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Testimony for City of Newport Public Hearing, Planning Commission meeting on Sept 10, 2018, regarding File No. 1-SUB-18 / 2-VAR-18 / 3-GP-18 and requested approval of variances for Tax Lot 400 of Lincoln County Assessor's Tax Map 11-11-09-CB (1005 SE Bay Blvd), also known as the Fisherman's Wharf Estates subdivision.

Submitted by: William Chadwick, 872 SE Crescent Place, Newport, OR, 97365

My main concern is the potential of slope instability caused by excavations on steep slopes that will be required to make the proposed lots buildable at the edges of the proposed subdivision. These concerns are relevant to the approval criteria for the subdivision plan and for a Geologic Permit to allow development within a known geologic hazard area. Currently, the application is mainly focused on the road and the lot layout. I request that the Planning Commission also require an engineering plan that specifically addresses what will be done to prevent long-term slope instability on adjacent properties during and after the subdivision is developed. In my view, an engineering plan should be required now, and integrated into the overall development plan for the subdivision, and not be left to the individual lots owners to deal with later on a lot-by-lot basis.

The map on Sheet C0 of Exhibit B in the application shows that lots 1 through 5 of the subdivision plan abut against SE Harbor Crescent Drive, and tax lots 5400 and 5500 of the adjacent Harbor Crescent development. SE Harbor Crescent Drive is a private road that is the primary means of access into the Harbor Crescent development. My concern is that there are very steep slopes along the SE edge of the property and excavation during development of the subdivision could make those slopes unstable. For example, the map on Sheet C3 in Exhibit B shows the pre- and post-development elevation contours on the property. It shows that about half of the area of lots 1 through 5 are occupied by very steep slopes, and that the excavations that are planned to grade the property would actually increase the steepness of those slopes adjacent to SE Harbor Crescent Drive and the Harbor Crescent lots.

The Geotechnical Report written by Foundation Engineering in 2007 states on page 5 in the section on Slope Stability that "... slides have been documented in similar rock formations within the area; typically ... when lateral support is removed by either erosion or excavation". This is exactly what will happen when this site is graded for development. However, no specific engineering solutions are laid out in the Geotechnical Report or the Application for how such slope instability will be prevented.

Page 25 of the application considers Erosion Control Measures, as required by section 14.21.090 of the City of Newport Municipal Code, which states in Section B that "Development plans shall minimize cut or fill operations so as to prevent off-site impacts". But the Grading and Erosion Control Plan, as outlined in the application on Sheet C4 and recommended in the Geotechnical Report, only considers temporary measures to prevent run-off with seeding, mulching, and slope matting, but there are no permanent engineered solutions to prevent slope instability caused by the excavations during development that could damage adjacent properties.

I request that the Planning Commission defer a decision on this application until the Geotechnical Report is revised to specifically address the issue of long-term slope stability along the SE edge of the property caused by the planned excavations during site grading and development. The Geotechnical Report should include what permanent engineering solutions might be necessary as part of the subdivision development, such as an engineered retaining wall, to prevent slope instability and damage to adjacent properties.