

Jennifer Biberston

From: Aaron Panko
Sent: Tuesday, August 20, 2024 7:50 AM
To: Jennifer Biberston
Subject: FW: Comments on the Subdivision plan for 1861 Park Ave - Class 2 Adjustment Case No. SUB-ADJ24-04
Attachments: SUB-ADJ24-04 Planning Commission Appeal Hearing Notice.pdf; Untitled attachment 00009.htm

Hi Jennifer,

Please include in the record for tonight's hearing.

Thanks!

[Aaron Panko | 503-540-2356](tel:503-540-2356)

City of Salem | Community Planning and Development | Development Services

From: Dirk Dunning <serenitat@me.com>
Sent: Monday, August 19, 2024 10:37 PM
To: Aaron Panko <APanko@cityofsalem.net>
Subject: Re: Comments on the Subdivision plan for 1861 Park Ave - Class 2 Adjustment Case No. SUB-ADJ24-04

Aaron,

Please find attached a Word Document with my formal comments on the Subdivision plan and my objection to it.

I also include a text copy of those comments here for your convenience.

Thank you
Dirk Dunning
1955 Park Avenue NE, Salem OR 97301

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August 19, 2024

**Aaron Panko, Planner
III**

City of Salem Planning Division
555 Liberty Street SE, Room
305, Salem, OR 97301
Telephone: 503-540-2356

E-mail: APanko@cityofsalem.net

Re: *APPEAL* of Subdivision Tentative Plan / Class 2 Adjustment Case No. SUB-ADJ24-04
1800/1861 Park Ave NE, Salem OR 97301

To: Aaron Panko as Case Manager, and to those it may concern:

I am Dirk Dunning. I reside at 1955 Park Ave NE, Salem, OR 97301 just north of the proposed action, and have done so since 1996 (28 years).

I write opposing the subdivision of the property based on several concerns.

The first of these is that the proposed subdivision will result in greater runoff with less retention by plants and trees. The temporal aspect of this is the vital part. This area of Salem already suffers from flooding during heavy rains. There were a series of small creeks or tributaries that drained the relatively flat land in this area prior to homes being built here. Park Ave crosses one of those creating a backlogging of water on the west side of the street. You can see the impact of this by the periodic damage to Park Ave just north of the 1800/1861 Park Ave NE, which the city frequently needs to repair to overcome subsidence there.

Many of the homes on both sides of the street suffer periodic water intrusion into basements in heavy rains. I am fortunate in having a dry basement, which only rarely is so afflicted. However, under the heaviest rains on three occasions I have had minor intrusions. Any changes in land use that fail to fully deal with the intercepted water may cause damage to my home through flooding. This should not be through a rain garden as proposed, but only through a storm water drainage diversion to a storm sewer, which does not exist in that part of the street.

As things stand now, during heavy rain periods, the back 20 feet of my property becomes heavily waterlogged as groundwater reaches the surface. This also extends to impacting the north side of my driveway, and a former small manmade pond that had been there, and which later was intentionally breached.

The storm drain the City installed at the north corner of my property helped to reduce the severity of this flooding, though only slightly.

The addition of many new roofs may cause a more rapid and severe flooding from the subdivision at 1800/1861 Park Avenue north to my property and on north to Sunnyview due to changes in the temporal character of how water enters the soil. This may most severely impact the proposed home at the northwest corner of the proposed subdivision at 1800 Park Avenue.

Simply impounding the water in a rain garden, and forcing it into the soil is very likely to make this worse.

Over time that water garden will also become a nuisance supporting mosquitos, and will be an ongoing maintenance problem.

Second, this section of Park Avenue is already overloaded for numbers of people and for parking. Adding six homes with no parking on Park Ave will add to already serious traffic and parking problems. It will no doubt lead to people parking on the pathway on the west side of the street.

The solid white line on the west side of Park Avenue was originally proposed by Bud, who lived in the House to the north of me. Bud has since passed away, as did one of the owners of the property after him prior to the current owners. That home has flooding problems in its basement and likely will be adversely impacted by this proposed action. The solid white line was added as an intended marker for a curb and potential future sidewalk, and to avoid people parking on the already narrow street. That has since been converted to be dedicated as a bicycle path. There are already problems with cars being parked on the path in front of the apartments to the south nearer Market Street. Though it is signed not to park there, this is routinely ignored, and seldom enforced by the City.

Adding more homes also adds more traffic on Park Avenue. This section of Park Avenue is I understand a county road. It should have little to no heavy truck traffic. The road bed is not designed to support it, and much of the breakup of the road surface is because of heavy truck traffic. This segment of Park Avenue should be signed to prohibit other than essential service traffic by trucks (garbage, street sweepers, line repair and local delivery). Park Avenue narrow already has a problem with traffic travelling excessively fast on Park Avenue cutting across between Sunnyview and Market Street. This also results in a lot of accidents at the intersection with Sunnyview. Added traffic will make that intersection even more dangerous.

The City has considered installing a small round about at the intersection of Park Avenue and Sunnyview to reduce the accident rate. Alternately, the City should consider simply dead ending Park Ave at Sunnyview to force the traffic onto roads better suited for the traffic. The major trees along the street are protected and prevent widening of the road. The City has so far also not seen the need to put in other traffic pacification measures (like speed bumps), while the City has put them in in an entirely unoccupied section of the road between Center Street and State Street at the far south end of Park Avenue.

It is also my understanding that the local schools are already overwhelmed in this area. Adding more homes for young families will only exacerbate that problem.

I will not be attending the hearing as I physiologically cannot tolerate the intense blue from LED light exposure, and most especially I cannot tolerate the 120 hertz flicker from the lights.

I was forced to end my career and retire because of the lights. Further construction in the area may result in added LED street lighting which directly and most adversely impacts my health. I was made handicapped by the shift to LED lighting. And I cannot drive at night any longer, nor enjoy my property at night as a result of the lights.

I have spoken with the City about this issue before and no action resulted. I remind the City now that the hard science is in, and has been since at least 2018. The intense blue light from LED streetlights alone, and from lights used indoors at night CAUSES dramatic rises in the rates of ALL hormone sensitive cancers. This includes breast, prostate, GI, and rectal cancers, as well as all three types of skin cancer.

Avoiding this impact requires reducing the blue light (melanopic light) emission to 11 lux. That is a very low level.

The intense blue light also causes eye damage, and macular degeneration ultimately causing blindness. The Federal Safety Standard for LED lighting specifies energy levels that by US DOE's own assessment is only safe for exposure for a maximum of 10,000 seconds per day. That is 2 hours and 47 minutes and does not include added exposures from phones, tablets, computers, TVs and other devices. After that time, NO exposure is safe as the eye cannot recover from the bleaching caused by any additional exposure. In reality, there ascribed "safety standard" allows at least 50 times too much blue light. And they have no standard for preventing immensely harmful flicker.

The cancer impact has a latency before it is apparent, and there is a three-year time lag in reporting such impacts. We have only now seen the rise in breast cancers over the last three years based on data from 2017 to 2019 showing a linear and rapid rise in breast cancer rates that have the experts "baffled" and very "concerned". Those rates will continue to rise until the breast cancer rates reach 175% of those in 2015. Prostate cancer rates will rise to 230% of the 2015 levels. GI and rectal cancer rates will rise to 118% of the 2015 levels. If you would like to know more about this, including the detailed science, I am happy to assist.

Any lighting added to the street will directly and very adversely impact me. No added street lighting should be allowed.

Thank you for your consideration.

Dirk Dunning
1955 Park Ave. NE
Salem, OR 97301

On Aug 1, 2024, at 2:56 PM, Aaron Panko <APanko@cityofsalem.net> wrote:

Hi Dirk,

Attached is the hearing notice for the upcoming appeal hearing for this subdivision case. Public comments will be accepted ahead of the hearing, and there will be an opportunity for the public to provide testimony at the hearing before the Salem Planning Commission.

Regarding stormwater, all subdivisions are required to meet stormwater standards established in SRC Chapter 71 - Stormwater and the PWDS Appendix 004 - Stormwater System. As part of the required submittal items, the applicant has provided a preliminary stormwater management report that demonstrates the proposal utilizes green stormwater infrastructure to the maximum extent feasible. As identified in the conditions of approval, the applicant is required to provide a final stormwater report that demonstrates the proposal for stormwater management is in general compliance with the stormwater management standards.

The applicant's preliminary stormwater management report demonstrates the facility is proposed to detain stormwater and then dispose of all stormwater through infiltration. The proposed rain garden does not discharge back into the City's system as no public mains are available in Park Avenue NE. The stormwater code and design standards prioritize detention of water and infiltration when feasible to control runoff. The applicant's geotechnical investigation, included within the preliminary stormwater management report, generally supports this, although additional testing is required with the final stormwater report to confirm depth of groundwater. The subdivision will be conditioned to comply with SRC Chapter 71 and the PWDS to ensure the final constructed facility meets the City's standards.

All application materials for this case, including the preliminary stormwater report, are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 24-108034.

Please let me know if you have any questions.

Aaron Panko
Planner III
City of Salem | Community Planning and Development | Development Services
555 Liberty St SE, Room 305
Salem, OR 97301
apanko@cityofsalem.net | 503-540-2356
Facebook | YouTube | LinkedIn | CityofSalem.net

-----Original Message-----

From: Dirk Dunning <serenitat@me.com>
Sent: Wednesday, July 31, 2024 10:25 PM
To: Aaron Panko <APanko@cityofsalem.net>
Subject: Subdivision plan for 1861 Park Ave

Aaron,

I understand that you are the case manager for this case.

I reside at 1955 Park Ave, just north of the lot in question. I just learned of this and have received no notices.

My concern is that water flows north from those properties across several properties including mine on the back end resulting in inundation and flooding during heavy rains, then east to the north of my garage flooding my side yard without this change in use.

The documents as best I can make them out presume that the water infiltrates. It doesn't, but then raises the water table above ground level on my property. Adding any additional impediment to retention seems very likely to cause more extensive flooding on my property.

That is of course unacceptable to me.

I would appreciate hearing what the City will be doing to ensure that I am not harmed by this action.

Sincerely,
Dirk Dunning
1955 Park Ave. NE
Salem, Oregon 97301

serenitat@me.com