



Memorandum

Date: June 2, 2017

To: West Linn Planning Commission

From: Jennifer Arnold, Associate Planner

Subject: Public Testimony for West Linn Planning Commission Public Hearing
SUB-17-01

On May 18, 2017 Staff received written testimony from Jon Gice adding additional testimony to previously submitted materials regarding wetlands for the proposed subdivision SUB-17-01.

On May 22, 2017 Staff received written testimony from Chelsea Diaz adding additional testimony to previously submitted materials regarding drainage for the proposed subdivision SUB-17-01.

I'm Chelsea Diaz, I live within the Tanners Stonegate HOA, on Landis Street, here in West Linn. The concerns that come to mind regarding this proposed development is the lack of a hydrogeologist study, of the water runoff on the existing slope on the Cornwall / Landis Proposed Development.

After two homes behind and above us began construction located at 4191 Reed Street and 4197 Reed Street, I noticed water streaming between the boulders in my 25 foot retaining wall into my back yard. I then began an lengthy process of trying to find where the water was coming from. After a landscape developer investigated the issue, he determined that a new spring had formed in the upper tier of my back yard. I then had to hire a excavator to evaluate and install an extensive water management system. It involved 5 hand-dug, three foot deep french drains, plus replacement of existing drainage pipes with new larger gage pipes connected to a industrial grade sump and additional drainage lines. Parts of the property also had to be regraded due to erosion and the hydraulic pressure caused by the excess water.

It is my belief that the construction of just two homes on previously undeveloped land above my street was the cause of these issues. It is not hard to imagine the potential impact of a new subdivision on the same hill with the significant water runoff we experience in the neighborhood and the steep slope where the proposed development would occur. The hillside the proposed development is located on needs to be evaluated by a hydrogeologist to determine the impact of runoff, both above and below ground, on the homes located below.



Arnold, Jennifer

From: Jon Gice <jon_gice@sbcglobal.net>
Sent: Thursday, May 18, 2017 9:14 AM
To: Arnold, Jennifer
Subject: Re: Sunset and BHT Testimonies You Should Receive Today
Attachments: Hydrogeologist Need.docx; ATT00001.htm

Jennifer

I am not sure if you received this for last night. It is another important fact. The developer's rebuttal last night stated there is no need for a hydrogeologist. You can see that the State Wetland Division would not agree as they are clearly stating the need for the hydrogeologist.

I again implore the City of West Linn to engage the services of a qualified impartial hydrogeologist prior to our next hearing. The developer's rebuttal stated that he plans to bring his expert to the next hearing. This continues to be a one-sided argument by the developer that is unfair and will only sustain rather than resolve the strong concern of the existing citizens of West Linn.

Please let me know if there is anything that I can do to help here.

If you are asking about the background for a wetland consultant, that can be all over the board (including soil scientists, botanists, biologists, hydrologists, etc.).

If you are looking for someone to determine how water is moving down that hillside, a hydrogeologist may be a better choice. They tend to focus more on the movement of groundwater as opposed to surface water.

Peter Ryan, PWS

Jurisdiction Coordinator - Metro Region

Oregon Department of State Lands | 775 Summer Street, NE, Ste. 100, Salem, Oregon 97301-4844

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From: RYAN Peter <peter.ryan@state.or.us>
Date: May 10, 2017 at 9:16:54 AM PDT
To: "Jon Gice" <jon_gice@sbcglobal.net>
Subject: RE: FINAL questions (I promise)

Hi Jon,

No problem with the questions...that's our job. My answers are below:

1) I assume when you ask about the "3 conditions" used by the consultant you are referring to hydrophytic vegetation, hydric soils, and wetland hydrology. These are the 3 parameters that need to be sampled to determine if a site meets wetland criteria. However, you are right to suggest that the attached memo isn't a wetland delineation report. Delineation reports require considerably more background material and sampling point data.

2) Schott & Associates has been doing this work for some time.....you can check out their 2011-2015 summary data at: <http://www.oregon.gov/dsl/WW/Documents/ConsultSum2011-15.pdf>

3) Normally, a local government will notify the Department if a proposed development site is identified as wetland in a sensitive land overlay (see guidance for our Wetland Land Use Notice process on our Waterway & Wetland Planning page: <http://www.oregon.gov/dsl/WW/Pages/WetlandConservation.aspx>). However, we wouldn't have received a notice for this site because it wasn't identified in the City's LWI.

Hope this helps.

-Pete

Peter Ryan, PWS
Jurisdiction Coordinator – Metro Region
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-----Original Message-----

From: Jon Gice [mailto:jon_gice@sbcglobal.net]
Sent: Wednesday, May 10, 2017 7:13 AM
To: RYAN Peter
Subject: FINAL questions (I promise)

Peter

I hate to bother you again but I have 3 more questions, 2 based on the attached report:

1. Is the attached report convincing as it only rules out 3 conditions to determine a wetland and there are many more conditions that need to be addressed?
2. Is Schott & Associates a qualified firm, known to the State, that did this attached report?
3. How does the County interface with the State in wetland determination - can the County make it's own determination?

Memorandum

Date: June 2, 2017

To: West Linn Planning Commission

From: Jennifer Arnold, Associate Planner

Subject: Modifications to proposed Conditions of Approval for SUB-17-01

The following changes to conditions of approval for a 6 lot subdivision at 4069 Cornwall Street (SUB-17-01). Condition of approval 3 has been modified and condition of approval 12 has been added.

The proposed change:

3. Street Improvements. The applicant shall construct full street improvements along the extension of Landis Street to Cornwall Street including curb, planter strip and sidewalks, and street trees. Dedication of this right-of-way is required on the face of the plat. ~~In addition, the applicant shall dedicate on the face of the plat additional ROW and complete half street improvements including curb, planter strip and sidewalks, and street trees for the portion of Cornwall Street abutting the subject property. Alternatively, the applicant may apply for a waiver of street improvements and pay a fee in lieu for those improvements along Cornwall Street. Other than improvements required by Condition of Approval 12, no street improvements are required for the section of Cornwall Street south of the proposed intersection of Landis Street and Cornwall Street.~~ All improvements must be installed or fee in lieu must be paid prior to the approval of the final plat. (See Staff Findings 9, 10, 31, 32, 33, 39, 40, 48, 49, 50, 67, & 72)

New proposed Condition of Approval:

12. Pedestrian Access. A pedestrian nature path/trail shall be installed on the section of Cornwall Street public right of way south of the proposed intersection of Landis Street and Cornwall Street. The path/trail shall connect with the existing path on City Property at the southern terminus of Cornwall Street. The path/trail shall be constructed to West Linn Parks Department Standards for a nature path/trail and approved by the West Linn Parks Director.