

March 21, 2019

TO: Ms. Nicole Gaudette
Senior Planner, Community Planning & Development City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040-3732

RE: File #: CAO17-010 and SEP19-003
Applicant: Sang Hou
For 4825 E Mercer Way, Mercer Island, WA 98040

Dear Ms. Gaudette:

Thank you for taking the time to meet with us re: the application re: the development of the property @ 4825 E Mercer Way which is adjacent to our property at 4819 E Mercer Way. A year-round stream and the wetlands being reviewed border our properties.

As clearly documented to the city by dozens of neighbors in the vicinity of this vacant lot, there is significant concern re: the safety, road damage and water runoff costs and environmental impacts of this application and proposed development given the city's plans to reduce the standard wetlands' buffer and their SEPA environmental impact non-adverse intentions.

There are several critical recent factors that must be taken into consideration before proceeding with the application and subsequent building permit approval which you note is anticipated.

1. In the past few years, several new streams are now flowing through the wetlands and 50 foot current wetlands' buffer where the proposal is to reduce the buffer to 25 feet.
2. Last month, in February of 2019, several large trees toppled over in this same wetlands and buffer zone where the proposed property will be encroaching should the application get approval. Please ref. Figure 1.



Figure 1: February 2019, several large trees fell in the subject wetlands and 50 foot wetlands buffer area; the boy in the photo is 6 feet tall; one of the trees was 4 feet in diameter its base.

3. Due to the significant clearing of many large trees above and around this lot and adjacent valley, this neighborhood has documented increased water running through our streets and properties.
4. The year-round stream that borders our properties has increased in flow significantly over the years, approximately doubling in volume.
5. The wetlands area the sprawls through this region is increasing, I can personally attest to the fact that areas that were dry 5 years ago are now very wet/ probably a wetland. This expansion is estimated to be approximately 10-15 feet over the past 5 yrs.
6. Over the past several years several other trees have fallen in the general area in this valley, in and around this wetlands region.
7. Increased road damage has occurred due to the increased water runoff.
8. An independent arborist report provided documentation that should this development proceed, the "old growth eagle tree" on this vacant lot will definitely become a hazard to the community, thus requiring removal; further increasing water flow and saturation through the area. This was previously provided to the city and is being submitted again. See Tree Solutions report.
9. Several other large trees would be removed with this development, further saturating the ground since the existing trees provide substantial removal of the ground water.
10. There is a history of landslides in this area, including one on our property several years back. A potential Oso incident is possible.
11. The building pad will also have a detrimental impact on healthy ground water drainage and increased water retention and ground water levels.
12. Mercer Island City personnel expect to issue a SEPA Determination of Non-Significance (DNS) for this project. In addition to the safety concern of this neighborhood, the negative environmental impact cannot be ignored given the year round stream, wetlands, eagle habitat, old growth tree, and the fact that this area is home to numerous other animal species and vegetation including numerous very large fir trees. This property is certainly an environmental critical area given all of these factors and the proposed development will have a detrimental impact on the environment.

In summary, we certainly respect and value the importance of all property owner's rights. But, if the safety of neighboring property owners will be put in jeopardy as a direct result of a risky potential development which uses outdated, incomplete and sometimes erroneous data and reports to approve the building permit, the neighboring community's rights must be paramount. This is a reasonable conclusion.

We sincerely are very concerned that the residents in our neighborhood or others visiting the area could be injured or killed by falling trees that are the direct result of the potential development and associated negative environmental impacts.

Although we recognize that by living in this area, we accept the risks of falling trees, but not if it is the direct result of an unsafe development plan with known negative environmental impact risk factors.

Thus, we oppose this application and request further review before proceeding with the standard buffer reductions and SEPA Determination. Additional wetlands, waterway, steep grade and tree removal impact studies must be conducted to not only assure the safety of the neighboring property owners, but also the safety of the potential buyer of this property who may be the most at risk as the valley drains directly through this vacant lot.

Given these reasonable safety concerns that would be the direct result of the environmental impact of this proposed development, we must put the city and all parties cc'd and involved with this application on notice that they will be financially responsible should a tragedy or costly property damage result.

Thanks again for your time and consideration.

Sincerely,

Gerard Kaelin & Christina Demopoulos MD
4819 E Mercer Way
Mercer Island, WA 98040

CC:

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