

Mark Kushino

From: Nicole Gaudette <nicole.gaudette@mercergov.org>
Sent: Wednesday, January 15, 2020 3:56 PM
To: Mark Kushino
Cc: Douglas Rosen
Subject: RE: Rosen, Doug - Photogrammetry aerial images

Mark,

The photo from 1952 establishes the location and configuration of the dock and would deem that location and configuration legally nonconforming. Good job with the research!

Nicole Gaudette

Senior Planner

City of Mercer Island – Community Planning & Development

206-275-7719 | mercergov.org/CPD

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

From: Mark Kushino <mark@waterfrontconstruction.com>
Sent: Wednesday, January 15, 2020 3:00 PM
To: Nicole Gaudette <nicole.gaudette@mercergov.org>
Cc: Douglas Rosen <drosen@alascop.com>
Subject: FW: Rosen, Doug - Photogrammetry aerial images

Good afternoon Nicole,

In order to try to prove legal nonconforming status, we have searched several resources to find evidence that a pier existed prior to 9/26/1960. I believe that DNR has provided a very useful photo and I was wondering if you could offer a little feedback.

Please see the attached photo dated 3/15/1952 & the 1963 aerial obtained from the Mercer Island GIS map. As you can see, if you compare the photo from 1952 with the one from 1963 it indicates that the pier did exist as far back as **1952** (for the record I do not know why the photo from the MI website has a big chunk taken out but the pier clearly appears in the shot). I used the neighboring docks to the north as a reference point.

We also have a copy of an old pier repair permit from 1976, which is also attached. At this point, would you be able to confirm that the attached documents are sufficient enough proof for legal nonconformance? The main priority for my client is that the pier remain in the original location. I understand you cannot authorize anything without a plan set and I'm just hoping you could let us know that we do not need to continue our photo research.

As always, we really appreciate your assistance. I have cc'd my client just to keep him in the loop.
Take care,

Mark Kushino

Permit Coordinator

Waterfront Construction, Inc.

205 NE Northlake Way, Suite 230

Seattle, WA 98105

Office: 206/548-9800

Fax: 206/548-1022

From: DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>
Sent: Wednesday, January 15, 2020 1:50 PM
To: Mark Kushino <mark@waterfrontconstruction.com>
Subject: FW: Rosen, Doug - Request for photogrammetry aerial images

Dear Mr. Kushino:

This email is in response to your public disclosure request dated December 13, 2019. DNR has made a diligent and good faith effort to locate records that are responsive to this request.

We have placed all the responsive photos to your request on our FTP site. You can access the photos at the below link:

ftp://ww4.dnr.wa.gov/public_disclosure/01-15-2020%20Kushino,%20Mark/

Please note: DNR's FTP site is not intended as a permanent file storage system. You will need to save the documents to your own storage (desktop, CD, thumb drive, etc.) within 10 business days. The FTP site is routinely cleaned to allow space for new documents. Please let us know when you have removed the documents.

Thank you for allowing us to help you with your request.

Should you have any questions, please feel free to contact our office.

Thank you,

Julia Jackson
Public Disclosure Coordinator
Washington State Department of Natural Resources (DNR)
360-902-1393
Julia.Jackson@dnr.wa.gov
www.dnr.wa.gov/publicdisclosure

From: DNR RE Public Disclosure
Sent: Monday, January 6, 2020 10:31 AM
To: 'mark@waterfrontconstruction.com' <mark@waterfrontconstruction.com>
Subject: FW: Rosen, Doug - Request for photogrammetry aerial images

Dear Mr. Kushino:

This email is to provide you with an update to your records request to DNR. I indicated that I would have a response to your records request on or before January 9, 2020. We are still in the process of locating and identifying responsive documents. It has become apparent that it will take more time than originally anticipated. I now estimate that your installment of records will be available on or around January 22, 2020.

If the photos become available sooner, we will certainly forward them to you.

Should you have any questions, please contact our office.

Thank you,

Julia Jackson

Public Disclosure Coordinator
Washington State Department of Natural Resources (DNR)
360-902-1393
Julia.Jackson@dnr.wa.gov
www.dnr.wa.gov/publicdisclosure

From: DNR RE Public Disclosure
Sent: Friday, January 3, 2020 1:50 PM
To: 'Mark Kushino' <mark@waterfrontconstruction.com>
Subject: RE: Rosen, Doug - Request for photogrammetry aerial images

Dear Mr. Kushino:

Thank you for your response. After speaking with Tony Aulds, he said that he has spoken with you and you still want all photos associated with each flight in the list provided. We will let you know if there is a charge once we receive all the requested photos from Tony Aulds.

Thank you,

Julia Jackson

Public Disclosure Coordinator
Washington State Department of Natural Resources (DNR)
360-902-1393
Julia.Jackson@dnr.wa.gov
www.dnr.wa.gov/publicdisclosure

From: Mark Kushino <mark@waterfrontconstruction.com>
Sent: Friday, January 3, 2020 9:19 AM
To: DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>
Subject: RE: Rosen, Doug - Request for photogrammetry aerial images

Good morning,

Assuming that each date only yields one or two photos, I would like to request all dates. My goal is to obtain as much info as possible **without** charging my client. I am more than willing to work with you if this request yields too many documents.

I am able to send you a USB drive if necessary.

Thank you very much,

Mark Kushino
Permit Coordinator
Waterfront Construction, Inc.

205 NE Northlake Way, Suite 230
Seattle, WA 98105
Office: 206/548-9800
Fax: 206/548-1022

From: DNR RE Public Disclosure <publicdisclosure@dnr.wa.gov>
Sent: Thursday, January 02, 2020 3:41 PM
To: Mark Kushino <mark@waterfrontconstruction.com>
Cc: drosen@alascop.com
Subject: FW: Rosen, Doug - Request for photogrammetry aerial images

Dear Mr. Kushino:

This email is in response to your public disclosure request dated December 13, 2019.

After speaking with DNR staff, please choose which years you would like from the list below.

Year	Project	Scale	Type
1952-3-15	M51-10	1:14,400	B/W
1952-4-23	M51-10	1:14,400	B/W
1957-4-9	A-26	1:9,600	B/W
1957-12-31	15	1:21,600	B/W
1959-7-10	M59-4	1:12,000	B/W
1959-7-15	M59-4	1:12,000	B/W
1961-8-7	A-95	1:12,000	B/W
1962-4-12	A-109	1:12,000	B/W
1965-6-1	G-30	1:6,000	B/W
1965-6-30	K-SN-65	1:12,000	B/W
1956-9-1	WFPA-65	1:60,000	B/W

Once we hear back from you with the years you would like from the list, we will begin gathering the photos your request.

Should you have any questions, please contact our office.

Thank you,

Julia Jackson
Public Disclosure Coordinator
Washington State Department of Natural Resources (DNR)
360-902-1393
Julia.Jackson@dnr.wa.gov
www.dnr.wa.gov/publicdisclosure

From: DNR RE Public Disclosure
Sent: Tuesday, December 17, 2019 10:59 AM
To: 'mark@waterfrontconstruction.com' <mark@waterfrontconstruction.com>
Cc: 'drosen@alascop.com' <drosen@alascop.com>
Subject: FW: Rosen, Doug - Request for photogrammetry aerial images

Dear Mr. Kushino:

The Washington State Department of Natural Resources (DNR) received your public disclosure request on December 13, 2019. You requested the following:

- Aerial Photos of 5995 SE 30th St, Mercer Island, WA 98040, parcel: 217450-0095, ¼ NE S11, T24, R04, Lat: 47.58337 -Long: 122.25223, from January 1, 1950 to December 31, 1965.

Please be advised that, pursuant to RCW 42.56.120, DNR uses the default fee schedule. If DNR uses an outside vendor for the duplication service, the charge to you will be the cost charged by the vendor, plus the cost of shipping. However, records may also be viewed in person for no fee.

We are in the process of researching your request. We estimate that any responsive photos will be available on or about January 9, 2019. If responsive photos become available sooner, we will certainly forward them to you.

Should you have any questions, please contact our office.

Thank you,

Julia Jackson
Public Disclosure Coordinator
Washington State Department of Natural Resources (DNR)
360-902-1393
Julia.Jackson@dnr.wa.gov
www.dnr.wa.gov/publicdisclosure

From: Mark Kushino <mark@waterfrontconstruction.com>
Sent: Friday, December 13, 2019 10:56 AM
To: DNR RE RMS <rms@dnr.wa.gov>
Cc: Douglas Rosen <drosen@alascop.com>
Subject: Rosen, Doug - Request for photogrammetry aerial images

Good morning,

Please consider this an official request for research at the following location:

Project address: 5995 SE 30th St, Mercer Island, WA 98040
Parcel: 217450-0095
¼ NE Section 11 Township 24 Range 04
Lat: 47.58337 Long: -122.25223
Date range: 1950-1965

If that date range yields too many documents, please let me know as I may need to filter the results. I would prefer to reduce any potential cost to my client. I am interested in an image of the pier itself for purposes of establishing use prior to the Shoreline Master Plan in Mercer Island. I have also attached a few aerial shots that I obtained online.

Please let me know if you need anything else. I had cc'd the client just to keep him in the loop.
Thank you,

Mark Kushino

Permit Coordinator

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Seattle, WA 98105

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