



12 August 2020

**TO:** City of Salem Planning Division  
**FR:** Steven A. Anderson, West Salem Neighborhood Association Land Use Chair  
**RE:** Appeal of Land Use Decision Case No. SUB-UGA-ADJ20-04

The West Salem Neighborhood Association (WSNA) offers this written appeal to Land Use Decision Case No. SUB-UGA-ADJ20-04. Per notice, we take exception to Conditions 1, 2, 8, 9, & 12. Further, the statement within the Conclusion where ("Approval will not adversely affect the safe and healthful development and access to any adjoining lands.") is without sufficient evidence to support this claim. Therefore, WSNA appeals the findings and decision here and request a hearing before the Planning Commission to resolve such matters. Your attention to this matter is respectfully appreciated.

Steven A. Anderson, West Salem Neighborhood Land Use Chair

Cc: Kevin Chambers, West Salem Neighborhood Association Chair



13 August 2020

**TO:** City of Salem Planning Division  
**FR:** Steven A. Anderson, West Salem Neighborhood Association Land Use Chair  
**RE:** Appeal of Land Use Decision Case No. SUB-UGA-ADJ20-04  
July 29, 2020  
3200 Eagle Ridge Ave NW, Salem, OR 97304

The West Salem Neighborhood Association (WSNA) offers this written appeal to Land Use Decision Case No. SUB-UGA-ADJ20-04. As a participant in filing comments in this matter and as the official representative of the West Salem community in said matters and recognized by the City of Salem as such, the WSNA has standing in this case per SRC 300.1010.

We take exception to Conditions 1, 2, & 8 as our comments were not addressed, nor was there appropriate consultation with other State Agencies in this matter and the WSNA. Specifically, conditions 1 & 2 do not address our comments regarding contamination of adjacent natural areas and underlying drinking water aquifers. SRC 71 & PWDS strictly applied do not offer sufficient evidence to support the conclusion here "Approval will not adversely affect the safe and healthful development and access to any adjoining lands." Comments not addressed and insufficient findings cannot support that the Oregon Ground Water Protection Act and the Clean Water Act are complied with as to discharge of pollutants to waters of the United States.

Condition 8 is too general and does not offer sufficient protection to preserve this historical West Salem natural area and ground water resources. We believe that consultations should have occurred with the Gibson Glen Creek Watershed Council and the WSNA to address their comments prior to finalizing this application. This did not happen.

We suggest that this decision be sent back for further work between the applicant, the watershed council, and the WSNA before being finalized. As to condition 9 (geotechnical report pursuant to SRC 810.030(b) as part of these further discussions the siting of two ground water monitoring wells and sampling frequency should be included. Additionally, the sufficiency of condition 12's 20-foot easement needs to be confirmed.

As to the need for a TIA. Findings were that this subdivision does not exceed the 1,000 ADT trigger. However, the WSNA requested that the impacts of connecting this subdivision to a previously developed subdivision (as this is being done in stages) be included. Staff's findings report: *the connection will provide for adequate circulation, including future bus routes*. This circulation providing outlets to Doaks Ferry, HW 22, and other routes to the West Salem High School was the point of our comments. This subdivision opens alternate routes to multiple subdivisions and a park that did not have this previously. Therefore, as the request to return to staff for additional work, WSNA requests that in addition to the subdivision specific ADT number and additional ADT number reflecting the impact of staff's circulation and future bus route impacts be provided numerically. This ADT number reflecting cumulative impacts in this portion of West Salem is necessary to judge the real impact here and offer possible mitigations as well as help in



the revision of a future West Salem Neighborhood Plan and the ongoing Our Salem scenarios soon to be circulated for comment.

Thus, the WSNA appeals the findings and decision here and request a hearing before the Planning Commission to resolve such matters. It may be possible to resolve these issues without a Planning Commission hearing but pending no assurances to such this appeal is entered into the record and requested. Your attention to this matter is respectfully appreciated.

Steven A. Anderson, West Salem Neighborhood Land Use Chair

Cc: Kevin Chambers, West Salem Neighborhood Association Chair