
HEARING EXAMINER AGENDA

April 11, 2016



OAK HARBOR HEARING EXAMINER
April 11, 2016
10:00 A.M.

Oak Harbor City Council Chambers
865 SE Barrington Drive
Oak Harbor, WA 98277

AGENDA

- 1. Call to Order**

- 2. Verizon Wireless Conditional Use Extension – CUP 16-01**
The Hearing Examiner will consider an extension to conditional use permit CUP 14-03 approved on April 15, 2015. The proposal is for construction of a new telecommunications tower designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure and equipment cabinet. The application was submitted on March 3, 2016 by Ms. Carly Nations with Glotel, Inc. for Verizon Wireless Telecommunications. The property location is at 130 NE Midway Boulevard, R13335-094-3830.

- 3. Adjourn**

STAFF REPORT

*Verizon Wireless Tower
NE Midway Blvd
Conditional Use Extension
CUP-16-01*

VERIZON WIRELESS TOWER NE MIDWAY BLVD
Conditional Use Extension
Case No. CUP-16-01
Staff Report to Hearing Examiner

APPLICATION:

The applicant is requesting an extension to the previously-approved CUP-14-03, which was a proposal to construct a new Verizon Wireless Telecommunications Tower on a vacant lot located to the north of Whidbey Animal Improvement Foundation (WAIF) on Midway Boulevard. The tower is designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure, landscaping and equipment cabinet.

The extension is requested due to the death of the owner of the property, and the subsequent need to transition to new ownership. There have been no material changes in the surrounding area that would alter staff's previous review and analysis of the application.

No changes are proposed to the original proposal. The previous staff report and summary of application and decision are attached for reference.

PRELIMINARY INFORMATION:

Applicant: Glotel, Inc. 15375 SE 30th Place, Suite 160, Bellevue, Washington 98007

Property Owner: Brian M. Hearst, 101 Shy Bear Way NW, Issaquah, WA 98027

Address of proposal: 130 NE Midway Blvd., Oak Harbor, WA 98277

Parcel Number: R13335-094-3830

Comprehensive Plan Designation: Community Commercial

Zoning Designation: C-3, Community Commercial

Application Presented for Action:

Conditional Use Application (CUP-16-01) - Review Process III

Attachments:

- Exhibit 1 Conditional Use Staff Report to Hearing Examiner (CUP-14-03)
- Exhibit 2 Vicinity and Aerial Map
- Exhibit 3 Zoning Map
- Exhibit 4 Findings of Fact, Conclusions of Law and Decision from CUP-14-03
- Exhibit 5 Public Noticing Documents

RECOMMENDED ACTION:

Staff recommends the Hearing Examiner conduct a public hearing and approve CUP-16-01, subject to the same conditions of approval previously associated with CUP-14-03.

EXHIBIT 1

*Conditional Use Staff Report
to Hearing Examiner
CUP-14-03*

VERIZON WIRELESS TOWER NE MIDWAY BLVD
Case No. CUP-14-03
Staff Report to Hearing Examiner

APPLICATION:

The applicant proposes to construct a new Verizon Wireless Telecommunications Tower on a vacant lot located to the north of Whidbey Animal Improvement Foundation (WAIF) on Midway Boulevard. The tower is designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure, landscaping and equipment cabinet.

PRELIMINARY INFORMATION:

Applicant: Glotel, Inc. 15375 SE 30th Place, Suite 160, Bellevue, Washington 98007

Property Owner: Robert G. Hearst, 216 240th St. SE, Bothell, WA 98021

Address of proposal: 130 NE Midway Blvd., Oak Harbor, WA 98277

Parcel Number: R13335-094-3830

Comprehensive Plan Designation: Community Commercial

Zoning Designation: C-3, Community Commercial

Application Presented for Action:

Conditional Use Application (CUP-14-03) - Review Process III
SEPA (SEP-14-08)

Attachments:

Exhibit 1 Conditional Use Application and Applicant Narrative
Exhibit 2 Vicinity and Aerial Map
Exhibit 3 Zoning Map
Exhibit 4 Public Noticing Documents

BACKGROUND:

The site is currently a vacant parcel, part of which is being used as parking for nearby retail outlets. The applicant proposes to locate the communications tower near the northeastern corner of the property. This application is considered to be a Monopole I according to OHMC 19.29, which requires Conditional Use approval in the C-3 zone district. Further, OHMC 19.29.070(2) states, "Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and the zone district to the extent consistent with the function of the communications equipment." As such, the applicant proposes to construct a 75-foot tall flag pole which

will function as the support structure for internally-mounted antennas and a flag display.

Conditional Use Permit Application

The subject parcel is currently zoned C-3, Community Commercial. According to OHMC 19.29.050(2), “Monopole I facilities are permitted in community commercial (C-3), highway service commercial (C-4), highway corridor commercial (C-5), planned business park (PBP), planned industrial park (PIP), and public facilities (PF) zones with a conditional use permit.”

19.29.070 Additional Permit Criteria for Monopole I and Monopole II

In addition to the permit criteria specified in Chapters [19.48](#) and [19.67](#) OHMC, the following specific criteria shall be met before a site plan review or conditional use permit can be granted:

- (1) Antennas may not extend more than 15 feet above their supporting structure, monopole, building or other structure.
- (2) Site location and development shall preserve the pre-existing character of the surrounding buildings and land uses and the zone district to the extent consistent with the function of the communications equipment. Wireless communications towers shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual impact of the site to the surrounding area.
- (3) Accessory equipment facilities used to house wireless communications equipment should be located within buildings or placed underground when possible. When they cannot be located in buildings, equipment shelters or cabinets shall be screened and landscaped in conformance with Chapter [19.46](#) OHMC.
- (4) No equipment shall be operated so as to produce noise in levels above 45 dB as measured from the nearest property line on which the attached wireless communications facility is located.
- (5) In any proceeding regarding the issuance of site plan review or a conditional use permit under the terms of this chapter, federal law prohibits consideration of environmental effects of radio frequency emissions to the extent that the proposed facilities comply with the Federal Communications Commission regulations concerning such emission.
- (6) Towers, antennas or other objects that penetrate the 100:1 angle slope criteria established in Federal Aviation Regulation (FAR) Part 44 (Sections 77.13(a)(1) and 77.13(a)(2)(I), respectively) shall be reviewed for compatibility with airport operations. No tower, antenna or other object shall constitute a hazard to air navigation, interfere with the safe operation of aircraft or deny the existing operational capability of Ault Field. (Ord. 1555 § 12, 2009).

Following OHMC 18.20.250(2)(b), the review of applications for conditional uses are Review Process III actions. Such actions are subject to an open record public hearing before the Oak Harbor Hearing Examiner, followed by a final decision by the Examiner.

PROJECT DESCRIPTION

The proposed project consists of the construction of a 75-foot tall flagpole structure, which will house the wireless telecommunications antennae inside the pole itself. No antennae will be visible from the exterior. An equipment building will be located near the base of the structure. The compound will be fenced and a landscaped perimeter installed.

SITE GEOGRAPHY

The subject property is an approximately 0.37 acre parcel located north of East Whidbey Avenue on NE Midway Blvd. With the exception of an approximately 10-foot high scarp near the east property line, the site slopes slightly downward from east to west. Currently, a gravel parking area occupies much of the western portion of the parcel, with the east side being mostly undeveloped.

	Existing Land Use	Zoning
North:	Commercial	C-3, Community Commercial
South:	Commercial	C-3, Community Commercial
East:	Commercial	C-3, Community Commercial
West:	Commercial	C-3, Community Commercial

Note regarding zoning districts: while it appears that the neighboring parcel to the east is zoned Residential, there is actually a narrow parcel that exists between the subject parcel and the multi-family housing to the east. Therefore, the subject parcel is surrounded on all sides by C-3 zoning.

SEPA

A Determination of Nonsignificance was issued on March 13, 2015.

LEGAL NOTICE:

A Notice of Application was advertised on February 7, 2015 and Notice of Public Hearing was advertised on March 18, 2015, both in the Whidbey News Times. Notice to neighboring property owners within a 300-foot radius of the property were mailed on March 18, 2015 and a notice was posted on the subject property on March 17, 2015.

The public hearing to consider CUP-14-03 is scheduled for April 6, 2015 at 10:00 a.m.

PUBLIC COMMENTS:

The City has received no public comments as of the date of this staff report.

CONDITIONAL USE REVIEW

The Oak Harbor Municipal Code 19.67 Conditional Uses, states that a conditional use permit shall be granted if certain criteria are met. The following is an analysis of the conditional use criteria:

1. All special conditions for the particular use are met.

As noted above, special criteria are set forth for wireless sites that require a conditional use. Those criteria will be set as conditions of approval for the final project permit.

2. It does not have a significant, adverse environmental impact resulting in excessive noise, light and glare or soil erosion on adjacent property.

Limited impacts are expected from this proposed development. Noise may be expected from flag movement during heavy wind events. Other noise is regulated by OHMC 19.29.070 as listed above and OHMC 6.56. Lighting would likely be the greatest impact on neighboring residential properties. As a United States flag is generally expected to be flown, the applicant should be willing to abide by US Flag Code with regards to lighting and other maintenance of the flag itself. Flag lighting is addressed in the OHMC 19.28.050 (1)(b), “lighting shall be toward the flagpole and not create safety hazards for aircraft and automobile traffic.”

Additionally, 19.28.050(1)(a) states that “the flagpole is located at least 50 feet away from the nearest point of a residential district.” With the narrow parcel of C-3 zone between the subject property and the residential properties to the east, that setback will be enforced and shall be shown on submitted plans.

3. It is provided with adequate parking.

Currently, there is a large gravel lot on site. Due to the nature of the project, permanent parking is not required, but there may be times that space is needed to accommodate maintenance or other related vehicles. The existing parking lot should be sufficient for that use.

4. It is served with adequate public streets, public utilities and facilities.

Public streets, utilities and facilities are available at the property. No undue impact is anticipated.

5. It otherwise meets the purpose of the district in which it is to be placed.

The listed purpose of the C-3 zone district is to “provide for those types of retail, wholesale, transportation, and service uses which, because of traffic and other requirements, depend upon particular locations to serve the needs of the community and its trading area.” The proposed use could be considered to be a service use that is necessary for communication in the community.

6. It meets the goals and policies of the Oak Harbor Comprehensive Plan.

Utilities Element – Goal 4: Minimize aesthetic and environmental

degradation from utility operation, installation, replacement, repair and maintenance. The design of the proposed tower will minimize negative impacts of undisguised cellular phone antennas and equipment and provides a patriotic visual landmark for the community.

Land Use – Goal 14: To strengthen and enlarge the commercial economic base of the community by promoting the development of facilities that provided a competitive and stimulating business environment. This proposed cellular facility will help strengthen cellular service in the community, assisting commercial businesses and residents alike in communication with local and out-of-area contacts.

RECOMMENDED ACTION:

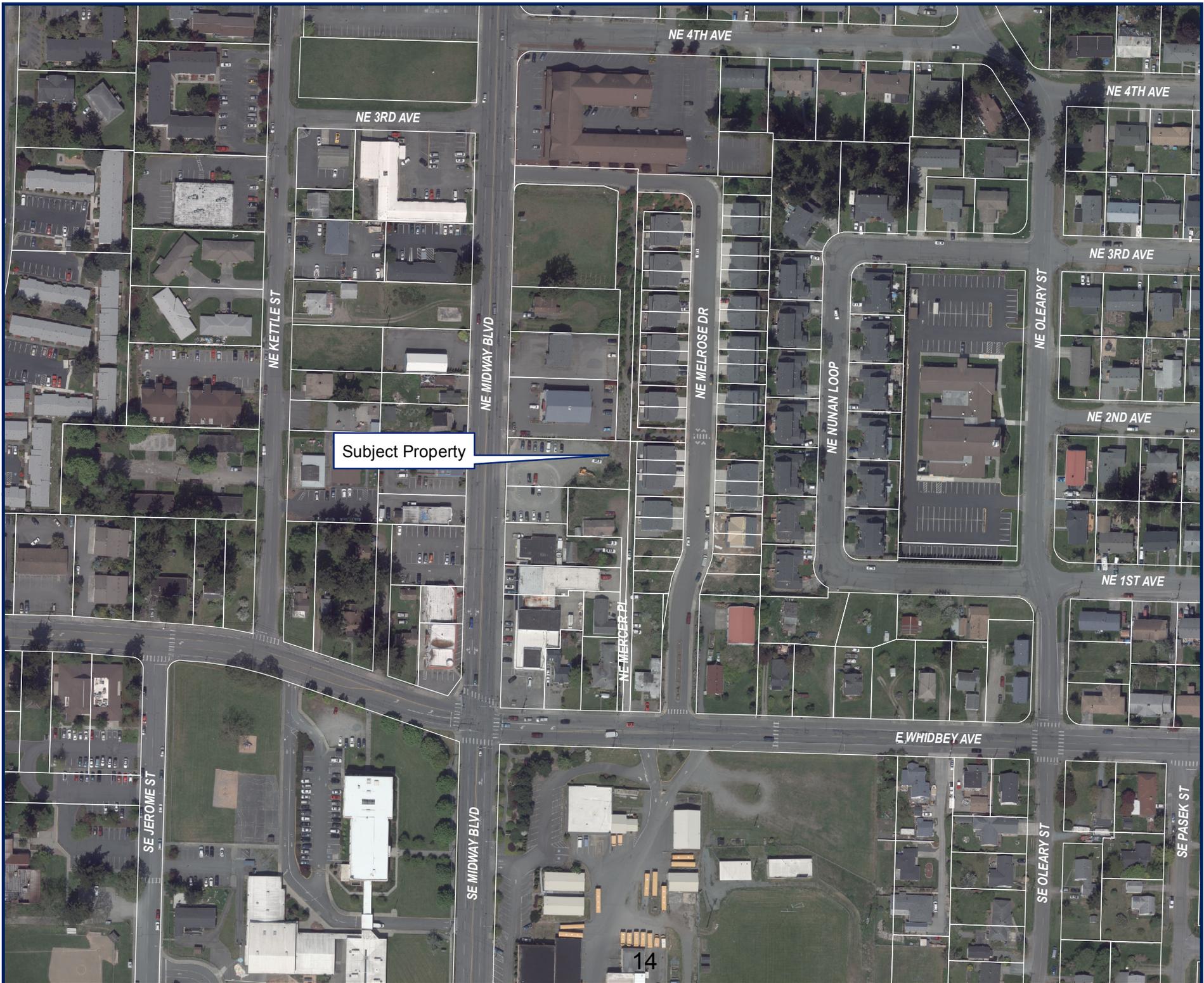
Staff recommends that the Hearing Examiner conduct the public hearing and approve CUP-14-03 subject to the following conditions:

1. The project shall be in general conformance with the narrative and application materials submitted by the applicant as attached in Exhibit 1 and abide by conditions and requirements set forth within this report.
2. The tower structure shall be constructed at least 50 feet from the nearest point of a residential zone district
3. Lighting of the flag must be directed away from residential properties and must meet the requirements of the United States Flag Code.
4. The project shall be in conformance with all applicable sections of the Oak Harbor Municipal Code, including but not limited to, Chapters 19.28.050 and 19.29.
5. That the site meets or exceeds all criteria and evaluations within the attached Noise Evaluation Report and Non-Ionizing Electromagnetic Radiation Report.
6. Limited expansions or modifications to the facility can be requested through a Type II administrative review process.
7. Applicant shall apply for and receive any required building permits before commencement of construction activity.
8. The conditional use shall not be transferable to a subsequent user unless specifically authorized by the hearing examiner who finds it appropriate and a permit authorizing the transferability is on record with the Island County auditor.
9. The conditional use permit must be acted on within one year of the date of granting. Otherwise the conditional use permit shall expire and be null and void.

10. The conditional use permit applies only to the property for which the application is made.
11. This site has a low probability of encountering cultural resources. Applicant shall coordinate with DAHP to determine if an archeological survey will be required, and follow all guidelines and requirements set forth by DAHP.

EXHIBIT 2

*Vicinity Map
and
Aerial Map*



Subject Property

14

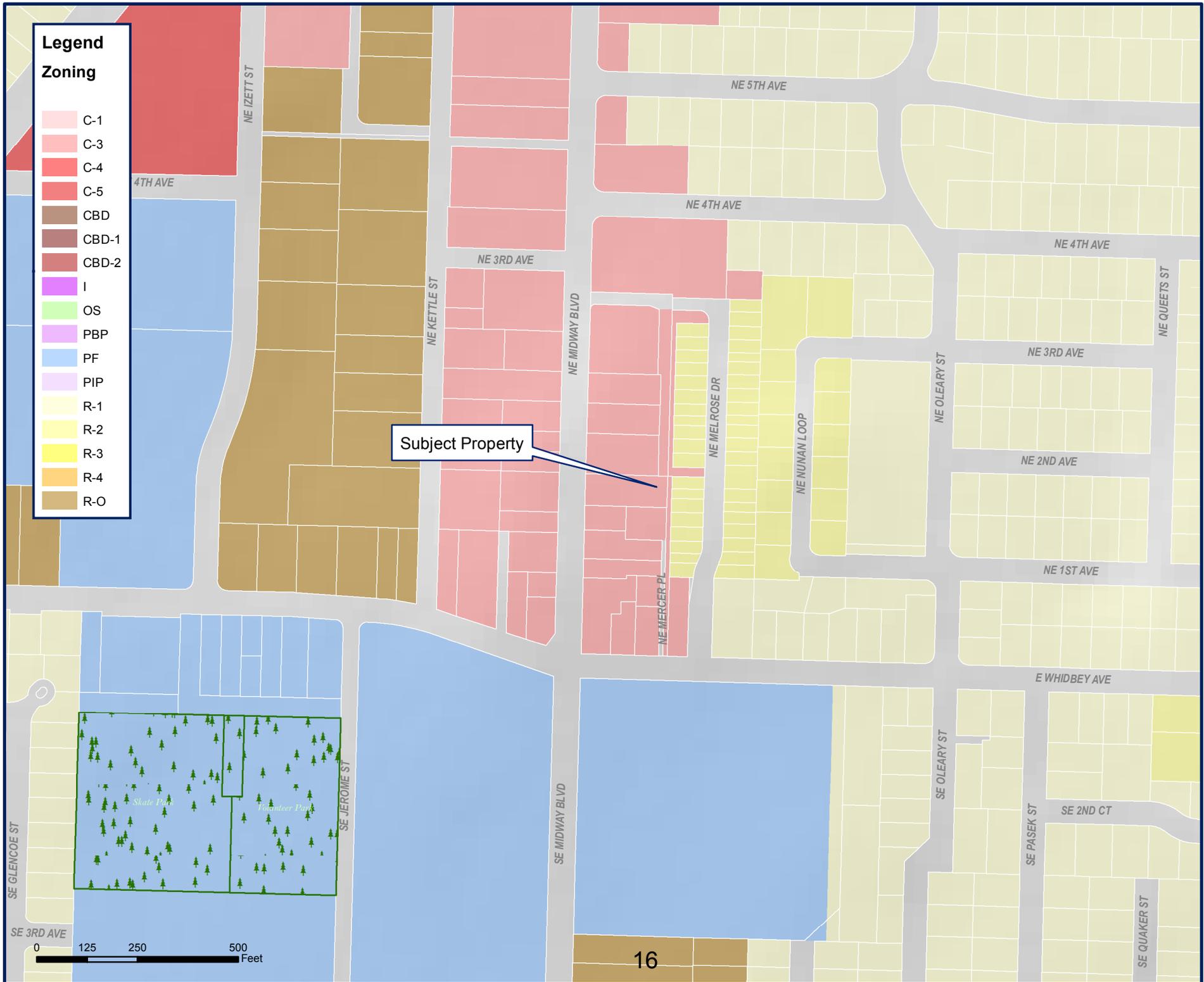
EXHIBIT 3

Zoning Map



Legend Zoning

- C-1
- C-3
- C-4
- C-5
- CBD
- CBD-1
- CBD-2
- I
- OS
- PBP
- PF
- PIP
- R-1
- R-2
- R-3
- R-4
- R-O



Subject Property

16

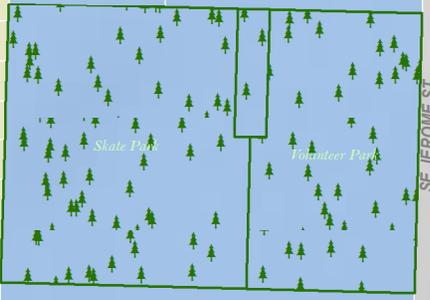


EXHIBIT 4

*Findings of Fact,
Conclusions of Law and Decision
for CUP-14-03*

CITY OF OAK HARBOR
HEARING EXAMINER

RE: Conditional Use Permit) CUP-14-03
Application for)
)
Verizon Wireless Telecommunications) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
) AND DECISION

SUMMARY OF APPLICATION AND DECISION

Application: The Applicant proposes to construct a new telecommunications tower designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure and equipment cabinet.

Decision: The Hearing Examiner for the City of Oak Harbor hereby grants approval for the requested Conditional Use Permit, subject to the Conditions of Approval recommended by the Development Services Department of the City of Oak Harbor.

FINDINGS OF FACT

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted herein and evidence presented at the public hearing.

I.

Applicant's Representative: Glotel, Inc.

Property Owner: Robert G. Hearst

Address of Proposal: 130 NE Midway Blvd.
Oak Harbor, WA 98277

Parcel Number: R13335-094-3830

Comprehensive Plan Designation: Community Commercial

Zoning Designation: Community Commercial [C-3]

Application Presented for Action:

Conditional Use Permit (CUP-14-03), Review Process III
SEPA [SEP-14-08]

Legal Notices: Published: Notice of Public Hearing, March 18, 2015
Notice of Application, February 7, 2015

Mailed Notice of Application 300-foot radius March 18, 2015

Posted on subject property: Notice of Application, March 17, 2015

Hearing Date: April 6, 2015

Parties of Record

Verizon Wireless
3245 -158th Avenue SE, MS231
Bellevue, WA 98008

Sunny Ausink
Glotel, Inc.
15375 SE 30th Place, Suite 160 Bellevue, WA 98007

Robert G. Hearst
Attn: Marilyn Beauregard
216 -240th Street SE
Bothell, WA 98021

Ray Lindenburg, Associate Planner
Development Services Department

Exhibits

- 1 Staff Report with attached Exhibits
 - 1-1 Conditional Use Application and Applicant Narrative
 - 1-2 Vicinity and Aerial Map
 - 1-3 Zoning Map
 - 1-4 Public Noticing Documents
- 2 Non-Ionizing Electromagnetic Radiation Report, prepared by Glotel, Dec 23, 2014

- 3 Site Plan Packet, prepared by Glotel, Artistic Engineering, includes photo Simulation site before and after views and project drawings
- 4 Addendum to the Conditional Use Permit Application General Information Form, dated April 6, 2015, submitted by the Applicant at the Public Hearing
- 5 Verizon Wireless letter, dated March 18, 2015, to City of Oak Harbor Planning Department re: Radio Frequency justification for the NE Midway Blvd. site new wireless communication facility, submitted at the Public Hearing by the Applicant
- 6 FAA Determination under review status: Work I Progress, entered Jan 29, 2015, submitted at the Public Hearing by the Applicant

II.

The Development Services Department of the City of Oak Harbor recommended approval of the requested Conditional Use Permit, subject to conditions. The Findings of Fact and Conclusions of Law of the Department are set forth in a Staff Report, Exhibit No.1, dated April 6, 2015, a copy of which is attached hereto and incorporated herein by this reference.

The Findings of Fact set forth by Staff in the Staff Report are supported by the record as a whole. The Applicant's representative, Sunny Ausink , indicated that there were no factual inaccuracies in the Staff Report and indicated no concerns with the recommended Conditions of Approval.

There was no public comment on this proposal either in writing or at the public hearing.

III.

Any Conclusion of Law which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following

CONCLUSIONS OF LAW

I.

The Hearing Examiner concurs with Staff's review of the Conditional Use Criteria in the Staff Report and with Staff's Recommendation that the Conditional Use Permit Approval is consistent with the Conditional Use Criteria of OHMC 19.67. Subject to the Conditions of Approval attached to the granting of this permit, the proposal is consistent with the Conditional Use Criteria. A Conditional Use Permit should be granted, subject to conditions.

II.

Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following

DECISION

The Hearing Examiner for the City of Oak Harbor hereby grants Conditional Use Permit Approval to Verizon Wireless for the construction of a new telecommunications tower to be designed as a 75-foot stealth flagpole installation, addressed as 130 NE Midway Blvd., Oak Harbor, WA, parcel R13335-094-3830, subject to the following Conditions of Approval:

1. The project shall be in general conformance with the narrative and application materials, Exhibit 1-1 in the Hearing Examiner file, and abide by conditions and requirements set forth within the Staff Report, a copy of which is attached hereto.
2. The Applicant shall construct the tower structure at least 50 feet from the nearest point of a residential zone district.
3. Lighting of the flag must be directed away from residential properties and must meet the requirements of the United States Flag Code.
4. The project shall be in conformance with all applicable sections of the Oak Harbor Municipal Code, including, but not limited to, Chapters 19.28.050, and 19.29.
5. The Applicant shall ensure that the site meets or exceeds all criteria and

evaluations within the Noise Evaluation Report and Non-Ionizing Electromagnetic Radiation Report [see Exhibit 1-1 and Exhibit 2 in the Hearing Examiner file].

6. Limited expansions or modifications to the facility can be requested through a Type II administrative review process.
7. The Applicant shall apply for and receive any required building permits before commencement of construction activity.
8. The Conditional Use Permit shall not be transferable to a subsequent user unless specifically authorized by the Hearing Examiner who finds it appropriate and a permit authorizing the transferability is on record with the Island County Auditor.
9. The Conditional Use Permit must be acted on within one year of the date of granting. Otherwise the Conditional Use Permit shall expire and be null and void.
10. The Conditional Use Permit applies only to the property for which the application is made.
11. This site has a low probability of encountering cultural resources. The Applicant shall coordinate with the Washington State Department of Archaeology & Historic Preservation [DAHP] to determine if an archeological survey will be required, and follow all guidelines and requirements set forth by DAHP.

NOTICE

This approval is subject to all of the above-stated conditions. Failure to comply with them may be cause for enforcement action pursuant to OHMC 19.100. Complaints regarding a violation of the conditions of this permit should be filed with the City of Oak Harbor Development Services Department.

NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF

This decision of the Hearing Examiner for the City of Oak Harbor is final ten days after the issuance of this decision unless it is appealed to the Island County Superior Court within ten days of the issuance of this decision, pursuant to 30.70C R.C.W.

DATED this 15th day of April 2015.



Michael Bobbink, Hearing Examiner

EXHIBIT 5

*Public Noticing
Documents*

Verizon Wireless Telecommunications

NOTICE OF APPLICATION

APPLICATION: Conditional Use Extension (CUP-16-01)

PROJECT PROPOSAL AND LOCATION: This Notice of Application is for a Conditional Use extension application proposing an extension to the previously reviewed and approved Conditional Use (CUP-14-03) approval on April 15, 2015. The proposal is for construction of a new telecommunications tower designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure and equipment cabinet. The application was submitted on March 3, 2016 by Ms. Carly Nations with Glotel, Inc. for Verizon Wireless Telecommunications was determined complete for processing on March 9, 2016. The property location is at 130 NE Midway Boulevard, R13335-094-3830.

DETERMINATION OF COMPLETENESS: Conditional Use CUP-16-01 submitted on March 3, 2016 by Ms. Carly Nations, Glotel, Inc for Verizon Wireless Telecommunications has been determined complete for the purpose of processing on March 9, 2016.

PUBLIC HEARING REQUIRED: A Public Hearing has been scheduled for Monday April 11, 2016 at 10:00 a.m. The Public Hearing will be at City Hall in the Council chambers.

ENVIRONMENTAL DOCUMENTS: SEPA Environmental Checklist (SEP-14-08) Determination of Non-significance was issued for this project on March 13, 2015.

PUBLIC COMMENT PERIOD:

If you have questions regarding the proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m., Monday thru Friday.

To make written comments on this proposal, please mail or hand-deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, no later than **5:00 p.m. on March 30, 2016.**

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request a Findings of Fact for Conditional Use CUP-16-01 to the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277

Lisa Bebee
Permit Coordinator

Published: Whidbey News Times
Date: March 16, 2016

**NOTICE OF PUBLIC HEARING BEFORE
HEARING EXAMINER**

HE #04-11-16

Notice is hereby given that a public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on April 11, 2016 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following items:

Verizon Wireless Conditional Use Extension – CUP 16-01

The Hearing Examiner will consider an extension to conditional use permit CUP 14-03 approved on April 15, 2015. The proposal is for construction of a new telecommunications tower designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure and equipment cabinet. The application was submitted on March 3, 2016 by Ms. Carly Nations with Glotel, Inc. for Verizon Wireless Telecommunications. The property location is at 130 NE Midway Boulevard, R13335-094-3830.

Anyone wishing to comment on the above items or provide other relevant information may do so in writing or appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of the approval, conditions or limitations may be imposed.

For additional information, you may contact the City Department of Development Services in City Hall or call (360) 279-4512.

**CERTIFICATION OF POSTING
PUBLIC HEARING NOTICES**

Oak Harbor Hearing Examiner
865 SE Barrington Drive
Oak Harbor, Washington 98277

I, Katherine Gifford, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

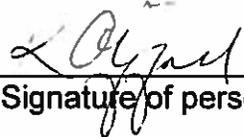
On the 29th day of March, 2016, I did post 3 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

- 1&2) Oak Harbor City Hall
 865 SE Barrington Drive
 Oak Harbor, WA 98277

- 3) Library
 1000 East Regatta Drive
 Oak Harbor, WA 98277

advertising a public hearing for an extension to CUP 14-03 before the Oak Harbor Hearing Examiner on April 11, 2016

Executed this 29th day of March, 2016, in Oak Harbor, Washington.



(Signature of person posting)



March 15, 2016

Re: Verizon Wireless Telecommunication Tower – NE Midway Blvd – Conditional Use Extension Request

To whomever it may concern:

The City has received a Conditional Use Extension application from Verizon Wireless for the proposal to install a wireless communication facility/tower NE Midway Blvd, in the parking lot north of the WAIF Thrift Store. The property is zoned C3, Community Commercial and permits telecommunication towers to be built as a conditional use.

The SEPA Checklist was previously reviewed and a Determination of Non-significance was issued on March 13, 2015 for Conditional Use CUP-14-03.

A copy of the NOA, Determination of Non-significance has been attached.

A public hearing before the Hearing Examiner has been set for Monday, April 11, 2016, at 10am, in the City Council Chambers of the City Building located at 865 SE Barrington Drive, Oak Harbor, WA 98277.

If you have any comments on the extension, you can do so by mail to Development Services, Attn: Verizon Wireless Conditional Use Extension CUP-16-01, 865 SE Barrington Drive, Oak Harbor, WA 98277 or by email to lbebee@oakharbor.org.

If you need additional information, please call 360-279-4510.

Sincerely,

Lisa Bebee
Permit Coordinator
Development Services Department

Department of Ecology
Environmental Review
PO Box 47703
Olympia, WA 98504-7703
seapunit@ecy.wa.gov

Department of Archaeology & Historic Preservation
PO Box 48343
Olympia, WA 98501
sepa@DAHP.wa.gov

Peter Marczin
WDFW
Mill Creek Regional Office
16018 Mill Creek Blvd.
Mill Creek, WA 98001-1541
Paul.marczin@dfw.wa.gov

Elizabeth L O'Neal
WA State DNR
External Affairs Program Lead
1111 Washington Street SE
MS 47001
Olympia, WA 98504-7001
sepacenter@dnr.wa.gov

Puget Sound Partnership
Attn: Marsha Engel
326 East D Street
Tacoma, WA 98421
Marsha.engel@psp.wa.gov

Nancy Waddell
EcoNet Whidbey Coordinator
info@whidbeywatersheds.org

Lori Clark
Island County DNR manager
l.clark@co.island.wa.us

Swinomish Indian Tribal Community
11404 Moorage Way
La Conner, WA 98258
lcampbell@swinomish.nsn.us

Snoqualmie Nation
Steve Mullen
PO Box 969
Snoqualmie, WA 98065
steve@snoqualmietribe.us

Stillaguamish Tribe
PO Box 277
Arlington, WA 98223-0277
syanity@stillaguamish.com

Suquamish Tribe
Dennis Lewarch
PO Box 498
Suquamish, WA 98392-0498
dlewarch@Suquamish.nsn.us

Tulalip Tribes
Richard Young
6410 23rd Avenue NE
Tulalip, WA 98271
ryoung@tualiptribes-nsn.gov

Samish Tribe
Jackie Ferry
PO Box 217
Anacortes, WA 98221
jferry@samishtribe.nsn.us



Signature of permit emailing

3/15/16

Date

Skagit Valley Community College
Whidbey Island Campus
1900 SE Pioneer Way
Oak Harbor WA 98277

WSDOT
1043 Goldenrod Rd. #101
Burlington, WA 98233

Department of Ecology
Shorelands Division
Mail Stop PV-11
Olympia, WA 98504

Jennifer S. Meyer
Code NAS N01A
3730 N Charles Porter Ave
NAS Whidbey Island
Oak Harbor WA 98278-5000

SEPA Information Officer
Island County Planning Dept.
P.O. Box 5000
Coupeville, WA 98239

Upper Skagit Tribal Council
25944 Community Plaza
Sedro Woolley, WA 98284

Attorney General
Ecology Division
1125 Washington St SE
PO Box 40100
Olympia, WA 98504-0100

Northwest Air Pollution Auth.
1600 South 2nd Street
Mount Vernon, WA 98273-5202

Island County Public Health
PO Box 5000
Coupeville WA 98239

Douglas Hennick
Watershed Steward
WDFW
16018 Mill Creek Blvd
Mill Creek, WA 98012

Greater Oak Harbor Chamber of
Commerce
P.O. Box 883
Oak Harbor WA 98277

Lummi Indian Business Council
2616 Kwina Road
Bellingham WA 98226

Skagit River System Cooperative
P.O. Box 368
La Conner, WA 98527

Mr. Evan Lewis
c/o U.S. Army Corp of Engineers
Planning Branch
PO Box 3755
Seattle WA 98124-3755

David Pater
Shorelands and Environmental
Assistance
Dept of Ecology
3190 160th Ave SE
Bellevue WA 98008

Oak Harbor School District
350 S Oak Harbor Street
Oak Harbor WA 98277

City of Oak Harbor
Chris Sublet, Marina Manager
865 SE Barrington Dr.
Oak Harbor WA 98277

Island County Planning and
Community Development
1 NE 6th Street
P.O. Box 5000
Coupeville, WA 98239

Puget Sound Water Quality
Authority
Environmental Review
PO Box 40900
Olympia WA 98504-0900

AFFIDAVIT OF POSTING

City of Oak Harbor
865 SE Barrington Drive
Oak Harbor, WA 98277

I, GARCIA BENJAMIN R, hereby certify that I did, on the 15th day of MARCH, 2016 post 1 notice(s), a copy of which is hereunto attached, marked "Exhibit", and by the reference made a part thereof, at the following location(s):

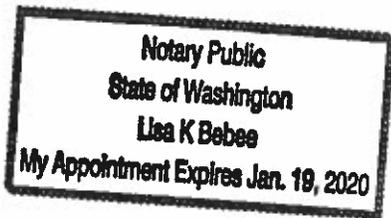
- 1. NE Midway Blvd, in the parking lot north of the WAIF thrift store, R1335-094-3830.

advertising a Notice of Application for Conditional Use Application Extension (CUP-16-00001).



(Signature of person posting)

SIGNED AND ATTESTED to before me this 15th day of March, 2016 by Garcia Benjamin.



Lisa K Bebee
Notary Public
Print Name Lisa K Bebee
Notary Public in and for the State of Washington, Oak Harbor City/County
Commission expires Jan 19, 2020

Verizon

**CERTIFICATION OF POSTING
NOTICE OF APPLICATION**

Office of the City Administrator
865 SE Barrington Drive
Oak Harbor, WA 98277

I, Lisa Bebee, hereby certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 15th day of March 2016, I did post 3 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

- 1&2) Oak Harbor City Hall
 865 SE Barrington Drive
 Oak Harbor, WA 98277

- 3) City Library
 1000 E Regatta Drive
 Oak Harbor, WA 98277

advertising a Notice of Application CUP-16-00001

Executed this 15th day of March, 2016 in Oak Harbor, Washington.



(Signature of person posting)



March 15, 2016

**NOTICE TO ADJACENT PROPERTY OWNERS
NOTICE OF APPLICATION**

**APPLICATION: Conditional Use Extension CUP-16-01 Verizon Wireless
Telecommunications**

Glotel, Inc. submitted a conditional use extension application proposing an extension to the previously reviewed and approved Conditional Use (CUP-14-03) approval on April 15, 2015. The proposal is for construction of a new telecommunications tower designed as a 75-foot stealth flagpole installation. Associated improvements include a fenced enclosure and equipment cabinet. The application was submitted on March 3, 2016 by Ms. Carly Nations with Glotel, Inc. for Verizon Wireless Telecommunications was determined complete for processing on March 9, 2016. The property location is at 130 NE Midway Boulevard, R13335-094-3830. Public comment period will run March 16 through March 30, 2016. There is a 15 day public comment period for this application that ends on March 30, 2016.

The application packet has been circulated to City staff for review and comments. This application is available for review at the City of Oak Harbor's Development Services Department, located in City Hall. For more information, please call (360) 279-4510.

PROJECT LOCATION: 130 NE Midway Boulevard, R13335-094-3830.

PUBLIC COMMENT PERIOD: To make written comments on this proposal, please mail or hand deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, **no later than 5:00 p.m. on March 30, 2016.** If you have questions regarding this proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m.

PUBLIC HEARING REQUIRED: This application is scheduled for a public hearing before the Hearing Examiner on Monday April 11, 2016 at 10:00 am in the City council chambers at City Hall.

ENVIRONMENTAL DOCUMENTS AND/OR STUDIES APPLICABLE TO THIS PROJECT: SEPA checklist (SEP-14-08) Determination of Non-significance was issued for this project on March 13, 2015.

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request the Findings of Fact for application CUP-16-01 from the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277.

Andrew Tingley & Amy Tingley
810 Brandon Ave
Norfolk, VA 23517

Audrey Johnston
60 NE Melrose Drive
Oak Harbor, WA 98277

Bernard J Lange
1547 NE Narrows Ave
Oak Harbor, WA 98277

~~Bestway Construction Co~~
~~1051 SW Swantown Ave~~
~~Oak Harbor, WA 98277-7504~~

Returned

Carlesha Lynn Jimenez
2005 185th Pl SE, Apt I203
Bothell, WA 98012-7931

Jose P. Materne; Catalina R Materne
Trustees
20819 136th Ave SE
Kent, WA 98042

Evan J Marshall & Chanelle K
Marshall
201 Freedom Lane
Ellensburg, WA 98926-6588

Christpoher M Apper
135 NE Melrose Drive
Oak Harbor, WA 98277

Danielle M Breilein
2240 Cove Dr
Oak Harbor, WA 98277-8606

David G & Patricia T Cohick
1031 Fleet Street
Oak Harbor, WA 98277

Patrick Bell JTWROS & Dustin
Hoskins JTWROS
11542 Burbank Blvd, Unit 4
North Hollywood, CA 91601

Elena Gheorghe
95 NE Melrose Drive
Oak Harbor, WA 98277

Evan M Blansfield
4936 Decelption Circle
Oak Harbor, WA 98277-9707

Hall School Building LLC
c/o Theron J Hall
1133 SW Xavier Drive
Oak Harbor, WA 98277

Higgins Properties LLC
4516 Morgan Beach Ln
Oak Harbor, WA 98277-9751

Jesse T James
Iris Jean Lowder
2109 San Lorenzo Quay
Virginia Beach, VA 23456-7724

Jack L Truex
1348 E Whidbey Ave
Oak Harbor, WA 98277-4937

Alaska USA Federal Credit Union
ATTN: Accounting C220
Box 196020
Anchorage, AK 99519

Brian K Dernbach
1668 Fern Place
Oak Harbor, WA 98277

John B Faber
19932 Skyridge Rd
Mount Vernon, WA 98274

Joseph L Bach
180 NE Melrose Dr
Oak Harbor, WA 98277-4936

~~Matthew P Gumbel~~
~~c/o Kristin Groberg~~
~~17727 Highland View Drive~~
~~Arlington, WA 98223~~

Returned

Jerad L Wade
4605 E 22nd Court
Spokane, WA 99223

Jon R Tiessen
Lori L Tiessen
4607 Cypress Dr
Anacortes, WA 98221

Marilyn S Beauregard
216 240th St SE
Bothell, WA 98021-8715

Mark C Calim; Agnieszka Jendro-
Calim
220 NE Kettle Street
Oak Harbor, WA 98277

Michael Karas
1056 Kupau Street
Kailhua, HI 96734-3530

Michael S & May M Rodgers
1565 Links Way
Oak Harbor, WA 98277-8845

~~Mickey Coyle~~
~~3534 S Huntington Loop~~
~~Kennewick, WA 99337~~

Returned

Oak Harbor Furniture Inc
2285 Mulligan Drive
Oak Harbor, WA 98277-8854

Brian D Pease; Pamela J Pease
2067 Briarwood Drive
Oak Harbor, WA 98277

Patrick Shelley
606 SW Founders Drive
Oak Harbor, WA 98277

PCM Holdings, LLC
33345 SR 20
Oak Harbor, WA 98277-8718

Pierrce R Pilacin
1132 Millcreek Blvd, Apt E204
Mill Creek, WA 98012

Robert Stanley Sweeton
165 NE Melrose Drive
Oak Harbor, WA 98277

Robert Wold
PO Box 70521
Seattle, WA 98127

Ross Stein
90 NE Melrose Drive
Oak Harbor, WA 98277

Roy Harald
100 NE Melrose Drive
Oak Harbor, WA 98277

Theresa Wiley
160 NE Kettle Street
Oak Harbor, WA 98277

Sadiebug LLC
152 NE Midway Blvd
Oak Harbor, WA 98277

Salimah Muhammad
3128 104th Place
Everett, WA 98208

Michael LaPierre Jr; Satomi T
LaPierre
PSC 80 Box 21926
APO, AP 96367-0104

Sean P Slattery
12662 Cheyenne Lane
Lusby, MD 20657-4509

Secret Squirrel LLC
201 Leslie Ln
Mukilteo, WA 98275

Shane A Salvatore
204 NE Faris Street
Coupeville, WA 98239-359

W L Massey
41 NE Midway Blvd, STE 101
Oak Harbor, WA 98277-4953

Waldron Construction Inc
31640 SR 20, STE 1
Oak Harbor, WA 98277-3128

Mica J Brooks; Tamara R Brooks
35 NE Melrose Dr
Oak Harbor, WA 98277

Jacob K Balesi
45 NE Melrose Dr
Oak Harbor, WA 98277

Paul D Gumbel & Shauna R Gumbel
1660 SW 17th Avenue
Oak Harbor, WA 98277

Neill J Ryan
70 NE Melrose Drive
Oak Harbor, WA 98277

**CERTIFICATION OF MAILING
NOTICE TO ADJACENT PROPERTY OWNERS**

I, Lisa Bebee, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 15th day of March, 2016, I deposited in the U.S. mail, postage prepaid, a copy of the Notice to Adjacent Property Owners for Conditional Use Extension CUP-16-00001 a copy of which is attached hereto and by reference made a part hereof) to the following property owners:

(see attached)

Executed this 15th day of March, 2016 in Oak Harbor, Washington.



(Signature of person mailing)