

CITY OF BAINBRIDGE ISLAND
**Department Of
Planning & Community
Development**



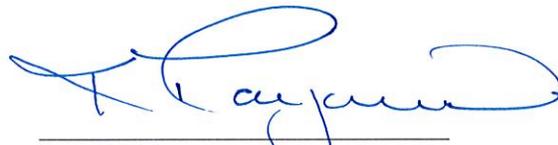
APPLICANT: J3E2A2Z LP

PROJECT NUMBER: SSDE18611

AFFIDAVIT OF MAILING

TYPE OF NOTICE: Notice of Decision and SEPA Threshold Determination

I certify that I mailed copies of the above to the owner by placing the notices in the outgoing mail bin at City Hall, 280 Madison Avenue North, Bainbridge Island, WA, and by email, on September 20, 2013.



Kelly Tayara, Planner

**NOTICE OF ADMINISTRATIVE DECISION and
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)**

The City of Bainbridge Island has made a decision concerning the following land use application:

Date of Issuance: September 20, 2013
Project Name: J3E2A2Z LP Exemption from Shoreline Substantial Development Permit
File Number: SSDE 18611
Applicants: J3E2A2Z LP
Description of Proposal: Reorient in-ground swimming pool; relocate stormwater infiltration system; construct concrete/paver path and patio; construct tiered seating wall four feet in height; construct a boathouse and deck in the Native Vegetation Zone.
Location of Proposal: 3835 Pleasant Beach Drive, Bainbridge Island
Tax Account Number: 4164-005-016-0005
Permit Decision: The application is **conditionally approved**. The staff report, containing the statement of facts upon which the decision, including conditions, is based and the conclusions of law derived from those facts, is available to the public upon request. **This decision becomes effective after 14 days from the date of issuance, or after October 3, 2013.**

SEPA Determination: The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate the proposal are used. An Environmental Impact Statement is not required under RCW 43.21C.030(2)(c). This determination was made after review of a completed environmental checklist and other information on file with the lead agency. The information is available to the public upon request. This MDNS is issued using the optional DNS process in WAC 197-11-355; there is no further comment period on the MDNS.

Responsible Official Katharine Cook, Director
Department of Planning & Community Development

Address: City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature: Katharine Cook Date: 09-20-13

Appeal Procedure: This administrative decision and/or SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to

the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020.P. An appeal must be filed **no later than 4:00 p.m., October 3, 2013**. You should be prepared to make specific factual objections.

If you have any questions concerning this application, please contact:

Kelly Tayara, Planner Email: pcd@bainbridgewa.gov Telephone: (206)780-3787
Department of Planning and Community Development
280 Madison Avenue North
Bainbridge Island, WA 98110

Conditions of Approval

SEPA Conditions

1. Prior to draining the pool, the property owner shall submit a plan containing information regarding the chemical content and intended disposition of the water to the City Development Engineer for review and approval.
2. Construction permit application shall identify a minimum area of disturbance for construction within shoreline jurisdiction, including the stormwater facilities. Disturbed areas shall be stabilized during and following construction to avoid erosion, and shall be replanted with native vegetation immediately following construction.
3. The application for construction shall include a landscape plan for planting of native vegetation within the areas of the Native Vegetation Zone (NVZ) disturbed by construction, the additional contiguous area (Condition 8a), and the stormwater facility area of disturbance.
4. Extreme care shall be taken to prevent petroleum products, chemicals or other toxic or deleterious materials from entering the water and degrading water quality. If a spill occurs, or oil sheen or distressed fish are observed in the project vicinity, the applicant shall stop work and immediately notify Washington Department of Ecology Northwest Region at (425) 649-7000.
5. The applicant is required to stop work and immediately notify the Department of Planning and Community Development at (206) 842-2552, and the Washington State Office of Archaeology and Historic Preservation at (360) 586-3065, if any historical or archaeological artifacts are uncovered during excavation or construction.

Project Conditions

6. The applicant for construction shall obtain an approved building permit from the City for all work approved through this exemption. Building plans and construction shall substantially conform to the plans submitted for this exemption, except as required to comply with these conditions of approval.

7. Prior to any construction activity, the applicant for construction shall provide a stormwater management report and an engineered stormwater plan to the City Development Engineer for review and approval.
8. Activities within the Native Vegetation Zone shall comply with BIMC 16.12.090 and BIMC 16.12.260:
 - a. The existing Native Vegetation Zone (NVZ) shall be altered to provide an additional contiguous area equal to the area of the boathouse, deck and any pathway within the NVZ. The additional area shall be depicted on all construction site plans.
 - b. The boat house shall not exceed 200 square feet in size and 12 feet in height above existing grade.
 - c. The deck within the Native Vegetation Zone shall be permeable and shall not exceed 120 square feet in size and shall be less than 30 inches above grade.
 - d. A pathway within the Native Vegetation Zone shall be not more than four feet in width, shall be of pervious material, and shall be constructed by hand.
9. Construction site plans shall depict at least 30 percent of the lot width free of above-ground structures and impervious areas within 200 feet of the Ordinary High Water Mark.
10. All required plantings shall be installed prior to temporary or final occupancy of buildings and/or final inspection of structures or facilities. Subject to approval by and terms of the Director, required planting may be assured for not less than 125 percent of the cost of installation.
11. Prior to temporary or final occupancy of buildings and/or final inspection of structures or facilities, the applicant shall assure required plantings by providing a maintenance assurance device in a form approved by the Department of Planning and Community Development and in an amount of not less than 20 percent of the cost of replacing the plantings.