

Peter Best

From: Cheryl Coon <cherylcoon@gmail.com>
Sent: Sunday, March 15, 2020 2:34 PM
To: Peter Best
Subject: 4th email with relevant attachments from 2016 variance application
Attachments: 50280 SSDP Kirkman 090216 (2).pdf; 50280 SSDP Kirkman 090216 (1).pdf; 50280 SSDP Kirkman E-mail 083016.pdf; 50280 SSDP McKeon E-mail Attachment Letter from Smart 090116.pdf; 50280 SSDP Mayall 090216.pdf

Dear Peter,

In our conversation on Friday, in answer to my question about inclusion of the 2016 file, you noted that none of the submissions to the 2016 file would be included in the 2020 application. Because the two applications were essentially identical with regard to neighborhood concerns, most of the 2016 public testimony is relevant.

Accordingly, I hereby request that testimony submitted in 2016 by the commenters in the attached documents be included in the 2020 record.

Sincerely,
Cheryl Coon

Wysong/Ziemba Dock Replacement PLN50280SSDP

From: **V L KIRKMAN** (v_vixen_3@msn.com)

Sent: Tue 8/30/16 10:51 PM

To: pcd@bainbridgewa.gov (pcd@bainbridgewa.gov)

To: Heather Wright, Senior Planner

Department of Planning & Community Development

The joint dock proposal requested by Wysong/Ziemba is contrary to the character of Little Manzanita Bay

This dock proposal would jeopardize the health of the bay, marine habitat, and specifically the salmon which are such a asset to our region.

I strongly oppose this proposal and believe others will also. I am requesting a public meeting be held to discuss this matter.

Respectfully,
James L. McLain 3rd
6881 N.E. Bergman Road
Bainbridge Island, Wa. 98110

City of Bainbridge Island

SEP 02 2016

Planning and
Community Development

Notice of Application/Sepa Comment for Wysong/Ziemba Dock Replacement PLN50280SSDP

From: V L KIRKMAN (v_vixen_3@msn.com)

Sent: Sun 8/28/16 8:13 PM

To: Vicki Kirkman (v_vixen_3@msn.com)

The purpose of this letter is to voice my opposition to this proposed application for dock replacement by Wysong/Ziemba referenced above.

First a little background.

My grandparents bought the "Westinghouse " home and surrounding approximately 40 acres and approximately 1500 feet of waterfront in 1942. In 1959, with the passing of my grandmother, my parents moved into that home after occupying another home on that same property. In about 1960 the old dock was replaced and the approximately 83 foot

dock was installed. My parents sold that waterfront home in 1965 or 66. I continue to live on the remaining 27 acres. The dock in question has adequately served four previous owners over the last 56 years!

My concern is just not from an aesthetic standpoint, which in and of itself is substantial, but also the following:

- (1) The proposed dock of 240 feet is completely out of scale for Little Manzanita Bay.
- (2) Environmentally this project could have a substantial impact to a key limited and sensitive shoreline.
- (3) How will it impact the critical habitat for cutthroat and chum salmon spawning and returning to Little Manzanita Creek which runs through the channel of Little Manzanita Bay?
- (4) Ecologically, the possibility of leaked fuels or chemical toxins being released from the cleaning of boat hulls could be very detrimental to the habitat ie. fish, crab, clams etc.

This application, if approved would surely set a dangerous precedent for Little Manzanita Bay.

What happens when another waterfront resident on Little Manzanita Bay applies for a 100 foot or 300 foot dock using this as an example?

Lastly, how does this dock application fit into the Shoreline Master Plan?
Seems to me there is No Fit!

Respectfully,
Victoria L. Kirkman
6881 N.E. Bergman
Bainbridge Island, Wa. 98110

Please inform me of any decision in this matter

City of Bainbridge Island

SEP 02 2016

Planning and
Community Development

William C. Smart
12545 Manzanita Road NE
Bainbridge Island, WA 98110
(206) 930-3674
wsmart@kellerrohrback.com

August 31, 2016

Mr. Gary Christensen
Planning Director
Department of Planning and Community
Development
City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, Washington 98110

Ms. Heather Wright
Senior Planner
Department of Planning and Community
Development
City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, Washington 98110

Re: Wysong/Ziemba Dock Replacement – PLN50280SSDP

Dear Ms. Wright and Mr. Christensen:

You sent me a notice concerning the Wysong/Ziemba proposed dock “replacement” on Little Manzanita Bay. I reply as follows:

It would be astounding if the City spent more than a few seconds considering this proposal.

Manzanita Bay is a quiet, shallow cove forming one of only two estuaries for streams supporting anadromous fish on the western side of Bainbridge Island. It is the least developed of any estuary on Bainbridge Island, and the only one where shoreline owners have consistently and intentionally, over many years, provided stewardship of the resource, with no government assistance. The shallow nature of the Bay creates extensive exposed tidelands at low tide. These in turn are a nursery for not only the rich and diverse shellfish populations in the Bay, but also form the most basic link in the food chain for a broad range of fish, bird and mammal species.

The Bay is an important fishing area for protected birds—most notably bald eagles, osprey and, less often peregrine falcons. They fish in the exact location of the proposed dock.

The City has a wealth of information on the biodiversity of the Bay and has recently published many documents extolling the bio assets of this shoreline of statewide significance.

Unlike, say, Blakely Harbor, Little Manzanita Bay is ill suited for the location of long docks or navigation by large (or larger) boats. The reason is its shallowness. We have a 13-foot tide, so, more often than not, the Bay consists mostly of exposed tidelands. That is the reason why no large docks currently exist on Little Manzanita Bay. Rather, consistent with its historic

and natural use, it is a favored place for kayakers, stand-up paddle boarding and swimmers. In fact, Manzanita Bay has the warmest water for swimming of any place on the island and therefore has a high population of small boaters and swimmers enjoying it, consistent with its natural and historic use.

The City has prohibited docks for all manner of applicants in Blakely Harbor—a deep water port much more suited to motorboat navigation than Little Manzanita Bay. Presumably, if the City granted this permit, every property owner on Bainbridge Island, including everyone on Little Manzanita Bay would also be entitled to a 240-foot dock.

It is the government's obligation to protect the public trust in navigable waters. The ability of small boaters, paddle boarders, kayakers, fishermen and swimmers would be physically defeated for most of the Bay if this dock were allowed, and the enjoyment of these activities would be defeated entirely. The Bay already has restrictions on motor use—precisely because of its fragile nature and small size. The proposed dock is longer than one-half the length of the Tacoma—our largest Jumbo Mark II ferry boat. Locating such a dock in an inappropriate place like Little Manzanita Bay would be the environmental equivalent of “enhancing” a Monet masterpiece with razor blades and black magic markers. The idea is simply inconceivable.

As it happens, the location of a dock like this on Little Manzanita Bay would also be illegal (sometimes bad ideas are also illegal). And it is not just illegal under the new Shoreline Management Master Program (much of which I disagree with, and much of which will likely not survive the current appeal, but that is another subject). The dock would have been illegal under every regulatory scheme stemming back to the passage of the Shoreline Management Act in 1971. The reasons are simple.

1. It interrupts the public navigation to which the Bay is suited—swimming, small boating, paddling.
2. It intrudes upon, violates, and disrupts an important ecosystem.
3. It completely violates the character and natural amenities of the Bay.
4. It elevates short-term private users over long term public interests.
5. If the dock were to be approved, it would violate the property rights of every existing resident, including those who have lived here since 1945. And, for what? To favor two nouveau residents who bought their property knowing that their properties did not include a right to have such a dock. Any government approval would amount to a taking of rights from other residents in order to transfer them to these two individuals.

Likely the extraordinary size of the dock has been advanced as a stalking horse for some lesser “compromise”—which also would be illegal for exactly the same reasons.

The City has spent a lot of time in the recent past talking the talk of a would-be environmentally conscious government dedicated to preserving the traditional, esthetic, and

environmental values of Bainbridge Island. This is a good opportunity for the City to walk the walk by summarily denying this extraordinarily bad idea.

Yours truly,

A handwritten signature in black ink, appearing to read 'Will C. Smart', with a stylized, flowing script.

William C. Smart
wsmart@kellerrohrback.com

cc: Bainbridge Island Review
Fred Grimm

Jane Rasely

From: V L KIRKMAN <v_vixen_3@msn.com>
Sent: Tuesday, August 30, 2016 9:44 PM
To: PCD
Subject: Notice of Application/Sepa Comment for Wysong/Ziembra Dock Replacement PLN50280SSDP

From: v_vixen_3@msn.com
To: v_vixen_3@msn.com
Subject: Notice of Application/Sepa Comment for Wysong/Ziembra Dock Replacement PLN50280SSDP
Date: Sun, 28 Aug 2016 20:13:27 -0700

The purpose of this letter is to voice my opposition to this proposed application for dock replacement by Wysong/Ziembra referenced above.

First a little background.

My grandparents bought the "Westinghouse " home and surrounding approximately 40 acres and approximately 1500 feet of waterfront in 1942. In 1959, with the passing of my grandmother, my parents moved into that home after occupying another home on that same property. In about 1960 the old dock was replaced and the approximately 83 foot dock was installed. My parents sold that waterfront home in 1965 or 66. I continue to live on the remaining 27 acres.

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Seems to me there is No Fit!

Respectfully,
Victoria L. Kirkman

6881 N.E. Bergman
Bainbridge Island, Wa. 98110

Please inform me of any decision in this matter

September 1, 2016

Heather Wright, Senior Planner
Department of Planning & Community Development
City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, WA 98110

City of Bainbridge Island

SEP 02 2016

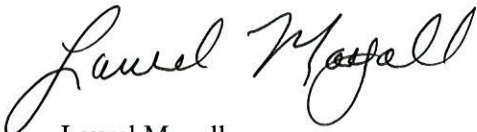
Planning and
Community Development

Subject: Comments on Land Use Application – Wysong/Ziemba Dock Replacement PLN50280SSDP

Heather,

I am adding another voice in opposition to the proposed dock at 6783/6789 NE Bergman Rd. My husband and I have lived near Little Manzanita Bay for over 14 years and have treasured this lovely vista and environment daily. The new owners of the Lindberg property are treating this little bay as their own. It is not. All owners previous to this have been good stewards and shared and respected this environment. This small bay is enjoyed by an abundance of wildlife and people throughout the seasons. I strongly object to the length of this new dock.

Sincerely,



Laurel Mayall
6765 NE Day Rd.
Bainbridge Island, WA

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