

From: [Don Cole](#)
To: jim.mattison.me
Cc: [Dan Grove](#); susan.mattison.me; [Brigid Stackpool](#); [Pam Faulkner](#); [Jim Miller](#); [Molly McGuire](#)
Subject: RE: Demolition Clarification Re: Permit Application 2207-019, 6950 SE Maker Street
Date: Friday, October 21, 2022 2:05:48 PM

Good afternoon,

The project team is aware of the requirement to obtain permit and deviation approvals prior to demolition/grading and confirmed their intent to comply.

Thank you and please let me know if I can be of further assistance.

[Don Cole](#)

Building Official

City of Mercer Island - Community Planning & Development

206.275.7701 | mercerisland.gov/cpd | mybuildingpermit.com

Community Planning and Development has modified our operations. City Hall is open to the public for "walk in" permit service between 10 AM and 2 PM on Tuesdays and Thursdays, and available other times by appointment only. Some remote work operations may continue. Please feel free to contact us by phone for general customer support at 206-275-7626.

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

From: Don Cole
Sent: Wednesday, October 19, 2022 4:53 PM
To: jim.mattison.me <jim@mattison.me>
Cc: Dan Grove <dan@grove.cx>; susan.mattison.me <susan@mattison.me>; Brigid Stackpool <bstackpool@gmail.com>; Pam Faulkner <pfaulk9801@gmail.com>; Jim Miller <jim.m@comcast.net>; Molly McGuire <molly.mcguire@mercerisland.gov>
Subject: RE: Demolition Clarification Re: Permit Application 2207-019, 6950 SE Maker Street

Hi Jim, I hope you are well.

Thank you for the heads up about a potential structure demolition without permit. I left a voicemail and sent an email to the project contact, Jeffrey Almeter, informing him of permit requirements prior to any site work (including grading, demo, etc.). He has been made aware that it is a violation of city ordinance to conduct such work without first obtaining approved and issued permits. Also, he was informed that any grading activities between October 1st and April 1st are subject to the seasonal development limitation, which would require an approved deviation prior to any work.

Responding to your other questions:

- The subject property does not have an approved and issued demolition permit and has not made application or received an approved deviation to the seasonal development limitation, which are both required prior to demolition. Note - demolition permits can be issued separately or in combination with a permit for a new single-family residence. The applicant has applied for the latter, which is at the first stage of the review process.
- In application can be submitted for a deviation to the seasonal development limitation, which would be reviewed in accordance with city ordinance, established policies and procedures. If found to conform to city regulations, then a deviation to the seasonal development limitation would be approved. The application and construction process are under the direction of their licensed geotechnical engineer and reviewed by the city. Their geotechnical engineer must address slope stability and erosion control measures, such as described within your email, and include recommendations to result in a minimum risk to adjacent properties.
- This project scope is below the threshold within city ordinance to require a construction management plan. Note – this project would require a preconstruction meeting, which informally reviews many items included within a formal construction management plan.
- Please confer separately with Molly regarding compliance with **land use code requirements (highlighted below)**.
- The permit applicant acknowledges and signs a document containing the conditions of permit approval, which contain information about regulations of other agencies such as:
 - An Asbestos survey must be performed by an AHERA-certified building inspector prior to beginning work on a demolition or addition/alteration project. This survey must be posted at the work site. The Puget Sound Clean Air Agency also requires a Notice of Intent to Perform a Demolition be filed before any demolition project may be started. If any asbestos is identified in the work area, it must either be properly abated prior to any work in the area, or not disturbed by the demolition activities. For further information, contact the Puget Sound Clean Air Agency at (206) 689-4058. Note - *this information is provided as a courtesy and does not imply implicitly or explicitly any duty or responsibility by the City of Mercer Island management or staff to enforce the asbestos abatement regulations. The applicant takes full responsibility for meeting all notification and abatement regulations.*
 - Contact the Washington State Dept. of Commerce Lead Paint Program at (360) 586-5323, or visit www.commerce.wa.gov/lead, or email the lead program at lbpinfo@commerce.wa.gov before renovating or remodeling activities in pre-1978 residential buildings or child occupied facilities to ensure your compliance with applicable Washington lead regulations. Note - *This information is provided as a courtesy and does not imply implicitly or explicitly any duty or responsibility by the City of Mercer Island management or staff to enforce Washington State lead regulations. The applicant takes full responsibility for meeting all lead regulations.*

I believe this reply covers your various questions. Please let me know if I can be of further assistance.

Don Cole

Building Official

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From: jim mattison.me <jim@mattison.me>
Sent: Wednesday, October 19, 2022 12:58 PM
To: Don Cole <Don.Cole@mercergov.org>
Cc: Dan Grove <dan@grove.cx>; susan mattison.me <susan@mattison.me>; Brigid Stackpool <bstackpool@gmail.com>; Pam Faulkner <pfaulk9801@gmail.com>; Jim Miller <jim.m@comcast.net>; Molly McGuire <molly.mcguire@mercerisland.gov>
Subject: Demolition Clarification Re: Permit Application 2207-019, 6950 SE Maker Street

Hello Don -

Yesterday, we contacted Molly McGuire with concerns that demolition of the above existing home may be imminent though the CPD has not completed its application review and a building permit has not been issued for construction of a new SF house. We have several questions for you pertaining to demolition permitting and timing. Molly directed us to consult with you. We have copied her on this email as well as our adjacent neighbors, at their request.

The owner of 6950 SE Maker Street, Ms. Strand, in recent weeks has said that the existing home will be demolished sometime the week of October 31. As of this past Saturday, the home is now vacant and landscaping is in disarray. Has your department issued a demolition permit for this project?

The public comment period concluded on October 6, and Alison Van Gorp has informed us that the City has until November 8 to complete its review of the permit documents, geotechnical report peer review and public comment letters.

In our letter, we raised concerns about demolition, earthwork and foundation construction occurring during the upcoming wet months and have requested the City not issue a Seasonal Development Limitations waiver as the site is a Critical Area with three geological hazards with a forecasted La Nina winter looming. Were the City to issue a waiver and seek indemnification and a performance bond, it feels like it would be doing so at the expense of ensuring public safety and protection of our neighboring properties, especially since a portion of the site’s west retaining rockery wall has previously “washed out”.

The geotechnical and storm water consultants for this project have made it clear in their reports that if construction (or demolition) is undertaken during wet conditions, careful and consistent attention must be paid to erosion control measures and storm water drainage. Construction during wet conditions, we feel is further complicated and more risky because the site is a steep slope that was extensively filled (up to 15’-0) to create a level building pad for the existing home and yard. The geotech report included in the application

documents (Geotech Consultants, Inc., March 21, 2022, page 5) states:

"Based on our analyses, and observations, the rockeries placed in front of the fill on the west side of the lot are not engineered to properly retain the loose soils. As a result, there currently exists a risk the the fill and rockeries could shift or fail in the future. This would most likely occur during wet conditions or a large earthquake."

Additionally, we believe the proposed project does not conform to the City code as follows: GFA calculation, existing elevations, ABE, and side yard setback. We have also requested that the applicant be required to file a Construction Management Plan and convene a pre-construction meeting prior to the start of the proposed project, and that includes demolition. It seems that there's a lot to review and consider before demolition should be undertaken.

We are contacting you because we are confused about the permitting requirements pertaining to demolition. We see that the City's Permit Application includes Demolition among other activities, and yet the applicant, Jeff Almeter, Architect, did not request a Demolition Permit. The application, signed July 5, 2022, is only for a Building Permit. (It was however, noted under the Scope of Work that demolition would take place.)

We note that MICC 17.14.010 says:

"105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the construction codes and the Construction Administrative Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."

We understand this to mean that the house cannot be demolished without a required permit. Is this correct? If so, has the applicant been notified of this?

Another of our questions is, does the City require an approved Building Permit as a prerequisite for demolishing an existing structure to make way for a new residence, or can an applicant file for a stand alone Demolition Permit while a Building Permit is under review?

Conversely, can the house be demolished without a permit, and how is the City ensuring that its Asbestos Policy Guidelines for Demolitions has been filed with the Puget Sound Clean Air Agency? We understand that the house, built in 1952, has asbestos present.

We know this is a lengthy correspondence, and we truly appreciate you taking your time to read our questions. We look forward to hearing back from you. This has been a challenging and time consuming project to understand - and stay on top of - for all of us in our neighborhood.

Jim and Susan Mattison
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