

From: Tom McCormick <tommccormick@mac.com>
Sent: Sunday, January 08, 2017 5:31 PM
To: Countryman, Ryan; MacCready, Paul
Subject: Fwd: Defective MDNS issued Dec. 21, 2016
Attachments: 12-21-2016 MDNS.pdf

Begin forwarded message:

From: Tom McCormick <tommccormick@mac.com>
Subject: Defective MDNS issued Dec. 21, 2016
Date: January 3, 2017 at 1:26:52 PM PST
To: Bill Trimm <bill@townofwoodway.com>
Cc: Eric Faison <eric@townofwoodway.com>, Mayor Carla Nichols <cnichols@townofwoodway.com>, Austen Wilcox <austen@townofwoodway.com>, Bill Trimm <bgtrimm@comcast.net>, Debbie Tarry <dtarry@shorelinewa.gov>, Kendra Dedinsky <kdedinsky@shorelinewa.gov>, Julie Ainsworth-Taylor <jainsworth-taylor@shorelinewa.gov>, Bill Willard <bill@billwillard.com>, John John <JJohn@GrahamDunn.com>, Tom Mailhot <tmailhot@frontier.com>, Jerry Patterson <jerrypat08@gmail.com>, Tom McCormick <tommccormick@mac.com>, Joe Bundrant <joeb@TridentSeafoods.com>, "Clayton P. Graham" <claytongraham@dwt.com>

To Bill Trimm, Responsible SEPA Official for the Town of Woodway:

The attached MDNS issued Dec. 21, 2016, is defective on its face, and accordingly, the MDNS must be withdrawn and reissued to comply with the requirement that all notices must provide accurate notice to the public and agencies of their rights.

As shown on the attached snippet,, the MDNS says that:

"In accordance with the provisions of WMC, you may appeal this determination to the Town Clerk at Town Hall, 23920 113th. Place West, Woodway, Washington, no later than 15 days from the date issued above. To be considered, an appeal of this MDNS must be filed prior to 5:00 p.m., January 4, 2017 by submitting a written statement requesting an appeal, together with appropriate fees."

The above text sets two conflicting deadlines as to when the public must appeal. Thus, the MDNS does not accurately inform the public of its appeal rights, which makes the MDNS defective on its face.

The two conflicting dates:

(1) At one place, the MDNS says the public must appeal no later than 15 days from the Dec. 21 MDNS Issue Date, which means the deadline is Jan. 5, 2017.

(2) At another place, the MDNS says the public must appeal by 5:00 p.m. tomorrow, January 4, 2017.

Because the public has been misinformed as to the appeal deadline, the MDNS is defective on its face, and accordingly, the MDNS must be withdrawn and reissued to comply with the requirement that all notices must provide accurate notice to the public and agencies of their rights.

Please reply ASAP today to this email advising me that the defective MDNS will be withdrawn and reissued. TIME IS OF THE ESSENCE.

Thank you.

Tom McCormick

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This Mitigated Determination of Non-Significance
the lead agency will not act on this proposal for 14
must be submitted by **5:00 p.m., January 3, 2017.**

Responsible Official: Bill Trimm, FAICP

Title: Town Planner

Address: 23920 113th. Place W
Woodway, Washing

Issue Date: December 21, 2016

Signature:



In accordance with the provisions of WMC, you may
Clerk at Town Hall, 23920 113th. Place West ,Wo
days from the date issued above. To be considered,
prior to 5:00 p.m., January 4, 2017 by submitting a
together with appropriate fees. The written statement
of the person aggrieved and a clear and concise st
You should be prepared to make specific factual ob

