

1
2
3
4
5
6
7
8 **BEFORE THE HEARING EXAMINER
FOR THE CITY OF MERCER ISLAND**

9 In the matter of the Revised Mitigated
10 Determination of Nonsignificance (MDNS)
11 issued for 3700 E Mercer Way on April 7,
12 2025

Hearing Examiner File No. APL 25-003
SEPA Application No. SEP24-003

13
14 **APPELLANT’S LIST OF WITNESSES
AND EXHIBITS**

15 Appellant Herzl-Ner Tamid Conservative Congregation (“Herzl”) discloses the following
16 individual as a potential witness and identifies the following documents as potential exhibits at
17 the hearing in this matter:

18 **I. WITNESS LIST**

19 1. **Anjali Grant, AIA, LEED AP.** Ms. Grant is an architect with Anjali Grant
20 Design LLC. Herzl engaged Anjali Grant Design to provide architectural services for Herzl’s
21 Barnabie Point Project (“Project”). Herzl anticipates that Ms. Grant may testify as a fact witness
22 to the location and scope of the Project, key features of the Project and the people it will serve, as
23 well as Herzl’s objectives in undertaking the Project. Ms. Grant may also provide testimony as an
24 expert witness to the extent that she is a registered architect in Washington and has over 20 years
25
26

1 of project experience with nonprofits, schools, and universities, from feasibility through
2 construction.

3 **II. EXHIBIT LIST**

4 1001. Right of Way Map (“Mercer Island: West Shore to East Channel Bridge Sec. 3,
5 Shorewood Dr. Vic. to East Channel Bridge”), prepared by the Washington State Department
6 of Transportation, dated December 18, 1978.

7
8 1002. East Mercer Way / Frontage Road – Intersection Concept Swept Path Analysis
9 by TranspoGroup, dated June 3, 2025.

10 1003. East Mercer Way / Frontage Road – Intersection Concept by TranspoGroup,
11 dated June 3, 2025.

12 1004. East Mercer Way / Frontage Road – Intersection Concept by TranspoGroup,
13 dated June 16, 2025.

14 1005. Proposed Mitigation Measures Text, prepared by Appellant based on input
15 from the Project’s engineering team and the City of Mercer Island’s professional review team,
16 dated July 2, 2025. We hope this language will be reasonable and workable for both the
17 Project and City review teams’ needs.
18

19 **III. RESERVATION OF RIGHTS**

20 The Applicant reserves the right to call as a witness in its own case any person identified
21 by the appellants, or the City of Mercer Island. The Applicant also reserves the right to offer into
22 the record any document identified by the Appellants or the City of Mercer Island as a potential
23 exhibit.
24

25 DATED this 2nd day of July, 2025.
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

HILLIS CLARK MARTIN & PETERSON P.S.

By: Josh E. Friedmann
Josh E. Friedmann, WSBA #52946
Rachel M. Mazur, WSBA #58005
999 Third Avenue, Suite 4600
Seattle, WA 98104
josh.friedmann@hcmp.com
rachel.mazur@hcmp.com

Attorneys for Appellant Herzl-Ner Tamid Conservative
Congregation

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I caused to be served a true and correct copy of the foregoing
3 documents by method indicated below and addressed to the following:

4 John Galt, Hearing Examiner
5 jegalt755@gmail.com

6 Bio Park, Attorney for the City of Mercer Island
7 cityattorney@mercerisland.gov

8 Eileen Keiffer, Attorney for the City of Mercer Island
9 Eileen@MadronaLaw.com

Delivery Via:

- U.S. Mail
- Overnight Mail
- Facsimile
- Legal Messenger
- E-Service
- E-Mail

10 I certify under penalty of perjury under the laws of the State of Washington that the
11 foregoing is true and correct.

12 DATED this 2nd day of July, 2025.

13
14 *Rachel M. Mazur*

15

Rachel M. Mazur, WSBA#58005

16 Attorney for Appellant Herzl-Ner Tamid
17 Conservative Congregation