

Derrick Tokos

From: Mona Linstromberg <lindym@peak.org>
Sent: Friday, July 05, 2019 11:38 AM
To: Derrick Tokos
Cc: Sherri Marineau
Subject: Comment 1-Z-19, Chapter 14.21 amendment
Attachments: Spring St Roth comment final.pdf

Please see attached comment on the Planning Director's approval of 8-GP-18, applicants Tim and Theresa Roth, three lots west on Spring St and just north of 15th St. These lots are in the Geologic Hazard Zone (active slide area). This project, as well as 1-GP-18 (our appeal of Director approval was upheld in 2018) are the poster children of why the current amendment (1-Z-19) and the proposed Tsunami Hazard Overlay Zone need to be adopted and proactively implemented. It appears to me that the true umbrella under which our concerns lie for our coast is CLIMATE CHANGE. Our coast lands are under threat and, as water rises (for example), existing threats to the coast will be exacerbated.

This is not the time to hedge our bets. Given our current opportunity (1-Z-19), we should not have to rely on the City's selected peer reviewer to make the decision whether or not a site visit might be useful. As I have previously stated, geology is not confined by tax lot boundaries. The eye is a tool and, unbeknownst to someone doing a technical peer review, geology can manifest itself in visual clues not necessarily discernible in a sterile review environment. Peer review should not just be a critique of an engineering geologist's methodology (for example) but what may be indicated in the field.

Please be thorough and **approve 1-Z-19 amending it** to include a required site visit during the independent peer review of the applicant's geologic report. Appropriate language would include assurance of access to the subject property.

Please enter in the record and acknowledge receipt.
Thank you for your attention and consideration.

Mona Linstromberg
Family home: 1442 NW Spring St., Newport, OR 97365

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June 17, 2019

8-GP-18

Lots 1-3, Block 49, Oceanview subdivision – Tax lot 2300 Map 11-11-05-BB (NW Spring St)
Applicants: J.T. Roth, Jr. & Theresa Roth

Comment: Proposed Development in the Geologic Hazard Zone, Active Slide Area

The subject property is comprised of three lots just north of 15th St on the west side of NW Spring St. This property is in the same active slide area so thoroughly documented in the record of 1-GP-18 (geologic permit, appeal of Director approved permit upheld). There are not the financial resources to provide the peer reviewed scrutiny required by NMC 14.21.120, appeal of Director approved geologic permits, as was done with 1-GP-18. My not appealing this approved application in no way indicates a lack of extreme concern about this current proposal. **My comment is being submitted for inclusion in the land use file of 8-GP-18 to record my objection to the Director's approval of this application** and to inform the City Council.

The three subject lots are heavily treed and these trees are slated to be removed in July 2019. Newport Oregon is a "Tree City USA" but on private property there is no tree protection even in such a sensitive area where coastal vegetation is imperative for erosion control. Although there is an erosion control plan for this site, these mature trees are high enough on the bluff to help stabilize and help ensure the integrity of this vulnerable site. The removal of most, if not all, of these trees is unconscionable.

In the End Notes ¹, I list multiple geologic hazard reports for properties ranging from north of the subject property at 1610 NW Spring St to south at 1505 and 1409 NW Spring St. As with Tax Map 11-11-05-BC, Tax Lots 1800, 1900 & 1903 (1-GP-18 referenced above), all properties are in the same Geologic Hazard Zone, an active slide area. My goal is not to give a comprehensive analysis of any geologic report, as I do not have the expertise, but to point to a continuing disturbing picture.

K & A Engineering, the engineering firm hired by the Roths, was also the engineering firm utilized in 1-GP-18. On page 5 of the current geologic report, it is noted that hairline cracks have been observed in the pavement on Spring St bordering the subject property. K & A concludes those cracks may not be due to earth movement. In the record of 1-GP-18, there are photos ¹ of cracks in the driveway at 1409 Spring St. (property adjacent to TL 1800) along with a 2016 geologic report by Schlicker and Assoc. documenting the movement of earth prior to its 2005 study. The two referenced studies ² for 1610

¹ See End Notes for photo of cracks in driveway at 1409 NW Spring St.

² **Tax Lot 900, Map 11-11-5BB – 1610 NW Spring St. Schlicker & Assoc. 2003**

"The adjacent lot west of the site, the western part of the adjacent lot to the north, and most of the site lies above and along the bluff slope in the area of a large active landslide. Virtually the entire site lies on this active landslide. The lateral scarp of the landslide trends through the eastern part of the site in a northeast direction. **We observed ground fractures in the driveway to the home east of the site.**" (emphasis added)

Tax Lot 900, Map 11-11-5BB – 1610 NW Spring St PINNACLE Engineering, Inc. 2007

"**Tension cracks indicative of imminent sliding were observed in the driveway surface east of and adjoining the subject lot.**" (emphasis added)

Spring St. identify cracks in the adjacent property's driveway: one states these are tension cracks indicative of imminent sliding.

On page 6 of K & A's report, reference is made to Gless (Schlicker & Assoc.) noting ongoing movement adjacent to the subject property. This is revealing because the Schlicker report on 1610 NW Spring St. states "**Stabilization would involve numerous properties, not just the subject lot.**"³ (emphasis added) In the current K & A geologic report index, Braun Intertec (re stormwater drainage), pg 5, draws the same conclusion about the subject property noting "...**subject property is a small part of a very large affected area and owner is powerless to do anything to stabilize without complete cooperation and assistance from neighbors and City.**" (emphasis added)

This active slide area extends further south and north. Cracks in pavement are just an indicator. See the photo (End Notes) of a recent slide scarp west of the condos on NW Spring and 12th and east of the old Jump-off Joe debacle. This is the crux of the emerging picture of NW Spring St. with yet more development proposed on the west side. The larger picture gets lost when isolating individual lots, as if lot lines define geologic attributes. With the stormwater drainage issues on this street and at this intersection, I am concerned that admonishing the developer to adhere exactly to the long list of recommendations (especially with no independent vetting of technical detail or guarantee of adequate oversight) will not be sufficient and may put this coastal area and Spring St. at risk.

Please enter in the record.

Mona Linstromberg

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³ "7 0 Conclusions and Recommendations

The site lies on a large active landslide. We observed numerous ground fractures at the site and down slope of the site which indicates that the landslide experiences sporadic movement. At this time, we recommend that the site not be developed due to the high risk of future ground movement. We do not believe that the site can be developed with reasonable risk unless the landslide is stabilized. However, the costs to stabilize the landslide would be so great that it may not be economically feasible given present oceanfront property values in this area. **Stabilization would involve numerous properties, not just the subject lot.**" (emphasis added)

END NOTES

ⁱ **Tax Lot 900, Map 11-11-5BB – 1610 NW Spring St. Schlicker & Assoc. 2003**

Tax Lot 900, Map 11-11-5BB – 1610 NW Spring St. PINNACLE ENGINEERJNG, INC 2007

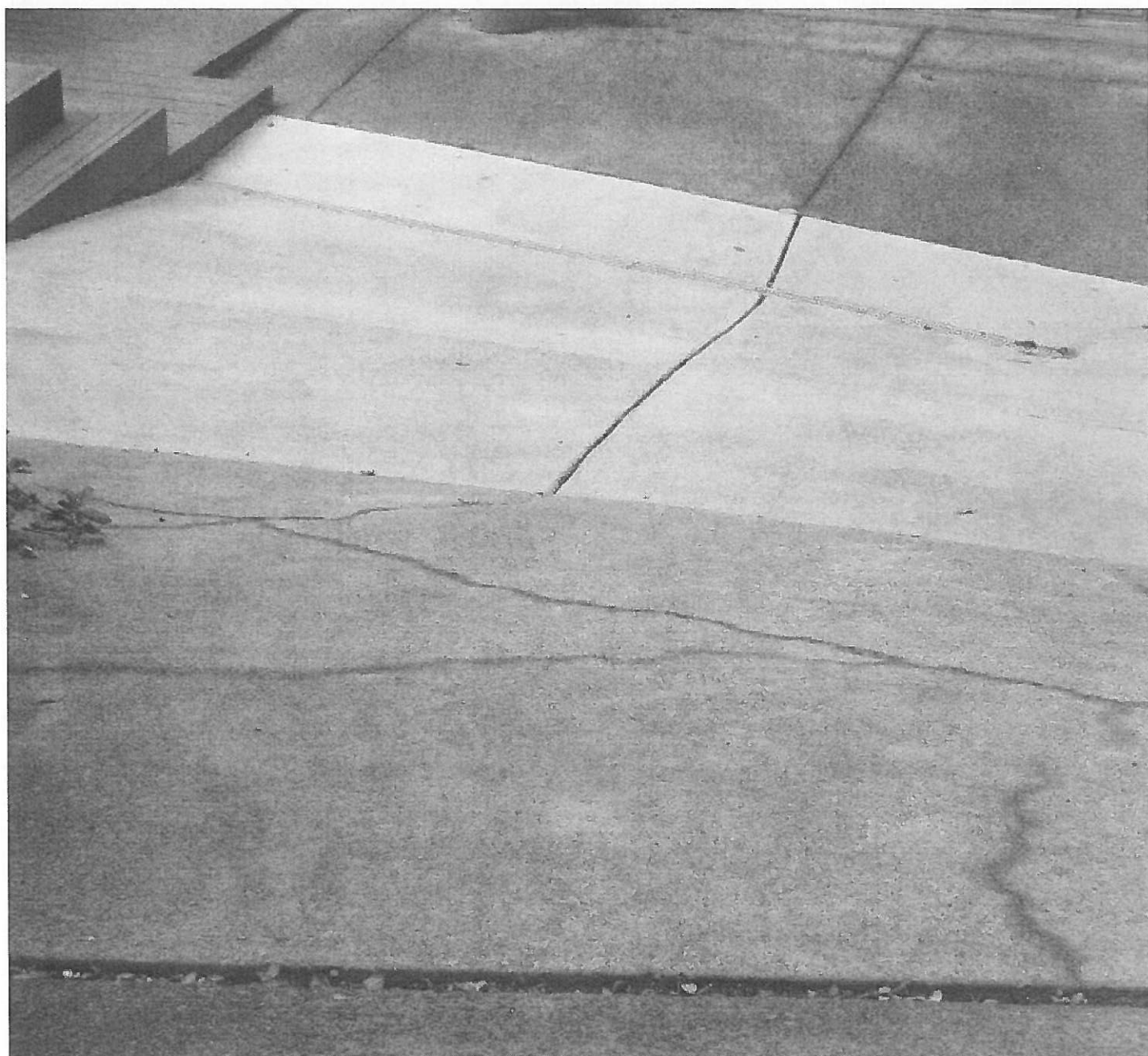
**Tax Lot 1700, Map 11-11-5BC - 1505 NW Spring St
Geotechnical and Subsurface Investigation Schlicker & Assoc. 2001
Proposed Fahrendorf Condominiums**

**Tax Lot 1802, Map 11-11-05 BC 1409 NW Spring St.
Engineering Geologic Hazards Investigation Schlicker & Assoc. 2016**

Tax Lot 1800, Map 11-11-05 BC Geologic Hazards Report, Schlicker & Assoc. 2016

See following pages for photos:

- 1. 1409 Spring St, cracks in driveway (1-GP-18)**
- 2. Recent slide scarp west of the condos on NW Spring and 12th and east of the old Jump-off Joe debacle. Second photo is new down dropped block in the old foundation.
Photos by George R. Priest, Ph.D.CEG Oregon Dept of Geology and Mineral Industries
attached to January 23, 2019 email to Derrick Tokos, Planning Director**



1409 NW Spring St. Photo from 1-GP-18



Recent Slide Scarp - see attribution End Notes page



New Drop Down Block Old Foundation - see attribution End Notes page