1 – Alternative Access Locations Analysis & Figure 2 – Stream C Crossing Profile).

Exhibit A

Dear State Fire Marshal's Office Plan Review & Advisory Division,

I am writing to request a brief technical advisory clarification regarding the application of the International Fire Code (IFC Appendix D107.1), as adopted under WAC 51-54A, regarding residential single-access thresholds and fire sprinkler exceptions.

Specifically, I am seeking guidance on the operational scope and intent of **IFC Appendix D107.1, Exception 1** (which permits an exception to the 30-unit single-access cap when single-family homes are fitted with NFPA 13D automatic fire sprinklers) in relation to broader community evacuation safety.

Could your office provide a brief technical clarification on the following three general code principles?

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1. No. An NFPA 13D system is not recognized by NFPA as a substitute for community vehicular egress capacity or an evacuation route.

NFPA 13D is limited to the design, installation, and maintenance of automatic sprinkler systems protecting the fire hazards within one- and two-family dwellings, manufactured homes, and townhouses.(1) Its purpose is to aid in detecting and controlling residential fires and to improve protection against injury and loss of life—not to provide transportation capacity or manage community evacuation.(2)

For wildland, rural, and suburban development, NFPA 1141 addresses community infrastructure and emergency preparedness separately. Its evacuation provisions require a public safety and evacuation element that protects residents and area workers threatened by potential emergencies.(3) That element includes evacuation routes, shelter locations, evacuation authority, notification procedures, and related operational policies.(2) NFPA 1141 also addresses maintaining evacuation routes by requiring easements for vegetation clearance alongside roads to reduce the likelihood that routes will be blocked during wildfire or other natural disasters.(1)

Practical conclusion

An NFPA 13D system may be a structure-level fire-protection or risk-reduction measure, but it does not:

- Add roadway capacity
- Provide a second evacuation route
- Reduce the number of vehicles needing to use a bottleneck
- Substitute for required access roads or evacuation routes
- Assure safe evacuation during a gas release, landslide, wildfire, or other non-structure fire emergency

Whether a state or local fire code allows sprinklers as part of a broader development mitigation package is a jurisdiction-specific decision. However, based on the NFPA provisions reviewed, NFPA 13D itself does not establish equivalency between residential sprinklers and physical community evacuation capacity. The AHJ, planning authority, or state fire marshal would need to approve any proposed alternative or mitigation strategy.

2. **Single Access vs. Physical Remoteness (IFC D104.3)**

When assessing fire apparatus access roads, if a residential development utilizes a continuous internal loop, but both ends of that loop connect to the exterior road network within ~400 feet of each other along the same feeder corridor, does the state code view that setup as a single access bottleneck subject to single-access limitations?

2. **Not automatically.** *A continuous internal loop with two exterior connections may be considered two access connections geometrically, but the fact that the connections are only about 400 ft apart along the same feeder corridor could lead the AHJ to determine that they do* **not** *provide meaningful independent access.*

NFPA 1 does not establish a universal "400-ft separation" rule in the material reviewed. Instead, it requires more than one fire apparatus access road when the AHJ determines that access by a single road could be impaired by vehicle congestion, terrain, climate, or other factors limiting access. [1]

How the arrangement would likely be evaluated

The key question is not simply whether the internal road forms a loop. The AHJ would likely evaluate whether a failure or blockage of the common feeder corridor would disable **both** *connections. If both loop ends depend on the same short segment of exterior roadway, that segment may be viewed as a common point of failure or a single access bottleneck.*

Thus:

- **Internal loop:** *Provides circulation and may provide alternate apparatus travel within the development.*
- **Two nearby connections to the same feeder:** *May not provide independent community access if the feeder corridor can be blocked, congested, flooded, damaged, or otherwise rendered unusable.*
- **Meaningful secondary access:** *More defensible where each connection can reach the broader road network through independently functioning routes that are not subject to the same foreseeable obstruction.*

NFPA 1141 also treats access and evacuation as infrastructure issues. For example, it addresses roadway maintenance intended to reduce the likelihood that evacuation routes will be blocked during

wildfire or other natural disasters. [2] *Its emergency-preparedness provisions separately require consideration of evacuation routes and procedures.* [3]

Regarding IFC D104.3

I cannot make a definitive statement about **IFC D104.3 as adopted by a particular state** *without the state, adopted code edition, and amendments. IFC provisions are jurisdiction-dependent, and the state's adopted text may differ from the model code.*

Bottom line: *A loop with two connections approximately 400 ft apart is not automatically treated as independent access. If both connections rely on the same feeder corridor, the AHJ could reasonably classify the arrangement as effectively single-access for purposes of evaluating blockage or impairment. The state code official or fire marshal would need to make that determination under the adopted code and local amendments.*

3. **Local Authority Discretion (IFC 102.1 / D101.1)**

When a developer proposes exceeding 30 units on a single access point by offering NFPA 13D sprinklers, does the local Fire Code Official retain full discretionary authority under IFC Section 102.1 and D101.1 to deny that exception if local terrain or single points of failure present an unmitigated operational risk to emergency response or evacuation?

Yes—generally, the AHJ may deny the proposed exception if the developer does not demonstrate equivalent fire-safety performance. *However, I would not characterize that as unlimited or "full" discretion; the authority is exercised within the adopted code, its stated equivalency criteria, and the jurisdiction's administrative and appeal procedures.*

NFPA 1141 permits the AHJ to approve alternative methods only when they secure **equivalent fire safety** *and do not provide less fire safety than the standard's provisions, in the AHJ's judgment.* [1] *It also permits equivalent or superior systems or methods only when technical documentation is submitted to demonstrate equivalency and the system, method, or device is approved for the intended purpose.* [2]

That framework supports denial where the proposed NFPA 13D sprinklers address building fire control but do not adequately address risks associated with:

- *A single point of failure in the access network*
- *Terrain, grades, turns, or roadway instability*
- *Simultaneous evacuation demand*
- *Emergency apparatus access or staging*
- *A roadway becoming blocked or unusable*
- *Loss of water supply, power, or sprinkler-system availability*

NFPA 1141 separately addresses the number of means of access for land developments; it states that a development is to have one or more means of access in accordance with the applicable access-route tables. [3] *Its evacuation provisions also require planning for the safety of residents and area workers threatened by potential emergency incidents, including designated evacuation routes.* [4]

Accordingly, a residential sprinkler system should not automatically be treated as an equivalent substitute for a required second access route or adequate access capacity. The developer would need to submit a technical equivalency analysis showing that the proposed mitigation provides equivalent overall fire safety—not merely that it reduces the probability or consequences of a dwelling fire. If the local Fire Code Official reasonably determines that the single-access condition creates an unmitigated operational or evacuation risk, NFPA 1141's alternative-method provision supports denial.[1]

One caution: the citations above are from **NFPA 1141***, not the International Fire Code. NFPA provisions do not independently establish the legal authority of a state or local official under IFC Sections 102.1 or D101.1. That authority depends on the edition and text of the IFC adopted by the jurisdiction, any state amendments, and applicable appeal rights.*

> I hope this helps answer your question, please check with you local fire marshal they may have other more restrictive ordinances of codes.

Thank you for your time and for providing technical guidance on the intent and scope of the state fire code.

Respectfully,

Andrew Hitchings
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Lance Talley

Deputy State Fire Marshal

FPB Inspections & Plan Review Sections

State Fire Marshal's Office

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Exhibit B

Good morning Andrew,

Please see below for answers to the questions you presented:

Before jumping in I think it is important to remember that the fire code was never meant to be the standard by which vehicular traffic control and circulation is designed when serving communities. In fact, RCW 19.27 (state Building Code) exempts the sections of the fire code requiring fire apparatus access roads stating that it is the intent that fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards. I generally agree with that except that for commercial uses of course a road standard does not apply once you get on a site, and the county's road standards only apply to public roads leaving the fire code as the only access standard for private roads. To that end Kitsap County has re-adopted those provisions in Title 14: Buildings and Construction - County of Kitsap, WA.

1. That's an interesting question. The inclusion of automatic fire sprinkler protection in homes and other buildings in lieu of some other requirement including access where they were not otherwise required has been accepted nationwide for some time. The reason that is so is because if there is a fire the sprinkler system holds the fire at bay and most often extinguishes the fire reducing the magnitude and perhaps need for a full fire response. Sprinklers in homes and other buildings reduce the likelihood of fire starting in homes and buildings and spreading to nearby vegetation, wildland and other exposures. An increased level of protection is also provided by preventing a fire in a nearby exposure from lighting a home on fire. The addition of fire sprinklers is a tool to mitigate the effects of a large-scale disaster, but the fire code was ever intended to take the place of local developed and adopted street and access standards to regulate normal and emergency transportation needs and circulation.
2. Appendices are not adopted as part of the state building code in RCW 19.27. The county recently amended and adopted Appendix D of the fire code. The purpose of D104.3 is to require two points of access a sufficient distance apart so that if one becomes blocked the other would be accessible to fire apparatus.
3. IFC Section 102.1 discretionary authority applies to existing conditions where there are hazardous conditions – new construction is in accordance with the provisions of the fire code. The county amended D107.1 to allow up to 100 homes without a second fire apparatus access point but put an upper limit on it at 250 even with sprinklers. The road standards require two access points with 100 homes for circulation (but the county road standards do not apply to private roads). As far as fire apparatus access 100 homes was the highest risk acceptable without sprinklers and 250 is the highest risk acceptable with sprinklers. Our local fire districts supported these amendments.

You also mention density and land subdivision. Both of those topics are regulated by state and county code. Our land division code is Title 16: Land Division and Development - County of Kitsap, WA. It is a complicated process that tries to balance the need for housing with requirements for environmental and critical area protection, stormwater regulations, reduction of pervious pavement, generation of open space and fire protection to name a few of the considerations. It's also important to remember that our fire and building codes are established as the minimum regulation required to obtain a reasonable risk of fire in our community.

I hope this helps and feel free to contact me if you have further questions.

David Lynam

Fire Marshal / Building Official

Kitsap County

Your Partner in Building Safe, Resilient, and Sustainable Kitsap County Communities!

(360) 337-5777
Kitsap.gov/DCD/

From:	Leigh Hwa
To:	City of Poulsbo Planning and Economic Development; Nikole CH. Coleman; Tiffany Simmons
Subject:	Public Comment — Pinnacle at Liberty Bay (P-06-20-25-03)
Date:	Tuesday, September 29, 2026 12:42:21 AM

Dear Ms. Coleman:

I am the property owner of Lot 46 in the Crystal View neighborhood of Poulsbo. My property directly adjoins the proposed Pinnacle at Liberty Bay development. I submitted public comments on June 17, 2026 regarding the PRD and Preliminary Subdivision application. I am writing to submit additional comments on the applicant's September 17, 2026 resubmittal, and on the Planning Director's Third Administrative Interpretation of PMC 18.260.070 issued September 16, 2026.

1. Retaining walls along the Crystal View boundary. I understand the resubmittal includes a new document addressing retaining walls throughout the project, including along the western and southern sides of Crystal View. I respectfully request that the City disclose, for each wall segment adjacent to Crystal View: the proposed wall height; the wall system type; the exact distance from the wall face to the Crystal View property line (in particular my property li); the width of any buffer between the wall and existing lots; and whether mechanically stabilized earth (MSE) reinforcement or other structural elements would extend beneath neighboring lots. This information has never appeared in any public document. Proposed wall heights have grown across submittals — from 10 feet in the original geotechnical report, to 20 feet in the June 2026 addendum, to 35 feet in the July submittal near Pinnacle Lots 5–21 — while the wall system type has never been specified. I also note PMC 18.130.080 limits walls within required setbacks to 6 feet.

2. Drainage and groundwater. Please clarify how groundwater intercepted by the retaining wall system will be managed, where wall drainage will discharge, and what protections will prevent seepage, erosion, or altered runoff from affecting Lot 46 and neighboring Crystal View lots.

3. Long-term maintenance responsibility. The City has stated it will not accept ownership or long-term maintenance of retaining walls supporting private development. Before any approval, the City should identify who will own, inspect, and pay to repair or replace the walls abutting Crystal view lots, and what enforceable mechanism guarantees that obligation.

4. Geotechnical support for the proposed heights. The June 17, 2026 geotechnical addendum addressed walls only up to 20 feet. If the resubmittal proposes taller walls, please confirm that a revised geotechnical analysis supports them.

5. Visual impacts. My June 17 request for cross-sections along the Crystal

View boundary — showing existing grade, proposed grade, wall heights, and finished floor and roof ridge elevations of the nearest proposed homes — was never answered. I renew that request for the wall locations in the new resubmittal.

6. Consistency under PMC 18.260.070(A). I support the Third Administrative Interpretation's conclusion that compliance with subsection (B)'s screening requirements does not satisfy subsection (A)'s consistency requirement. The Pinnacle PRD as a whole is plainly adjacent to Crystal View — my property abuts the project boundary. Border tracts owned by the applicant's future HOA do not change that adjacency or erase the obligation that the PRD "be designed and developed so as to be consistent with the single-family residential environment at its adjacent perimeter." I respectfully ask that the Staff Report include a thorough evaluation of subsection (A) compliance at the Crystal View perimeter — not a reliance on screening tracts — so the Planning Commission and Hearing Examiner have a complete record on which to decide.

I respectfully request that these comments be included in the public record for P-06-20-25-03 and addressed in the Staff Report, and I would appreciate written responses to the questions above.

Sincerely,
Li Hua
Owner, Crystal View, Poulsbo, WA