

## Adam Zack

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**From:** Vincent Buck <kwanlamah@comcast.net>  
**Sent:** Thursday, August 19, 2021 4:08 PM  
**To:** Comp Plan Update  
**Cc:** Carolyn Norman (bobandcarolyn@comcast.net); Jai Boreen; Thomas Sandstrom  
**Subject:** Town request re expansion of UGA

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I write on behalf of myself, my sister Carolyn Norman, and my brother Jai Boreen (Bucks) with regard to the Town's request to expand the UGA. Together we currently own the four adjacent parcels identified as 351392518000, 351392513000, 351392517000 and 351392512000 on the County's Polaris map.

These four parcels comprise roughly 30 acres of a 45 acre parcel that was annexed into the Town at our request in 2009. The balance of that parcel was sold to a party with the express purpose and intent of developing permanently affordable housing. Ten acres of that land is now owned by the San Juan Community Home Trust and roughly 30 units of permanently affordable housing have been built as of now.

At the time of annexation, the Town adamantly declined to provide access to Town sewer services. Well, actually, they refused unless an upfront contribution of \$5-7 Million was made to fund the expansion of the Town sewer system's capacity. This was obviously financially impossible for us. As a consequence, the Home Trust and the Bucks were forced to build at very substantial cost a Large Onsite Sewer System (LOSS) to serve all potential new residences. This LOSS system, while serviceable, has presented ongoing technical, maintenance, and organizational challenges and any further build out of the Home Trust and Buck properties would require an expensive expansion and revamping of the system. The LOSS system has also proved to be a significant obstacle to obtaining financial support for future private development of the Buck property. While it has always been our intent to develop our property, annexation coincided with the collapse of the real estate market at the beginning of the Great Recession and those financial headwinds coupled with the liabilities of the LOSS system have delayed development far beyond our intentions.

In the context of recent discussions between the Town, the Port, the Home Trust and the Bucks about the possibility of extending Town sewer services to those properties, the Town has requested that the parties jointly fund a study to be performed by a private contractor of the feasibility of extending Town sewer services to the subject properties. The cost of the study is approximately \$57,000. The Bucks, the Port, and the Home Trust have all agreed to contribute equally to the cost of the study.

In looking at the proposed expansion of the UGA, we notice that there are approximately 43 acres designated single and multi family residential, roughly the same area as the 45 acres of our property annexed in 2009. Yet there is no mention whatsoever of the need to expand the sewer system, let alone for the owners of these parcels to contribute towards any studies of sewer capacity, etc.

Further, while there is mention of the State's desire for affordable housing to be a part of any rationale for expanding UGA's, there is no concrete proposal from the Town for any of the land designated for residential use to be dedicated to or incentivized for affordable housing. It is apparently the Town's assumption that "market" forces will provide for affordable housing, a dubious proposition at best.

It is a foundational principle of the law that parties similarly situated should be treated similarly. Otherwise governmental action can be seen as arbitrary or based on favoritism alone. We ask therefore that before the County accedes to the Town's request to expand the UGA, the Town should provide a clear pathway towards the inclusion of

the Buck and Home Trust properties into the Town sewer system on the same basis as any potential newly annexed properties. That would be the most direct and equitable way to achieve their stated goals of providing more affordable and other residential units in the Town.

We three also jointly own the northernmost of the parcels identified as “surrounding parcels” adjacent to Jensen Marine. This parcel is permanently designated for “conservation” and we have no objection to it being included in the UGA.

Thank you for your consideration.

Yours Sincerely,

Vincent Buck