



## **Waterfront Construction, Inc.**

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Contractor's License # WATECI881RS

### **Rosen, Doug - Pier Mercer Island**

#### **SHL21-002 and SEP21-002**

#### **WCI Response to MI Comments dated 1/28/21**

Mercer Island Planning comments appear in **black**.

Waterfront Construction, Inc (WCI) responses appear in **blue**.

- Please state how the proposal is exempt from a Shoreline Substantial Development Permit per WAC 173-27-040(2)(b) normal maintenance and repair. The footprint of the dock is being expanded in one area – refer to Attachment A. The replacement or development must be “comparable to the original structure or development including but not limited to size, shape, configuration, location and external appearance...” This expansion does not seem to meet the exemption under (2)(b). Please apply for a Shoreline Substantial Development Permit or remove the expansion from the scope of work.

**WCI response:** Damaged portion of the existing finger pier has been removed to prevent materials breaking free from the pier structure and becoming dangerous floating debris. Finger pier to be restored as part of the current permit review. The finger is clearly visible in previous aerial photos and older permit drawings (which are available upon request). Page 4 of the plan set has been revised with a graphic to represent the finger pier and the square footage has been corrected.

WAC 173-27-040(2)(b) states, “(b) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment;”

Proposed work does not increase the size, shape, configuration, location and/or external appearance and complies with the above requirements for normal maintenance and repairs.

- Can be addressed now or during SUB1:

Please revise the Development Application to include the following items:

- your (the applicant's) email
- the city, state, and zip code for your address
- project description

**WCI Response:** Please see attached revised MI DevApp, per your instructions.

Please note, the Project Description font size is not editable nor are we able to enter more than one line of text. We can offer other options such as: revert to the original text, submit an additional project description document, or we can resubmit a revised form if the font is made editable on the existing DevApp form.