



A GREAT NORTHERN TOWN

- |                                                    |                                                       |
|----------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> LAND CLEARING PERMIT      | <input type="checkbox"/> GRADING PERMIT               |
| <input type="checkbox"/> RIGHT OF WAY / USE PERMIT | <input checked="" type="checkbox"/> DEMOLITION PERMIT |
| <input type="checkbox"/> SHORELINE EXEMPTION       | <input type="checkbox"/> SPECIAL EVENTS PERMIT        |

**NO WORK OR ACTIVITY MAY BE STARTED WITHOUT APPROVAL AND ISSUANCE FROM THE TOWN OF THE REQUIRED PERMIT AND PRE-APPLICATION MEETING WITH KING COUNTY FIRE DISTRICT #50.**

**FOR SPECIAL EVENT PERMITS A CERTIFICATE OF INSURANCE NAMING THE TOWN OF SKYKOMISH AS AN ADDITIONAL INSURED MUST BE ATTACHED TO THIS PERMIT.**

**APPLICANT**

Name: Skykomish Hotel LLC, by: Karl Benz  
Address: PO Box 7767, Tacoma, WA 98417  
Contact Person: Karl Benz or Cate Riley

**INSTALLER/ORGANIZER**

Name: N/A  
Address: N/A  
Contact Person: N/A

JOB/EVENT LOCATION: 102 Railroad Avenue East, Skykomish, WA 98288

UTILITY WORK ORDER NUMBER: N/A

**A PERMIT IS REQUESTED FOR THE FOLLOWING:** Demolition of the Historic Skykomish Hotel utilizing the services of a fully licensed, bonded and insured general contractor who specializes in demolishing buildings.

GENERAL CONDITIONS:

- a. Comply with all applicable town ordinances, town design and construction standards, specification policies and administrative procedures.
- b. Agree to defend, indemnify and hold harmless the Town of Skykomish, its officers, employees and agents, from any and all suits, claims, causes of action or liabilities caused by or arising out of any activities conducted by the permittee resulting from issuance of the permit.
- c. Agree to maintain ingress and egress for vehicles and persons to abutting property at all times, unless written consent for an alternative plan is obtained from the town and impacted business or property owner.
- d. Agree to be responsible for providing adequate work zone safety controls for the protection of public pedestrians and vehicular traffic in and around the site.
- e. Agree to be responsible for restoration and clean up of the street, sidewalk, curb and gutter and adjacent property to original or better condition immediately upon completion of the project.
- f. Agree to be responsible for providing a safe work environment for its employees according to OSHA and WISHA standards.
- g. Agree to be responsible for all site security during non-construction hours including providing adequate warning devices and barriers to hazardous conditions.
- h. Agree to be responsible for the protection of all foundations, buildings, fences, walls or other property likely to be damaged during the progress of the project, and agree to be responsible for the repair of any damaged items.
- i. Agree to be responsible for the security and protection of any unguarded machinery, equipment, materials or other device having the characteristic of an attractive nuisance likely to attract children and hazardous to their safety.
- j. Agree to be responsible for the location of all public and private utilities prior to any excavation work. CALL FOR UTILITY LOCATES 1-800-424-5555 2 DAYS PRIOR TO DIGGING.
- k. Agree to be responsible for protecting all public and private utilities from damage while excavation work is being done.
- l. Agree to be responsible for damage done to private property due to damage to utilities, such as water pipes, sewer, gas pipe, electric conduit or other utility.
- m. Traffic control signs, road obstructions, barricades, and traffic control plans shall be in accordance with Part VI of the Manual on Uniform Traffic Control devices.
- n. Performance bond may be required.
- o. Failure to comply with these conditions may result in a posting of a Stop Work Order, which will remain in-place until the issue(s) resulting in the posting of a Stop Work Order are resolved to the satisfaction of the Public Works Department.

Skykomish Hotel LLC

By:   
Signature of Applicant - Karl Benz, Member

2013-04-28

Date

SPECIAL CONDITIONS:

SEE ATTACHED SPECIAL CONDITIONS

Payment of Permit Fee: \$ 232.00

Receipt # \_\_\_\_\_

ISSUED BY TOWN OF SKYKOMISH

DATE \_\_\_\_\_

4A. Right of way permit \$100.00 Plus use permit --see below

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4B. Use Permit Fees

<b>Class A Permit</b>	Short term non-profit Non-surface disturbing	Application + \$5/day
<b>Class B Permit</b>	Short term for profit, Non-surface disturbing	Application + \$50/day
<b>Class C Permit</b>	Surface or subsurface Disturbance of right	Application + \$50/day + \$.20/sq. ft. a mo., One mo. minimum charge.
<b>Class D Permit</b>	Of way - open street cuts/ea Long term - permanent non- Surfacing disturbing	Application + \$50
<b>Class E Permit</b>	Potential disturbing, fill, Hazardous waste hauling, etc.	Application + \$50

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 5. Driveways permit \$47.00 See Footnote 1  
 for new driveway

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 6. Structural retaining walls and \$47.00 See Footnote 1  
 rockeries

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 7. Demolition Permit \$47.00 Plus cost of field  
 investigation and inspection  
 In excess of 1/2 hr. \$185.00  
 Minimum deposit

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 8. Grade and level \$47.00 See Footnote 1

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 9. New sidewalk with \$47.00 See Footnote 1  
 existing curb

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 10. Roadway paving \$47.00 Plus cost of review, field  
 investigation and inspection  
 time in excess of 1/2 hr.  
 \$185.00 minimum deposit

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 11. Commercial Bus Shelter \$47.00 See Footnote 1

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
 12. Personal Directional Signs No fee if removed Deposit required  
 from roadways for events Prior to leaving town \$185.00  
 Ex. Marks on streets to direct bicycles \$37.00/each otherwise

STREETS  
 DEPARTMENT  
 ✓

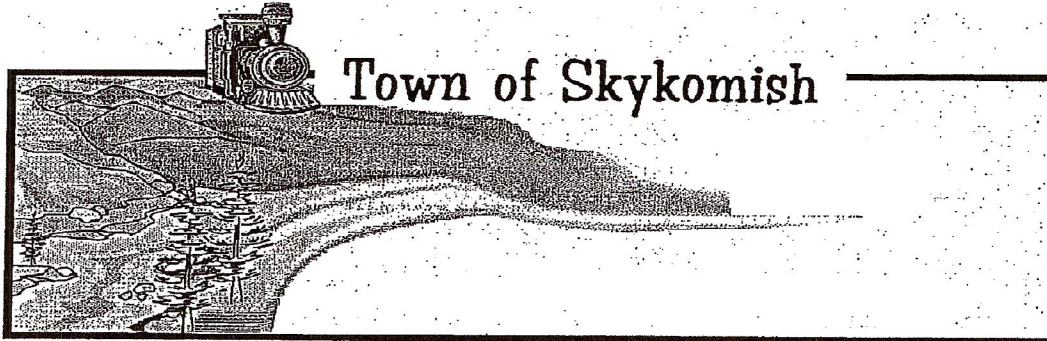
Attachment to Demolition Permit Application to  
DEMOLISH THE HISTORIC SKYKOMISH HOTEL  
Submitted by: Skykomish Hotel LLC  
Submitted on: 2013-04-29

Special Conditions:

The Skykomish Hotel is unable to justify financial investment in Skykomish due to:

- Local government's collectivist animal spirits approach to property use and ownership (except when it comes to properties officials personally own) does not allow for return of invested principal or the opportunity to earn a return on capital, as measured by the 'cost of capital' approach.
- Serious ground and ground water contamination with diesel, bunker oil and vapor intrusion caused by Town officials allowing BNSF Railway and Washington State Department of Ecology to perform a seriously deficient environmental cleanup attempt that has left properties severely polluted.
- BNSF levy construction and attempted cleanup efforts resulted in land elevation changes which increase the likelihood of future flooding. This includes the Hotel property. The Skykomish Design Review Board (see attached minutes of meeting on 2009-07-01), while allowing BNSF owned properties to be elevated to compensate, denied the Hotel's application to have its elevation increased 3', thus increasing the likelihood the Hotel will experience flooding during a 100 year flood event.
- The Town and surrogate efforts to expropriate the Hotel, and now have it demolished, as evidenced by the seeking and attainment of a King County Superior Court order for demolition, speaks volumes regarding discouragement of investment, especially that which is illiquid, like real estate.

In a final effort to save this important historic structure, the Hotel is seeking a buyer willing and able to overlook the financial and political challenges that come with Skykomish investing.



Town of Skykomish  
 Design review Board  
 Minutes  
 Special Meeting July 1, 2009

Michael Moore started the meeting at 10:15 A.M.

Michael Moore, Bill Atkinson, Bob Mackner, Teddy Jo Ryder, Mike Pierce, Todd Scott in attendance.

Adopt additional items to agenda. Letter concerning Maloney's outbuilding, and Theatre update. Bob Mackner moved to accept revised agenda, Bill Atkinson 2<sup>nd</sup>. Passed unanimously.

1. Hotel Skykomish. Historical Permit Application to temporarily relocate this structure during an environmental Oil remediation project.

A. Foundation. The 36" elevation change of this structure as submitted is not approved. This structure must be returned to as close to the existing elevation as possible, understanding that some small change may be required do to some unseen circumstance. This decision is based on The Town of Skykomish Design Guidelines and The Dept. of Interior Standards.

<----- NOT  
 APPROVED

Town of Skykomish Design Review Guideline references.

A. Page 24 G7 Point # 3 "Avoid adaptations that require radical alteration of historic building fabric."

B. Page 25 G8 Point# 2 "Ensure that the relocation site provides a context similar to that of the historic site."

C. Page 28 C1 "Preserve all character defining architectural features." Point # 1, "Location and setting." Point #2" Orientation and setback" Point #3 Massing including shape and size.

D. Page 29 C3 "Ensure that alterations are compatible with the authentic architectural character of the building"

Department of Interior Standards Standard #2 Preserve character-defining materials and features. "The historic character of a property shall be retained and preserved. The

2. Removal of historic materials or alteration of features and spaces that characterize a property shall be avoided." Mike Pierce moved to approve this statement, Bill Atkinson 2<sup>nd</sup>. Passed unanimously



B. Underground Electrical Approved as submitted. Please note Page 29 C3 point #3  
"Minimize the visual impact of new mechanical or electrical equipment, handicapped  
access, and code compliance work" Mike Pierce moved, Bob Mackner 2<sup>nd</sup>. Passed  
unanimously

C. Structural analysis Approved, as this requirement has been met. Mike Pierce  
moved, Bill Atkinson 2<sup>nd</sup>. Passed unanimously

D. Relocate to existing footprint Approved some discussion took place regarding the  
new sidewalk that would be constructed next to the west exterior wall of the hotel. No  
conflict is apparent here. Mike Pierce moved, Bill Atkinson 2<sup>nd</sup> Passed unanimously

E. Archeological studies Approved as long as a qualified Historic Archeologist is on  
site as soon as possible before the move, immediately after and during the surface  
excavation of the property. Mike Pierce moved, Bill Atkinson 2<sup>nd</sup>. Passed unanimously.  
Teddy Jo Ryder absent.

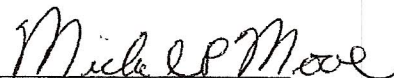
F. Copies of all reports and research approved two papers copies along with a digital  
copy to be submitted. Mike Pierce moved Bill Atkinson 2<sup>nd</sup>. Passed unanimously  
Teddy Jo Ryder absent

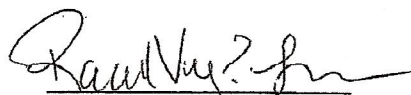
G. Restoration plan. Restoration at a minimum to be as submitted in the Type III  
Historical demolition permit approved by the Town of Skykomish Design Review  
Board. Further and final details of the restoration plan to be submitted to this board  
before this building is returned. Bill Atkinson moved, Bob Mackner 2<sup>nd</sup>. Passed  
unanimously

3. DRB letter to Ted Cleveland, ccd to Larry Johnson concerning Maloney's outbuilding.  
Bob Mackner moved, Mike Pierce 2<sup>nd</sup> to send attached letter. Passed unanimously Teddy  
Jo Ryder absent.

4. Update on Theatre Building presented by Mayor Mackner Discussion

Bob Mackner moved, Mike pierce 2<sup>nd</sup> to adjourn meeting at 11:20 A.M.

  
Michael Moore  
Chairman of the Board

  
Rachel Very-Parker  
Secretary to the Board

## WAC 197-11-960 Environmental checklist.

### ENVIRONMENTAL CHECKLIST

#### *Purpose of checklist:*

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

#### *Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

#### A. BACKGROUND

1. Name of proposed project, if applicable:

Demolition of Historic Skykomish Hotel ('Hotel').

2. Name of applicant: Skykomish Hotel LLC.

3. Address and phone number of applicant and contact person:

Skykomish Hotel LLC  
c/o Investors Property Services LLC, Managing Agent  
PO Box 7767, Tacoma, WA 98417  
(206) 650-9904

**PREFERRED METHOD OF RECEIVING MAIL AND NOTICES:**

Email to: [criley@investorspropertyservices.com](mailto:criley@investorspropertyservices.com)

4. Date checklist prepared: 2013-04-28.

5. Agency requesting checklist: Town of Skykomish.

6. Proposed timing or schedule (including phasing, if applicable):

King County Superior Court ordered Hotel demolished not later than May 19, 2013.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

As a direct result of the Town's long running refusal to allow the property owner to enjoy his property rights and refusing to allow the large scale and total renovation of the property, the owner is now forced to demolish the historic Skykomish Hotel (see attached '2002 Liberty Forum Speech' which articulates the Town's responsibility).

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The Department of Ecology previously required BNSF Railway to perform a cleanup of the property to a depth of 15 feet. However, as the pollution is below that point in the soil and ground water, coupled with the rising water table during the Spring months following snow runoff, the ground has been and continues to be re-polluted. There is additional evidence that vapor intrusion is occurring on the property. Based on these facts, further environmental remediation will be required.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No.

10. List any government approvals or permits that will be needed for your proposal, if known.

Demolition Permit from Town of Skykomish.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Demolish Hotel in accordance with King County Court Order entered on April 19, 2013, utilizing the services of a fully licensed, bonded and insured general contractor who specializes in demolishing buildings.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

102 Railroad Avenue East, Skykomish, WA 98288.

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, ~~rolling, hilly, steep slopes, mountainous,~~  
~~other~~

Flat

b. What is the steepest slope on the site (approximate percent slope)?

Does not apply.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.



Do not know. Soil type is that used for fill as identified in documents prepared by BNSF Railway during its attempted cleanup of property.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Do not know.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

None.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 15%, consisting of existing asphalt parking area.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No erosion is expected to occur (see answer to f. above).

**a. Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Demolition contractor specializes in this type of work and will employ methods to minimize dust emissions. No other emissions are expected to occur.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Do not know. Off-site sources would not be the responsibility of this property owner.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None are expected.

**3. Water**

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Skykomish River and Maloney Creek.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Does not apply.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Prior to the BNSF attempted cleanup: No. However, while the Hotel has never flooded in its 109 year history, as a result of the denial by the Skykomish Design Review Board (see Design Review Board minutes of meeting on 2009-07-01 attached to primary Application for Permit) for the Hotel elevation to be increased 3' during the attempted BNSF property cleanup (while approving BNSF requests for such elevation increase on other properties), the Hotel now lies within a 100-year floodplain and is subject to flooding as a result. The property owner cannot invest valuable capital into the property that is now likely to suffer flood damage. The only measure now available to save the Historic Skykomish Hotel has been to list the property for sale at a 'distressed price' as a 'Historic Restoration Project'.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Does not apply.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None expected.

4. **Plants**

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- Shrubs
- grass
- Pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None.

c. List threatened or endangered species known to be on or near the site.

None.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None.

5. **Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- birds: hawk, heron, eagle, songbirds, other: Eagle, Northern Spotted Owl,
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other: Steelhead

Birds: Hawk, Eagle, Northern Spotted Owl  
Fish: Steelhead Salmon.

b. List any threatened or endangered species known to be on or near the site.

Mardon Skipper, Northern Spotted Owl, Taylor's Checkerspot.

c. Is the site part of a migration route? If so, explain.

Yes. Migration routes for: the Canvasback duck, the Western Tanager.

d. Proposed measures to preserve or enhance wildlife, if any:

None. This is a Town of Skykomish issue.

## 6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Completed project will not require any energy input.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None.

## 7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None as a result of this proposal to demolish the Skykomish Hotel. However, the Department of Ecology previously required BNSF Railway to perform its attempted cleanup of the property to a depth of 15 feet. In as much as the pollution is below that point in the soil and ground water, coupled with the rising water table during the Spring months following snow runoff, the ground has been and continues to be re-polluted. There is additional evidence that vapour intrusion is occurring on the property although once the Historic Skykomish Hotel is demolished, this will no longer be an issue to human health. Based on these facts, further environmental remediation will be required.

1) Describe special emergency services that might be required.

None.

2) Proposed measures to reduce or control environmental health hazards, if any:

Does not apply.

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Noise 'in the area' is not the responsibility of this property owner.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term. Actual demolition will require not more than two hours. 2-3 days will be required to load debris for transport and will occur during normal business hours; noise is expected to be considerably less than the prior BNSF environmental remediation attempts.

- 3) Proposed measures to reduce or control noise impacts, if any:

None are expected to be needed.

**8. Land and shoreline use**

- a. What is the current use of the site and adjacent properties?

Current use: Historic Skykomish Hotel housed primary residence of owner, retail units leased by three businesses with adjacent lots vacant, until BNSF Railway, in cooperation with the Town of Skykomish and WA State Department of Labor and Industries, returned Hotel property in an uninhabitable condition, without operational utilities, following environmental remediation attempt.

- b. Has the site been used for agriculture? If so, describe.

No.

- c. Describe any structures on the site.

Historic Skykomish Hotel.

- d. Will any structures be demolished? If so, what?

Historic Skykomish Hotel.

- e. What is the current zoning classification of the site?

Commercial.

- f. What is the current comprehensive plan designation of the site?

Do not know.

- g. If applicable, what is the current shoreline master program designation of the site?



Does not apply.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

None.

j. Approximately how many people would the completed project displace?

Two people and three businesses will be permanently displaced from residence and business units.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None needed.

#### 9. **Housing**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Three business units; multiple residential units.

c. Proposed measures to reduce or control housing impacts, if any:

None.

#### 10. **Aesthetics**

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Ground zero.

b. What views in the immediate vicinity would be altered or obstructed?

The Historic Skykomish Hotel will no longer exist or be visible.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The property has been listed for sale as a 'Historic Renovation Project' to save the Hotel, although King County Superior Court has already ordered demolition.

#### 11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

It is expected that no light or glare will be produced in as much as the actual demolition of the structure will take place during normal business hours.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

#### 12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Fishing, hunting, rafting, skiing, snowboarding, Skykomish Museum, ballpark, Town Center: consisting of Park, visitor center and miniature train.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Does not apply.

### 13. **Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

The Historic Skykomish Hotel is listed on the National Register of Historic Places as part of the Commercial Historic District of Skykomish.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

The 1904 built Historic Skykomish Hotel.

- c. Proposed measures to reduce or control impacts, if any:

The property has been listed for sale as a 'Historic Renovation Project' in an attempt to save the Hotel, although King County Superior Court has already ordered demolition.

### 14. **Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Railroad Avenue and 5<sup>th</sup> Street in Skykomish; access is existing, not proposed.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No, closest is unknown.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Does not apply.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Will not use any water, rail or air transportation; project to demolish the Hotel is located in close proximity to rail, the Skykomish River, U.S. Highway 2.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Do not know; however, King County Superior Court Order requires demolition; therefore, number of vehicular trips is irrelevant.

g. Proposed measures to reduce or control transportation impacts, if any:

Does not apply.

**15. Public services**

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Does not apply.

**16. Utilities**

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

None, the Skykomish Hotel was returned, by BNSF Railway, in cooperation with the Town of Skykomish and WA State Department of Labor and Industries, after the BNSF's attempted environmental cleanup without operational utilities.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None will be needed for a vacant lot.

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

**Skykomish Hotel LLC**

XXXXXXXXXXXXXXXXXXXX

By: XXXXXXXXXXXXXXXXXXXX

Karl Benz, Member

Date Submitted: 2013-04-29

Skykomish Hotel Liberty Forum Speech  
By: Dieter Benz  
Bellevue, Washington  
2002-04-03

Thank you for your kind invitation. It is an honour and pleasure to speak before you this evening regarding the Skykomish Hotel disaster.

Having never met, you and I nevertheless share a common bond... recognition that the 'self' in self-government refers to 'us'. We gather this evening with the sincere desire to further this process.

Our government, once an instrument of service to its citizens, has become an oppressor, tyrant, controller and limiter, at the very moment in human history when burgeoning technological progress extends the promise of personal liberation, and freedoms never before envisioned.

The very foundations of this great nation, the right to own property, pursue dreams and retain the fruits of our labour, are under assault by those who believe it their destiny to control, without investing one penny or firing a single shot.

Make no mistake. We are at war! The enemy's front line advances daily through increasing control of the now choking governmental bureaucracy and its rule making process.

Failure to wrest control, returning it to citizens, voters and taxpayers, will mean a future very different from the past. The consequences, real enough for us today, will be especially onerous for our children and succeeding generations.

The personal story I bring you this eve is not uplifting nor is a happy ending included. It is the story of theft... theft of our property, the fruits of our labour and our dreams.

No, this despicable act didn't occur in the middle of the night, nor was it the work of common burglars. It took place in broad daylight, over the course of many months and was the calculated effort of Skykomish Town officials and King County bureaucrats.

On holiday, in the summer of 1992, we laid eyes upon and fell in love with the rundown 1904 architectural masterpiece known as the Skykomish Hotel. This Cascade mountain marvel was not for sale so our dream would have to wait.

As the new millennium began, we were able to purchase this venerable old structure.

We crossed the threshold to this piece of history for the first time as owners in September of 2000. Following completion of a 1.2 million dollar renovation, the fifteen-suite luxury bed & breakfast with fine dining restaurant, 55-seat conference and banquet centre, would have been the pride of Northwest bed & breakfasts.

We well understood this structure had been designated an historic landmark. One could not just throw on aluminum siding and mural stone, calling it good to go. No, this project would have to be done right.

In 1995 Skykomish signed an Interlocal Agreement with King County, following their promise to be a major contributor in a much-needed Skykomish economic redevelopment.



Skykomish established an historic district wherein all structures required local and or King County approval before any exterior change could occur.

Prior to purchase, we had very positive conversations with King County Landmark's representatives Julie Koler and Kate Krafft. Traveling from our home in Colorado to their Seattle office, we described the proposed renovation in detail and received extremely positive feedback, for they stated this would be their largest and most prestigious project.

We explained that while we were familiar with Colorado historic renovation, we lacked commensurate experience in King County and requested their assistance, counsel, guidance and advice.

We were assured experienced, expert staff stood ready to assist at every turn, providing technical assistance, securing tax incentives, grants, low interest loans and overcoming potential bureaucratic hurdles.

We interviewed Landmarks three recommended architectural firms specialising in historic renovation; retaining the services of the company we felt would best fulfill our dream.

Comprehensive plans, fully compliant with historic guidelines in fact and spirit, were developed. While the interior would receive extensive renovation, few changes, roof replacement, soundproof glazing, fireplace vent caps and the addition of balcony exit doors as required by fire code, were proposed for the exterior.

Our first inkling all might not be right in the kingdom came Monday, October 23, 2000 with a scheduled visit from King County Landmarks Officer, Kate Krafft and State Officer of Archaeology & Historic Preservation, Steve Matheson.

Mr. Matheson had been invited to perform an initial determination whether the project could qualify for Department of The Interior historic renovation tax credits.

The 28-room hotel, originally housed Great Northern Railway train crews, company officials, visiting dignitaries, travelling salespersons and tourists. It is located less than 100 feet from today's busy BNSF Railway Chicago-Seattle mainline and the Skykomish 5th Street railroad grade crossing, where about 24 trains pass daily, repeatedly sounding horn and bell as required by federal regulation.

Acoustic engineering consultants had been employed to quantify railroad noise issues and provide mitigation recommendations to architects. The renovation would require extensive sound mitigation, including replacement of all 2nd and 3rd floor glazing where overnight guests would sleep.

Present hotel noise levels reached 127 decibels, contrasting with human sleeping tolerances of only 25 to 40. No company in North America produced glazing to successfully mitigate this problem, but a Canadian firm offered to custom manufacture this glazing and duplicate the exterior appearance of the original wood windows.

This day, our architect and acoustic engineer were present to meet and discuss plans with Mr. Matheson and Ms. Krafft. Mr. Matheson's arrogant and condescending demeanour soon caused us to become agitated. Constant review of his watch made it clear his presence in Skykomish was a burden and imposition.

He stated very few, if any, projects he was involved with ever qualified for the federal tax credit. Mr. Matheson stated the original single pane wood windows must be retained, but storm windows could possibly be added to the interior.

We stated the necessity that our project result in an economically viable business operation and that it was imperative guests be able to sleep through the night. Mr. Matheson responded he didn't care and wasn't concerned about the economics of this or any other project.

With great difficulty we bit our tongues, continuing to listen to his drivel instead of following our instincts and escorting him from the property.

Architects and we were now forced to decide whether to direct our work with Mr. Matheson toward insuring renovation design compliance with his interpretation of National Park Service guidelines, or to cut him and the tax credit loose as simply not viable.

After all, we could devote extensive financial and human resources toward this end without reasonable opportunity of success. The decision was made to cut them loose.

The next milestone occurred November 20th, 2000. Our project was to be reviewed before the joint Skykomish and King County Landmarks Design Review Board. Following a review of architectural plans, local Board chairman Michael Moore and King County staff indicated approval to proceed to the permitting and construction phase was expected without opposition.

This apparent light at the end of the tunnel would, however, soon be revealed as a fast approaching train wreck. The historic Design Review Boards were not, as advertised, composed of experts, objectively and dispassionately deciding our project's fate based upon written, codified, historic preservation guidelines.

Quite the contrary... These arrogant, uninformed individuals were bent upon imposing political agendas and personal proclivities, regardless of the consequences to our business, investment, the community or us. Facts, guidelines, regulations and statutes were not going to get in the way of their overriding desire that we dance to their tune.

The present cedar shingle roof, now 14 years old, was badly rotted, leaking and in need of complete replacement. In a climate receiving several times the annual rainfall of Seattle, copper shingles with their minimum life expectancy of 300 years, promised both beauty and durability. They were permitted under historic guidelines and had the established precedent of historic use in the area.

The initial bright copper colour would fade to brown within months, remaining so for approximately 15 years, and then developing a greenish patina lasting for centuries.

When polled, a majority of Board members stated they would not approve copper. The architect's query as to why, received no response. He went around the table, inquiring if it was the colour? They responded affirmatively.

Ascertaining it was the greenish patina they didn't like, he presented a plan to chemically treat the roof, preventing the change from brown to green. Once again he went around the table querying whether they would now vote to approve. They would.

A new motion was introduced but the same Board members again voted no. The astonished architect now requested an explanation from the Board, which arrogantly responded...'they were not required to explain their decisions'.

## **Copper Shingled Roof was Denied**

Soundproof glazing was next. The architect gave a concise, compelling presentation, but one Design Review Board member, stated 'he could not sleep at night knowing such windows would be in the Hotel'.

The architect explained the exterior appearance would exactly match the original glazing and that four recent Skykomish historic projects had already been approved with windows that were not historically correct. The Board stated it had to tighten standards and the present was a good time to begin.

Ms. Krafft chimed in that we could install interior storm windows. When the acoustic engineer explained this would have no effect, she added we could, in addition, use heavy, lined curtains. The engineer further stated this would not solve the problem.

She then proffered that we could install soundproof interior shutters along with the storm windows and curtains. The engineer again explained why this approach would not work and quipped, that even if it would... was this really going to be the kind of place where guests would want to stay?

Ms. Krafft responded this was not her concern and informed us, King County Landmarks was also going to require strict adherence with all National Park Service guidelines for historic renovation, independent of any tax or incentive issues.

We immediately recognized a fundamental and decidedly negative shift in Landmarks strategy had occurred.

A Board member now asked if we were going to market the bed & breakfast as historic. She stated that if we advertised the building as having original wood windows, more guests would come. I responded to this absurd statement by offering to sell the Hotel to her or anyone else in the room so they would be free to test this hypothesis with their own money. All declined.

## **Soundproof Glazing was Denied**

Each guest suite was to receive its own fireplace for heating and to provide ambiance. A small, unobtrusive exterior vent cap would be required for each stove. The architect's presentation explained why this heating system had been chosen over alternatives and demonstrated the unobtrusiveness of the proposed vent caps. Design guidelines allowed such exterior alteration due to installation of updated mechanical devices.

The Board inquired as to the type of heating system original to the building. It was explained, coal fired steam had been used. The Board now insisted this system be reintroduced and tenaciously clung to the notion even after the architect offered a cogent explanation why such inefficient, labour intensive, expensive, noisy, high maintenance systems had been abandoned decades earlier.

## **Vent Caps and Fireplaces were Denied**

Last was the issue of exit doors onto the balconies. Each suite was to have private balcony access for guest convenience. It was also explained this was necessary to properly reconfigure the interior suites. The new doors would exactly duplicate originals in exterior appearance although they would be soundproof. It was further explained secondary room exits, a safety issue, were now required by fire code.

## **Doors were Denied**

Skykomish does not possess a healthy economy. Originally a railroad, logging and mill town, Sky fell on hard times following World War 2 and never recovered. Its economic slide continuing to this day means few jobs and closed businesses.

In spite of King County Landmark's 1995 promises, the business district is in its worst shape ever, due, in part, to county funds being diverted to outrageous boondoggles like the Skykomish School's new \$400,000 covered playground and \$250,000 community center.

The tax base continues its decline. The school, with only 65, K-12 students, is in danger of closing and town infrastructure continues to deteriorate. Many towns in this position would welcome the first class renovation of their largest and most prominent historic structure, especially desirous of the 18 full-time jobs and tax revenue that completion would have meant.

Things had actually begun on a more positive note in Skykomish. Mayor Ted Cleveland originally heralded our arrival, stating the project would be the cornerstone of economic rebirth.

Unfortunately it was the mayor's wife and Design Review Board member Nancy Cleveland who most vehemently spoke against the Hotel on November 20th. Just days later, as we enjoyed Thanksgiving dinner at the mayor's house, he explained that while he believed his wife's decision to be wrong, he was never the less going to stand by her.

Within weeks they and the Town turned against us with a vengeance. They reclassified our water and garbage service to the highest rate and tried to have the service shut off until our attorney pointed out the ordinance and its application was unconstitutional.

Over the following year, this increasingly bitter and ugly fight continued with the Town and King County. By late summer 2001 our persistence and tenacity had achieved some positive results, but the battle had left us and our marriage seriously wounded.

We had lost faith in the Town's desire or ability to pull itself back from the economic, social and cultural abyss and were now terribly fearful of committing such a large investment in this bitter and politically hostile environment.

We chose not to proceed with the renovation.

The heavy, intrusive, oppressive hand of government is no esoteric concept to us, but a very real and present danger to our freedoms, the pursuit of our dreams and the American way, often fought and paid for in blood for over two hundred and twenty five years.

If you are at all tempted to believe this tragedy, this train wreck, was just an accident, the culmination of mistakes, missteps or miscalculation by otherwise well-intentioned individuals... think again.

Policy 221 of King County's Comprehensive Plan states... "King County shall acquire historic resources whenever possible." Yet, there appear no budgetary provisions for accomplishing this mission...leading to speculation that confiscation and theft have become legitimate and acceptable means to this end.

Published statements from Landmark's monthly newsletter, 'Community History' lend credence to this. Excerpts include:

“The permittee was required to donate certain parcels of property... and contribute the lump sum of \$45,000...”

Now, to me, ‘required’ and ‘donate’ do not belong in the same sentence. Fact is, the ‘project proponent’ had a gun placed to his head and refusal to ‘contribute’ and ‘donate’ would have been fatal.

Regarding the halt to another project, Landmarks stated... “An archaeologist, who just happened to be in the vicinity, noticed archaeological resources in a sewer trench and notified authorities.”

At one Skykomish Town Council meeting, Council members became so emboldened as to freely discuss to what purpose the Town was going to put the Hotel, following its acquisition. Again... since the Town has no money with which to ‘buy’ the Hotel, one can reasonably conclude confiscation and theft were once again going to be the order of the day.

Yes, make no mistake... We Are at War!

Should I stand before you this evening pleading assistance in reforming our governmental process?

No! History clearly dictates, government cannot effectively be reformed. The best we can hope is that it may be limited. Our founding fathers well understood the damage intrusive government would cause. Early legislatures met infrequently and then only for short periods, knowing less time produced less legislation which produced less damage.

Today, legislatures grind out bills in unimagined abundance, while bureaucracies, rules, procedures and an unintelligible tax code leave citizens and business choking, gasping and reeling. Even powerful Congressmen now quiver in fear of IRS and Justice Department persecution.

Our public education system, long ago captured by public employee unions, preaches that individuality and independent thought and action are now un-American, but that delivering third-world quality learning experiences is apparently ok.

Our presence here this evening is evidence a storm is gathering.

Let us work long and hard to release professional politicians, government hangers-on, union parasites, tax attorneys, accountants, lobbyists, pollsters, focus groups, bureaucrats, regulators, aids, assistants and clerks to once again perform useful service in the private sector, enriching our economy instead of depleting it.

An economic and creative miracle, such as the world has never witnessed would be unleashed, its tidal wave floating all boats, while raising standards of living to unprecedented levels.

A return to historic principles of common sense would automatically and seamlessly allow successful integration of the technological revolution, which requires nothing more than being left alone to flourish.

Yes, America would still be an imperfect place...there will always be cracks for some to fall through. One thing I have learned... no matter how well intentioned, government is a poor substitute for anything else or nothing else.

At the risk of preaching to the choir, let us remember in our quest, there are many false starts and great wreckage by the roadside.



We, as individual statesman for our cause, must not appear dogmatic. Instead, we must continually demonstrate common ground with those we hope to include.

We must not venture too far ahead of the safe middle ground at the center of the 'bell curve,' where most voters reside.

Political movements often become prisoners of their own platforms and yet heartfelt principles, quickly jettisoned in the name of expediency, demonstrate a lack of integrity. It remains a fine line to walk.

America desperately quests for political leadership displaying passion, purpose, enthusiasm, courage, clarity and integrity.

God have mercy on us should we fail in this mission.

Thank You,

Dieter Benz

