

**Heather Tschaekofske**

---

**From:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>  
**Sent:** Saturday, August 19, 2023 12:16 PM  
**To:** Heather Tschaekofske  
**Subject:** Web Status permit 23109246

Hello Heather,

I recently received via USPS a "Notice of Land Use Application" (NLUA) for parcel 21734240101 (Halpin) providing me an opportunity to comment. You are cited as Lead Planner for this NLUA and the contact person for additional information. I am contacting you via email after a call to your desk on Friday August 18 went to voicemail and indicated you are out of the office until August 28. I request more information concerning the NLUA, as detailed in my text below. If possible, it would be convenient for me to receive this information prior to your return to the office so that I have time to form an opinion and reasonable opportunity to submit any comments prior to the August 31 deadline.

After carefully reading and re-reading the NLUA multiple times, it is clear that the building of a shop has been proposed and that a "Reasonable Use Exception" (RUE) request has been made. But the document is devoid of detail concerning the RUE aside from citing "*important fish and wildlife habitat (Oregon white oaks)*". Specifically, not generally, what are the rules/statutes/ordinances that apply to this parcel that necessitate a RUE for a shop and a gravel driveway? And exactly what is the exception to those rules that is being requested by Halpin?

In an effort to understand the issue for which the NLUA was issued, I visited the "Project Tracker" (PT) website and applied the parcel number to query permit/project status. The only relevant additional information available via PT is that the "shop" is actually a 1780 square foot pole barn, which complements the indiscernible hardcopy Site Plan image received as part of the NLUA.

Lacking any detailed information upon which to base an opinion concerning the exception being requested, I cannot comment at this time. However, I wish to receive information concerning the applicable rules and the specific exemption to those rules that is being requested by Halpin so that I can provide comment prior to the August 31 deadline.

I appreciate receipt of the legally required NLUA with its formal (and likely legally-required) canned text, but after reading and re-reading the text and even visiting the PT website I have learned little to nothing concerning the issue for which an opportunity to comment is available. It puzzles me how anyone could expect concerned parties to comment on an issue that is undefined in the available documents. Both as a concerned party and as a Thurston County taxpayer, it is disturbing that so little information is provided with an NLUA; which is a time and resource consumptive process for each County, land owner and concerned parties. The lack of information serves to increase the required time, effort and expense for all involved to expediently address this seemingly critical matter with the care it deserves.

Thank you in advance for providing (or a reference to someone who can provide) specific details concern the RUE from Halpin and the rules that apply to the usage of parcel 21734240101.

Best regards,

-Brad Brim, [bradbrim@msn.com](mailto:bradbrim@msn.com), 360-742-4601 (mobile)

## Heather Tschaekofske

---

**From:** Heather Tschaekofske  
**Sent:** Monday, August 28, 2023 3:05 PM  
**To:** Brad Brim  
**Subject:** RE: Web Status permit 23109246

Hello,

Thank you for your comments, they will be added to the record and considered for the review. Please see link below for the online municode for RUE review, and the applicable criteria that must be met by the applicant (TCC 24.45):

[Chapter 24.45 - REASONABLE USE EXCEPTION | Code of Ordinances | Thurston County, WA | Municode Library](#)

The applicant removed a protected Oregon white oak tree, within the footprint of the proposed shop and new driveway access area. Removal of a protected Oregon white oak tree triggers the RUE review requirement. It is the applicant's burden to demonstrate they meet the RUE criteria for the Hearing Examiner decision.

If you have further questions with regard to the critical areas ordinance, and specifically Oregon white oak tree protections, please see the below link to the Fish and Wildlife Habitat Conservation Areas chapter (TCC 24.25):  
[Chapter 24.25 - FISH AND WILDLIFE HABITAT CONSERVATION AREAS | Code of Ordinances | Thurston County, WA | Municode Library](#)

You will also find more information within the critical areas definitions, TCC 24.03:  
[Chapter 24.03 - DEFINITIONS | Code of Ordinances | Thurston County, WA | Municode Library](#)

Feel free to send any additional comments. If comments are received after the noticing comment period, they are still added to the record for consideration and review up until the Hearing.

Thanks so much,

**Heather Tschaekofske** | Associate Planner/Biologist, MES  
Thurston County Community Planning & Economic Development  
3000 Pacific Ave SE, Suite 100, Olympia, Washington 98501  
Main (360) 786-5553 | Fax (360) 754-2939 | TDD (800) 833-6388  
[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us) | [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com)

*This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.*

Currently I am in the field or teleworking Monday through Thursday. Email is the most efficient method of contact at this time. Thanks for your patience.

### **NOTICE**

Beginning February 21, 2023, the Planning Services Division will be providing assistance in the Building Development Center between 10 a.m. and 2 p.m. Monday through Friday. This temporary schedule is in place until further notice. Please visit [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com) for up to date information, hours of operation, and services provided remotely.



**From:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>  
**Sent:** Saturday, August 19, 2023 12:16 PM  
**To:** Heather Tschaekofske <[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us)>  
**Subject:** Web Status permit 23109246

Hello Heather,

I recently received via USPS a "Notice of Land Use Application" (NLUA) for parcel 21734240101 (Halpin) providing me an opportunity to comment. You are cited as Lead Planner for this NLUA and the contact person for additional information. I am contacting you via email after a call to your desk on Friday August 18 went to voicemail and indicated you are out of the office until August 28. I request more information concerning the NLUA, as detailed in my text below. If possible, it would be convenient for me to receive this information prior to your return to the office so that I have time to form an opinion and reasonable opportunity to submit any comments prior to the August 31 deadline.

After carefully reading and re-reading the NLUA multiple times, it is clear that the building of a shop has been proposed and that a "Reasonable Use Exception" (RUE) request has been made. But the document is devoid of detail concerning the RUE aside from citing "*important fish and wildlife habitat (Oregon white oaks)*". Specifically, not generally, what are the rules/statutes/ordinances that apply to this parcel that necessitate a RUE for a shop and a gravel driveway? And exactly what is the exception to those rules that is being requested by Halpin?

In an effort to understand the issue for which the NLUA was issued, I visited the "Project Tracker" (PT) website and applied the parcel number to query permit/project status. The only relevant additional information available via PT is that the "shop" is actually a 1780 square foot pole barn, which complements the indiscernible hardcopy Site Plan image received as part of the NLUA.

Lacking any detailed information upon which to base an opinion concerning the exception being requested, I cannot comment at this time. However, I wish to receive information concerning the applicable rules and the specific exemption to those rules that is being requested by Halpin so that I can provide comment prior to the August 31 deadline.

I appreciate receipt of the legally required NLUA with its formal (and likely legally-required) canned text, but after reading and re-reading the text and even visiting the PT website I have learned little to nothing concerning the issue for which an opportunity to comment is available. It puzzles me how anyone could expect concerned parties to comment on an issue that is undefined in the available documents. Both as a concerned party and as a Thurston County taxpayer, it is disturbing that so little information is provided with an NLUA; which is a time and resource consumptive process for each County, land owner and concerned parties. The lack of information serves to increase the required time, effort and expense for all involved to expediently address this seemingly critical matter with the care it deserves.

Thank you in advance for providing (or a reference to someone who can provide) specific details concern the RUE from Halpin and the rules that apply to the usage of parcel 21734240101.

Best regards,

-Brad Brim, [bradbrim@msn.com](mailto:bradbrim@msn.com), 360-742-4601 (mobile)

## Heather Tschaekofske

---

**From:** Brad Brim <bradbrim@msn.com>  
**Sent:** Thursday, August 31, 2023 3:59 PM  
**To:** Heather Tschaekofske  
**Cc:** planning  
**Subject:** Re: Web Status permit 23109246

Comments concerning Project 2023103576 (23 109246 XI), Halpin Reasonable Use Exception.  
From Brad Brim, 11620 Eagleview Ln SE, Rainier WA 98576.

I believe Halpin should be able to proceed with his project as proposed. I have absolutely no concerns with his project.

Based on the limited information I have been able to assemble, it seems all this unnecessarily formal process of a Land Use Application (LUA) and Reasonable Use Exception (RUE) is based on Halpin having removed a single Oregon white oak tree in preparation for his project. Therefore, from an uninformed landowner and taxpayer perspective, the entire process seems to be after-the-fact, convoluted and little more than a way for the county to punish Halpin with precious lost time and money for pursuing this process and public hearings for one silly oak tree. Is this process to judge (after-the-fact) if he can proceed or it is to jerk him around? It's ONE oak tree and he has many on his property. Its loss will not affect anyone or any wildlife. NONE!!! What's the big deal, other than an opportunity to impose the County's will on a landowner? In my view, none. Why not just fine him for his unknowing action and be done with it? Oh, yah, why do that when you can force him to go through useless processes and pay thousands of dollars extra in fees – all while feeling self-important and ensuring job security so this can be repeated for the next landowner? Is his unknowing and innocently carried out action worse than the local drug addicts who repeatedly broke into my shops and stole my possessions and then did not spend one day in jail or repay one penny in retribution for the damage they caused or the items they stole? Why is Halpin paying a far steeper penalty than drug addicts running around breaking into residences and stealing items? One oak tree ... GET OVER IT! Slap his wrist and quit jerking him around.

Halpin has improved the land with significant efforts to remove Scot's broom and blackberries. It is in much better condition for wildlife than before he moved in.

I received via USPS on August 17, 2023 notice for 20-day comment period ending August 31, 2023. On August 18, 2023 I phoned the planner (Heather Tschaekofske) referenced in that document for more information concerning the project. I reached her voicemail stating she would be away until August 28. I received a brief email message from Heather referencing general county codes and not answering my questions. Upon follow-up email her response was to blow me off and refer me to the general pool of planners to ask questions of a general nature based on the project she is supposedly responsible for. I did receive an email message from another planner with a bit of additional information. It seems it is below Heather's status in life and as a planner and biologist to take the time to help adjacent land owners understand what they are being asked for comment on. Heather should not send out notices with her name as the only reference, then be gone for 10 days or more and then send condescending responses to the public. Heather is a public servant, not the other way around. I believe Heather is NOT an acceptable Thurston county public representative.

Best regards,

-Brad Brim

---

**From:** Heather Tschaekofske <[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us)>  
**Sent:** Tuesday, August 29, 2023 7:58 AM  
**To:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>  
**Cc:** planning <[planning@co.thurston.wa.us](mailto:planning@co.thurston.wa.us)>  
**Subject:** RE: Web Status permit 23109246

Hello,

I am cc'ing the general planning email line on this question, as they handle all general information queries of this sort. You can also go into the Building Development Center to speak with the Planner on call, Monday- Friday, 10 am- 2 pm.

Thanks so much,

**Heather Tschaekofske** | Associate Planner/Biologist, MES  
Thurston County Community Planning & Economic Development  
3000 Pacific Ave SE, Suite 100, Olympia, Washington 98501  
Main (360) 786-5553 | Fax (360) 754-2939 | TDD (800) 833-6388  
[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us) | [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com)

*This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56. Currently I am in the field or teleworking Monday through Thursday. Email is the most efficient method of contact at this time. Thanks for your patience.*

**NOTICE**

Beginning February 21, 2023, the Planning Services Division will be providing assistance in the Building Development Center between 10 a.m. and 2 p.m. Monday through Friday. This temporary schedule is in place until further notice. Please visit [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com) for up to date information, hours of operation, and services provided remotely.

---

**From:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>  
**Sent:** Monday, August 28, 2023 3:42 PM  
**To:** Heather Tschaekofske <[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us)>  
**Subject:** Re: Web Status permit 23109246

hello again, Heather

Where can I find a map of all areas in Thurston County where restrictions on White Oak trees exist?  
Is it the case for any property within this area of restriction that any/all development of any form requires an RUE process?

I also have a few other questions that would be much quicker and easier for both of us if I could ask them verbally. Is there a time we might be able to have a brief telephone conversation?

thanks,  
-Brad Brim

---

**From:** Heather Tschaekofske <[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us)>  
**Sent:** Monday, August 28, 2023 3:04 PM  
**To:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>  
**Subject:** RE: Web Status permit 23109246



Hello,

Thank you for your comments, they will be added to the record and considered for the review.

Please see link below for the online municode for RUE review, and the applicable criteria that must be met by the applicant (TCC 24.45):

[Chapter 24.45 - REASONABLE USE EXCEPTION | Code of Ordinances | Thurston County, WA | Municode Library](#)

The applicant removed a protected Oregon white oak tree, within the footprint of the proposed shop and new driveway access area. Removal of a protected Oregon white oak tree triggers the RUE review requirement. It is the applicant's burden to demonstrate they meet the RUE criteria for the Hearing Examiner decision.

If you have further questions with regard to the critical areas ordinance, and specifically Oregon white oak tree protections, please see the below link to the Fish and Wildlife Habitat Conservation Areas chapter (TCC 24.25):

[Chapter 24.25 - FISH AND WILDLIFE HABITAT CONSERVATION AREAS | Code of Ordinances | Thurston County, WA | Municode Library](#)

You will also find more information within the critical areas definitions, TCC 24.03:

[Chapter 24.03 - DEFINITIONS | Code of Ordinances | Thurston County, WA | Municode Library](#)

Feel free to send any additional comments. If comments are received after the noticing comment period, they are still added to the record for consideration and review up until the Hearing.

Thanks so much,

**Heather Tschaekofske** | Associate Planner/Biologist, MES

Thurston County Community Planning & Economic Development

3000 Pacific Ave SE, Suite 100, Olympia, Washington 98501

Main (360) 786-5553 | Fax (360) 754-2939 | TDD (800) 833-6388

[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us) | [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com)

*This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.*

Currently I am in the field or teleworking Monday through Thursday. Email is the most efficient method of contact at this time. Thanks for your patience.

#### **NOTICE**

Beginning February 21, 2023, the Planning Services Division will be providing assistance in the Building Development Center between 10 a.m. and 2 p.m. Monday through Friday. This temporary schedule is in place until further notice. Please visit [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com) for up to date information, hours of operation, and services provided remotely.

**From:** Brad Brim <[bradbrim@msn.com](mailto:bradbrim@msn.com)>

**Sent:** Saturday, August 19, 2023 12:16 PM

**To:** Heather Tschaekofske <[heather.tschaekofske@co.thurston.wa.us](mailto:heather.tschaekofske@co.thurston.wa.us)>

**Subject:** Web Status permit 23109246

Hello Heather,

I recently received via USPS a "Notice of Land Use Application" (NLUA) for parcel 21734240101 (Halpin) providing me an opportunity to comment. You are cited as Lead Planner for this NLUA and the contact person for additional information. I am contacting you via email after a call to your desk on Friday August 18 went to voicemail and indicated you are out of the office until August 28. I request more information concerning the NLUA, as detailed in my text below. If possible, it

would be convenient for me to receive this information prior to your return to the office so that I have time to form an opinion and reasonable opportunity to submit any comments prior to the August 31 deadline.

After carefully reading and re-reading the NLUA multiple times, it is clear that the building of a shop has been proposed and that a "Reasonable Use Exception" (RUE) request has been made. But the document is devoid of detail concerning the RUE aside from citing "*important fish and wildlife habitat (Oregon white oaks)*". Specifically, not generally, what are the rules/statutes/ordinances that apply to this parcel that necessitate a RUE for a shop and a gravel driveway? And exactly what is the exception to those rules that is being requested by Halpin?

In an effort to understand the issue for which the NLUA was issued, I visited the "Project Tracker" (PT) website and applied the parcel number to query permit/project status. The only relevant additional information available via PT is that the "shop" is actually a 1780 square foot pole barn, which complements the indiscernible hardcopy Site Plan image received as part of the NLUA.

Lacking any detailed information upon which to base an opinion concerning the exception being requested, I cannot comment at this time. However, I wish to receive information concerning the applicable rules and the specific exemption to those rules that is being requested by Halpin so that I can provide comment prior to the August 31 deadline.

I appreciate receipt of the legally required NLUA with its formal (and likely legally-required) canned text, but after reading and re-reading the text and even visiting the PT website I have learned little to nothing concerning the issue for which an opportunity to comment is available. It puzzles me how anyone could expect concerned parties to comment on an issue that is undefined in the available documents. Both as a concerned party and as a Thurston County taxpayer, it is disturbing that so little information is provided with an NLUA; which is a time and resource consumptive process for each County, land owner and concerned parties. The lack of information serves to increase the required time, effort and expense for all involved to expediently address this seemingly critical matter with the care it deserves.

Thank you in advance for providing (or a reference to someone who can provide) specific details concern the RUE from Halpin and the rules that apply to the usage of parcel 21734240101.

Best regards,

-Brad Brim, [bradbrim@msn.com](mailto:bradbrim@msn.com), 360-742-4601 (mobile)