

City of Salem, Oregon Community Development Department Planning Division

Application Form: Tree Conservation Plan Adjustment

Applicant Name: Thomas Kay - The Thomas Kay Company Telephone: (503) 931-4433
*If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your land use application.
Applicant Mailing Address: 3170 Link Ct. S Salem, OR 97302
Site Address: 575 Salem Heights Avenue S
Proposed Use or Type of Development: S.F. Residential Subdivision Lot Size (sq. ft.): 2.88 Acres
Original TCP Case No. TCP 19-07 Associated Subdivision/Partition Case No
ADJUSTMENT REQUEST
Total number of trees on subject property prior to development: <u>129</u>
Number of trees to be removed under original Tree Conservation Plan: 75
Number of additional trees to be removed under all previously-approved TCP Adjustments: 9
Number of trees to be removed under this TCP Adjustment: 4
Total number of trees to be removed: 88 Total number of trees to be retained: 41
Percent of original trees retained after this adjustment: <u>31.7</u> %
Description of trees to be removed (species and size [dbh]):
11 - Inch Plum 10 - Inch White Oak
15 - Inch White Oak
10- Inch White Oak
Reason for Adjustment (attach additional pages if needed):

Conflict with Utilities due to Road and Public Utility Easement Locations

(Multon Sena)

Mark B. Ferris, RLAE (Print Name)

8/18/2021 (Date)



SECTION 2 (To be completed by staff)

Is TCPA inconsistent with approved TCP (or most recently approved TCPA)? Yes D No D

Are more than 5 additional trees to be removed?

Are less than 25% of total trees retained?

Are riparian trees/native vegetation to be removed?

Are significant trees to be removed?

Yes 🛛 No 🔾

If "Yes" is checked for any of the above questions, refer to extended review. Otherwise, review over-the-counter.

Check one of the following:

1. Adjustment to be reviewed over-the-counter.

2. Adjustment to be referred to Current Planning for extended review.

SECTION 3 (To be completed by staff)

Staff Finding: Adequate staff review has been completed in order to issue a decision on the proposed Tree Conservation Plan Adjustment. The Urban Planning Administrator or designee hereby elects to: (Check appropriate box.)

- Approve this adjustment to TCP______ pursuant to SRC 808.040. Staff has established that all applicable requirements of SRC Chapter 808, Preservation of Trees and Vegetation, have been met or shall be met by conditions of approval. The applicant shall be subject to the requirements of this decision, which is binding on the property until the issuance of a Notice of Final Completion. Any conditions or replanting requirements previously or subsequently required for the original Tree Conservation Plan and any concurrent adjustments made thereto.
- Deny this adjustment to TCP_____ pursuant to SRC 808.040. The applicant has failed to demonstrate adequate justification for the removal of trees proposed for removal under this adjustment and/or the applicable requirements of SRC Chapter 808, Preservation of Trees and Vegetation, have not been met.



	Approval of this Tree Conservation Plan Adjustment shall require compliance with the following conditions as authorized by SRC 808.040(e):	
1.	The property owner, developer, and all representatives thereof shall comply with the conditions attached hereto as Attachment 1.	
2.	The property owner, developer, and all representatives thereof shall comply with the following additional condition(s):	
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Dat		
Da	e of Decision: Staff Name:	
	Staff Signature:	

Appeals: Pursuant to SRC 300.420(e)(1)(C), the decision on a Tree Conservation Plan Adjustment may be appealed, pursuant to SRC 300.1010. Only the applicant or the owner of the subject property have standing to appeal the decision on a Tree Conservation Plan Adjustment. The decision of the Hearings Officer on appeal shall be the final decision of the City.

Attachment 1:Additional Conditions of ApprovalAttachment 2:Tree Conservation Plan Adjustment



ATTACHMENT 1 ADDITIONAL CONDITIONS OF APPROVAL

The submitted Tree Conservation Plan Adjustment is consistent with the provisions of SRC Chapter 808. The developer, and all representatives thereof, shall comply with all applicable SRC Chapter 808 development standards, and shall comply with the following conditions:

- 1. No tree designated for removal on the approved Tree Conservation Plan Adjustment shall be removed prior to the Tree Conservation Plan Adjustment approval date.
- 2. Any changes to the approved Tree Conservation Plan Adjustment must be submitted to the Community Development Department in the form of another Tree Conservation Plan Adjustment application for review and approval.
- 3. No tree designated for preservation may be removed or critically damaged unless and until a Tree Conservation Plan Adjustment application is submitted to the Community Development Department and approval has been granted by the Planning Administrator. Failure to preserve trees marked for preservation may result in a civil penalty.
- 4. Prior to and during any grubbing, grading and construction activities, <u>all trees designated for preservation</u> <u>shall be protected from removal or critical damage</u>. Trees designated for protection shall be clearly marked <u>on-site</u>.
- 5. All trees and native vegetation designated for preservation under the tree conservation plan shall be marked and protected during construction. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground high-visibility silt fence, or its equivalent. <u>No grubbing, grading, construction, vehicle parking, or storage/disposal of materials/fill shall be allowed inside the protective fencing.</u> Protection measures shall continue until the issuance of a Notice of Final Completion for the single family or two family dwelling.
- 6. Each lot or parcel within the development proposal shall comply with the tree planting requirements set forth in SRC 808.050.



 \mathbf{m} Attachment

ALTERNATE FLAG LOT GRADING PLAN

3

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ID DBH TYPE SAVE I0005 30 L N I0006 30 L N I0007 24 W N I0015 22 D Y I0017 14 D N I0018 24 D N I0019 24 D N I0012 30 D N I0020 30 D N I0022 36 M N I0023 26 D N 20001 17 W N 20002 30 F N 2003 22 F N 2004 23 F N 2003 10 W N 20035 10 W N 20036 11 W N 20043 17 W N 20045 <td< th=""><th></th><th>and a sector with the sector of the sector o</th><th></th><th></th></td<>		and a sector with the sector of the sector o		
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20288 33 F Y	Y	F	33	20288
20290 IG W Y	Y	W	16	20290
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20292 18 W Y	Y	W	18	20292
20293 12 F Y	Y	F	12	20293
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20299 10 CH N	N	СН	10	20299
20300 / I CH N	Ν	СН	11	20300
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20306 14 CH		СН	14	20306
20307 12 CH N	Ν	СН	12	20307
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20315	11	D	Y			GROUP
20316	10	CH	N	LEGEND	· · · · · · · · · · · · · · · · · · ·	Engineers Land Surveyors Project Managers
20317	10	W	N	PROPOSED PCC		
20318	16	CH	N		4	ERED PROFES
20319	10	Н	N	PROPOSED AC		GINER DE GAR
20320	17	WN	N			62679PE
20322	16	E	Y	EXISTING PCC		
20323]	PL	N			10 199%
20325	10	CH	N	EXISTING AC		WHISENHUN
20326	30	PL	N N			EXPIRES: 6-30-2018
20327	10	WN	N	REMOVE EXISTING PAVEMENT		DATE SIGNED:
20329	12	HN	N			
20330	40	W	Y	PROPOSED WATER		
20331	25	W	Y			
20332	21	W	Y	EXISTING WATER	81 EX W	
20333	17	M	N			
20334	10	W	N	PROPOSED SANITARY SEWER	-(S)	
20335	10	СН	Y			
20336	10	W	N	PROPOSED STORM SEWER	-	
20337	13	М	N			
20338	12	D	Y	SANITARY SEWER CLEANOUT	(CO)	
20339	11	М	N			
20340	15	W	N	EXISTING SANITARY SEWER	(\$)	
20341	26	W	Y			
20342	15	CH	Y	EXISTING STORM SEWER		
20343)	D	N		()	
20344	10	W	Ň	PROPOSED WATER METER		N HEIC DIVIG
20345	10	W	N		•	
20346	18	W	Y	PROPOSED FIRE HYDRANT		
20347	18	CH	N N		V	
20349	16	CH	N	PROPOSED WATER VALVE		
30001	16	CH	N	TROFOSED WATER VALUE	\bowtie	
30003	12	HN	N	PROPOSED BLOWN OFF VALVE		
30006	14	HN	N	PROPOSED BLOW-OFF VALVE		$ \leq 0$
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30015	30	СН	N			
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30032	14	M	N		II	
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30037	12	HN	Ν			- THOMAS KAY
30044	10	W	Ν	EXISTING CATCH BASIN		COMPANY
30045	12	W	Y			
30046	12	W	N	FINISH GRADE		2
30047	11	W	N	EXISTING GROUND		SALEM, OREGON
30048	13	A	N	EVERGREEN TREE	A STATE AND A STAT	REVISIONS
30049	10	M	N		The second se	NO. DESCRIPTION DATE BY
30050	10	CH	N	DECIDUOUS TREE	EX.	
30051	14	W	N		س <i>س</i>	
30052	14	W	N	STORMWATER INFRASTRUCTURE		
30053	18		N			
30054	14		N	TREE WITHIN RIGHT-OF-WAY	683	
30055	12	W	N			
30057	18	W	N	TREE TO BE REMOVED		PROJECT NO: 15128 HORIZ DATUM: NAD83 (2011)
30058	12	W	Y		(KC.70)	VERT DATUM: NVD 1988
30059	14	W	N	· · · · ·		VERT SCALE: AS SITOWN
30060	12	СН	N			DESIGN: KW DRAWN: JM
30061	12	M				ChECKED:
L						APPROVED:
Addit	tional T	rees F	Remov	ved Previous Submittal		
	tional 7	Frank -		und Current Subasities		
Addi	tional I	rees i	Remo	ved Current Submittal		SHEET TITLE
						REVISED
IN=HAWTHORN _=LOCUST	IE					
M=MAPLE						TREE
MD=MADRONE P=PINE						CONSERVATION
PL=PLUM						PLAN
W=WHITE OAK WN=WALNUT						
WIN-WALNUT						4/22/21
					NJ	
				0 40'	80' 120'	
						C-1.15
				8 0 1"	9	

TREE TYPES

CW=COTTONWOOD

D=DOUGLAS FIR

A=APPLE

E=ELM

F=FIR

H=HAZEL

HO=HOLLY

CE=CEDAR

CH=CHERRY

CIVIL ENGINEERS LAND SURVEYORS PROJECT MANAGERS PLANNERS

October 1, 2021

Jamie Donaldson City of Salem Community Development Department 555 Liberty St., Suite 305 Salem, OR 97301

Re: Wren Heights Tree Conservation Adjustment

Jamie,

Pursuant to your request, the following is provided to address the approval criteria for our proposed adjustment as outlined in Section 808.040(d) – Tree Conservation plan Adjustments:

(d) Approval criteria. A tree conservation plan adjustment shall be approved if the following criteria are met:

(1) There are special conditions that could not have been anticipated at the time the tree conservation plan was submitted that create unreasonable hardships or practical difficulties which can be most effectively relieved by an adjustment to the tree conservation plan.

<u>Applicant's Response</u>: Removal of Tree #20340 and #20344 is necessitated by the need to provide power to lots #27 and #28. The routing plan created by PGE is the only alternative as the two alternatives suggested by the city engineer are not feasible. Running power between lot #33 and lot # 32 is not possible as the Applicant has already installed the sanitary sewer in this location. Routing the power between lot #26 and lot #27 would seriously impact these lots due to the easement width required to the point where they are not wide enough to support a viable housing product.

(2) When the tree conservation plan adjustment proposes the removal of a significant tree, there are no reasonable design alternatives that would enable preservation of the tree.

<u>Applicant's Response</u>: There are no significant trees proposed to be removed as a result of this application. This criterion does not apply.

(3) When the tree conservation plan adjustment proposes the removal of a tree or native vegetation within a riparian corridor, there are no reasonable design alternatives that would enable preservation of the tree or native vegetation.

<u>Applicant's Response</u>: There are no trees or native vegetation within a riparian corridor located on the subject property. This criterion does not apply.

Hopefully, this addresses your approval criteria, and we respectfully request your approval of our Tree Conservation Plan adjustment.

If you have any further questions, please don't hesitate to give me a call.

Sincerely, Project Delivery Group, LLC

Mark B. Ferris, RLAE

Dir. Of Planning & Development



 \mathbf{m} Attachment

		ana da sanata fergera kan guna mbana	
ID	DBH	TYPE	SAVE
10005	30	L	N
10006	30	L	N
10007	24	W	N
10015	22	D	Y
10017	14	D	N
10018	24	D	N
	24	D	N
10019			
10020	30	D	N
10022	36	M	N
10023	26	D	Y
20001	17	W	N
20002	30	F	N
20003	22	F	N
20004	23	F	N
20005	23	MD	N
20010	16	W	N
20035	10	W	N
20036	11	W	N
20037	15	W	N
20038	10	W	N
20043	17	W	N
20043	27	W	N
20044	21	W	N
	10	F	N
20046		W	
20047	28		N
20048	12	W	N
20049	21	W	N
20050	14	W	N
2005	27	W	N
20054	16	W	N
20056	28	F	N
20057	33	F	N
20058	22	F	Y
20271	12	F	Y
20272	27	F	Y
20273	13	F	Y
20274	29	F	Y
20275	30	F	Y
20276	10	W	Y
20278	36	F	Y
		'	Y
20278	21		
20279	20	F	Y
20280	26	F	Y
20281	20	F	Y
20282	15	F	Y
20283	35	F	Y
20284	14	F	Y
20285	21	F	Y
20286	17	F	Y
20287	12	F	Y
20288	33	F	Y
20290	16	W	Y
20291	17	F	Y
20292	18	w	Y
20292	12	F	Y
		W	
20297	27		Y
20298	15	WN	N
20299	10	CH	N
20300	11	СН	Ν
20302	11	СН	Y
20306	14	СН	Y
20307	12	СН	N
20308	16	WN	N
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ID	DBH	TYPE	SAVE	-
20315		D	Y	
20316	10	СН	N	
20317	10	W	N	
20318	16	СН	N	
20319	10	Н	N	
20320	17	WN	N	
20322	16	E	Y	
20323	11	PL	Ņ	
20325	10	СН	N	
20326	30	W	N	
20327	10	PL	N	
20328	19	WN	N	
20329	12	HN	N Y	
20330	40 25	W	Y Y	
20332	25	W	Y	
20332	17	M	N	
20334	10	W	N	
20335	10	СН	Y	
20336	10	W	N	
20337	13	M	N	
20338	12	D	Y	
20339	11	М	N	
20340	15	W	N	
20341	26	W	Y	
20342	15	СН	Y	
20343)	D	N	
20344	10	W	M	
20345	10	W	Y	
20346	18	W	Y	
20347	18	CH CH	N N	
20340	16	СН	N	
30001	16	СН	N	
30003	12	HN	N	
30006	14	HN	N	
30013	10	СН	N	
30014	10	СН	N	
30015	30	СН	N	
30018	11	HN	Y	
30021	10	HN	N	
30022	14	M	Y	
30023	10	HN	N	
30026	12	HN	N	
30032	14	M W	N	
30036 30037	12	HN	N N	
30037	10	W	N	
30045	12	W	Y	
30046	12	W	N	
30047	11	W	N	
30048	13	A	N	
30049	10	M	N	-
30050	10	СН	N	
30051	14	W	N	
30052	14	W	N	,
30053	18	W	N	
30054	14	W	N	
30055	12	W	N	
30056	12	W	N	
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30058	12	W	N	
30055	14	CH	N	
30061	12	M	N	•
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HN=HAWTHORNE L=LOCUST M=MAPLE MD=MADRONE P=PINE PL=PLUM W=WHITE OAK WN=WALNUT

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LEGEND	[]	Engineers Land Surveyors Project Managers
PROPOSED PCC		
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EXISTING PCC		
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REMOVE EXISTING PAVEMENT		EXPIRES: 6-30-2018 DATE SIGNED:
PROPOSED WATER		
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PROPOSED SANITARY SEWER	-5	
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EXISTING WATER METER	W	
EXISTING WATER VALVE		
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PROPOSED CATCH BASIN		- THOMAS KAY
EXISTING CATCH BASIN	עננונ	COMPANY
FINISH GRADE EXISTING GROUND		SALEM, OREGON
EVERGREEN TREE	A Carrow Contraction of the cont	REVISIONS NO. DESCRIPTION DATE BY
DECIDUOUS TREE		
STORMWATER INFRASTRUCTURE		
TREE WITHIN RIGHT-OF-WAY		
TREE TO BE REMOVED		PROJECT NO: 15128 HORIZ DATUM: NAD83 (2011) VERT DATUM: NVD 1988 HORIZ SCALE: AS SHOWN VERT SCALE: AS SHOWN DESIGN: KW DRAWN: JM CHECKED: APPROVED:
ent Submittal		SHEET TITLE
		REVISED

Previo Additional Trees Removed Currer



TREE

PLAN

10/01/21

C-1.15

CITY OF AT YOUR SERVICE

Tree Conservation Plan Adjustment Application

Permit #:

(For office use only)

Planning/Permit Application Center City Hall / 555 Liberty St. SE / Room 320 / Salem, OR 97301-3513 503-588-6173 * planning@cityofsalem.net If you need the following translated in Spanish, please call 503-588-6256. Si usted necesita lo siguiente traducido en español, por favor llame 503-588-6256.

Work site location and information

Street address or location of subject property	575 Salem Heights Avenue S
Lot size	2.88 Acres
Proposed use or type of development	Residential Single-Family
Original Tree Conservation Plan (TCP) case number	TCP-19-07
Associated Subdivision/Partition case number	SUB-ADJ19-02

People information

	Name	Full Mailing Address	Phone Number and Email address
Applicant	Thomas Kay	3170 Link Ct. Salem, OR 97302	thokay@comcast.net

Project information

Total number of trees on subject property prior to development	129
Number of trees to be removed under original TCP	75
Number of additional trees to be removed under all previously	9
approved TCP Adjustments	
Number of trees to be removed under this TCP adjustment	3
Total number of trees to be removed	87
Total number of trees to be retained	42
Percent of original trees retained after this adjustment	
Description of trees to be removed (species and size [dbh])	1) 11-Inch Plum
	2) 15-Inch White Oak
	3) 10-Inch White Oak

Reason for adjustment (attach additional pages if needed)

Removal of Tree #20340 and #20344 is necessitated by the need to provide power to lots #27 and #28. The routing plan created by PGE is the only alternative as the two alternatives suggested by the city engineer are not feasible. Running power between lot #33 and lot # 32 is not possible as the Applicant has already installed the sanitary sewer in this location. Routing the power between lot #26 and lot #27 would seriously impact these lots due to the easement width required to the point where they are not wide enough to support a viable housing product.

Authorization by property owner(s)/applicant

*If the applicant and/or property owner is a Limited Liability Company (LLC), please also provide a list of all members of the LLC with your application.

Copyright release for government entities: I hereby grant permission to the City of Salem to copy, in whole or part, drawings and all other materials submitted by me, my agents, or representatives. This grant of permission extends to all copies needed for administration of the City's regulatory, administrative, and legal functions, including sharing of information with other governmental entities.

Electronic signature certification: By attaching an electronic signature (whether typed, graphical or free form) I certify herein that I have read, understood and confirm all the statements listed above and throughout the

application form. Authorized Signature: (Print Name: Date:

Received by	Date:	Receipt Number:	

Not using Internet Explorer?	
Save the file to your computer and email to planning@cityofsalem.ne	≥t.



 \mathbf{m} Attachment

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ID	DBH	TYPE	SAVE
	1	1	1
10005	30	L	N
10006	30	L	N
10007	24	W	N
10015	22	D	Y
10017	14	D	N
10018	24	D	N
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10019	24	D	N
10020	30	D	N
10022	36	M	N
10023	26	D	Y
20001	17	W	N
20002	30	F	N
20003	22	F	N
20004	23	F	N
20005	23	MD	N
20010	16	W	N
20035	10	W	N
20036	11	W	N
20037	15	W	N
20038	10	W	N
20043	17	W	N
20044	27	W	N
20045	21	W	N
		F	
20046	10		N
20047	28	W	N
20048	12	W	N
20049	21	W	Ν
20050	14	W	N
20051	27	W	N
20054	16	W	N
20056	28	F	N
20057	33	F	N
20058	22	F	Y
20271	12	F	Y
20272	27	F	Y
20273	13	F	Y
20274	29	F	Y
20275	30	F	Y
20276	10	W	Y
20277	36	F	Y
20278	21	F	Y
20279	20	F	Y
20280	26	F	Y
20281	20	F	Y
20282	15	F	Y
20283	35	F	Y
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20284			Y
20285	21	F	Y
20286	17	F	Y
20287	12	F	Y
20288	33	F	Y
20290	16	W	Y
		F	
20291	17		Y
20292	18	W	Y
20293	12	F	Y
20297	27	W	Y
20298	15	WN	N
20299	10	СН	N
20300	11	CH	N
20302	11	CH	Y
20306	14	CH	Y
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20327	10	PL	N	
20328	19	WN	N	
20329	12	HN	N	
20330	40	W	Y	
20331	25	W	Y	
20332	21	W	Y	
20333	17	M	N N	
20334	10	W CH	Y	
20336	10	W	N	
20338	13	M	N	
20338	12	D	Y	
20339		M	N	
20340	15	W	N	
20341	26	W	Y	
20342	15	СН	Y	
20343	11	D	N	
20344	10	W	M	
20345	10	W	Y	
20346	18	W	Y	
20347	18	СН	N	
20348	13	CH	N	
20349	16	CH	N	
30001	14	CH	N	
30003	12	HN	N	
30006 30013	14	HN CH	N N	
30013	10	СН	N	
30015	30	СН	N	
30018	11	HN	Y	
30021	10	HN	N	
30022	14	M	Y	
30023	10	HN	N	
30026	12	HN	N	
30032	14	М	N	
30036	12	W	N	
30037	12	HN	N	
30044	10	W	N	
30045	12	W	Y	
30046	12	W	N	
30047	11	W	N	
30048	13	A	N	
30049	10	CH	N N	
30051	14	W	N	-
30052	14	W	N	
30053	18	W	N	
30054	14	W	N	
30055	12	W	N	
30056	12	W	N	
30057	18	W	N	
30058	12	W	Y	
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	LEGEND		Engineers Land Surveyors Project Managers
	PROPOSED PCC		
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	EXISTING PCC		
	EXISTING AC		EXPIRES: 6-30-2018
	REMOVE EXISTING PAVEMENT		DATE SIGNED:
	PROPOSED WATER		
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	PROPOSED SANITARY SEWER	-(5)	
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	PROPOSED CATCH BASIN	00000	THOMAS KAY
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			REVISED

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