

1 **BEFORE THE HEARING EXAMINER FOR THE CITY**
2 **OF PORT TOWNSEND**

3 Phil Olbrechts, Hearing Examiner

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RE: Burgler	CLARIFICATION
Administrative Appeal	
Case No. ADM25-002	

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8 The Appellants submitted a request for reconsideration dated June 24, 2026. The Applicant
9 and City separately objected on grounds that they considered the clarification request to be a
 reconsideration request. The Appellants' request for clarification is addressed below to the
 extent authorized by Hearing Examiner Rule of Procedure 2.15.

10 The “*if not done*” language of Condition No. 1 to the above-captioned Final Decision
11 requires hydrological modelling if the Applicant opts to address stormwater by directing
12 impermeable surface generated flows to natural drainage paths or tightlined to the lower
13 slope. As referenced in the condition, Condition No. 1 was based upon the stormwater
 mitigation recommendations of the Ex. B7 HWA peer review. The pertinent
 recommendation reads as follows:

14 *...Ideally the collected water would be carried off the site to a natural drainage or*
15 *be tightlined to the lower slope. If that is not done, the water should be distributed*
16 *as closely as practical to the way it was naturally...*

17 The language above presents two options: (1) convey stormwater to natural drainage or
18 tightline; or (2) mimic natural flows. The “if not done” language identifies that if the first
19 option is exercised, then hydrological modelling shall be employed. The HWA report
 provides detail on what type of hydrological analysis is required if the second option is
 employed.

20 The “natural drainage” language of the condition was also taken from the HWA
21 recommendation as quoted above. Condition No. 1 requires the application of hydrological
22 modeling “*required of projects with over 10,000 square feet in surface area.*” For projects
23 over 10,000 square feet in area the stormwater manual requires off-site drainage to mimic
24 predeveloped, forested conditions. The extent that the drainage path must be the same as
25 natural drainage is dictated by the stormwater manual as it pertains to projects over 10,000
 square feet in area. The location of off-site drainage paths for projects that must meet the
 forested condition requirement are regularly addressed in stormwater manual review by
 County staff.

26 The final approved stormwater design for the project shall implement the requirements and
 objectives of Condition No. 1. No ground disturbance shall be allowed until a stormwater

1 design that implements the requirements and objectives of Condition No. 1 has been
2 approved by County staff.

3 If the Applicant employs the stormwater modelling option, the modelling documentation
4 typically required for projects over 10,000 square feet by the stormwater manual shall be
5 required of the Applicant.

6 The impermeable surfaces of the site for the required stormwater modelling of the first option
7 include those of the improvements to R street.

8 The June 11, 2026 emails from Mr. Ehrlichman and Ms. Thornborough were not referenced
9 in the decision because they added nothing of substance to the issues evaluated in the appeal.
10 However, Mr. Ehrlichman's waiver of objection to delays in the issuance of the final decision
11 in his June 11, 2026 email is now noted for the record.

12 Dated this 2nd day of July 2026.

13 *Phil Olbrechts*

14 Phil Olbrechts
15 City of Port Townsend Hearing Examiner
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