

Melissa Jenck

From: Jim Oeder <joeder@nrfd.com>
Sent: Thursday, December 2, 2021 7:44 AM
To: Sarah Absher; Melissa Jenck
Subject: EXTERNAL: Fern Hill

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning

After many phone calls yesterday concerning the Fern Hill project I am not able to give good input yet. The first item I learned was they may be looking at a 2nd entrance instead of the one proposed. The other piece was a call from Peter, a long time back when they started looking at this I was asked to look at the proposed road in my vehicle. I can get a close idea of the grade which was different from the proposed in the drawings. This was less than on the maps provided Peter asked if I would talk about this and I said no that the grade needs to be from an engineer or surveyor. If you need something else let me know I will join the meeting tonight.

James Oeder
Fire Chief
Nestucca RFPD
503-392-3313 office
503-812-2422 cell
joeder@nrfd.com

Melissa Jenck

From: Chris Laity
Sent: Tuesday, November 30, 2021 6:30 PM
To: Melissa Jenck
Cc: James Oeder
Subject: Fern Hill S/D 851-21-000293-PLNG: Public Works

Melissa,

The variance is requesting to not pave the road. Sheet C4.2 Preliminary Road Profile identifies a maximum vertical grade of 17.96% between Stations 7+18.41 to 4+15.00 (303.41-ft). Due to the nature of the road, the projected vehicular traffic, and length of the grade, Public Works does not object to this variance. The private road will need to be paved from Resort Drive to the right-of-way to prevent gravel from "spilling" onto Resort Drive.

The fire department will need to agree to the variance request as the road surface and grade directly impacts fire vehicle access. The fire department will also need to comment on the need for a fire truck turnaround.

The proposal is for a subdivision with a private road. The application discusses the use of a shared use driveway at times and at other times uses the term private drive. Different standards apply for a road than a shared use driveway including the presence of a right-of-way or an easement. In "Schons Subdivision and Variance Written Statement" dated July 19, 2021 (revised August, 2021) prepared by HHP, page 25 of 27 : Response "The road being constructed on the project site is a private drive and therefore does not have a functional classification." As a subdivision road it would be classified as a minor local road with a right-of-way of 50-ft; although a minimum local road with a right of way width of 30-ft would be acceptable in this case provided that all road elements are contained within the right-of-way. The plans show a 4-ft ditch, a 2-ft shoulder, and a 20-ft wide road. No information is given stating the width needed for the retaining wall. If we assume that the typical section is symmetrical, the road prism of 32-ft would require a 50-ft right of way. Since this is a private road, an easement instead of a right-of-way would be used. It is not known how the inclusion of a 30-ft or a 50-ft easement impacts building setbacks.

Tillamook County Public Works defaults to AASHTO's Guidelines for Geometric Design of Very Low-Volume Local Roads for this application and additional variances for horizontal curves and vertical curves need to be requested. The vertical curves are acceptable for a design speed of 15 mph although 25 mph is standard. Horizontal curve data was not provided. The applicant is permitted to cite alternate design guidelines. If acceptable by Public Works, the review will be based on the alternate design guidelines.

Comments for future construction plans (additional comments may be provided following next submittal).

The plans identify temporary erosion control measures (straw wattles during construction). Permanent erosion control will need to be identified and established along the road in the steep portion of the road. Water running off the road may cause undermining along the road edges. Additional permanent erosion control measures may be needed at the intersection of the ditch and cross culvert. Refer to Sheet C4.0-1 Preliminary Grading Plan, Note 4.

Sheet C4.0 Preliminary Grading Plan identifies a short retaining wall along the length of the steep grade and located directly adjacent to the property line. The wall is less than 4-ft in height and Public Works does not need to see engineered plans; however, it appears that the wall can't be constructed as shown unless a construction easement is granted by the owners of Taxlot 200. Stormwater that is directly related to the retaining wall will need to be addressed as well.

Thank you for the opportunity to comment.



Chris Laity, P.E. | Director
TILLAMOOK COUNTY | Public Works
503 Marolf Loop Road
Tillamook, OR 97141
Phone (503) 842-3419
claity@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

Melissa Jenck

From: Michael Kittell <michael@albrightkittell.com>
Sent: Thursday, December 2, 2021 12:43 PM
To: Melissa Jenck
Cc: Sarah Absher; 'maryjjones@nestuccaridge.com'; Jeff Schons; Peter Schons
Subject: EXTERNAL: Re: Fern Hill Subdivision - Meeting Continuation

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi Melissa -

The applicant would like to continue tonight's hearing to January (the 6th I believe) without presentation or public comment. The applicant will plan to *not* attend tonight, with the understanding that the PC will open the hearing and continue it without public comment or applicant presentation.

Let me know if you have any questions or concerns.

Thanks Melissa.

--

Michael Kittell | Shareholder
Albright Kittell PC
2308 3rd Street
PO Box 939
Tillamook, OR 97141
Ph: 503.842.6633
F: 503.842.4540
michael@albrightkittell.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents.

On 12/1/21 9:18 AM, Melissa Jenck wrote:

Good morning all,

I spoke with Fire Chief Oeder this morning regarding the Fern Hill subdivision and variance request. It was concluded in our discussion that he miscommunicated his comments provided on the matter received last Tuesday, which were in relation to another development. Chief Oeder and I discussed the proposal items and his comments on the proposed road design. He stated he was going to reach out to additional fire personnel to discuss standards and design options as it relates to fire code. I did indicate that I would like his final comments by the end of today, Wednesday December 1st. Chief also mentioned that he would be available to attend tomorrow's meeting to be present for comments. I understand that Chief Oeder spoke with Mr. Kittell last night regarding the proposal, as well.

Due to the conversation I had with Chief Oeder and his expressed comments regarding design standards and options, Director Absher and I agreed that tomorrow's Planning Commission hearing shall be requested to be continued. Tomorrow's meeting is not to be a negotiations of designs, but a review of a proposal and it's adequacy to address standards and criteria.

I received additional comments for the Tillamook County Public Works Director Chris Laity last night. I will be forwarding on those comments for your review momentarily.

Please let Director Absher and I know if you have any additional questions or concerns. Thank you,



Melissa Jenck (she/her) | CFM, Land Use Planner II

TILLAMOOK COUNTY | Community Development

1510-B Third Street

Tillamook, OR 97141

Phone (503) 842-3408 x3301

mjenck@co.tillamook.or.us

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit

<https://www.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2021-1212

Responsible Jurisdiction

Staff Contact

Melissa Jenck

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-21-000293-PLNG

County

Tillamook

Activity Location

Township

04S

Range

10W

Section

32

QQ section

A

Tax Lot(s)

202

Street Address

37140 Resort Dr

Address Line 2

City

Cloverdale

State / Province / Region

OR

Postal / Zip Code

Country

Tillamook

Latitude

45.187091

Longitude

-123.930013

Wetland/Waterway/Other Water Features

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

Your Activity

An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information

Additional Comments

The proposed sub-division on the applicant's plan sheet C0.0 does not create a lot that is largely wetlands and posing a development problem. The USGS maps a single stream on the property, however, a review of best available information (LiDAR, Applicant's sheet C1.0) indicates that there are other drainages, which may also have surrounding wetlands. A wetland delineation prior to site development is recommended in order to determine if the sub-division project elements (which are evaluated by DSL as a whole rather than in individual components) would meet the 50 cubic yard exemption standard for wetland removal-fill permitting.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

11/30/2021

Response by:

Daniel Evans

Response Phone:

503-986-5271