

## Memorandum

Date: May 17, 2017

To: West Linn Planning Commission

From: Jennifer Arnold, Associate Planner

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

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On May 17, 2017 Staff received written testimony from Christine Henry expressing concerns about Stormwater management, the retention facility, and devaluing adjacent properties.

On May 17, 2017 Staff received written testimony from David Corey expressing about stormwater management and the retention facility for the proposed subdivision SUB-17-01.

On May 17, 2017 Staff received written testimony from Pia Snyder expressing concerns about tree protection, springs, landslide potential, and environmental impact of the proposed subdivision SUB-17-01.

On May 17, 2017 Staff received written testimony from Leslie Bowlin expressing concerns about traffic impact on Cornwall, utilities, and safety of the proposed subdivision SUB-17-01.

On May 17, 2017 Staff received written testimony from Robert Jester expressing concerns about unanswered questions presented at the original Sunset Neighborhood Association meeting.

On May 17, 2017 Staff received written testimony from Patrick Noe expressing concerns about traffic, impacts on Cornwall Street, stormwater management, trees, landslide potential, and the detention pond for the proposed subdivision SUB-17-01.

On May 17, 2017 Staff received written testimony from Jon Gice expressing concerns about Stormwater management, and wetland delineation for the proposed subdivision SUB-17-01.

On May 17, 2017 Staff received written testimony from Steve Thornton expressing concerns about traffic, and safety of street connections for the proposed subdivision SUB-17-01.

I'm Steve Thornton and I live on Landis Street, in the Tanner Stonegate HOA. I am concerned about traffic safety should the proposed Willow Ridge development be approved. The city and developer have stated that no additional traffic will result because only 6 homes are being built. However, it is illogical to think that connecting Landis and Cornwall streets will not have an impact on traffic; it will increase without any doubt.

I have measured the width of Cornwall Street where it will connect with the extension to Landis Street. In most places it is only 15 feet wide and in one area where blackberry has taken over one side it is only 12 feet wide. There are no sidewalks on either side. In general, Cornwall is a one-one way street and I have heard of no plan to widen or improve the street.

Further, where Landis intersects with Stonegate Lane, the corner is blind. Even with Landis being a dead end street now it is unsafe. Once you turn onto Landis there is another blind corner.

I would respectfully ask the city to propose how these traffic safety issues will be mitigated before approving the Willow Ridge development. Thank you.

## Testimony

My name is Jon Gice and I live at 2030 Tanner Creek Lane. I appreciate the opportunity to voice my concerns about the Cornwall/Landis Street development. My concerns are twofold:

1. Tanner Creek runs through my property and I can assure you that the creek is filled to capacity as well as the detention pond across the street. I have spoken with our neighbors who are very concerned about the quantity and quality of water that flows via Tanner Creek. People have lost trees, had to self-fund retaining walls and find their yard unusable due to the flow of water during the rainy season. Because water always seeks the lowest point, Tanner Woods will be the recipient of more water than we have now which raises increased flooding concerns that will result from the complete disruption of the natural absorption of the land on the site.
2. The development site appears to have many of the 13 conditions that designate a wetland. I have been in contact with the State of Oregon Wetlands and Waterways Division. They make it clear that local governments are responsible to inventory wetlands. There is no record at the state that this has ever been done on this site. The developer submitted a report that ruled out 3 of the 13 conditions. I shared this report with the State as it is public record. Their reply, which I have in writing, upon reading the report was “... **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.**”

We have photos to prove that the vegetation meets wetlands criteria the state provided. We ask that the City of West Linn engage an impartial qualified hydrogeological expert to conduct the thorough

sampling necessary determine if the development site is a wetland and to formally determine the impact on Tanner Creek. West Linn must properly evaluate this property to protect its existing citizens' safety, security and property values affected by this proposed development. Thank you very much for your time and anticipated agreement.





# Wetlands in Oregon



Identifying Wetlands

Wetland Determinations and Delineations

Working with a Wetland Consultant

## How to identify wetlands

Not all wetlands fit the “cattails and standing water” image. Oregon’s wetlands are as varied as its landscapes. They range from tidal salt marshes along the coast to seasonal prairie wetlands in the valleys to mossy mountain fens. Because wetlands are so varied, their identification is sometimes tricky. In fact seasonal wetlands – the most common – are very dry by mid-summer. Many wetlands also have been altered by activities such as farming, and no longer “look like” wetlands.

Because wetlands perform so many important natural functions, such as controlling floodwater, cleaning and storing water, and providing natural habitat for plants and animals, it’s best to avoid wetlands when planning a project. If avoidance is not possible, use the information here to help evaluate your site and plan your next steps.

Be sure to contact the Department of State Lands (DSL) before doing work in an area that might be a wetland. DSL administers the state’s removal-fill permit program to protect wetlands and their ecological functions. Many activities in or adjacent to wetlands are regulated by other local, state and federal laws, so a variety of permits may be required before any earth-moving activities may take place.







## What characteristics do wetlands share?

Although there are many types of wetlands in Oregon, they share three essential characteristics: an abundance of water, hydric (wetland) soils, and plants that grow in wetland conditions.

Prolonged saturation is what creates a wetland, no matter the source. A high water table, rain water “perched” over impenetrable layers in the soil, and frequent flooding are common examples. Wetland – or hydric – soils have distinctive, visible characteristics, such as brownish-red veining and rusty-colored splotches. Saturated conditions support plants that have adapted to life in permanently or seasonally wet soils.

Some plant species are better indicators of wetlands than others. The US Army Corps of Engineers has compiled a list of thousands of plants that grow in wetlands, and assigned an “indicator status” to each plant based on the frequency with which they occur in wetlands. Skunk cabbage, for example, only occurs in wetlands. Other plants occur in wetlands sometimes, and still others occur in wetlands and in other soil types. Therefore, plants may or may not be a good indicator of the presence of wetlands. Wetland scientists use the plant indicator status to help determine if a site is a wetland.



## Where are wetlands found?

Wetlands are typically, but not exclusively, found in depressions or in the lowest part of the landscape. Expect to find wetlands in:

- Abandoned stream channels along river systems
- Valleys or other low areas with a high water table in winter and early spring
- Flat valleys or depressions where impervious soil layers create a “perched” water table
- Low areas on slopes where groundwater emerges as springs or seeps
- Mountain meadows watered by gradual snow melt



## How to identify wetlands

A “yes” answer to any of the questions below may indicate that the area is a wetland. A site inspection by a wetland scientist is the only way to verify whether an area is a wetland or not.

YES	NO	QUESTION
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- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the National Wetlands Inventory or Local Wetlands Inventory map show a wetland on the property?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the county soil survey map show hydric soils within the site?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Are there natural drainage channels or swales?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the ground soggy underfoot in the spring?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Are there depressions where water pools for a week or more in the spring?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you avoid the area with heavy equipment in the spring to keep from getting bogged down?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Would you need to ditch the site to dry it out for planting or building?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Are seeps or springs present?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Dig an 18-inch deep hole and remove a clump of soil. Are there rusty red “veins” on a gray background?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Is there evidence of surface scour from water flowing over the site? Is there a drift line of leaves or debris caught in the stems of shrubs or lodged along an elevation contour?          |
| <input type="checkbox"/> | <input type="checkbox"/> | Do you see many clumps of grass-like rushes (round stems) or sedges (angular stems), skunk cabbage, willows or Oregon ash? (These are just a few of the many plants that grow in wetlands.) |
| <input type="checkbox"/> | <input type="checkbox"/> | If farmed, must you work the soil later than other areas because soils are poorly drained?  |
| <input type="checkbox"/> | <input type="checkbox"/> | Did the area fail a septic system test and/or require a special system due to poorly draining soils?  |



### Working with DSL

Wetlands staff provides **off-site wetland determinations** at no cost. By using existing wetland maps, aerial photographs, and other mapped information, it may be possible for the wetlands specialist to determine if there are wetlands on your property. This starts as a desk audit and may not involve a trip to the site. A form is available on the DSL website to get this process started.

### Wetland consultants

It may be necessary to hire a consultant to evaluate your site and prepare a **wetland delineation** for DSL review and concurrence. Delineations are detailed maps of wetland boundaries that require specialized training to produce. They are an important part of the removal-fill permit application. Wetland scientists use the U.S. Army Corps of Engineers Wetlands Delineation Manual and Regional Supplements, the wetland plant list, and other state and federal agency guidance and rules for delineating wetlands.

Continued



## Working with consultants

A wetland consultant should have:

- An educational background in science or ecology, with wetland-specific training, including wetland delineations
- A thorough knowledge of local, state and federal permit requirements and processes
- An understanding of development standards and options
- The ability to help develop workable solutions for challenging sites
- Good communication skills and professional ethics
- Good working relationships with DSL permit staff

An experienced consultant can facilitate the wetland permit process with minimal delays. DSL cannot provide specific recommendations, but the Society of Wetland Scientists keeps a current list of members on their website:

[www.sws.org/Pacific-Northwest-Chapter/pacific-northwest-resources.html](http://www.sws.org/Pacific-Northwest-Chapter/pacific-northwest-resources.html).

### Professional Certification

The Society of Wetland Scientists administers the Professional Wetland Scientist (PWS) certification program for individuals who meet specific educational and experience requirements. The certification does not guarantee that an individual is qualified to provide a specific service; for example, a “wetland delineator” certification. Likewise, certification does not guarantee the quality of work, but it does identify those individuals who have the necessary academic background and wetland-specific experience to provide good service. Wetland specialists come from a variety of academic disciplines including botany, soil science, environmental studies, and wildlife management. Some may have additional professional certification, such as Professional Soil Scientist.

We suggest you contact at least three firms for a cost estimate, and ask for a Statement of Qualifications in the bid process. Ask for and check references, and inquire about the firm’s professional certifications. If it’s a larger firm, ask who will be doing your work, and about the consultant’s experience in such areas as wetland delineations, permit applications, and mitigation design and construction. Ask if the consultant has any

specialized experience that would apply to your project, such as agricultural wetland delineation.

### Things to keep in mind

- Keep communication lines open. Provide all pertinent information about the site, including legal description, any previous studies and land uses, and your development objectives.
- Plan well in advance of when you want to start your project. Wetland delineations typically take several months from initiation to DSL approval, and permit applications can take up to 120 days for the most complex projects.
- The landowner or applicant is the legally responsible party for meeting permit requirements and conditions. The consultant often is the primary contact with DSL staff. Make sure you receive regular updates from your consultant on the permit process and timeline.

### Obtaining a removal-fill permit

Oregon’s removal-fill law (ORS 196.795-990) requires people who plan to remove or fill material in waters of the state to obtain a permit from the Department of State Lands.

The purpose of the law, enacted in 1967, is to protect public navigation, fisheries and recreational uses of the waters. “Waters of the state” include wetlands on private and public land.

The Oregon Department of State Lands administers the removal-fill permit program, and has developed many resources for property owners and consultants. The Removal-Fill Guide (RFG), as well as forms and other resources, are available on the DSL website: [www.oregon.gov/DSL/WW/Documents/Removal\\_Fill\\_Guide.pdf](http://www.oregon.gov/DSL/WW/Documents/Removal_Fill_Guide.pdf).

**Oregon Department of State Lands**  
Aquatic Resource Management Program  
775 Summer St. NE, Suite 100  
Salem, Oregon 97301-1279  
(503) 986-5200 | [www.oregonstatelands.us](http://www.oregonstatelands.us)



## **INTRODUCTION TESTIMONY**

(Patrick Noe, Sunset NA President)

HISTORY: The developer has a plan to construct a 6 home subdivision on a 2.17 acre site at the end of Cornwall Street, which the developer is calling "Willow Ridge". This property is situated on a ridge with significant water perpetually draining off its steep slope onto residents' property below along Fairhaven Drive, in Hidden Creek Estates subdivision.

The developer met with Sunset Neighborhood Association (NA) twice. It has not met with any other NA. Each of our meetings were held in the library of Sunset Primary School on Oxford Street in West Linn. The developer's planning consultant, Rick Givens addressed the first Sunset NA on April 26, 2016. From the minutes of that meeting there were (QUOTE) "concerns centered around water runoff to Fairhaven Drive. A few crawl spaces have already been flooded. To compensate for this, a bio swale is being proposed as part of the West Linn Storm Water Management Plan." (END QUOTE)

The second meeting with the Sunset NA took place on Jan. 24, 2017. Mr. Bruce Goldson, a design engineer for the developer addressed the group. Residents present were from Cornwall Street, Landis Street and residents from Fairhaven Drive. Many questions were raised regarding specific areas of concern not only from Sunset residents, but from other neighborhoods located in proximity of the site. This development will significantly affect the residents of Sunset, Stonegate, Barrington Heights, Hidden Creek Estates, and Tanner Woods subdivisions - Each subdivision has a representative who will testify tonight about issues that concern their own neighbors, but all subdivisions are united in their concerns. In brief some of these concerns are:

TRAFFIC: This development will connect Landis and Cornwall streets and result in easier access to and from Sunset Street for all residents to the West of Stonegate subdivision.

The developer's study only identifies the increased traffic of the 6 proposed new homes using Cornwall Street, but disregards other nearby residences which account for over one hundred homes that would now have shorter access to their destinations via Cornwall and Sunset and a more direct access to I-205 Northbound and Oregon City. The developer's own engineering report claims that NO traffic study is required because the six new homes would have minimal impact on existing traffic. This completely ignores the new access to Cornwall and Sunset Streets by more than a hundred homes.

There is also additional concerns for traffic management at the intersection of Cornwall and Sunset due to the increased volume of traffic.

CORNWALL STREET: is a minimal, narrow road in need of serious repair and infrastructure improvements. No section of Cornwall is without serious patches, pot holes, and cracked pavement. Heavy construction trucks will make this road even worse. It is proposed that Cornwall be widened to the minimal standard of 20 feet and topped with an asphalt overlay. This is inadequate considering the much higher percentage of road use by cars and now pedestrians. Sidewalks, curbs, upgrading water and sewer pipes, school children using this new shortcut, and school bus stops must all be taken into consideration.



Additionally, Cornwall is going to be dug up to increase potable water infrastructure with a new “looped” water supply of greater diameter to feed the new homes. There is no sewer line currently on Cornwall. If the street is going to be dug up to install new potable water service, why not upgrade the road foundation of Cornwall and put a sewer and stormwater line in place at the same time? This would prevent future upgrades from digging up the street at least three times again.



If the developer is not going to be held responsible for these improvements then the city should be held accountable and responsible to its existing citizens for improving our city streets.





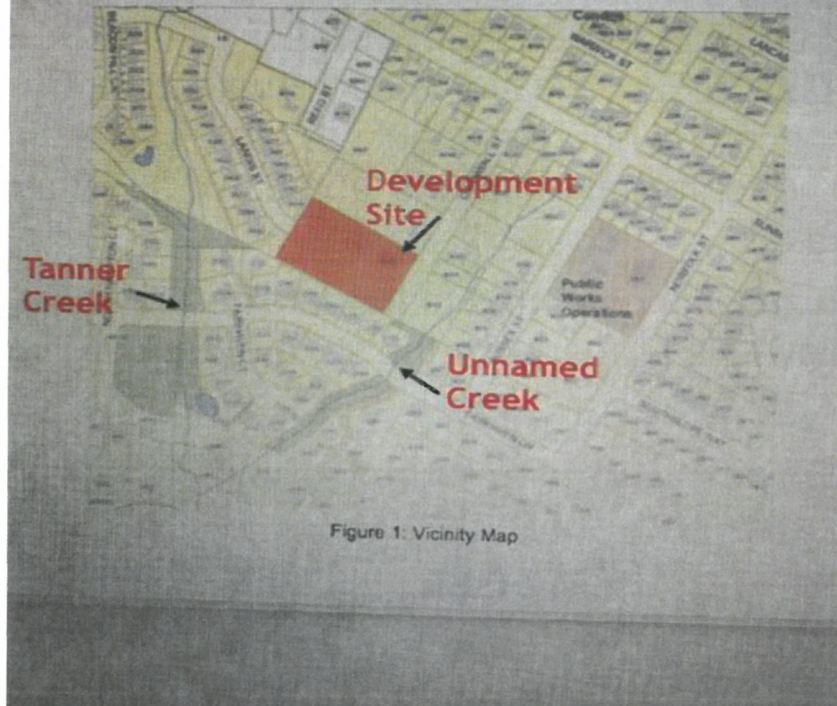
WATER MANAGEMENT: Barrington Heights residents are very concerned about water issues. Since the land for this proposed development continuously sheds large volumes of water which runs downhill and collects in Tanner Woods wetlands, the 3 BHT subdivisions below this property have serious concerns about the management of the surface water and many underground springs.

What will the ramifications be from bulldozing this land with the numerous surface and underground springs already draining from it? The ~50 homes beneath this proposed development all sit on top of the same underground springs that run through this land. These springs run from this property all the way down to Beacon Hill Drive in Tanner Woods subdivision. When altering or redirecting these underground springs, the soil upon which these many homes already sit upon may shift due to underground water changes, thus causing house settling and cracking over the longer term.



## Appendix 5A: Creeks and Development Site

The subject property is described as Tax Lot 6300 of Assessor's Map 21E368A. The site is 2.18 acres (94,808 square feet) in area. It is presently developed with a single-family detached home. This home will be removed to allow for the construction of the extension of Landis Street to Cornwall Street. The subject property is zoned R-10.



The developer's engineering report identifies the springs as seasonal, yet NEITHER of the creeks on either side of this proposed development are ever dry. Both Tanner Creek on the West side and an Unnamed Creek on the East side of this land continuously drain water directly into a wetlands pond below in the Tanner Woods subdivision.

TREES: The removal of 25 significant, and water absorbing, trees will only *increase* water runoff on this property. Will the same number of trees removed from this land also be replaced with smaller trees in an effort to compensate for this water absorption loss?



STEEP SLOPES/LANDSLIDE: Residents adjacent to this property on Fairhaven Drive are concerned about the potential for a landslide. This is a serious issue that concerns all because the slope is steep and threatening. Should this land shift in an earthquake, HOMEOWNERS INSURANCE DOESN'T COVER ANY OF THESE RESIDENTS FOR WATER DAMAGE OR LANDSLIDES AS A RESULT OF THIS LAND BEING ALTERED/BULLDOZED. We live in earthquake country, so to casually dismiss this concern is not reasonable or ethical. Adding landfill to this property will only make matters worse; we all know landfill liquefies in an earthquake.

Our community recognizes it is not smart to jeopardize the foundations of ~50 BHT homes below this property for the sake of building 6 new homes.



Picturesque Unnamed Creek at Entrance into Hidden Creek Estates



**A thorough vetting of this land's integrity is necessary to ensure it can be safely built upon to protect the surrounding established residences from water or structural damage.**

DETENTION POND: A detention pond is planned in the middle of the unnamed creek *outside of the developers' property*. Many BHT residents oppose the intrusion of this pond in their beautiful neighborhood creek because this picturesque landmark with natural beauty serves as an attractive entrance into the Hidden Creek Estates subdivision.

IN CLOSING: We would like professionals with specific expertise and credentials to be hired to provide the developer, city and residents with in depth examination of this land. We need this land to be thoroughly evaluated by a hydrogeologist to determine if it is appropriate to safely build on, and a complete wetlands determination. Homeowners below this property need guarantees that their homes won't be damaged by rerouted water or cracking foundations due to soil changes that originate from the movement of land and underground springs on this property.

We all agree this development has significant, complex challenges to overcome because this property is surrounded by established homes. Traffic, Cornwall's poor road condition, sewer, water management of surface and underground springs, steep slopes, landslide potential, land fill instability, and a detention pond that affects neighborhood real estate values, all concern the surrounding residents.

As Neighborhood Association presidents we welcome 6 new neighbors to West Linn, however it is also our job to protect our existing residents, their property, and property values. We put our existing citizens first.

This project shows serious omissions in planning and potential hazards to our neighbors.

I urge this commission to acknowledge the seriousness of these concerns in your deliberations as explained with evidence in the following testimonials.

Thank you,

Patrick Noe



5/17/17

Ms. Jennifer Arnold,

Re: Willow Ridge proposed development

I received a certified letter notifying me as VP of Barrington NA that there was a scheduled meeting with Sunset NA to discuss a proposed six home development on Cornwall St. The date and time of this meeting, January 24, 2017, conflicted with our HOA annual meeting of which I am a board member.

I spoke with Patrick Noe and requested he submit my written testimony that I had provided to him. Meredith Olmsted, NA President and I had spoken by phone and reviewed our concerns.

I am still to hear back from the developer regarding the concerns outlined in my testimony.

I have continued to consult with Meredith who has taken lead as any NA President and has been working with a very engaged group of home owners who are adversely affected by this development.

Robert Jester, VP Barrington NA

cc: Meredith Olmsted

Karie Oakes

## Leslie Bowlin's Cornwall St Testimony

Icon's Willow Ridge development includes a plan for a through route connection between Landis and Cornwall streets and would open Cornwall Street as an arterial that cannot handle the increased traffic from surrounding neighborhoods. ICON identifies the increased traffic of the 6 proposed new homes using Cornwall Street, but disregards the existing homes which would now have more direct access to I-205 Northbound and Oregon City.

These homes include Landis Street (20 homes), Willow Street (6 homes), existing Cornwall Street (9 homes), upper Beacon Hill (18 homes), Sabo Lane (32 homes) and other nearby residences which account for over one hundred homes that would now have shorter access to their destinations via Cornwall and Sunset .

If we use ICON's own estimate of 5 trips per day per household to various destinations, the approximate increase of traffic would go from about 30 or so car trips on the street today, to **500** additional trips on Cornwall. ICON's engineering report claims that NO traffic study is required because the six new homes would have minimal impact on existing traffic – this completely ignores the new access to Cornwall and Sunset Streets by more than a hundred homes.

Upgrading Cornwall Street should be considered. The existing street is one of the WORST roads identified in all of West Linn and will be inadequate to the demands of increased traffic.

Under West Linn's Pavement Management Report for 2015 the average Pavement Condition Index- (or PCI) in West Linn is 69. Cornwall is rated with a PCI of **8**! The report rates Cornwall with a "remaining life" estimate of ZERO! This road condition should not be ignored. An overlay is being planned on Cornwall to widen the street to 20' but makes no provision for sub-strata repair nor ANY sidewalks.

Cornwall is going to be dug up to increase potable water infrastructure with a new water supply of greater diameter to feed the new homes. There is NO sewer line

on Cornwall. If the street is going to be dug up to install new potable water service, it would be prudent and cost efficient for a sewer and stormwater line to be added at the same time. It would be much less expensive to do the upgrade NOW than to wait and dig up the street multiple times at a later date.

Finally, I have some additional questions for you to consider:

What safety concerns are going to be proposed for our children with no sidewalks and no bus stops?

How is traffic going to enter Sunset Street at the uncontrolled intersection of Cornwall and Sunset with NO plans for improvement?

Without attention to substantial redesign and repair, this proposal is dangerous and opens the possibility of injury, infrastructure failure and liability.

I live on Sussex Street near the intersection of Sussex and Fairhaven Drive. This road is a main pass through street for residents to get from Salamo Road to Sunset Ave without having to go around the neighborhood via Rosemont Road. It is busy and drivers frequently speed through. I do not let my son play in the front yard without strong supervision because of the traffic coming through.

By connecting Cornwall and Landis you are essentially creating this same kind of busy pass through and safety should be a main priority on this project.

Thank You for your time and consideration,

My name is Pia Snyder and I live on 3817 Fairhaven Drive, on the east side of the unnamed creek. I have lived there since 1993. Fairhaven Drive dead-ended at my house at the time.

When Hidden Creek Estates was developed in the late nineties, I began to have access to the land to the west of me. Since then, I have been able to observe the proposed development site in all seasons, during wet and dry years.

I would therefore like to discuss several concerns:

There are at least 35 old “protected” Savannah Oak trees on the site.(photo 2603) Some will be cut down to make room for the road and the houses. There are also very large maple trees, some alder and willow trees which are located in the wettest areas of the property(photo 003) where wetland grasses grow and where much of the wetland vegetation abounds.( photo 2565) The entire area is covered by blackberry vines and other small native shrubs. Some of the vines are actually growing in mud (photo 009).What will happen when many trees are cut to make room for the houses and road? Planting young trees, designing rain gardens probably won't solve the problem.

Right now, the underground springs shed large volumes of water which affects most of the property owners below the site. Many has spent thousands of dollars to try to improve the situation. Water drains all year into their backyards and Fairhaven Drive. I am also very familiar with the northeast side of the property. Water percolates out of the ground and runs down that hill in the fall, winter and spring every year. Some of the wettest areas where willow trees and wetland grasses grow will be disturbed by construction. Where will the natural, pure springs go? (photo 010)The slope of the site is convex. The solution isn't catching it into a pipe with the storm water and releasing all of it in a detention pond off the property thus creating problems for citizens downstream. It is the developer's responsibility to solve the issues on his land and not “pass the buck.”

Finally, what about the slope of the land? Will we have landslides since the slope is very steep? Who will be liable? The developer? The city? How will an earthquake affect this site? A third of the property varies from a 25% to 40% degree slope. At the end of Cornwall, the road drops off sharply. That is the



location of Lot # 6. (photos 024,026) Most of the building will be on sloped land.

In conclusion, we feel that development of this property with the present plans is unacceptable because of the slope, the water issues and the environment impact. Additional data is necessary. We request that

1. A "neutral" hydrogeologist assesses the land and evaluates the consequences of development to the site and the neighborhood.
2. The developer redesigns his plan to address the water issues and controls them with his property.

Thank you!

Pia Snyder

3817 Fairhaven Drive

## Nomie, John

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**From:** Kayako <epermitshelp.bcd@oregon.gov>  
**Sent:** Wednesday, May 17, 2017 1:32 PM  
**To:** Nomie, John  
**Cc:** Clark, James  
**Subject:** [permit ticket #2202]: extensions

Hi John,

In the model, once a record has been expired. If you wish to grant an extension, you should supervise into the Reinstated, which will update the expiration date out 180 days. You would then, supervise into the appropriate be (most of the time this will be Inspection Process) so that you are ready to continue on with the record. You c appropriate status ("Permit Issued/Under Insp) if in the Inspection Process. Or you may have to manually reset

Deyette

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### Ticket Details

Ticket ID: 2202  
Type: Training  
Status: In Progress

Oregon ePermitting Helpdesk: <http://orepermittinghelp.kayako.com>

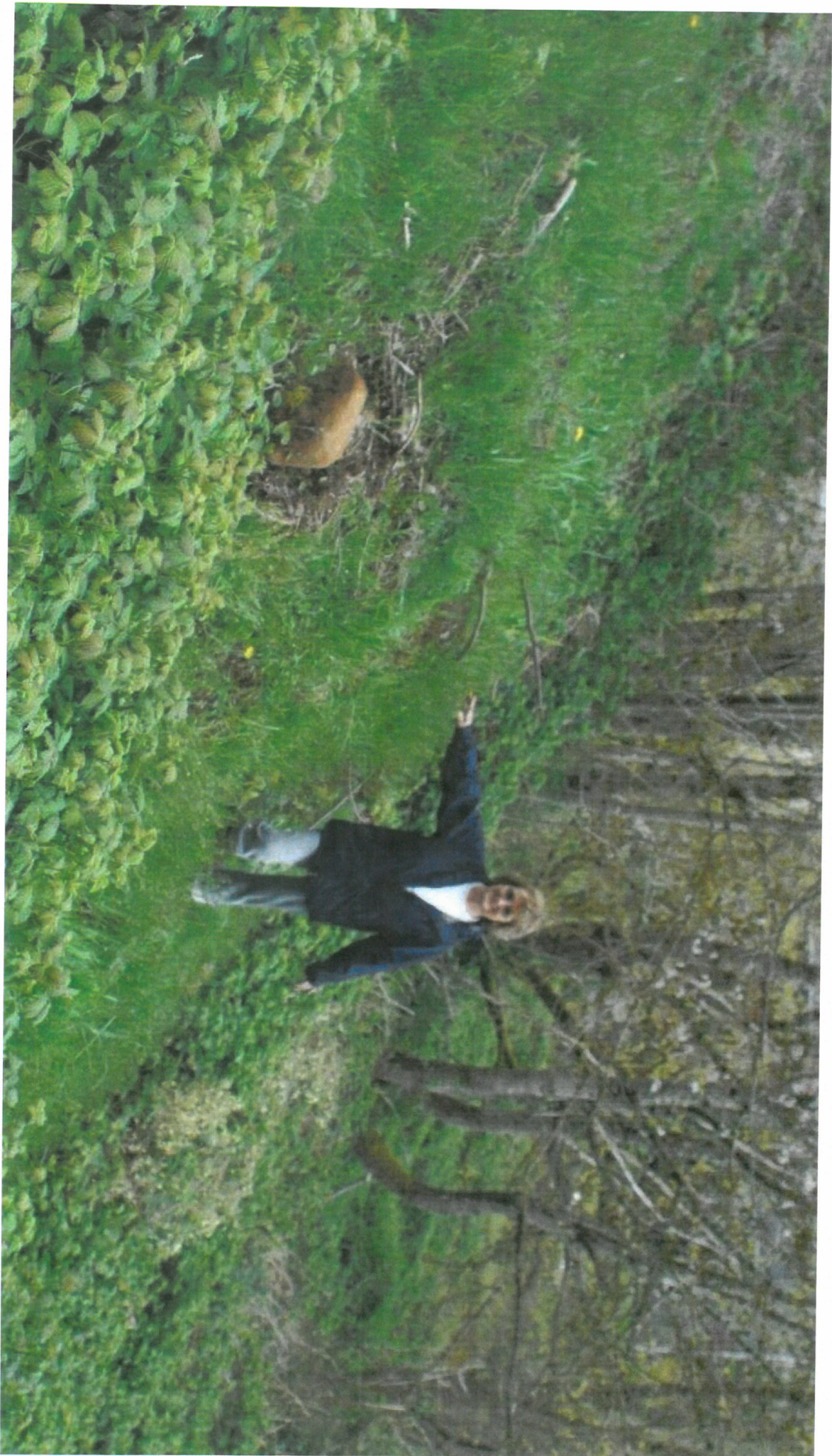






























## Arnold, Jennifer

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**From:** David Corey <dcorey00@gmail.com>  
**Sent:** Wednesday, May 17, 2017 1:06 PM  
**To:** Arnold, Jennifer  
**Cc:** 'Pam Yokubaitis'; 'Christine Henry'; 'Robin Henderson'; 'Sherm Pauly'; 'Darin Stegemoller'; 'Chuck Nokes'; 'Carol Fuchs'; 'Leann MacMillan'; 'Mai Mail'; 'Jeanne'; 'Tim Freeman'; 'Jeff Bear'; 'Connie Bear'; 'Linda Harrop'; 'Rebel Steirer'; 'Misten Daniels'; 'Anne Gray'; 'Jim Harrop'; 'Becky Guthner'; 'Sooa Jun'; 'Jana Dillingham'; 'David Grelewicz'; 'geastete'; 'Rebel and Joe Steirer'; 'j.i.gill'; 'Eric Stotz'; 'Ann Bartell'; 'Scott Dillingham'; 'Adriana Stotz'; 'Randy Wolfe'; 'Maribeth Wolfe'; 'So Hin Wong'; 'Magali Barber'; 'threeseenergy'; satoko818@gmail.com  
**Subject:** David Corey Testimony for the proposed Cornwall Subdivision Planning Meeting tonight  
**Attachments:** David Corey - Cornwall Testimony, May 17 2017.pdf

Hello Ms. Arnold:

Please find my attached testimony for the Planning Commission meeting this evening. My testimony states my objection to the proposed development of a retaining pond on Fairhaven Drive and recommendation that all runoff be collected by a ditch and routed into the city's storm sewer system.

My testimony also presents evidence showing that the current runoff from the proposed subdivision is in fact currently collected by the city's storm drains located at 3735 and 3795 Fairhaven Drive. While not the optimum solution, it has been that way for 20 years. Creating a retention pond to accommodate the proposed Cornwall subdivision that devaluates all homes in the Hidden Creek Estates subdivision and neighboring properties in the Barrington Heights subdivision is unfair and unacceptable.

Feel free to contact me with any questions you may have about my attached testimony and/or the supporting evidence provided.

Sincerely,

David Corey  
801.232.5579



May 17, 2017

David Corey  
3775 Fairhaven Drive  
West Linn, Oregon 97068

Attn: Planning Commission  
c/o West Linn City  
22500 Salamo Drive  
West Linn, Oregon 97068

Subject: Testimony Submission for the 4096 Cornwall Street 6 Lot Subdivision Proposal

Dear Planning Commission:

My property at 3775 Fairhaven Drive borders the proposed subdivision. I have reviewed the Preliminary Storm Drainage Report for the proposed subdivision, found on pages 65 through 73 of the Staff Report and object to the proposed development of a Detention Pond on Fairhaven Drive. I request that all surface water and spring drainage be collected in a ditch behind the affected Fairhaven Drive properties routed into the city storm drain system on Fairhaven Drive.

The basis of my objection is as follows:

- Today, most of the drainage from the proposed subdivision flows through the Fairhaven Drive downhill properties and is collected by the city storm sewer system. While not the optimal solution, it has been that way for 20 years.
- The proposed subdivision has slopes up to 20+% has stated in the Report and produces a significant amount of runoff from rain as well as exposed and hidden springs on the property.
- The Report states that there is natural drainage way to the East. This is not accurate.
- The majority of the current runoff flows South and West. It flows south and West as it runs on the surface through Fairhaven Drive properties 3735 through 3775. These properties have curtain drains that attempt to collect the surface/spring water and route it to the storm sewer system on Fairhaven Drive. What is not collected by the curtain drains runs along the surface around the houses and down to the street where it is collected by the storm sewer system.
  - Included photograph #1, Concrete curb erosion in front of 3745 Fairhaven Drive resulting from West side surface water runoff from the proposed subdivision.
  - Included photograph #2, 3735 Fairhaven Drive, the West side storm drain that collects proposed subdivision runoff from properties 3745, 3755, 3765 and 3775 Fairhaven Drive.
- My property, 3775 Fairhaven Drive is the dividing line for the East/West flow due it's position at the crest of the hill for the affected properties. In my case surface and spring water flow both East and West from my property as evidenced by the attached photos.
  - Included photograph #3, 3775 Fairhaven Drive, West side yard erosion from surface water flow.

- Included photograph #4, 3775 Fairhaven Drive, South side back yard erosion from surface water flow.
- Included photograph #5, 3775 Fairhaven Drive, Southeast side back yard curtain drain with running surface water on May 17, 2017.
- Included photograph #6, 3775 Fairhaven Drive, Southeast side front yard 6" trench erosion from surface water flow.
- Included photograph #7, 3775 Fairhaven Drive, retaining wall 1 course height addition to stop the surface water and soil free flow over the original 7 course block wall.
- Included photograph #8, 3775 Fairhaven Drive, curtain residual drain discharge from yesterday afternoon's rain. During significant rain events this drain flows to capacity with surface water overflow, as do all of the drains from properties #3745 through #3795.
- Additional runoff flows South and Southeast through Fairhaven Drive properties #3785 and #3795 and is also collected by the storm sewer system.
  - Included photograph #9, 3795 Fairhaven Drive, the East side storm drain that collects proposed subdivision runoff from properties 3775, 3785 and 3795 Fairhaven Drive.
- The proposed retention pond will decrease the value of the Fairhaven Drive properties in the immediate vicinity. Letters from local real estate agents attesting to this fact are attached to this email.
  - Letters from Real Estate Agents can be found on pages 8, 9 and 10 of this testimony.

The evidence provided in this testimony shows that the current runoff from the proposed subdivision is in fact collected by the city's storm drains at 3735 and 3795 Fairhaven Drive. While not the optimal solution, it has been that way for 20 years. Creating a detention pond to accommodate the proposed Cornwall subdivision that devaluates all of the homes in the Hidden Creek Estates subdivision as well as additional homes in the Barrington Heights Subdivision is unfair to the affected parties and unacceptable.

Feel free to contact me at 801.232.5579.

Thank you for considering my input.

David Corey

The following pages 3 through 10 include the described photographs as well as the realtor statements with regards to property devaluation.





Photo #1 – Picture taken May 17, 2017

3745 Fairhaven Drive, concrete curb trench cut by erosion from West side runoff.



Photo #2– Picture taken May 17. 2017

3735 Fairhaven Drive, West side storm drain that collects proposed subdivision runoff from 3745, 3755, 3765 and 3775 Fairhaven Drive.





Photo #3 – Picture taken May 17, 2017

3775 Fairhaven Drive, West side yard erosion from surface water flow.

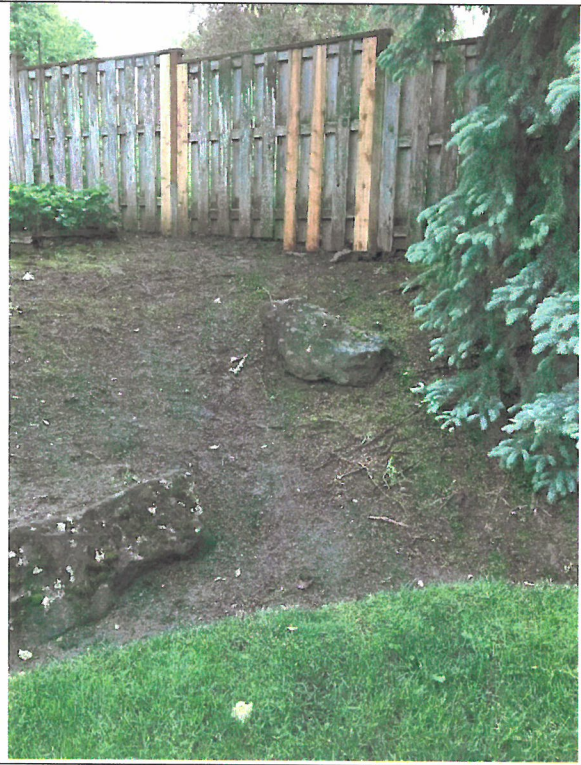


Photo #4– Picture taken May 17. 2017

3775 Fairhaven Drive, South side back yard erosion from surface water flow.





Photo #5 – Picture taken May 17, 2017

3775 Fairhaven Drive, Southeast side back yard  
curtain drain with running surface water.



Photo #6 – Picture taken May 17, 2017

3775 Fairhaven Drive, Southeast side front yard  
6" trench erosion from surface water flow.





Photo #7 – Picture taken May 17, 2017

3775 Fairhaven Drive, retaining wall 1 course height addition to stop the surface water and soil free flow over the original 7 course block wall.



Photo #8 – Picture taken May 17, 2017

3775 Fairhaven Drive, curtain residual drain discharge from afternoon rain on May 16. During significant rain events this drain flows to capacity and water is collected by the wall where it seeps through to the street.





Photo #9 – Picture taken May 17, 2017

3795 Fairhaven Drive, city storm sewer drain that collects proposed subdivision Southeast side runoff from 3775, 3785 and 3795 Fairhaven Drive.



**Water Shed Run Off Fairhaven Drive**

1 message

**Kerri Miller** <millerks@windermere.com>  
To: Rebel Steirer <rebel4realestate@gmail.com>

Tue, May 16, 2017 at 11:24 AM

Hi,

I feel that any ground water retention pond off that is visible from Fairhaven Drive will diminish the value of the properties in that area.

The placement should be thoughtful of the surrounding property values.

Kerri Miller  
Windermere Stellar  
503-705-8386

220 A Avenue, Suite 200  
Lake Oswego, OR 97034  
eFax 971-230-7819  
KerriMiller.mywindermere.com



Dear Icon Development and City of West Linn,

I feel that placing a watershed collection pond adjacent to the street and the front of any property on Fairhaven drive will negatively impact the market value of those homes and the neighborhood.

The home at 3795 Fairhaven Drive is adjacent to the Hidden Creek Estates neighborhood Entry. It is currently a pleasing entry, with a view of trees and the creek as you cross the bridge to enter.

Adding a retention pond with a chain link fence to this area would be unsightly and will diminish the value of the homes nearby.

I've viewed many of the retention ponds in the area and the developers have been very considerate of placing these behind properties.

—

**REBEL STEIRER**

M REALTY / LICENSED OREGON BROKER

17040 PILKINGTON RD #200

LAKE OSWEGO, OR 97035

📞 503-320-2233

🌐 Rebel4RealEstate.com

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Click above links for Buyer & Seller Advisory and OREA Disclosure pamphlet  
amphlet

Marty Wells <martywells@kw.com>  
To: rebelsteiner@gmail.com

Tue, May 16, 2017 at 11:02 AM

Hi Rebel,

I just learned that there is a proposed retaining pond at the entrance to your neighborhood, adjacent to the home by the bridge. Why can't the developer build the pond further back, away from the street like the three retaining ponds on the path between Summit and Beacon Hill? These ponds are usually unsightly since the city rarely maintains them, the black chain link fence creates an eyesore (and I'm sure would not be allowed by the HOA in the front of a dwelling) and in my view, will have a **negative** effect on the values of the homes adjacent to the pond.

What do you think?

Marty Wells  
Principal Broker  
Licensed in Oregon

Check Your Home's Value  
[www.MartyWellsSells.SmartHomePrice.com](http://www.MartyWellsSells.SmartHomePrice.com)

Direct: 503.699.6999  
Fax: 503.924.3552

[martywells@kw.com](mailto:martywells@kw.com)

[www.MartyWellsSells.com](http://www.MartyWellsSells.com)

Keller Williams Realty, Portland Premiere  
16365 Boones Ferry Road  
Lake Oswego, OR 97035



## Testimony to the Planning Commission

Resident Christine Henry 3795 Fairhaven Drive, West Linn, OR 97068

Water is a huge issue on my property. When I purchased this house almost three years ago, I learned upon inspection that there was standing water in the crawl space. This was mitigated at the time and haven't had issues in that part of the home since. My yard is very muddy throughout the rainy season, even with a substantial drainage system installed.

Diverting the water coming from the proposed sub division that is not even behind my house and putting it into a holding pond/eyesore in a neighboring subdivision isn't appropriate. Managing the water flow from the new development should be managed through infrastructure and water management that takes place on the developer's property. A detention pond is an eyesore, it can be smelly, attract mosquitos and ponding water will kill many of the trees in this beautiful creek because they can't thrive in standing water. This is a 365 days a year running creek. To dam it up as a holding pond would be tragic and destroy the natural beauty that draws people to purchase property In Hidden Creek Estates. Our 2 creeks bring charm to this subdivision with 11 properties out of 30 homes in our subdivision located on the creeks. The creeks beauty, rolling water, sounds, trees and colors will all be destroyed if this asset to our community is dammed up, including the value of my property. As you can see from the photos attached, my side fence is in close proximity to this Unnamed creek.

When walking through the neighborhood you see quite a few holding ponds, but they are generally not right on the street but behind homes. The holding ponds I have seen are an eyesore, and don't contribute to the aesthetic beauty of the neighborhood. Currently the stream and open space next to my home is beautiful and definitely weighed into my decision to buy this house. The impacts of putting in a holding pond in the middle of a running creek that leads to wetlands in Tanner Woods subdivision doesn't make any sense.

The stream is currently no more than 40 feet from my front porch. My daughter and her friends play in this area and the stream is very close to my front yard and back yard fence. I also received e-mails (attached) from three different West Linn real estate agents stating that putting a detention pond right next to my home will diminish the value of my home and the surrounding homes. They know that no one wants property with a detention pond on it unless it can be camouflaged, there would be no way to mitigate the impact of a detention pond where it is currently proposed. You would be eliminating a creek and open area that are currently community assets!

I don't have any issues with the property behind my home being developed. The people who own the property have every right to develop it, as long as the property can be safely developed and the development doesn't have any negative impact on the existing homes or their property values. We need this land to be validated as safe to build on because this steep, very wet land raises more questions of concern to area residents than flat land does. Too many homes are beneath this proposed development, so these major issues can't be casually ignored with so many homes that could be negatively affected. Only a professional who does water and soil analysis can determine how the surrounding subdivisions will be spared water or foundation damages so that this development is properly engineered for both the short and long term. This is a complex issue that requires a thorough investigation because jeopardizing 3 subdivisions for the sake of 6 new homes doesn't make sense. If a holding pond is necessary, it needs to be on the developer's property, camouflaged as best as possible



to make an eyesore unnoticeable. While 6 new residents are a benefit to the neighborhood, those living here have priority right to be protected.



Above: Unnamed Creek in Hidden Creek Estates Subdivision where a detention pond is proposed; located next to a home at 3795 Fairhaven Dr.

Below: Unnamed Creek in Hidden Creek Estates Subdivision. Shows proximity of creek to adjacent home's property at 3795 Fairhaven Dr.







Unnamed Creek in Hidden Creek Estates Subdivision. Shows view from backyard toward proposed detention pond adjacent home's property at 3795 Fairhaven Dr.



Unnamed Creek in Hidden Creek Estates Subdivision. Shows view from front yard toward the bridge, proposed detention pond would be in this area adjacent to home's property at 3795 Fairhaven Dr.





Unnamed Creek in Hidden Creek Estates Subdivision. Shows proximity of creek to adjacent home's property at 3795 Fairhaven Dr. from the bridge on Fairhaven Dr.



Unnamed Creek in Hidden Creek Estates Subdivision. Shows open space, street, and proximity of creek to adjacent home's property at 3795 Fairhaven Dr.





Unnamed Creek in Hidden Creek Estates Subdivision. View from street shows open space and proposed detention pond site proximity of creek to adjacent home's property at 3795 Fairhaven Dr.



Rebel Steirer <rebel4realestate@gmail.com>

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**Fwd: Fairhaven Drive Water Shed Collection**

1 message

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Rebel Steirer <rebel4realestate@gmail.com>  
To: Rebel Steirer <rebel4realestate@gmail.com>

Tue, May 16, 2017 at 12:30 PM

Dear Icon Development and City of West Linn,

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I've viewed many of the retention ponds in the area and the developers have been very considerate of placing these behind properties.

—  
**REBEL STEIRER**  
M REALTY / LICENSED OREGON BROKER  
17040 PILKINGTON RD. #200  
LAKE OSWEGO, OR 97035





Rebel Steirer <rebelsteirer@gmail.com>

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## Proposed Retaining Pond

1 message

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**Marty Wells** <martywells@kw.com>  
To: rebelsteirer@gmail.com

Tue, May 16, 2017 at 11:02 AM

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What do you think?

Marty Wells

Principal Broker

Licensed in Oregon

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**Water Shed Run Off Fairhaven Drive**

1 message

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**Kerri Miller** <millerks@windermere.com>  
To: Rebel Steirer <rebel4realestate@gmail.com>

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220 A Avenue, Suite 200

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