



*Pioneering pathways
to prosperity.*

WASCO COUNTY PLANNING COMMISSION

October 4, 2022

3:00 p.m.

Wasco County Public Works Conference Room

2705 E. 2nd Street

The Dalles, OR 97058

Presented via Zoom

by phone: 1 (253) 215 8782

Meeting ID: 892 0471 5761

YouTube Video of Live Stream:

<https://www.youtube.com/watch?v=q3jviVws2gk>

(Minutes timestamp from beginning of video recording)

ROLL CALL:

Members Present: Chair Kate Willis; Vice Chair Marcus Swift, Russell Hargrave; Lynne MacIntyre;

Members Absent: Vicki Ashley; Mike Davis; Chris Schanno

Staff Present: Planning Director Kelly Howsley-Glover; Senior Planner Daniel Dougherty; Office Assistant Crysta Harris

CALL TO ORDER

4:29 Chair Willis opened the meeting. **Director Howsley-Glover** asked for roll call. **Chair Willis** reviewed the meeting format.

PUBLIC COMMENT ON NON-AGENDA ITEMS:

6:30 Chair Willis asked for comments on non-agenda items. There were none.

APPROVAL OF PAST MINUTES

6:46 Chair Willis called for any revisions or correction for the Minutes from September 20, 2022. There were none. **Chair Willis** called for a motion to approve the September 20, 2022 minutes. **Director Howsley-Glover** noted there weren't enough Commissioners that were present at the September 20th meeting to approve at today's meeting. The approval of minutes will be on the next meeting's agenda.

8:43 Chair Willis opened the hearing and stated the review criteria. Details for the request were presented for File #921-21-000178-PLNG: Appeal of Director's approval of File #921-21-000178-PLNG. A National Scenic Area Review to construct the following:

- (1) 3,480 total square feet (SF) 99'L x 23'-53'W x 15'H Dwelling;
- (2) 1,500 total square feet (SF) 60'L x 30'-20'W x 15'H Accessory Building
- (3) 390' L x 12'W gravel driveway

11:33 Chair Willis shared process for party recognition.

12:47 Chair Willis reviewed the procedures and rules of evidence.

- There were no disclosures of Interest or Ex Parte contact from Commissioners.
- There were no challenges to the right of any Commission member to hear the matter.
- There were no questions regarding the Commissions jurisdiction to hear the matter.

15:56 Chair Willis called for the staff presentation. **Senior Planner Dougherty** shared the staff summary with power point slides. (Attachment A)

1:17:50 Chair Willis asked if any Commissioners had questions.

- **Commission Hargrave** questioned the legal access issue. **Senior Planner Dougherty** affirmed there wasn't an issue regarding this. There were no other questions for staff.

1:18:53 Chair Willis offered the appellant and/or their representative the opportunity to present.

- **Jeff Kleinman**, attorney representing the appellant, the Friends of the Columbia Gorge (FOCG) spoke. He asked that the appeal be approved and the application for development be denied outright or be modified to comply with the criteria that is applicable. He noted the modifications would need to be quite substantial. He requested standing for himself and the Friends of the Columbia Gorge. He requested the evidentiary record be held open for at least seven days. The appellants submitted additional comments just prior to the hearing. (Attachment B) **Mr. Kleinman** noted the concerns related to the appeal, including the size of the structures, the visual impact and the implication it would have for future development in the Scenic Area.
- **Brian Bainson** a landscape architect spoke, noting his background and previous experience working in the Scenic Area. He stated concerns regarding the protection of oak habitat, the development structures size, the drive to the development site, the visual impact from the primary Key Viewing Area (KVAs) Tom McCall. He also noted the appellant didn't see anything in the development application showing the applicant or the County had looked at alternatives to address the visually subordinate standard. He noted a sketch had been included in the appellant's submission for today that would help with the visual subordination. **Mr. Bainson** stated he didn't believe the proposed additional vegetation would achieve the visual subordination in five years. He noted another primary concern is the septic system being located within the oak trees.
- **Mr. Kleinman** added in response to **Mr. Bainson's** testimony that he would like the term 'concerns' to be substituted with 'failures to meet the burden of proof' and failure to meet compliance with the development standards. He stated the application had not set out the characteristics of the site and should not have been deemed complete. **Mr. Kleinman** stated the current staff decision gives the applicant the ability to remove oak or pine trees later, after the application has been approved. Because of the vegetative screening, protection of the White Oaks is core and essential to the success of the application, it is a violation to allow the applicant to go forward later, and an unlawful order to approve the application. He stated that any significant modification or change to what is approved by the Planning Commission, is subject to further review in a public process. **Mr. Kleinman** stated there are multiple reasons to deny the application. It is not for the Friends of the Columbia Gorge to prove all the grounds that are set out, these are elements of the applicant's burden and failure meet these means the denial of the application and the appeal to be sustained. **Mr. Kleinman** noted the photos by staff, stating he questioned if they demonstrate what they are intended to demonstrate and should be disregarded and not be deemed as part of the applicant's burden of proof.
- **Brian Bainson** commented on Exhibit K – view from Tom McCall Point on visual subordination, noting this did not accurately demonstrate the scale of the home. He commented on the site

plan and the distance to the property line or the drive and turn around, or the accessory building. He believes the exhibit is flawed. **Mr. Kleinman** added that the FOCG are not opposed to development on this site, had worked with the applicant to get approval in 2002, isn't at issue with the size of the home, but that the applicant has not met it's burden with the siting and compliance with the various criteria. If the applicant would like to work with Friends, have something that was supportable, causing Friends to withdraw its objections that would be fine.

- **Steve McCoy** began by following up on what **Mr. Kleinman** had mentioned regarding the deferring the removal of trees as a staff decision, being against Oregon Land Use law. He said there are two decisions out of the Gorge Commission: one being the *Bacus* and the other being the *Eagle Ridge* decision overturning approvals due to the conditions of approval pushing things off into the future. He believes that is what is going on here. He spoke about compatibility with the neighborhood. He cited responses for the neighbors, noting the NSA LUDO 14.100.C – proposed new buildings may not be compatible in size and overall mass with existing buildings. This is very important with Scenic resource standards. The Gorge Commission developed standards to guide county's compatibility analysis. He directed audience to page 7 of the exhibits that were shared for today's hearing. **Mr. McCoy** noted the 'Methodology for determining compatibility of new development' – guidance from the Gorge Commission on how counties are supposed to do their analysis. He spoke about the setting being residential and pastoral and the guidance referred to in determining compatibility. **Mr. McCoy** stated the development is in the middle of the field, virtually splitting it into two pieces. Other ordinances and guidance were referenced by **Mr. McCoy**. He made note of items he felt had not met the standards for the ordinances or guidance referenced. He said these show the application should be denied. **Mr. McCoy** said this is a DE Novo hearing, stating the applicant is responsible for proving that, given the applicable laws, a matter of first impression and using the evidence in the record, and presented at this hearing, that the development is lawful. It isn't about assignments of error or points that were raised before, this is about proving it from scratch. He restated the application should be denied.
- **Mr. Kleinman** said they would take any questions from Commissioners.

1:59:11 Chair Willis asked for questions from the Planning Commission. She also asked **Director Howsley-Glover** if she could comment. **Director Howsley-Glover** said it was okay for the Chair to comment.

1:59:53 Chair Willis said she was struck by the comments regarding the burden of proof and the aspects of the DE Novo hearing. She said she did have concerns.

2:00:26 Director Howsley-Glover stated there are other participants that registered to give testimony.

2:01:11 Chair Willis asked if the applicant or their representative wish to rebut testimony by the appellant.

2:01:31 Applicant Scott Currie stated this is a family home, designed and sited. He stated there has been a lot of talk about the size of the structure. He noted they have a large family. He stated his wife and he had purchase this parcel twenty years ago. They have five children and aging parents that may live with them someday. This is his and his wife's final home. His wife is an architect, who designed the home with a living space to meet their needs while complying with provision of the National Scenic Act. He

noted this is a single family home, not to be a rental or air BNB. He reviewed some of the design features of the proposed dwelling. **Mr. Currie** disputed the comment regarding the visual impact from Tom McCall Point, stating you could barely see the property from there. He stated they had walked their property, noting the reason the trees are where they are is because that is where the water goes, where it is funneled. He said that twenty years ago they had agreed to put the dwelling there, even though they had felt a little intimidated and coerced. Since then, they realized that was a mistake. He stated the first time they had routed their application through them (FOCG), this time they didn't and that is why we are here. **Mr. Currie** stated the natural drainage, the topography has two natural swales, was part of the decision on the siting of the home. They brought in Tony DeHart, who has sited 500 homes. Mr. DeHart had suggested the site for the home with septic drainage, runoff, power, etc. as considerations. **Mr. Currie** shared they had staked the property, checking it at sunrise, sunset, checked with prevailing winds. He said they think it is the right house in the right location on this parcel. He stated it is one house and didn't agree it was a compound. He stated the other reason for the siting is for fire safety. He thinks they have put together a well-considered plan. Their contractor, Scott Sorensen, had agreed with Mr. DeHart. Dale Huskey consulted with Mr. DeHart and agreed. **Mr. Currie** said in summary, they had looked at a lot of site plans, and this is the most complete and thoughtful of them, better than the others. This is a reasonably sized house, located in the right place on the parcel, taken every consideration to make it visually subordinate to comply with the National Scenic Area regulations.

2:12:13 Chair Willis called for questions for the applicant from the Planning Commission.

- **Commissioner MacIntyre** asked about the septic system. **Mr. Currie** stated there is one area on the parcel that is approved for septic. Mr. DeHart, who is a septic installer, along with Dale Huskey, dug approximately eight test holes. They wanted to be sure there was enough soil to be able to install a septic system, with enough room for the primary field and the secondary field. He said there has been no mention, by anyone, about removing oak trees. Additionally, they had spoken to Nicole Bailey (from the health department) about the house location and the septic area. She had said that septic systems and trees don't always go together, but since that is the only area you are approved, there was no indication there would be any issues when they applied for the septic system. He noted they had tested out in the open part of the field, but there wasn't enough soil there. He said they have no knowledge or intention to remove a single oak tree.

2:14:56 Chair Willis called again for questions for the applicant from the Planning Commission.

- **Commissioner Hargrave** asked if it was the backup septic that would be in the oaks. **Mr. Currie** said it would be the primary. **Commissioner Hargrave** said he understands the need for dirt and downhill and asked if there were any other locations that would be viable. **Mr. Currie** stated he isn't an expert but they have been told there is another method, might be called pack and fill, where he believes materials are brought in where you can create an artificial drain field. Mr. DeHart was asked about this and he directed them to the trees.
- **Chair Willis** asked if there were any other siting options that might be able to prevent dividing up the field or other options that might enable you to take advantage of some of the other things outlined by the FOCG. **Mr. Currie** stated they know where the FOCG want them to put the

house. The first choice is in the northwest corner, at the bottom of the funnel. The second choice was in the middle of the trees. The third choice was at the edge of the trees, going up that side. He believes the proposed siting for the house, given all the competing requirements, not just existing vegetation, to achieve visual subordination, without putting the house in the wrong spot. **Chair Willis** discussed the burden of proof and asked **Mr. Currie** if he feels he has met that burden of proof and what evidence does he have that he has met it. **Mr. Currie** said he isn't sure how to answer that question. **Chair Willis** stated that the Commission will decide if that proof has been met.

2:21:03 Chair Willis called again for questions for the applicant from the Planning Commission. There were none.

2:21:13 Chair Willis called for any others with party status or individuals who wish to speak in favor of the appeal.

- Sheila Dooley spoke in favor of the appeal. She stated it didn't seem they had looked at alternate sites for the drain field. She noted if White Oak were to be removed, it would be in violation of the NSA LUDO. The staff report stated that if additional trees need to be removed for the drain field, they would be required by the condition to have them replaced. Ms. Dooley said planning to replace at a 3:1 ratio is a very long term proposition. She stated that these are three to four hundred years old. They grow very slow. The Oregon White Oak are wildlife habitat trees. The greatest threat to these trees is development. The value isn't widely known and more public education is needed. Oregon Department of Fish & Wildlife has stated, if possible, these types' trees should not be removed.

2:23:15 Chair Willis asked if any other parties or individuals would like to give testimony. There were none.

2:23:36 Chair Willis asked if any other parties or individuals would like to speak in opposition of the appeal.

2:24:05 Chair Willis asked if in regards to **Ms. Dooley's** testimony if the Commission had any questions. There were none.

2:24:11 Chair Willis asked if anyone would like to speak in opposition to the appeal. **Director Howsley-Glover** stated there were no other registered participants or persons on the call.

2:24:26 Chair Willis asked if the appellant would like to rebut the testimony by **Ms. Dooley**.

- **Mr. McCoy** addressed the development across the street, mentioned by **Mr. Currie**. He stated it is on a neighboring parcel, he believes it is comparing apples to oranges. There is very little vegetation on that property so siting is less dependent on existing vegetation. He stated also the size of the buildings are radically different. He said it is virtually 2,500 SF vs. 5,000 SF.
- **Mr. Kleinman** said the appellants understand why the applicant wants this size house, but he believes this is what is called a self-imposed hardship. This property is in the National Scenic Area and there are constraints that have to be met. There is a burden of proof that has to be met. There are points of compliance, like if oaks are removed or killed due to the siting of the drain field. Those cannot be deferred. The testimony in favor of the appeal shows the applicant has not met his burden. The burden of proof does not change based on your personal needs.

2:29:15 Chair Willis called for any additional testimony before the record is closed. **Mr. Kleinman** reminded the Chair they have requested the record remain open. His comment was noted by **Chair Willis**. The record will remain open for 7 days.

2:29:56 Chair Willis closed the hearing and the Planning Commission began deliberation. She reminded everyone that this is for Planning Commissioners only, adding the Commissioners may ask questions of staff and appellant. No new information may be added unless the hearing is continued and a specific request has been made to staff to obtain additional information.

2:30:20 Chair Willis opened deliberation for the Planning Commission.

- **Commissioner MacIntyre** asked **Senior Planner Dougherty** if any of the appellants' comments today changed any of his recommendations and findings. **Senior Planner Dougherty** stated he wasn't aware of the official policy regarding 14.100.c, noting that is an interesting methodology for analysis. If that is an official policy, that could change staff analysis.
- **Chair Willis** asked about the two decisions that were noted, *Bacus & Eagle Ridge*. These were overturned because of lack of information and not meeting the burden of proof. She wonders what parallels there are between these and this particular appeal. She noted some of the discussion from both the applicant and the appellant. **Chair Willis** stated she would like more information about the decisions that were overturned and what influences it has on what staff has recommended.
- **Commissioner Hargrave** asked **Senior Planner Dougherty** if what he has learned in the hearing and about the policy he wasn't aware of, does that change his recommendation. **Senior Planner Dougherty** stated he had made note to look into how moving the development would make it more visually insubordinate opposed to where it is at. He noted he hadn't the opportunity to read what was provided to the Commission by **Mr. McCoy** prior to today. He stated he hasn't been able to read how moving the structures will make it more visibly insubordinate. **Commissioner Hargrave** noted he has worked with **Senior Planner Dougherty** for a long time and knows he is very thorough. He stated the information in this staff report seems very logical and complete. He stated some new information has been introduced. Not being an expert, **Commissioner Hargrave** stated he doesn't know how new or how relevant the new information is. **Commissioner Hargrave** asked **Senior Planner Dougherty** if the new information introduced today might be grounds for a successful appeal to LUBA (Land Use Board of Appeals). **Senior Planner Dougherty** clarified that this wouldn't be appealed to LUBA. He stated it would be appealed to the Board of County Commissioners, then to the Gorge Commission. **Senior Planner Dougherty** stated this is a public process. Both parties had plenty of time to introduce this type of analysis, prior to the hearing, prior to the packet and presentation. **Senior Planner Dougherty** said given the testimony that he has heard, and the brief amount of time he has had to analyze this information, he isn't sure it would change his current recommendation. He asserted that it is Gorge Commission policy and that could alter his recommendation. **Chair Willis** made the observation regarding the complexity, the packet was long and comprehensive and there is new information here that there hasn't been a chance to review. She feels all things considered, it's important to have enough information to make a good decision. With the burden of proof, there is a standard for a reason. Do we have all the facts?

2:40:26 Commissioner MacIntyre motioned to approve the request with the amended conditions and findings, including the additional amended conditions and findings stated by **Senior Planner Dougherty**. **Chair Willis** called for a second. There was none. There is no discussion on the motion.

2:42:03 Commissioner Hargrave motioned to approve the recommendation with the updated conditions and findings, adding a condition to relocate the drain field out of the oak trees.

Commissioner MacIntyre seconded. **Chair Willis** called for the discussion.

- **Commissioner MacIntyre** stated her concern is if that is physically the best location for a drain field according to those who are knowledgeable, are we creating an additional problem by saying they don't know what they are talking about and putting it somewhere that is less suitable? **Commissioner Hargrave** stated he respects the opinions of those who recommended the location in the oak trees but feels there could be other locations that would strike a better balance, noting the concerns that have been raised in this appeal. **Chair Willis** stated she agrees and if there are alternative options, they need to be explored and the burden of proof is on the applicant. She stated she is also concerned about other issues that have been raised and if the burden of proof has been met on them. In taking a vote, she doesn't feel it's taking care of enough of the issues that have been raised. She would like to see the applicant address specifically the issues that have been raised to meet that burden of proof. **Commissioner Hargrave** said that for each issue that has been raised we need to satisfy ourselves that the response meets the burden of proof. He believes to do that, he looks to **Senior Planner Dougherty's** report, which responds to each issue. The document is the body of proof.

2:50:10 Chair Willis called for the vote.

The motion was approved 3 to 1: (3 absent – Commissioner Ashely, Commissioner Davis, Commissioner Schanno)

A listing of the vote, as required by Oregon Revised Statute 192.650.c. is as follows:

Chair Willis – no

Vice Chair Swift – yes

Commissioner Ashley – absent

Commissioner Hargrave – yes

Commissioner MacIntyre – yes

Commissioner Davis – absent

Commissioner Schanno – absent

The appeal was denied. The Planning Commission upheld the approval by the Planning Director.

2:51:03 Chair Willis closed the hearing. The Decision will be mailed on October 6, 2022. She stated the appeal process. If no appeal is filed, the decision in this matter will be final.

2:51:44 Chair Willis called for a motion to adjourn.

Commissioner Hargrave motioned to adjourn. **Commissioner MacIntyre** noted there are other agenda items. **Commissioner Hargrave** withdrew his motion.

2:52:28 Director Howsley-Glover presented the Director's report.

- Winding down work on the Community Wildfire Protection Plan. It will be before the Board of County Commissioners (BOCC) soon and available for public comment. She encouraged members to engage in the process.

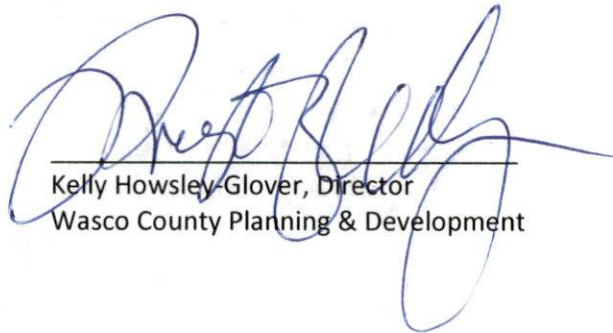
- On the September 20th hearing, the Planning Commission is recommending that all optional uses of the LUDO are advancing to the Board of County Commissioners, which will hear it on October 19th. It is likely this body will hear updates again starting in September of next year.
- There is a new Code Compliance Officer – Ted Palmer. Work is being done to update the Code Compliance Ordinance, looking to move towards a citation process.
- The new Long Range planner is working primarily on a transportation equity project.
- Starting in January, the department will be trialing using a Hearings Examiner for these types of cases. The Planning Commission will still hear legislative matters, the Hearings Examiner will handle the Quasi-Judicial matters in 2023.

Commissioner MacIntyre asked if the Hearings Examiner is the final arbitrator of appeals or do they act on behalf of the Planning Commission. **Director Howsley-Glover** stated they are the decision making body on the Planning Commission level.

2:57:41 Chair Willis called for a motion to adjourn. **Commission MacIntyre** motioned to adjourn. **Chair Willis** seconded. All in favor. Meeting adjourned.



Kate Willis, Chair
Wasco County Planning Commission



Kelly Howsley-Glover, Director
Wasco County Planning & Development

Planning Department



Wasco County Planning Commission
Public Hearing
October 4, 2022

Applicant/Owner: Scott Currie & Elizabeth Dexter
Appellant: Friends of the Columbia Gorge
(921-21-000178-PLNG)

ATTACHMENT A
Agenda

1. Request & Background
2. Location & Zone, Development, Vegetation & Slope
3. Applicable KVAs & Important Terms
4. Reasons for Appeal (Assignments of Error)

Corrections^{*RC} = Record Correction (Scrivener's Error)

Details of the Request & Appeal Hearing

ATTACHMENT A

Request:

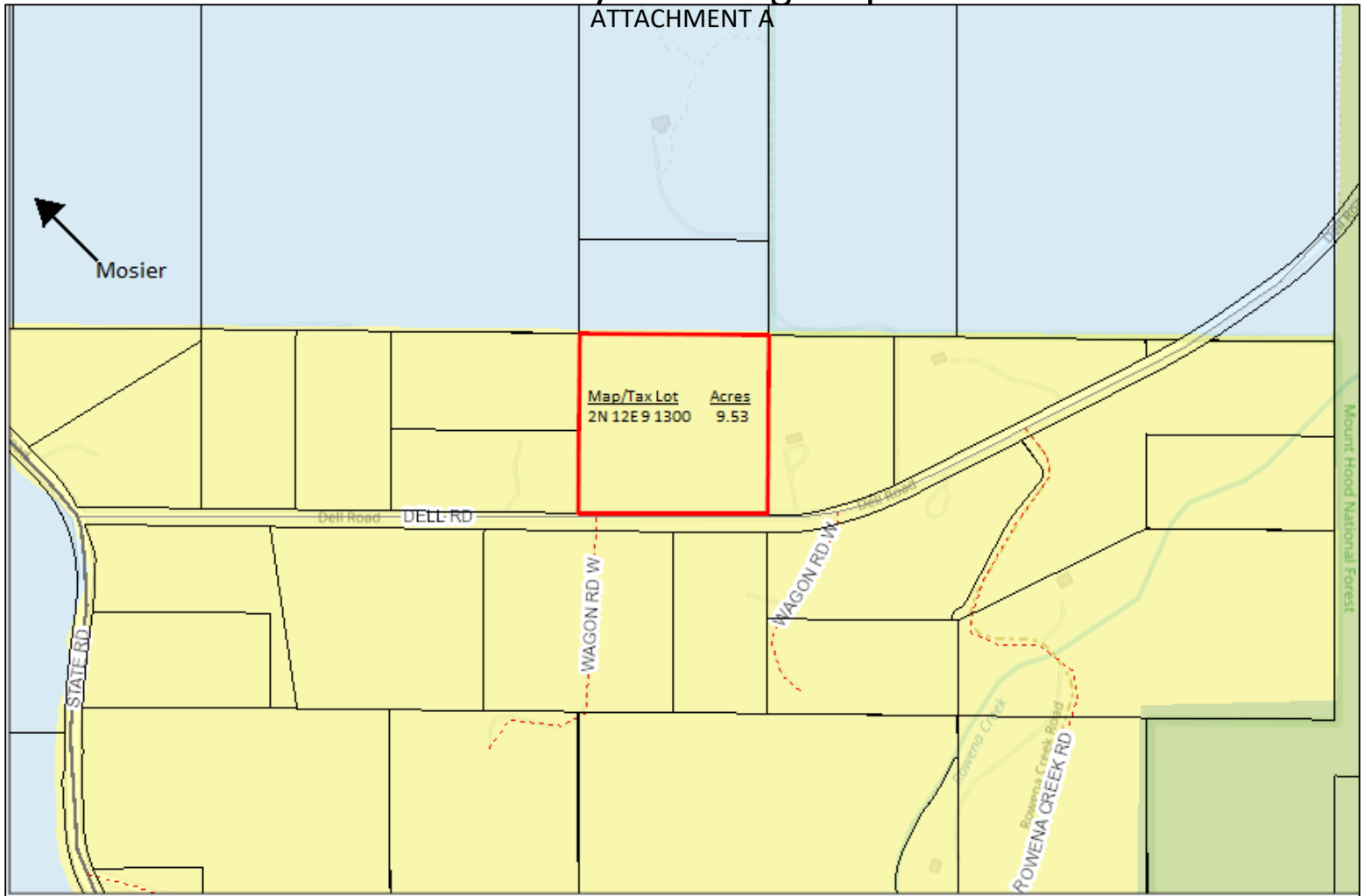
- Scenic Area Review for the construction of:
 1. 3,480 square feet (SF) 99'L x 23'-53'W x 15'H Dwelling;
 2. 1,500 square feet (SF) 60'L x 30'-20'W x 15'H Accessory Building;
 3. 390' L x 12'W gravel driveway

Background:





- Approved with Conditions by Administrative Action on May 5, 2022
 - Appeal deadline: May 20, 2022
- Request for De Novo Appeal Hearing properly received on May 20, 2022

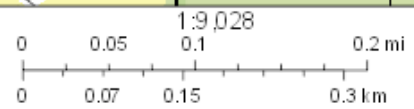
Vicinity & Zoning Map

ATTACHMENT A



Map/Tax Lot	Acres
2N 12E9 1300	9.53

-  Subject Parcel
-  (GMA) R-10 / "R-R" Rural Residential Zone (GMA & SMA)
-  (GMA) A-2(40) / "A-2" Small Scale Agriculture Zone (GMA Only)
-  (GMA) A-1(160) / "A-1" Large Scale Agriculture Zone (GMA & SMA)



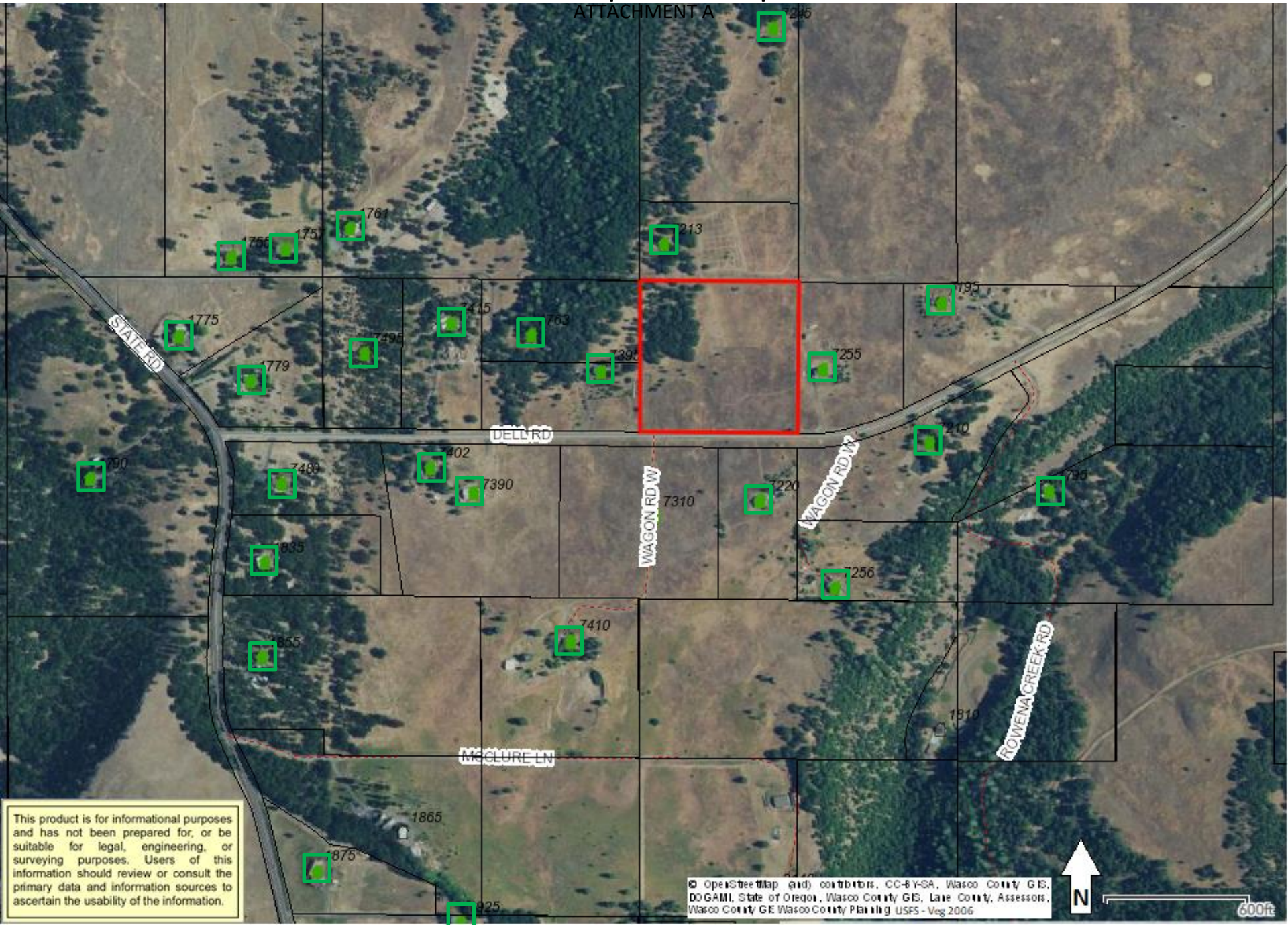
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Development Map

ATTACHMENT A



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600ft

Vegetation Map #1

ATTACHMENT A

Vegetation Map (Google 2022)



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Source: Google, 2022
/Airbus, Maxar
Technologies, State of
Oregon, Map data @
2022

DeH Rd W
50 ft

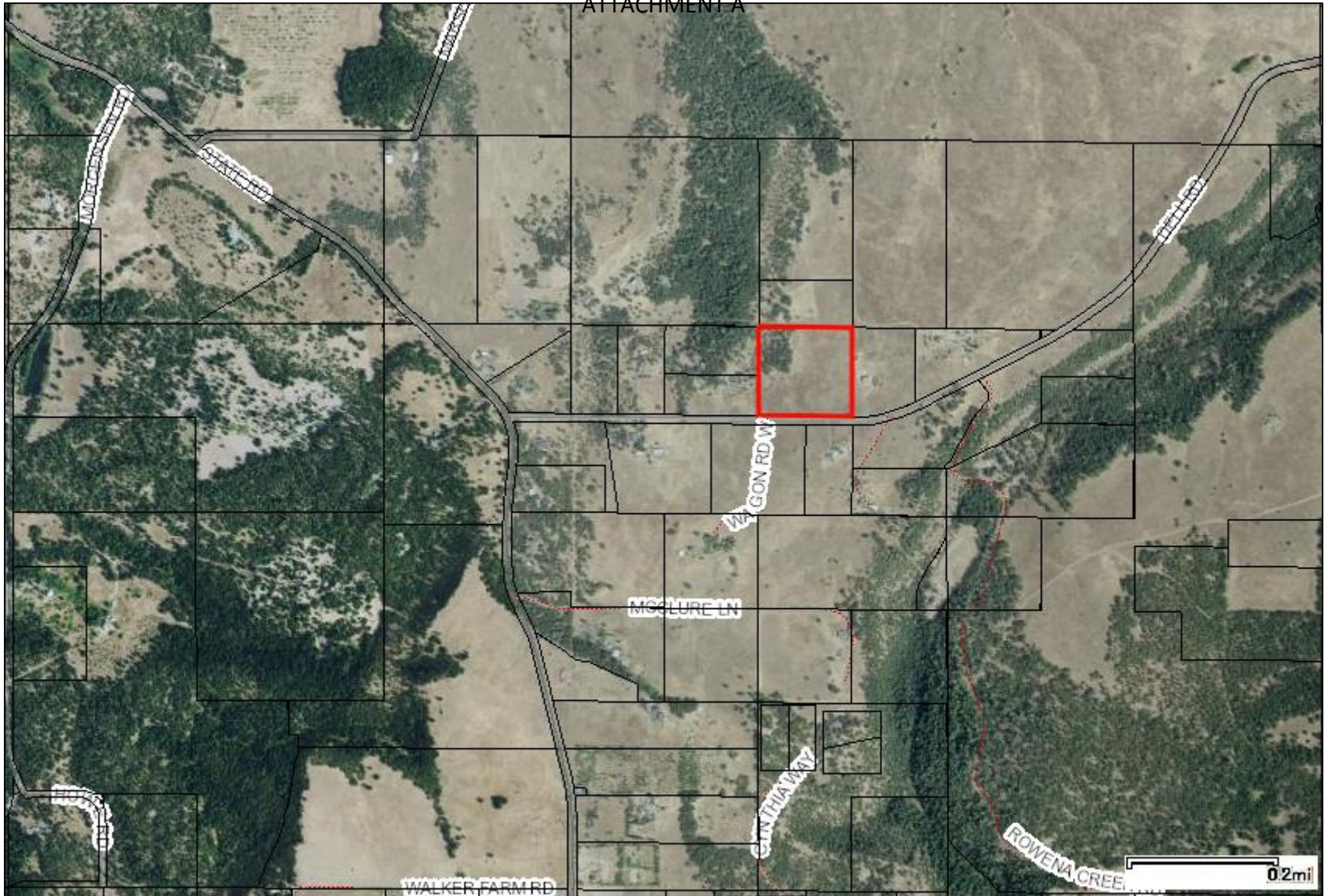
Google


DeH Rd W

DeH Rd W

Vegetation Map #2

ATTACHMENT A



 Subject Parcel

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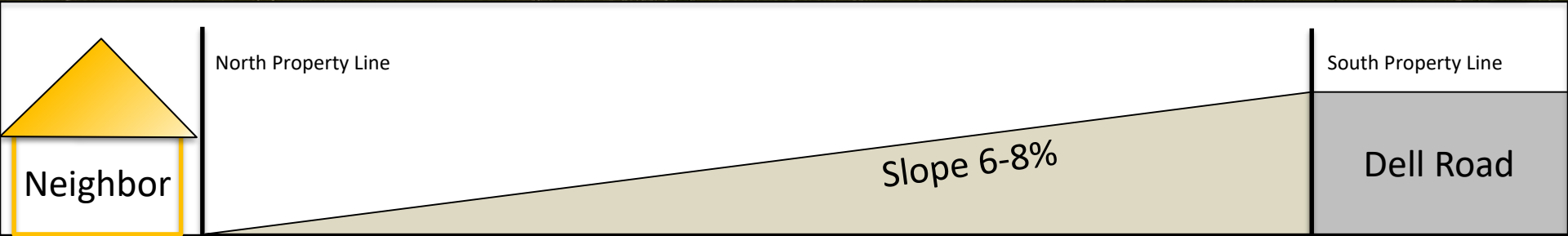
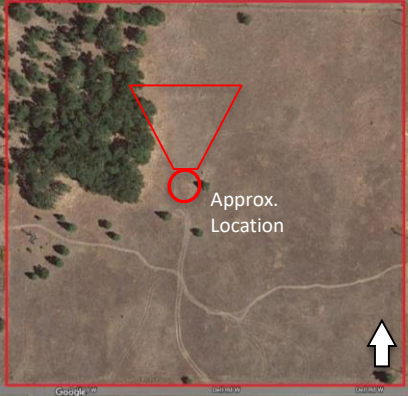
Vegetation #3

ATTACHMENT A



Slope

ATTACHMENT A



Key Viewing Areas (KVA)

Identified KVAs*RC :

- Rowena (Middle-ground)
- Washington State Route (SR) 14 (Background)
- Historic Columbia River Highway (HWY 30) (Background & Middle-ground)
- Interstate 84 (Background)
- Columbia River (Background).

For the purposes of the NSA-LUDO:

- Foreground is defined as within one-half mile of the KVA;
- Middle Ground is defined as the distance between one-quarter mile and three miles;
- Background is defined as more than three miles from the key viewing area.

Important Terms

ATTACHMENT A

Adversely Affect

Adversely affect or Adversely affecting: A reasonable likelihood of more than moderate adverse consequence for the scenic, cultural, recreation or natural resources of the scenic area, the determination of which is based on

1. the context of a proposed action;
2. the intensity of a proposed action, including the magnitude and duration of an impact and the likelihood of its occurrence;
3. the relationship between a proposed action and other similar actions which are individually insignificant but which may have cumulatively significant impacts;
4. and proved mitigation measures which the proponent of an action will implement as part of the proposal to reduce otherwise significant effects to an insignificant level.

Source:

2016 Management Plan for the Columbia River Gorge National Scenic Area Glossary p. Glossary-1.
Columbia River Gorge National Scenic Area, 16 U.S.C. § 544(a); definitions

Important Terms

ATTACHMENT A

Cumulative effects: The combined effects of two or more activities. The effects may be related to the number of individual activities, or to the number of repeated activities on the same piece of ground. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Source:

2016 Management Plan for the Columbia River Gorge National Scenic Area Glossary p. Glossary-6.

Mitigation: The use of any or all of the following actions:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

Source:

2016 Management Plan for the Columbia River Gorge National Scenic Area Glossary pp. Glossary-12 & 13.

Important Terms

ATTACHMENT A

Not visually evident (SMA): One of the two scenic standards applicable within the National Scenic Area. *A description of the relative visibility of a development, structure or use that provides for developments, structures or uses that are not visually noticeable to the casual visitor and the defining landscape setting characteristics appear intact.* Deviations may be present but must repeat form, line, color, texture and pattern common to the natural landscape setting so completely and at such scale, proportion intensity, direction, pattern, etc., that it not be noticeable.

Source:

Management Plan for the Columbia River Gorge National Scenic Area Glossary p. Glossary-13. (*emphasis added*).

Visually subordinate: A description of the relative visibility of a structure or use where that structure or use does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan). *As opposed to structures that are fully screened, structures that are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings.* Visually subordinate forest practices in the SMA shall repeat form, line, color, or texture common to the natural landscape, while changes in their qualities of size, amount, intensity, direction, pattern, etc., shall not dominate the natural landscape setting.

Source:

Management Plan for the Columbia River Gorge National Scenic Area Glossary p. Glossary-21. (*emphasis added*).

Important Terms

ATTACHMENT A

Substantial Evidence

Substantial evidence is evidence a reasonable person would rely on in reaching a decision.

Brandt v. Marion County, 23 Or LUBA 316 (1992).

Where a reasonable person would not conclude, based on the evidence cited in the record, that the proposed use will comply with an applicable approval standard, the local government's determination of compliance with that approval standard is not supported by substantial evidence.

Reynolds v. Clackamas County, 24 Or LUBA 14 (1992).

Appeal Grounds #1

“The landscaping plan in the Application does not accurately or adequately identify the locations and species of all existing and proposed trees on the parcel, which violates NSA-LUDO § 14.020.D and makes it impossible to determine through substantial evidence that the scenic resource protection standards will be met.”

Applicable Criteria (Appeal Grounds #1)

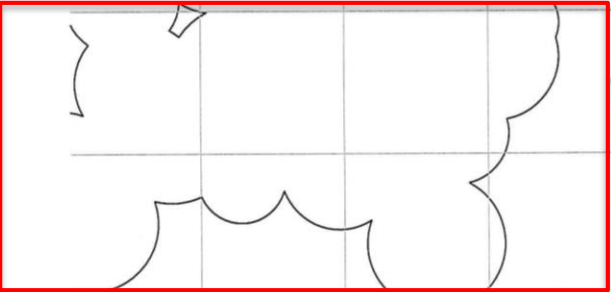
Section 14.020 Complete Application Submittal Requirements for a Scenic Area Review

- D. *Landscaping Plan - A detailed plan for landscaping which shall clearly illustrate: (The landscaping plan may be included on the site plan if there is adequate detail to show all of the required information.)*
- 1. The location, height and species of existing trees and vegetation. Indicate which are proposed to be removed. The landscaping plan shall include detailed information to the level of individual trees and groupings of vegetation for the proposed development area and all topographically visible corridors between the proposed development area and Key Viewing Areas. The landscaping information for the remainder of the property may be generalized.*
 - 2. The location, height and species of individually proposed trees and vegetation groupings.*

Issues on Appeal

ATTACHMENT A

Staff Analysis #1



EXISTING 30-50' HIGH STAND OF NATIVE WHITE OAK TREES TO BE PROTECTED (MANY ARE 300-400 YEARS OLD PER HUMBLE ROOTS NURSERY)

- NATIVE 10-25' PONDEROSA PINE TREES TO BE PROTECTED
- ONE PONDEROSA PINE TO BE REMOVED FOR SITE DEVELOPMENT
- (3) MULTI-STEMMED SERVICEBERRY TREES TO BE LOCATED WITHIN & ADJACENT TO ENCLOSED GARDEN

BLUE DASHED LINE INDICATES IRRIGATED LANDSCAPE AREA - PLANTINGS WITHIN THIS BOUNDARY ARE TO BE IRRIGATED BY SPRINKLERS OR DRIP LINES FOR PLANT HEALTH AND FIRE SAFETY; EXISTING GRASSLAND WITHIN THIS AREA AND WITHIN 6' OF DRIVEWAY CENTERLINE TO BE KEPT MOWED BELOW 4"



50'x50' GRAPHIC GRID OVERLAY



- (14) LARGE SCREENING TREES - 6' HEIGHT MIN. HT AT PLANTING W/ 3 GUY WIRES EA.; LOCATE 15'-20' MIN. DISTANCE FROM STRUCTURES
- TYPES:
- (4) PONDEROSA PINE
- (3) AUSTRIAN PINE "OREGON GREEN" OR SHORE PINE
- (4) OREGON WHITE OAK
- (3) SILVER LEAF OAK OR RUSSIAN OLIVE (BOTH SPECIES ARE EVERGREEN)

PASTORAL GRASSLAND AND NATIVE EXISTING PLANTINGS TO REMAIN OUTSIDE THE WALLED ENTRY GARDEN AND FOUNDATION PLANTINGS; WALLED GARDEN AND FOUNDATION PLANTINGS TO BE PRIMARILY NATIVE, DROUGHT-TOLERANT PLANT SPECIES AND COMPLEMENTARY NON-NATIVE GRASSES, SHRUBS AND PERENNIALS. GRAVEL MULCH TO BE USED THROUGHOUT ALL NEWLY-PLANTED AREAS.

VIEWING ANGLE FROM TOM M. CALL POINT

15' INTERIOR SIDE YARD SETBACK

East property line - see Exhibit B for overall site plan

25' FRONT YARD SETBACK

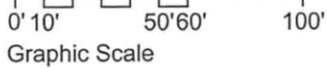
South property line - see Exhibit B for overall site plan

EXHIBIT D

PLANTING PLAN

1" = 60'

Legal Description: Wasco County Tax Lot 1300 (9.53 AC) - 2N 12E 1300 - R-R(10) Zone



Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #1)

Based on substantial evidence provided within the submitted (Site Plan Exhibit D), staff finds that criteria of Subsection 14.020.D. has been met.

Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.

Issues on Appeal

ATTACHMENT A

Appeal Grounds #2

“The decision is internally inconsistent stating in one place that that no Oregon white oak trees are proposed to be removed ("The proposed plan does not indicate the removal of Oregon White Oak.") but Miscellaneous Condition of Approval #2 allows removal of oaks by requiring replacement of removed Oregon White Oak trees at a three to one ratio If Oregon White Oaks are to be removed, that must be on the landscaping plan under NSA-LUDO § 14.020.D.1 so that the county can fully understand which trees will remain as screening so that there is substantial evidence that the scenic resource protection standards will be met.”

Staff Analysis #2

- No Oregon White Oak will be removed. One Ponderosa Pine tree will be removed.
- “Miscellaneous Conditions” #2: was provided to ensure future protection of Oregon White Oak trees on the property.
- Staff has found no legal nexus for this condition of approval within Subsections 14.200.B., 14.400.A.2.b., 14.400.E.1.a., and 14.600.C.

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #2)

Based staff's findings and that Miscellaneous Condition #2 is not recommended,

Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.

Issues on Appeal

ATTACHMENT A

Appeal Grounds #3

“The Decision violates NSA-LUDO § 14.100.C because it does not ensure that the proposed new buildings will be compatible in size and overall mass with that of existing nearby buildings.”

Applicable Criteria (Appeal Grounds #3)

Section 14.100.C., New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development. Expansion of existing development shall comply with this guideline to the maximum extent practicable.

Staff Analysis #3

- Generally, staff examines the following:
 - Height, Dimensions, and Footprint
 - Submitted Commentary if Applicable
 - Examine 20 Properties with Development

Staff Analysis #3

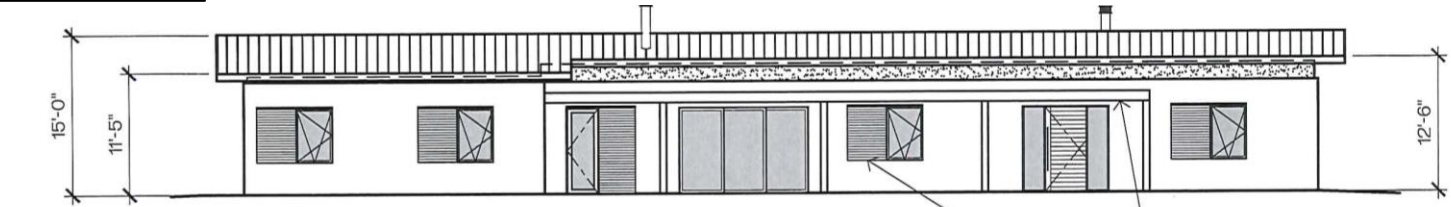
- Application Materials “Design”:
 - Structures are low-slung, single-story buildings 15 & 15.5 feet in height
 - Designed to emphasize long low lines encouraged by the Landscape Settings
 - Dwelling footprint is a simple z-shape configuration with two sections which have been pushed or pulled to minimize overall length.
 - Z-shape footprint will minimize the visual impact from Tom McCall KVA by reducing overall length allow the dwelling to relate favorably to the scale of homes in the vicinity.

- Application Materials “Size/Scale”:
 - Dwelling = 3,480 SF (Measured from the exterior perimeter edges)
 - 12-inch AAC blocks will be used for exterior walls
 - Blocks will reduced overall floor area
 - Accessory Building = 1,500 SF (Measured from the exterior perimeter edges)
 - 12-inch AAC blocks will be used for exterior walls
 - Blocks will reduced overall floor area

Issues on Appeal

ATTACHMENT A

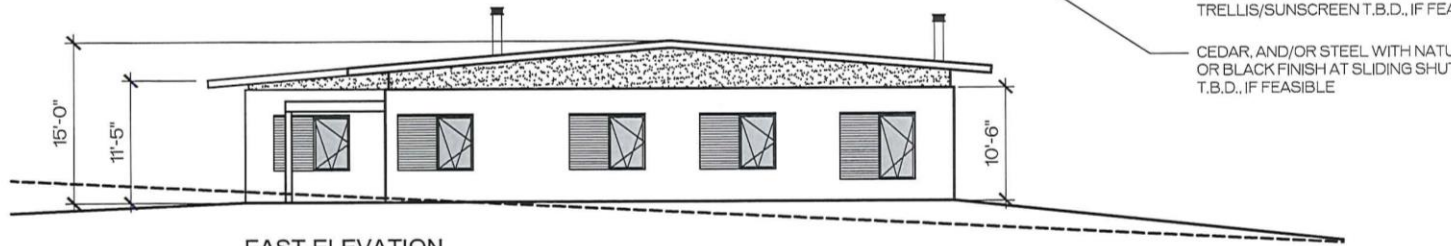
Staff Analysis #3



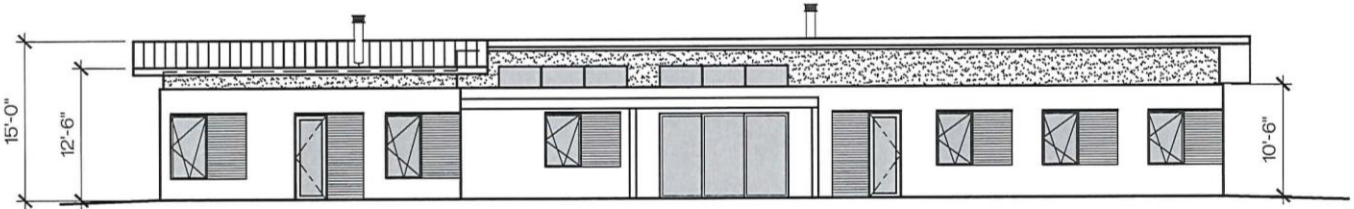
SOUTH ELEVATION

CEDAR, GLU-LAM AND/OR STEEL IN NATURAL OR BLACK FINISH AT TRELLIS/SUNSCREEN T.B.D., IF FEASIBLE

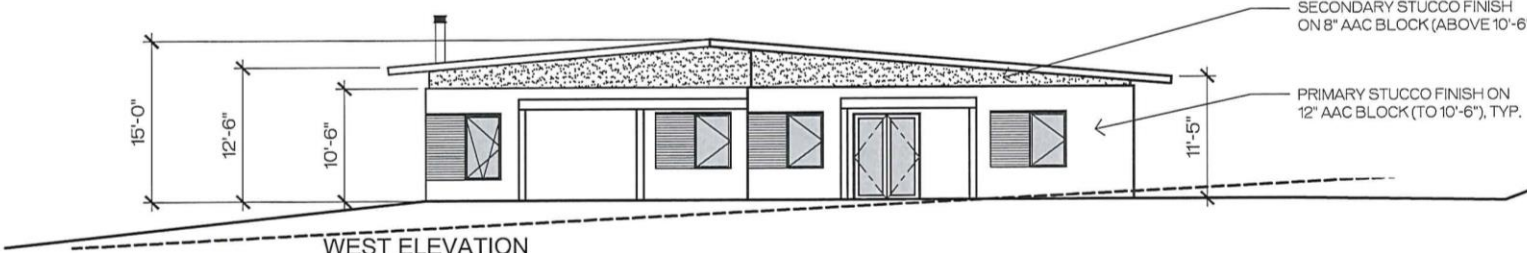
CEDAR, AND/OR STEEL WITH NATURAL OR BLACK FINISH AT SLIDING SHUTTERS T.B.D., IF FEASIBLE



EAST ELEVATION



NORTH ELEVATION



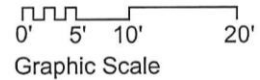
WEST ELEVATION

SECONDARY STUCCO FINISH ON 8" AAC BLOCK (ABOVE 10'-6"), TYP.

PRIMARY STUCCO FINISH ON 12" AAC BLOCK (TO 10'-6"), TYP.

EXHIBIT E DWELLING ELEVATIONS

1/16" = 1'-0"



Issues on Appeal

ATTACHMENT A

Staff Analysis #3

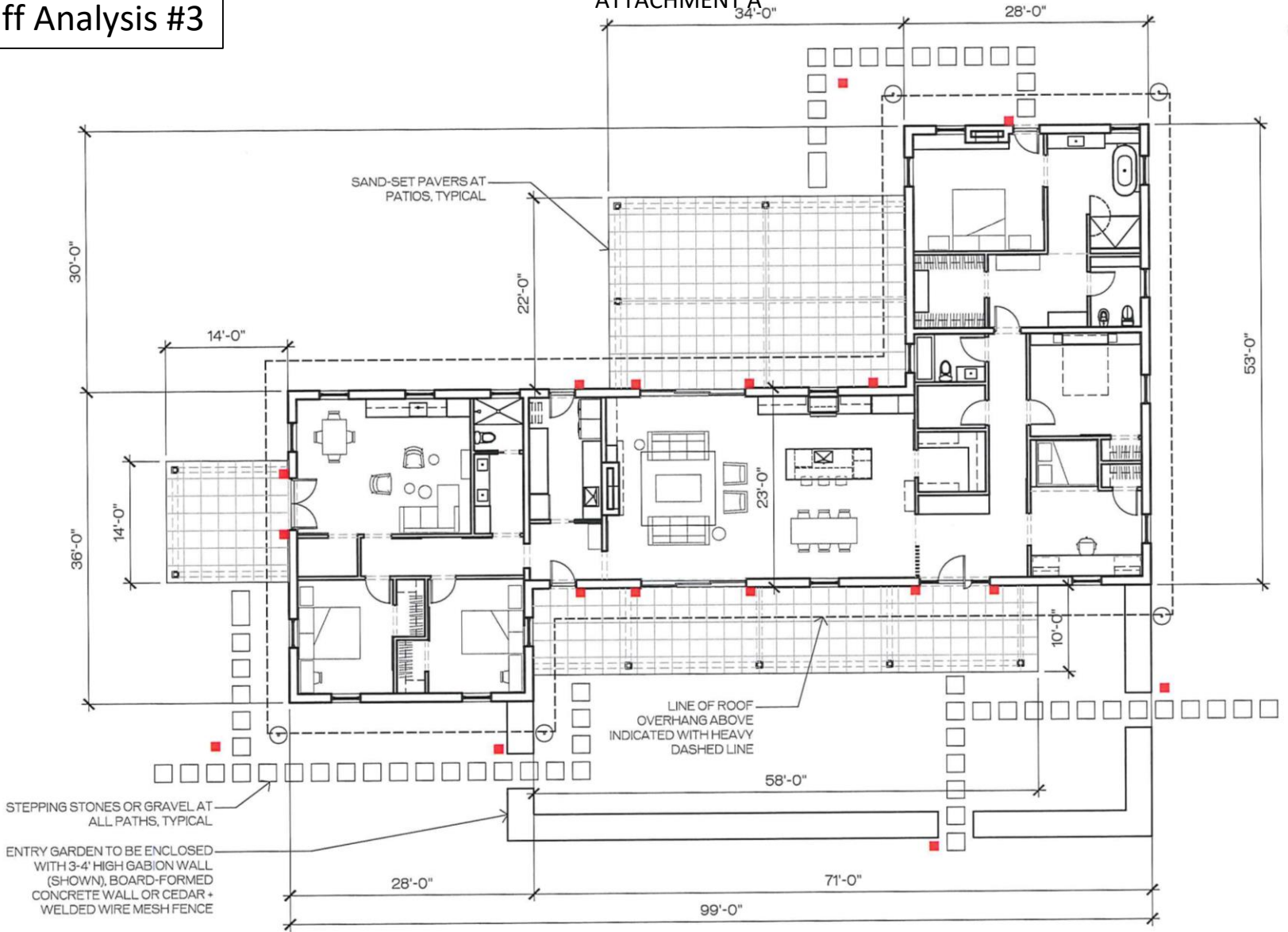
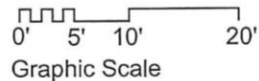


EXHIBIT F DWELLING FLOOR + LIGHTING PLAN

1/16" = 1'-0"



F

■ Indicates "Dark Sky" rated light fixture

Issues on Appeal ATTACHMENT A

Staff Analysis #3

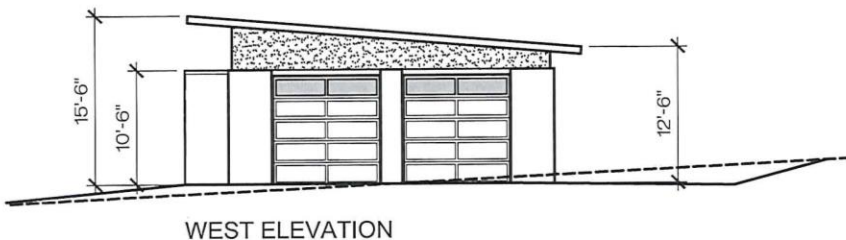
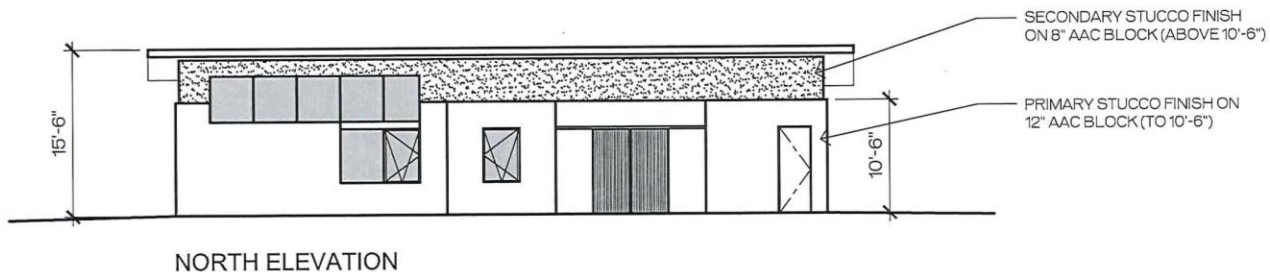
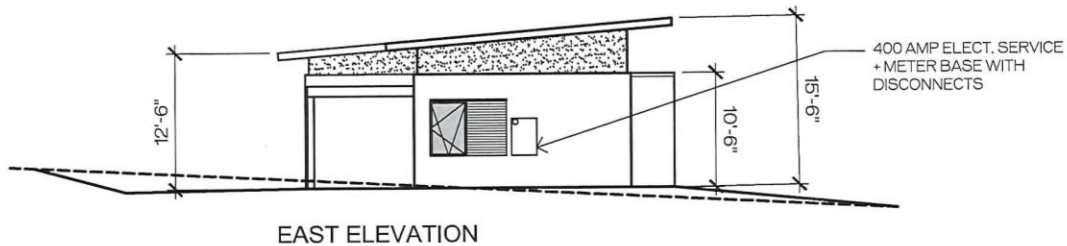
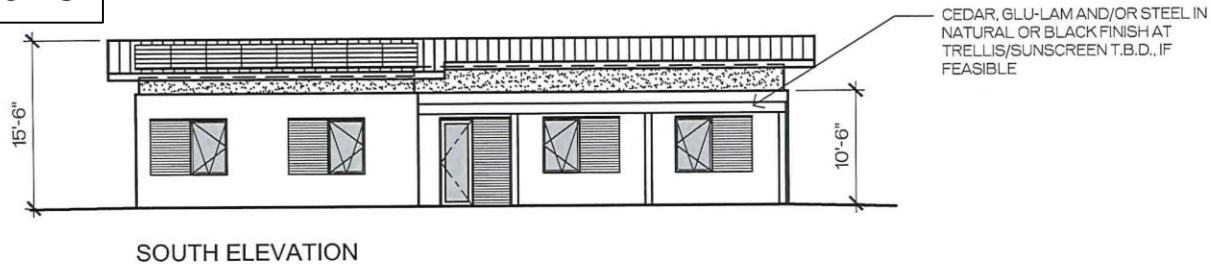
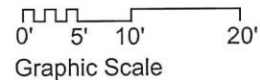


EXHIBIT H ACCESSORY STRUCTURE ELEVATIONS

1/16" = 1'-0"



Issues on Appeal

ATTACHMENT A

Staff Analysis #3

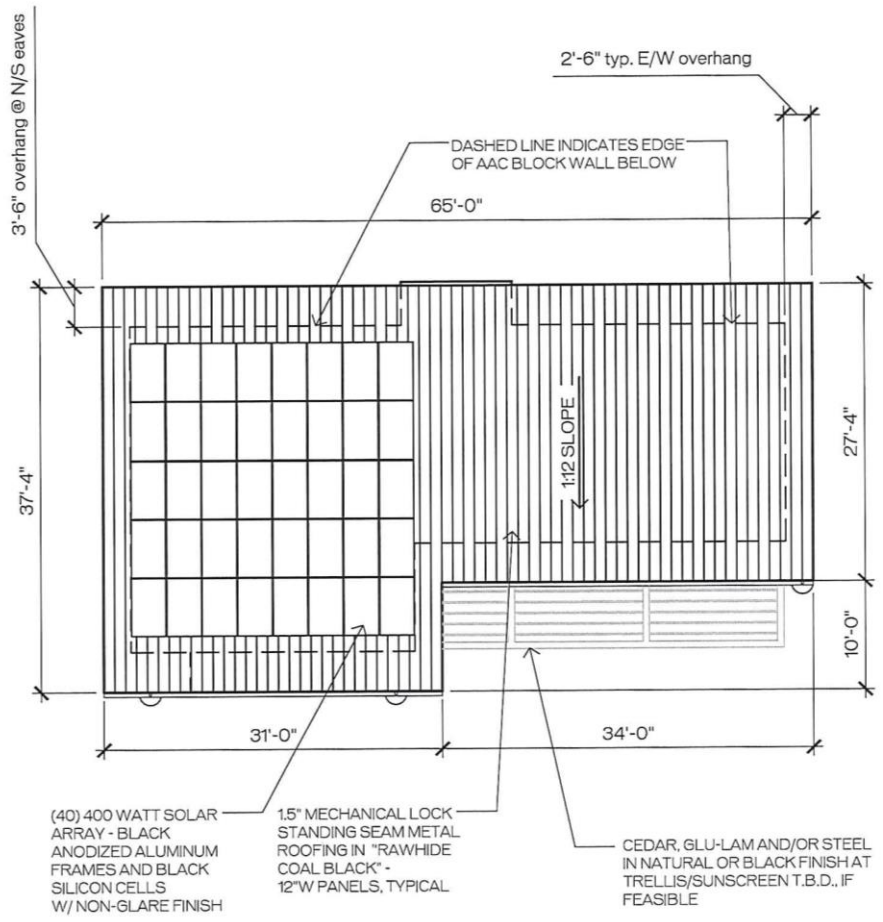
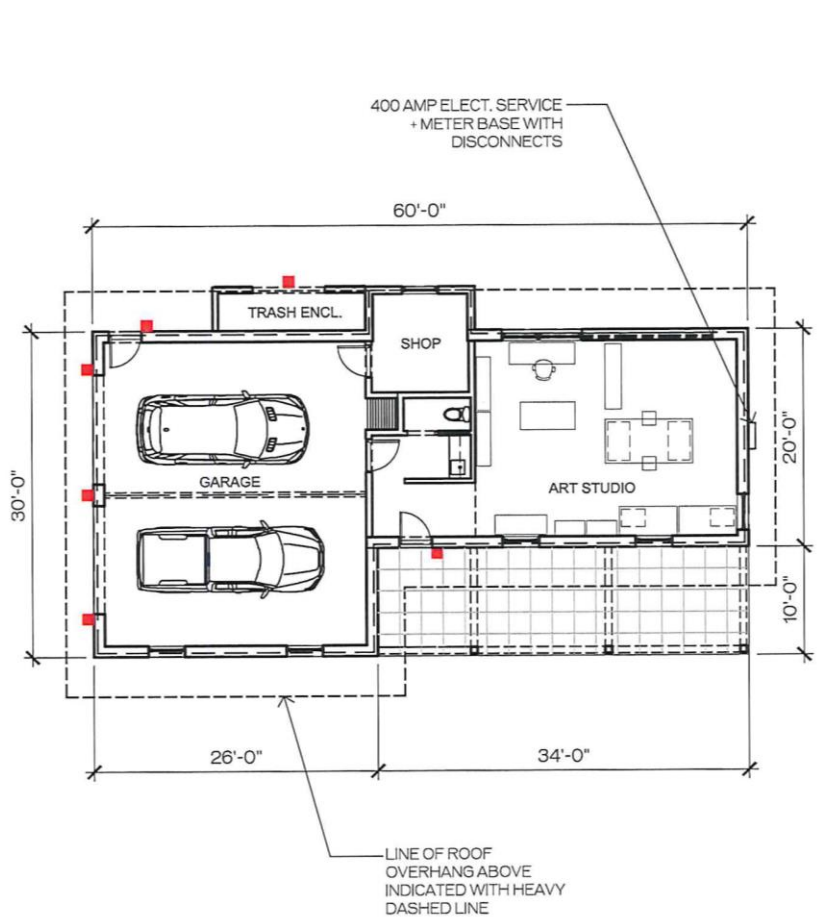
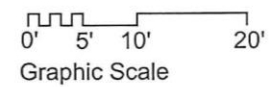


EXHIBIT I ACCESSORY STRUCT. FLOOR, LIGHTING + ROOF PLANS

1/16" = 1'-0"



■ Indicates "Dark Sky" rated light fixture

Issues on Appeal

ATTACHMENT A

Staff Analysis #3

- **Comments** received concerning compatibility with *“the general scale (height, dimensions and overall mass) of existing nearby development.”*

Friends of the Columbia Gorge (January 7, 2022):

“New buildings must be generally compatible with the general scale of existing nearby development. For purposes of determining compatibility, the height, dimensions (i.e., length, width, and footprint), and visible mass of the proposed building must each be evaluated. NSA-LUDO § 14.100(C).”

John and Jennifer Coughlin (January 27, 2022):

“We trust implicitly their intention and ability to build a home that will fit in with the surrounding neighborhood without hindering the natural beauty we all share. We look forward to seeing the finished product, and to seeing more of them and their family once construction is complete and they're full time community members!”

Staff Analysis #3

Comments received continued...

Herb Freeland (April 7, 2022):

“Structures are tastefully planned as to the finish. However, size of build and location are not consistent with current development and NSA rules. The development will become the most prominent feature in the neighborhood and also when viewed from Tom McCall trail/park. Shrink it and move it closer to the trees per NSA regulations. A few trees will not solve the problem.”

Jill Maynard and Jesse Buckwalter (April 20, 2022)/Updated (October 4, 2022)

“The proposed home is considerably larger than existing homes on the road, which comprises our neighborhood. With one exception, all of the other homes are well under 2,000 sq ft. The proposed house and auxiliary building are out of scale and character with the rest of the neighborhood and the current size and siting would dominate the landscape.”

Issues on Appeal

ATTACHMENT A

Staff Analysis #3

- *14.100.C., New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development.*
- Based on the above, it is reasonable to conclude the following:
 - (1) New buildings must be capable of existing in harmony with the general scale of existing nearby development;
 - (2) That “general scale” (height, dimensions, and mass) means that analysis of nearby development includes the overall or totality of development height, dimensions, and mass;
 - (3) That “mass” means the whole area occupied by a particular development (structure or groupings of structures); and
 - (4) That “nearby development” is a subjective term and provides no clear definitive area of analysis.

ACCT #	Map/Tax Lot	NAME	DWELLING	Floors	ACC. STR #1	ACC. STR #2	ACC. STR #3	ACC. STR #4	ACC. STR #5	Total Area
16320	2N 12E 9 1601	RYE TOM	0	0	0	0	0	0	0	0
1699	2N 12E 9 1900	DENMAN JOSEPH EX TRUST (1980s)	1038	1	154	100	0	0	0	1818
1693	2N 12E 9 2100	FERRER JACOB A (approved 2008)	2988	2	96	100	0	0	0	3184
15139	2N 12E 9 2200	RUGGERI ROBERTA W (approved (1993))	1644	2	740	0	0	0	0	2384
1684	2N 12E 9 2300	WARDWELL ROBERT S (approved 2021)	2030	1	502	0	0			2532
15878/1682	2N 12E 9 2400	RUBY MELODIE (1977)	1856	1	2680	100	36	0	0	4672
1706	2N 12E 9 2600	GERLICK MATTHEW SELIG (1981)	1680	2	1296	128	0	0	0	3104
492	2N 12E 9 2700	FRIENDS OF THE COL GORGE LAND TRUST	0	0	0	0	0	0	0	0
1685	2N 12E 9 1000	BAIRD ERNEST J (1972 or 1984)	672	288	432	64	0	0	0	1168
1705	2N 12E 9 1100	GISWOLD REVOCABLE TRUST (2010) 51'L x 33'W x 31'H dwelling	1683	2	100	0	0	0	0	1783
1689	2N 12E 9 1200	COUGHLIN JOHN T & JENNIFER P (2005)	1288	1	576	0	0	0	0	1864
1688	2N 12E 9 1300	WALTER S CURRIE & ELIZABETH P DEXTER	0	0	0	0	0	0	0	0
1698	2N 12E 9 1400	BUCKWALTER JESSE D (1940)	1740	2	600	0	0	0	0	2340
14829	2N 12E 9 1500	RAPPAPORT J C	1440	2	280	25	96	200	0	2041
15810	2N 12E 9 401	UNITED STATES OF AMERICA	0	0	0	0	0	0	0	0
1679	2N 12E 9 500	UNITED STATES OF AMERICA	0	0	0	0	0	0	0	0
1701	2N 12E 9 600	FREELAND HERBY E (2017)	1152	1	64	64	0	0	0	1280
1700	2N 12E 9 700	LEONE DANIEL J RLT (2021)	1680	1	504	0	0	0	0	2184
1704/495	2N 12E 9 800	CITOLI JEANNINE R (1993)	1776	1	1476	32	32	0	0	3316
494	2N 12E 9 1600	WASCO COUNTY	0	0	0	0	0	0	0	0
16323/16322	2N 12E 9 1602	SMITH DOUGLAS D & ALLYSON J (1996)	2048	2	0	0	0	0	0	2048
496	2N 12E 9 1700	FRIENDS OF THE COL GORGE LAND TRUST	0	0	0	0	0	0	0	0
1680/491	2N 12E 9 2500	KELCH MARK (1978)	2000	1	40	960	64	256	48	3368
13587	2N 12E 9 2800	NIEHAUS ROBERT R	0	0	0	0	0	0	0	0
1696	2N 12E 9 2900	NIEHAUS ROBERT R (1975)	936	1	25	152	0	0	0	1113
493	2N 12E 9 3000	FRIENDS OF THE COL GORGE LAND TRUST	0	0	0	0	0	0	0	0
15880	2N 12E 9 3100	PTA99 LLC	0	0	0	0	0	0	0	0
17305/16345	2N 12E 9 3101	BACHOFNER RICHARD P & APRIL L (2006)	2352	1	1440	48	0	0	0	3840
1656/470	2N 12E 8 100	MAYO LAURA & KEITH N (2004)	2819	1	1184	144	80	234	0	4461
15046	2N 12E 4 800	UNITED STATES OF AMERICA	0	0	0	0	0	0	0	0
1695	2N 12E 8 3600	TYBURSKI JAQUELINE K & DAVID C (1994, 2,807 SF) + (2004, 936 SF attached garage)	3743	2	96	0	0	0	0	3839
1686	2N 12E 8 3700	ROGAN DANIEL P & PATRICIA C (1996, 1510 SF) + (1998, 240 SF addition)	1750	1	80	100	660	0	0	2590
1690	2N 12E 8 3800	ARNOLD GENE & KAREN R T (1996, 1494 SF) + (1996, 726 SF Garage)	2220	1	105	832	0	0	0	3157
1687	2N 12E 8 3900	GEWIRTZ ERIC & SUSANNA S (1979)	1920	1	43	31	43	0	0	2037
1692	2N 12E 9 900	BLAKE DAVE & SUE (1980)	624	1	157	72	36	72	140	1101

Issues on Appeal

Staff Analysis #3

Issues on Appeal

ATTACHMENT A

Staff Analysis #3

Total Properties Examined @ 750' from Subject Parcel	19
Total Additional Properties Added @ 1,500' from Subject Parcel	16
Total Parcels Examined	35

Total Developed Properties @ 750'	14
Total Developed Properties @ 1500' (750' + 1,500')	24

Properties adjacent to Dell Road	15
Single Story Dwellings	15
Two Story Dwellings	9
Total Dwellings	24
Total Accessory Buildings	53

Largest Dwelling	3743
Smallest Dwelling	624
Largest Accessory Building	2680
Smallest Accessory Building	25
Average Dwelling SF (Total/24 developed properties)	1795
Average Acc. Building SF (Total/ developed properties)	751
Approximate Total Developed Area (Square Feet)	61224

Issues on Appeal

ATTACHMENT A

Staff Analysis #3

- Subject Parcel is 9.53 acres (415,126 SF) / Proposed 4,980 SF (3,480 SF + 1,500 SF)
 - Footprint of proposed structures equals approximately 1.2% of the subject parcel
- 17 of the developed properties (70.8%) have a development footprint of over 2,000 SF
 - 9 of the developed properties (37.5%) have a development footprint of over 3,000 SF^{*RC}
 - 2 of the developed properties (8.3%) have a development footprint of over 4,000 SF
- The dwelling, if approved, will be the second largest dwelling in the study area
- Addition of dwelling will increase average dwelling size within study area to 1,862 SF
- No explicit prohibition against proposing larger development
- Individually, proposed structures will not be the largest structures in the study area
- The proposal must be considered in its entirety against the general scale of the whole study area

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #3)

Based on the overall number of structures and the wide miscellany of development sizes within the study area, it is reasonable to conclude that the proposed structures are capable of existing in harmony and are in fact compatible with the general scale (height, dimensions, and mass) of existing nearby development (24 developed properties).

Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.

Issues on Appeal

ATTACHMENT A

Appeal Grounds #4

“Miscellaneous Condition of Approval #2 violates NSA-LUDO § 14.100.H by allowing existing Oregon white oak trees to be removed from the parcel, which is not necessary for site development.”

Applicable Criteria (Appeal Grounds #4)

Section 14.100.H

H. Except as is necessary for site development or fire safety purposes, the existing tree cover screening the development area on the subject parcel from Key Viewing Areas and trees that provide a back drop on the subject parcel which help the development area achieve visual subordination, shall be retained. Additionally, unless allowed to be removed as part of the review use, all trees and vegetation within buffer zones for wetlands, streams, lakes, ponds and riparian areas shall be retained in their natural condition. Any of these trees or other trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property.

Issues on Appeal

ATTACHMENT A

Staff Analysis #4

- No Oregon White Oak will be removed. One Ponderosa Pine tree will be removed.
- Miscellaneous Condition #2 has no legal nexus and is not recommended.

STAFF RECCOMENDATION (Appeal Grounds #4)

Based staff's findings and that Miscellaneous Condition #2 is not recommended,

Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.

Issues on Appeal

ATTACHMENT A

Appeal Grounds #5

“The conditions of approval in the Decision, including Miscellaneous Conditions #1, #6, and #7, violate NSA-LUDO § 14.100.H by failing to require that any existing or newly planted screening trees "that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property" (emphasis added), by failing to require all newly planted and replacement trees to be "protected from livestock and wildlife," and by failing to require all such trees to be "irrigated until they are well established."

Applicable Criteria (Appeal Grounds #5)

Section 14.100.H

H. Except as is necessary for site development or fire safety purposes, the existing tree cover screening the development area on the subject parcel from Key Viewing Areas and trees that provide a back drop on the subject parcel which help the development area achieve visual subordination, shall be retained. Additionally, unless allowed to be removed as part of the review use, all trees and vegetation within buffer zones for wetlands, streams, lakes, ponds and riparian areas shall be retained in their natural condition.

Any of these trees or other trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property.

To ensure survival, new trees and replacement trees shall meet the following requirements

- 1. All trees shall be at least 4 feet tall at planting, well branched, and formed.*
- 2. Each tree shall be braced with 3 guy wires and protected from livestock and wildlife. The guy wires need to be removed after two winters.*
- 3. The trees must be irrigated until they are well established.*
- 4. Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.*

Issues on Appeal

ATTACHMENT A

Staff Analysis #5

- A **condition** of approval is recommended that all trees removed for development or fire safety purposes, be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) with trees of the same species or from the those trees approved in landscape setting for the property.
- A **condition** of approval is recommended requiring the proposed new trees and replacement trees shall:
 1. Be at least 4 feet tall at planting, well branched, and formed;
 2. Shall be braced with three guy wires and protected from livestock and wildlife (guy wires shall be removed after two winters);
 3. The trees shall be irrigated until they are well established;
 4. Trees that die or are damaged shall be replaced with trees that meet the planting requirements listed under (1) (2) and (3); and
 5. Any trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after the trees death with trees of the same species or from the those trees approved in landscape setting for the property.

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #5)

Based on the recommended conditions of approval, **Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #6

"The siting for the proposed septic drainfield violates NSA-LUDO § 14.100.H because it will result in the removal of existing Oregon white oak trees, despite the availability of alternate sites for the septic drainfield."

Staff Analysis #6

- No indication in the plan Oregon White Oak trees will be removed (One Ponderosa Pine Removed)
- "Site Plan Exhibit B" provides that the septic system is located in the oak stand
 - "Install septic drain field with least possible disturbance of existing oak stand."
- A **condition** of approval is recommended that if additional trees must be removed for construction of the drain field or the structural development, applicants shall demonstrate that the removal is "necessary" for "site development" or "fire safety" and that no alternative development plan can reasonably be achieved without removal of trees.
 - If the removal of trees is found to be "necessary" for development, the applicant shall be bound by the condition of approval requiring the replacement of removed trees.
 - If the removal of trees is not found to be "necessary" for development, the applicant must apply for modification under NSA-LUDO Chapter 2 Section 2.220.A or B.

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #6)

Based on the facts and recommended conditions of approval, **Staff recommends the Wasco County Planning Commission dismiss this ground for appeal.**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #7

“The Decision violates NSA-LUDO §§ 14.200.A, .B, .C, .H, .K, and .L because there is not substantial evidence that the proposed new development will be visually subordinate to the surrounding natural landscape when taking into consideration the proposed siting, size, design, shape, and landscaping for the new development.”

For clarification, staff has separated analysis and recommendations for GROUNDS FOR APPEAL as 7A, 7B, 7C, 7H, 7K, and 7L in their individual sections.

Applicable Criteria (Appeal Grounds #7A)

Section 14.200, Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

- A. *Each development and land use shall be visually subordinate to its setting in the GMA as seen from Key Viewing Areas. The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from Key Viewing Areas.*
 1. *Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to:*
 - a. *The number of Key Viewing Areas it is visible from;*
 - b. *The distance from the building site to the Key Viewing Areas it is visible from;*
 - c. *The linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads and the Columbia River);*
 - d. *The difference in elevation between the building site and Key Viewing Areas;*
 - e. *The nature and extent of topographic and vegetative back screening behind the building site as seen from Key Viewing Areas;*
 - f. *The amount of area of the building site exposed to Key Viewing Areas; and*
 - g. *The degree of existing vegetation providing screening.*

Applicable Criteria (Appeal Grounds #7A)

Section 14.200, Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

- A. *Each development and land use shall be visually subordinate to its setting in the GMA as seen from Key Viewing Areas. The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from Key Viewing Areas.*
2. *Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA as seen from key viewing areas, including but not limited to:*
 - a. *siting (location of development on the subject property, building orientation, and other elements);*
 - b. *design (color, reflectivity, size, shape, height, architectural and design details and other elements); and*
 - c. *new landscaping.*

Issues on Appeal

ATTACHMENT A

Staff Analysis #7A

Visually subordinate: A description of the relative visibility of a structure or use where that structure or use does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan). As opposed to structures that are fully screened, structures that are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings.

Identified KVAs*^{RC}:

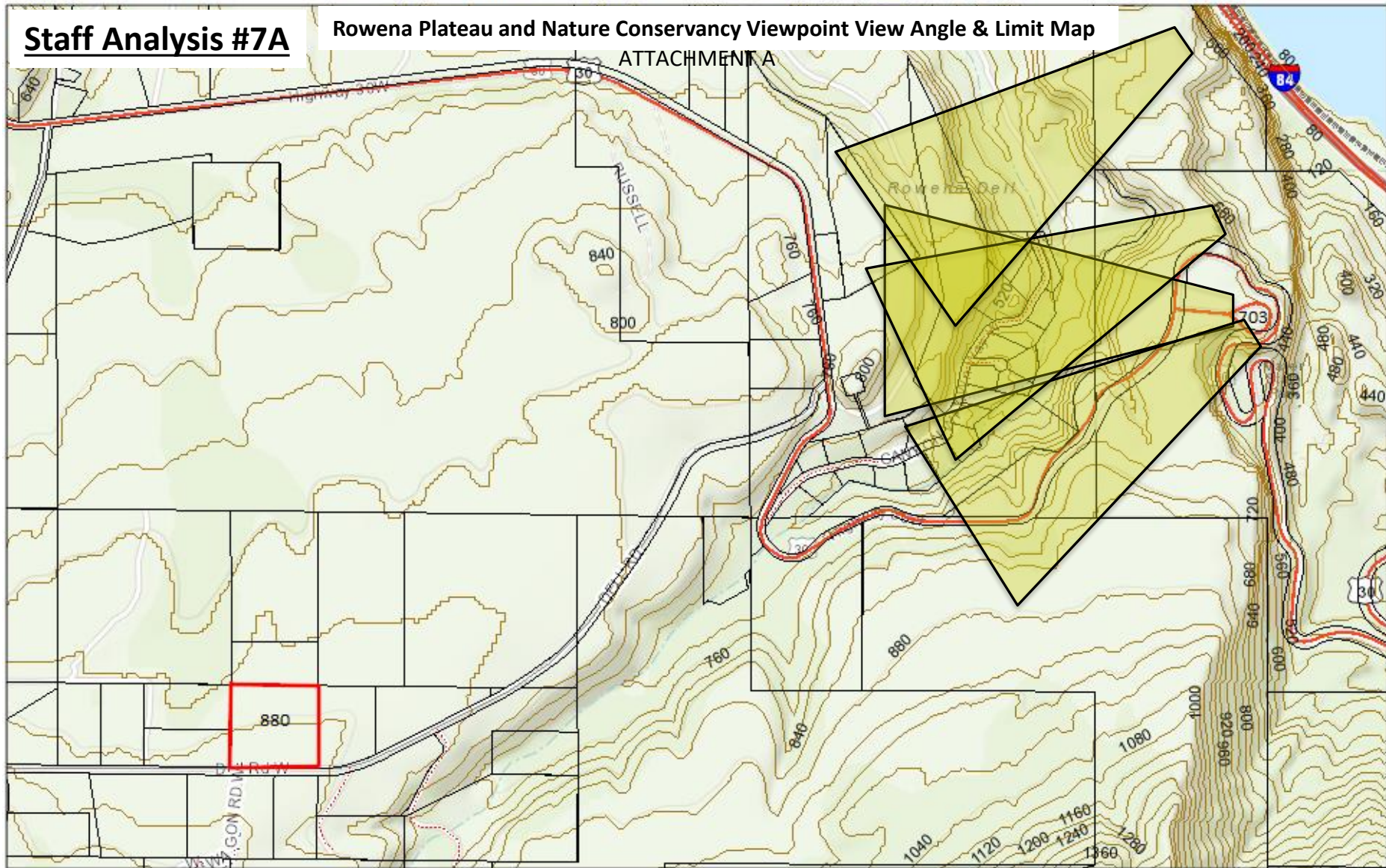
- Washington State Route (SR) 14 (Background): **Not Visible**
- Historic Columbia River Highway (HWY 30) (Background & Middle-ground): **Not Visible**
- Interstate 84 (Background): **Not Visible**
- Columbia River (Background): **Not Visible**

*Explicit findings provided within Staff Report on pp 41-44.

- Rowena (Middle-ground) **Not Visible** / Tom McCall **Visible**


Staff Analysis #7A


Rowena Plateau and Nature Conservancy Viewpoint View Angle & Limit Map



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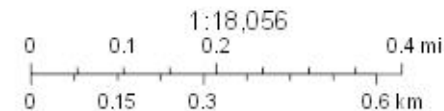
Countywide, 40' Interval

 Subject Parcel

 View Angle & Limit



This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Sources: Esri, HERE, Garmin, Intermap, iLogics, Inc., IP Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri

Subject Parcel General Location (Behind Hill)

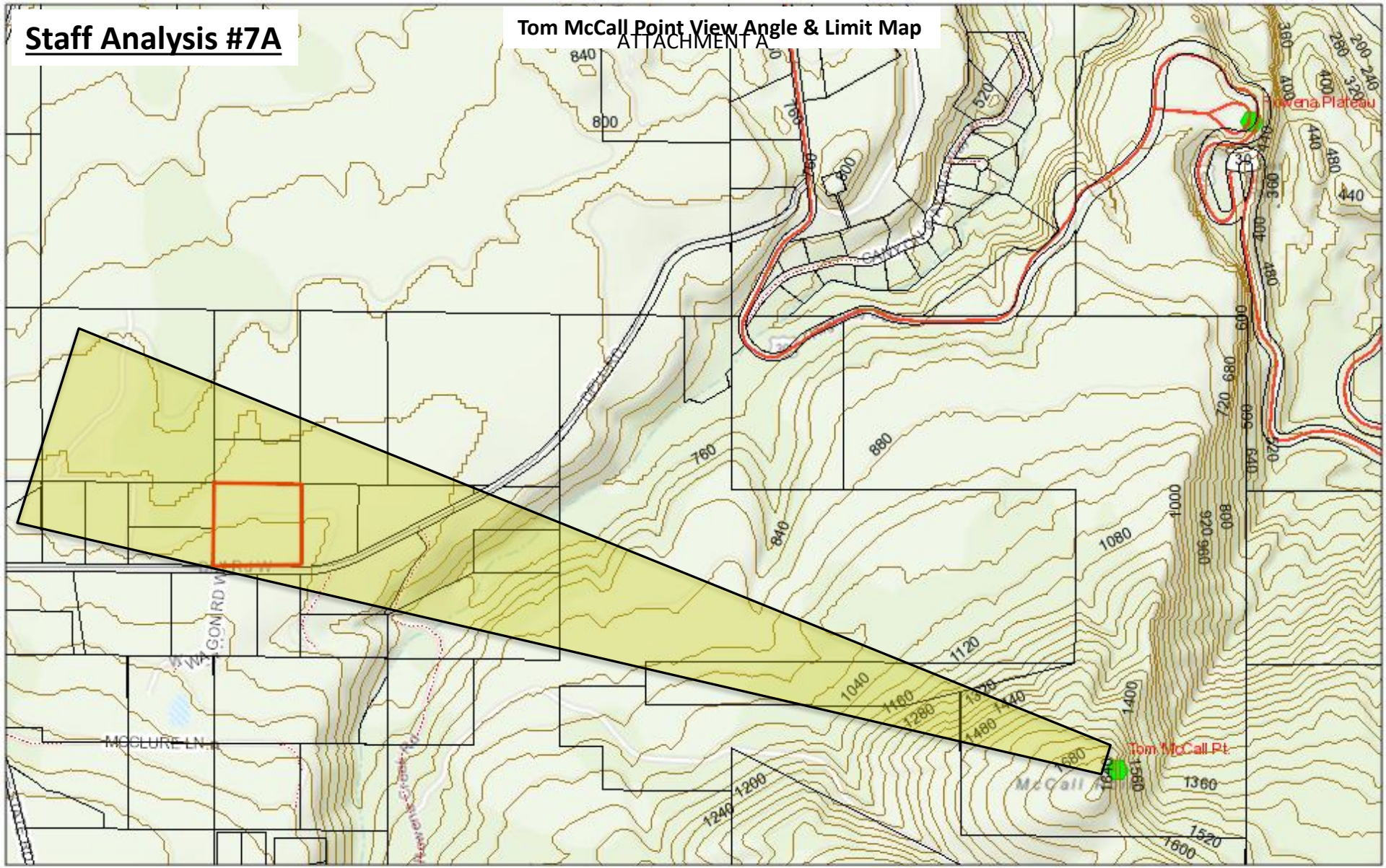
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Staff Analysis #7A


Tom McCall Point View Angle & Limit Map


ATTACHMENT A



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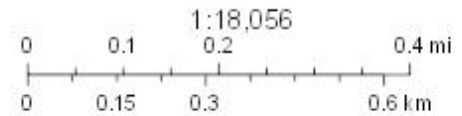
Countywide, 40' Interval

 Subject Parcel

 View Angle & Limit



This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Source: Esri, HERE, Garmin, Intermap, InetMap, Inc, Mapbox, USGS, FAO, NPS, NRCAN, Geobase, IGN, Radaster NL, Ordnance Survey, Esri

Staff Analysis #7A

ATTACHMENT A



Oak Stand



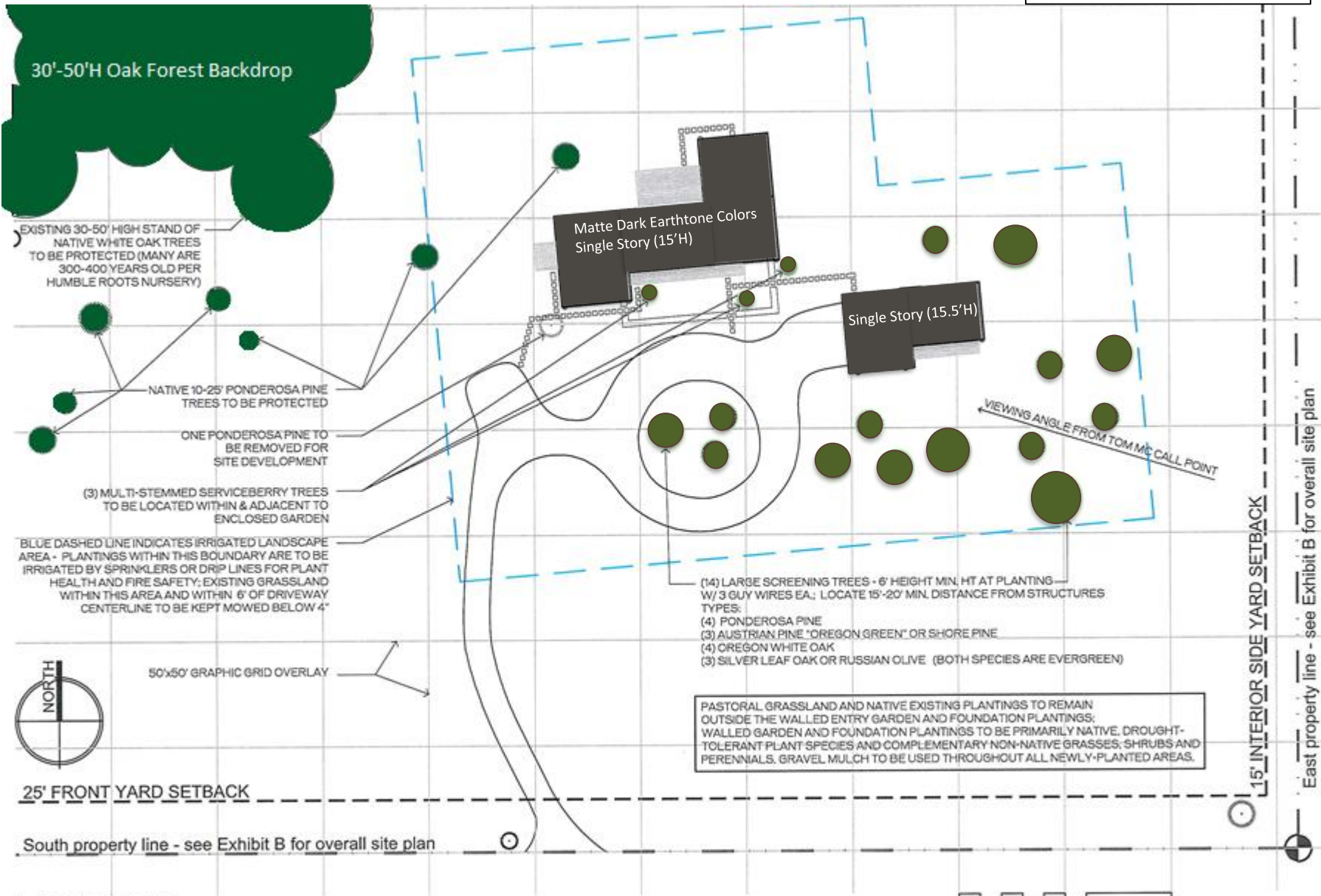


EXHIBIT D
PLANTING PLAN

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #7A)

Considering distance from the KVAs, intervening topography, the subject parcel's existing vegetative backdrop, proposed vegetative screening, and the proposed colors and construction materials, staff finds that the proposed development can achieve visual subordination, and **recommends the Wasco County Planning Commission dismiss this ground for appeal.**

Issues on Appeal

ATTACHMENT A

Applicable Criteria (Appeal Grounds #7B)

Section 14.200.B. New development shall be sited to achieve visual subordination from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites or conflict with standards to protect cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable. (GMA Only)

Staff Analysis #7B

- No state or federal delineated wetlands or riparian corridors on the subject property
- Parcel not within a USFS identified Oregon White Oak habitat
- Parcel not CRGC Wildlife Habitat Plan area
- Sensitive plants are not identified on the subject parcel
- No comments were received from CRGC or USFS were received
- Findings for Section 14.200.A.

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #7B)

Development will be constructed 100'-200' southeast of the forest in order to best utilize the forest backdrop to achieve visually subordinance. Considering previous findings for Section 14.200.A., staff finds that the proposed development can achieve visual subordinance, and **recommends the Wasco County Planning Commission dismiss this ground for appeal.**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #7C

“The Decision violates NSA-LUDO §§ 14.200.A, .B, .C, .H, .K, and .L because there is not substantial evidence that the proposed new development will be visually subordinate to the surrounding natural landscape when taking into consideration the proposed siting, size, design, shape, and landscaping for the new development.”

Appeal Grounds #8C

“Because the proposed new development is not sited to achieve visual subordination utilizing existing vegetation and because the Decision relies on new landscaping rather than existing landscaping, fails to adequately consider alternate siting, and fails to require any alternate site that would avoid the need for new landscaping wherever possible, the decision violates NSA-LUDO §§ 14.200. C and K.1.”

Issues on Appeal

ATTACHMENT A

Applicable Criteria (Appeal Grounds #7C & #8C)

Section 14.200.C. New development shall be sited to achieve visual subordination utilizing existing topography, and/or existing vegetation as needed in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas.

Staff Analysis #7C & #8C

- Relatively flat slope of the property (6-8%)
- Approx. 7+ acres of the property does not contain tree vegetation (open grass)
- Location of development takes advantage of 30'-50'H Oak Forest
 - 100'-200' southeast of Oak Forest
- Does not encroach upon oak forest
- Proposes no Oregon White Oak removal
- Findings for Section 14.200.A. & B.

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #7C & #8C)

Considering the vegetation and slope of the subject parcel and previous findings for Section 14.200.A. & B., staff finds that the proposed development utilizes existing topography, and/or existing vegetation in order to achieve visual subordinance, and **recommends the Wasco County Planning Commission dismiss these grounds for appeal.**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #7H

“The Decision violates NSA-LUDO §§ 14.200.A, .B, .C, .H, .K, and .L because there is not substantial evidence that the proposed new development will be visually subordinate to the surrounding natural landscape when taking into consideration the proposed siting, size, design, shape, and landscaping for the new development.”

Applicable Criteria (Appeal Grounds #7H)

Section 14.200.H. New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. Variances to this guideline may be authorized according to Chapter 6 of this Ordinance if its application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building site shall be utilized.

STAFF Analysis & RECCOMENDATION (Appeal Grounds #7H)

Slopes in the development area range from 6-8%. Staff finds the request complies with Section 14.200.H, and **recommends the Wasco County Planning Commission dismiss GROUND FOR APPEAL**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #7K

“The Decision violates NSA-LUDO §§ 14.200.A, .B, .C, .H, .K, and .L because there is not substantial evidence that the proposed new development will be visually subordinate to the surrounding natural landscape when taking into consideration the proposed siting, size, design, shape, and landscaping for the new development.”

Appeal Grounds #8K.1

“Because the proposed new development is not sited to achieve visual subordination utilizing existing vegetation and because the Decision relies on new landscaping rather than existing landscaping, fails to adequately consider alternate siting, and fails to require any alternate site that would avoid the need for new landscaping wherever possible, the decision violates NSA-LUDO §§ 14.200.C and K.1.”

Appeal Grounds #10K.3

“Because the Decision allows the Applicants to defer installing any new landscaping for up to one year, rather than "as soon as practicable, and prior to project completion," the decision violates NSA-LUDO § 14.200.K.3.”

Applicable Criteria (Appeal Grounds #7K, #8K.1, #10K.3)

14.200.K. The following criteria shall apply to new landscaping used to screen development from Key Viewing Areas:

- 1. New landscaping (including new earth berms) shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited to avoid the need for new landscaping wherever possible.*
- 2. If new landscaping is required to make a proposed development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this criterion shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction.*

Issues on Appeal

ATTACHMENT A

Applicable Criteria (Appeal Grounds #7K, #8K.1, #10K.3)

14.200.K. The following criteria shall apply to new landscaping used to screen development from Key Viewing Areas:

- 3. Unless as specified otherwise by provisions in this chapter, landscaping shall be installed as soon as practicable, and prior to project completion.*
- 4. Conditions regarding new landscaping or retention of existing vegetation for new developments shall meet both scenic guidelines and the fuel break guidelines listed in the fire protection standards for each zone.*

Issues on Appeal

ATTACHMENT A

STAFF Analysis (Appeal Grounds #7K, #8K.1, #10K.3)

- Landscaping Necessary:
 - Relatively flat slope of the property (6-8%)
 - Approx. 7+ acres of the property does not contain tree vegetation (open grass)
- Location 100'-200' southeast of the forest in order to best utilize the forest backdrop
 - Oak forest 30'-50'H (primary vegetation utilized to mitigate visibility from KVA)
 - No oaks removal is planned
- Proposed Screening Vegetation (17 Planted Southeast of Proposed Structures)
- Findings for Section 14.200.A., B., & C
- A **condition** of approval is recommended requiring the planting of 17 native trees on the south and southeast side of the proposed development in accordance with the proposed site map (Site Plan Exhibit D), to be planted as soon as practicable, and prior to project completion.^{RC}
- A **condition** of approval is recommended requiring vegetation planted to be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction.^{RC}

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #7K, #8K.1, #10K.3)

Considering the vegetation and slope of the subject parcel, proposed vegetative screening, recommended conditions of approval, and previous findings for Section 14.200.A. B., & C., staff finds that the proposed development achieves the requirements of Subsection 14.200.K, and **recommends the Wasco County Planning Commission dismiss these grounds for appeal.**

Issues on Appeal

ATTACHMENT A

Appeal Grounds #7L

“The Decision violates NSA-LUDO §§ 14.200.A, .B, .C, .H, .K, and .L because there is not substantial evidence that the proposed new development will be visually subordinate to the surrounding natural landscape when taking into consideration the proposed siting, size, design, shape, and landscaping for the new development.”

Appeal Grounds #9

“The Decision violates NSA-LUDO § 14.200.L because there is not substantial evidence that the proposed new development, when considered in conjunction with existing and reasonably foreseeable future development in the surrounding landscape, will meet the scenic resource protection standards and achieve visual subordination on a landscape level, and will not result in adverse effects to scenic resources, including cumulative adverse effects.”

Issues on Appeal

ATTACHMENT A

Applicable Criteria (Appeal Grounds #7L, #9)

14.200.L. Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.

STAFF Analysis (Appeal Grounds #7L, #9)

Cumulative effects: The combined effects of two or more activities. The effects may be related to the number of individual activities, or to the number of repeated activities on the same piece of ground. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Adversely Affect

Adversely affect or Adversely affecting: A reasonable likelihood of more than moderate adverse consequence for the scenic, cultural, recreation or natural resources of the scenic area

Issues on Appeal

ATTACHMENT A

STAFF Analysis (Appeal Grounds #7L, #9)

- Findings for Section 14.100.C, and for Sections 14.200.A., B., & C

- Additional Analysis
 - 1,500 feet distance from the subject parcel's property line
 - Approximately 664 acres (35 total, 11 undeveloped & 24 developed properties)
 - Approximately 440.08 acres (66.2%) is undeveloped
 - The United States owns three parcels of 366.37 acres
 - Friends of the Columbia Gorge Land Trust own 33.6 acres totaling
 - U.S. & Friends own 83.2% of the undeveloped land.

- Undeveloped land (40.11 acres of study area)^{RC}

- Developed Area = 61,224 SF (1.4 acres) or 0.21% of the overall study area

- 4,980 SF will increase the development to 66,204 SF (1.5 acres) or 0.22% of study area^{RC}

Issues on Appeal

ATTACHMENT A

STAFF RECCOMENDATION (Appeal Grounds #7K, #8K.1, #10K.3)

Considering findings for Section 14.100.C and Sections 14.200.A. B., & C., and findings that the proposed development will not result in adverse effects to scenic resources, including cumulative adverse effects, staff **recommends the Wasco County Planning Commission dismiss these grounds for appeal.**

ATTACHMENT A Staff Recommendation

Approve the request, with amended Conditions and Findings as described in Attachment A of the Planning Commission Packet and those amended Findings and Conditions provided for during this hearing.

Questions?

Currie Dwelling and Garage Visual Analysis Report - 2022

September 18, 2022

Prepared at the request of the Friends of the Columbia Gorge, Inc.

123 NE Third Avenue

Portland, Oregon 97232

Review of the Proposed Site Plan,

The current proposal locates the new structures in the south eastern portion of the site. This area is relatively open with no existing trees or significant vegetation with a relatively gentle grade that slopes from south to north. The current proposed location of the residence and associated structures would be visible from Tom McCall Point (Key Viewing Area, KVA) which is approximately 800 feet higher than the site. In the current location the proposed house and structure would rely entirely on new vegetation and architectural features and colors to achieve visual subordination. Under County ordinance the siting of new buildings and roads must use existing topography and vegetation to screen such development from KVA's and must be prioritized over other means of achieving visual subordinate such as new planting or new berms.

The existing site does have significant vegetation primarily Oregon White Oak and Ponderosa Pine that could be utilized in the siting of the new development to begin to achieve visual subordination with some additional new plantings. There is no information in the Site Plan, included in the decision, as to the current varieties and sizes of existing trees making analysis of both impacts to trees and the ability of the existing trees to function as a means to provide visual subordination inadequate. Although we do not advocate siting the new development that would require the removal of existing Oregon White Oak or any significant impact to the existing trees from construction activity, we believe shifting the house and associated development to the west will better utilize the existing resources of the site.

I have attached a sketch of a possible alternate siting that would, per County Ordinance, first utilize existing vegetation as well as some new trees to achieve visual subordination. The proposed house has been shifted 130' to the west and the garage location has been flipped in plan so that it located to the west of the proposed house. The circular driveway design has been maintained and the location of the driveway approach has been moved 200 feet to the west along Dell Road. This proposed location places the house between the existing trees and Dell Road so that the proposed structures have the existing trees as a backdrop and the site maintains more of its current character from the Tom McCall KVA. 11 new trees are proposed between the house and Dell Road and the KVA, these trees are proposed as Ponderosa Pine and Oregon White Oak. By preserving the current meadow area along the eastern portion of the site the view from the KVA will be closer the current site conditions. This will better achieve visual subordination for the proposed structures and will also minimize the cumulative effects of this proposed development on its Dell Road location.

Another issue of concern is the proposed septic system within the grove of existing Oregon White Oak. Both the construction of the system as well as the impact from the use of system to the existing Oaks could be significant, (adding significant amounts of water above what normal rainfall provides will make Oregon White Oaks susceptible to a number of root diseases). If new perc tests can be conducted to see if a septic field location can be found

outside of the existing Oak Grove it would be a benefit to the long term health of the on site trees. If an alternate septic location is not possible on the property a condition of a approval should be that a licensed arborist with experience working around Oregon White Oak in this region should be on site during the construction/excavation of the system to assure minimal disturbance to the trees.

Respectfully submitted

Brian E Bainnson, PLA, ASLA

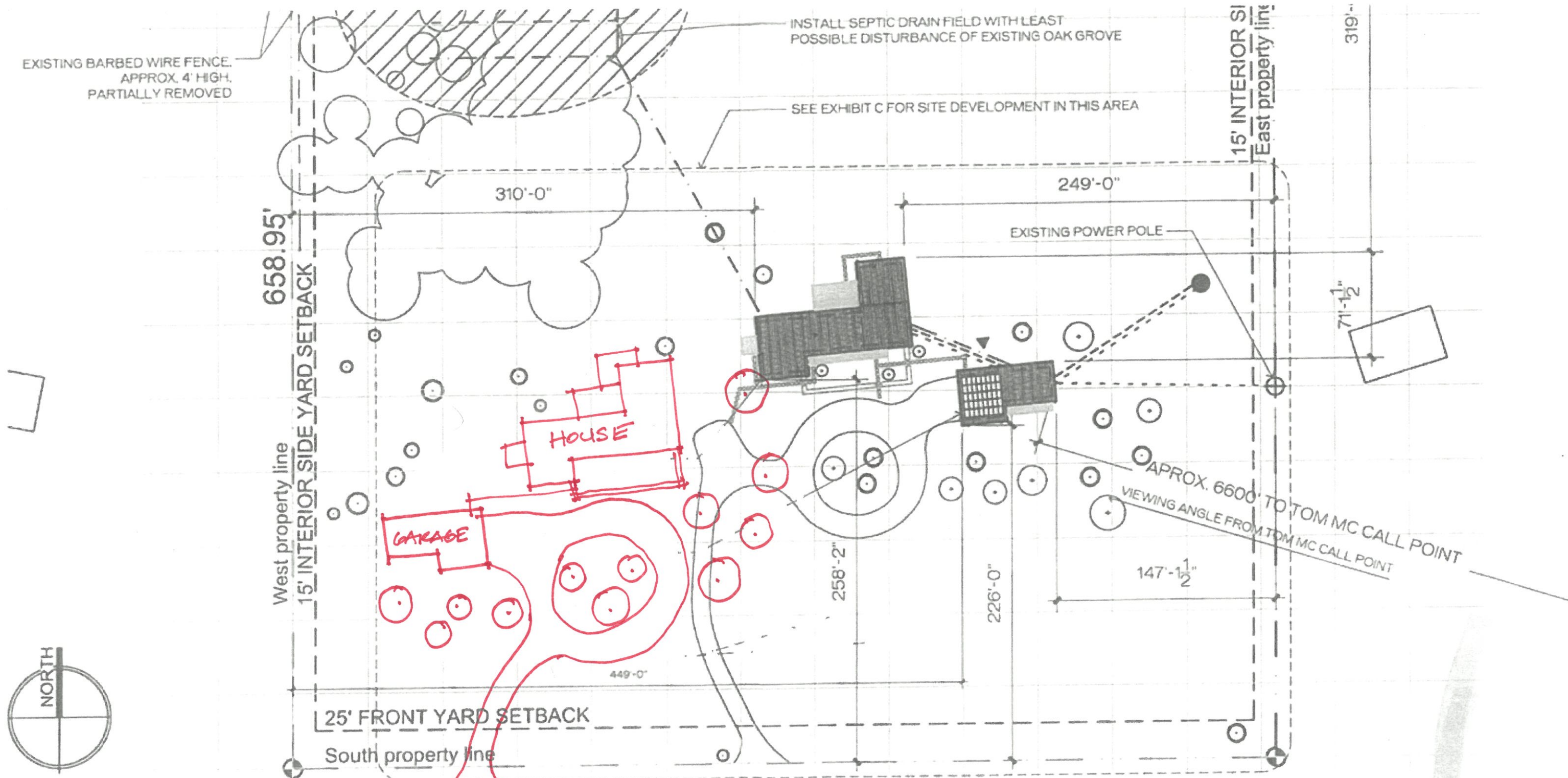
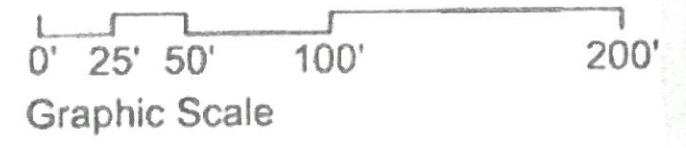


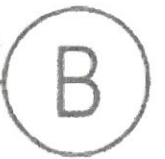
EXHIBIT B SITE PLAN

1"=100'-0"

NOTE: NO AREAS OF THIS PROPERTY EXCEED 35% SLOPE (AVERAGE SLOPE OF 6-8%)



Legal Description: Wasco County Tax Lot 1300 (9.53 AC) - 2N 12E 1300 - R-R(10) Zone



Brian E. Bainnson, ASLA, PLA

RESUME:

Mr. Bainnson is a Landscape Architect with over 35 years experience in project planning and design on a wide range of institutional, commercial, governmental, recreational and residential projects. He is committed to helping clients achieve design solutions that are appropriate, timely and cost-effective.

EDUCATION:

BFA and Bachelor of Landscape Architecture, *Rhode Island School of Design, Providence, RI*

PROFESSIONAL EXPERIENCE:

Since the founding of Quatrefoil Inc. in 1996 he has been involved in a wide range of projects and collaborative design efforts. Mr. Bainnson recently completed a master plan for the Historic Columbia River Highway State Trail from Wyeth to Hood River, Oregon for ODOT. This work involved the coordination of a design team that looked at how to reconnect the remaining sections of Historic Highway to allow a bicycle and pedestrian connection to complete the final section of State Trail. Mr. Bainnson was lead Landscape Architect for the development of the Senator Hatfield West Trailhead for the Historic Columbia River Highway Bike Trail, Hood River to Mosier Section for the Oregon Department of Parks and ODOT. In addition Mr. Bainnson has been involved in site development plans for a bike trail along the Historic Columbia River Highway from Bonneville Dam to Cascade Locks.

Mr. Bainnson has been involved in a number of projects for the US Fish and Wildlife Service throughout the Pacific Northwest. Most recently he completed the redevelopment of the parking area for the Tualatin River National Wildlife Refuge. The design included a wetland/bioswale to handle the parking area storm water, interpretive overlook and extensive native planting designed to provide habitat for the many bird species found on the refuge. In addition to this project Mr. Bainnson has been involved in projects at Stiegerwald NWR, Finely NWR, Nisqually NWR, Nestucca NWR and the Sheldon-Hart Mountain NWR Headquarters' site in Lakeview, Oregon.

Mr. Bainnson headed up the design team for the Portland Memory Garden, the garden for people with Alzheimers, their families and caregivers. The Garden is located in Ed Benedict Park in Southeast Portland. Mr. Bainnson has recently developed several therapeutic landscapes for Legacy Health System including gardens for the Oregon Burn Center, Legacy Meridian Park Hospital, Legacy Mt Hood Medical Center, Legacy RIO and the Legacy Behavioral Health Garden. All of these gardens are used for active patient therapy as well as restorative places for patients, families and caregivers.

In all of Mr. Bainnson's work understanding of the context, attention to detail, and an ability to understand and give life to the clients expectations unite the projects. Design and planning are blended with an understanding of the technical complexities of building projects, working with contractors and controlling fiscal realities.

PROFESSIONAL AFFILIATIONS:

Board Chair, Oregon State Landsscape Architecture Board (OSLAB)
Past President, Oregon Chapter of the American Society of Landscape Architects (ASLA)
Trustee, Oregon Chapter of the American Society of Landscape Architects (ASLA) 2011-2017
Board Member, American Horticulture Therapy Association (AHTA) 2012-2015

PROFESSIONAL REGISTRATION:

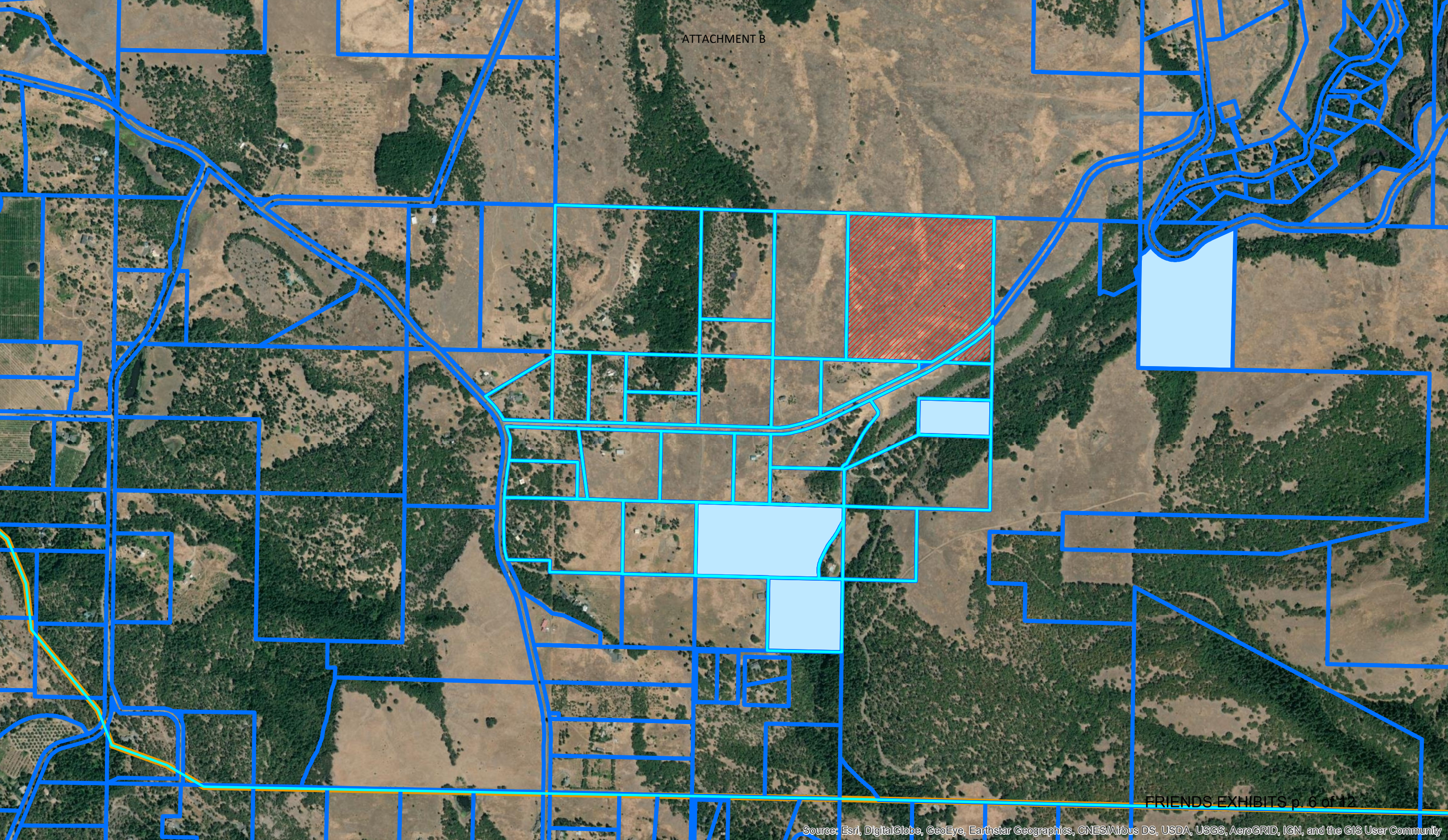
Landscape Architect: By Uniform National Exam (since 1989); Oregon and Washington
Member, Council of Landscape Architectural Registration Board (CLARB)

AWARDS

ASLA Certificate of Honor for Excellence in the Study of Landscape Architecture, RISD 1987.
Silver Medal, Royal Society of Arts, London, UK. 1987
City of Portland, Great Blue Heron Award, 1997 Restoration of Rosemont Bluff Natural Area
National Transportation Design Award 2000 for the Historic Columbia River Highway
Oregon Chapter Residential Design Award 2002 – Slaughter Garden, Portland, Oregon

ATTACHMENT B

AHTA Therapeutic Garden Design Award, The Oregon Burn Center , 2006
Oregon Chapter Design Award 2008 – Oregon Burn Center, Portland, Oregon
AHTA Therapeutic Garden Design Award, The Portland Memory Garden, Portland Oregon 2011, Awarded to the Oregon ASLA design team, lead by Brian Bainson and Richard Zita.
AHTA John Walker Community Service Award, 2012
AHTA Therapeutic Garden Design Award, Warrior and Family Support Center, San Antonio, TX , 2015



Methodology for Determining Compatibility of New Development

Existing GMA Guideline:

New buildings shall be compatible with the general scale (height, dimensions, and overall mass) of existing nearby development. Expansion of the existing development shall comply with this guideline to the maximum extent possible.

- 1. Look at the design guidelines in the landscape setting for the proposed development site.** Some landscape settings have design guidelines for maximum height and square footage.
- 2. Define a study area by determining the boundaries for “nearby” development.** Typically, a radius of ¼ mile from the proposed development is chosen as a study area. If this does not yield at least 10 existing buildings, expand the distance to ½ mile. Do not include buildings in the Urban Areas or outside the NSA.
- 3. Decide if you are going to compare only the same types of buildings or compare all buildings within the study area.** If only comparing buildings of a similar use, decide what you consider to be a similar use and be consistent. If there are not at least 10 existing buildings of that similar use within the ¼ mile study area, expand the area to gather a sample of at least 10 similar type buildings.
- 4. Evaluate each building separately, not the cumulative size of all existing buildings on a parcel.**
- 5. Calculate the size of buildings by using information from the County Assessor’s records.** The size should include all features that make up the visible mass of a building. “Visible mass” includes:
 - ✓ **All finished above-ground square footage**
 - ✓ **Total area of covered decks and porches**
 - ✓ **Attached garages**
 - ✓ **Daylight basements (use ½ of the total square feet of the basement)**
 - ✓ **Breezeways (if it shares a wall with an adjacent building)**
- 6. Evaluate the height of the of proposed and existing buildings based on the number of stories listed in the Assessor’s records and height information provided in the application.** Height is generally defined as the greatest vertical distance between the lowest finished grade adjoining any exterior wall and the highest point of the roof.
- 7. Determine if there are any outlier buildings and remove them from the study sample.** If there are buildings in the vicinity that are significantly larger in size than the

rest of the buildings in the study area and do not present an accurate depiction of the average size of the buildings in the area, these should be removed from the compatibility study.

- 8. Evaluate the consistency of the proposed building with the general scale of existing development in the study area.**

Parcels within 1/4 mile

AccountNum	MapTaxlot	Taxpayer
	16320 2N 12E 9 1601	RYE TOM
	16322 2N 12E 9 1602	SMITH DOUGLAS D & ALLYSON J
	15877 2N 12E 9 1900	DENMAN JOSEPH EX TRUST
	1693 2N 12E 9 2100	FERRER JACOB A
	15139 2N 12E 9 2200	RUGGERI ROBERTA W
	1684 2N 12E 9 2300	WARDWELL ROBERT S
	1682 2N 12E 9 2400	RUBY MELODIE
	491 2N 12E 9 2500	KELCH MARK
	1706 2N 12E 9 2600	GERLICK MATTHEW SELIG
	492 2N 12E 9 2700	FRIENDS OF THE COL GORGE LAND TRUST
	13587 2N 12E 9 2800	NIEHAUS ROBERT R
	1696 2N 12E 9 2900	NIEHAUS ROBERT R
	1686 2N 12E 8 3700	ROGAN DANIEL P
	1690 2N 12E 8 3800	ARNOLD GENE & KAREN R T
	1687 2N 12E 8 3900	GEWIRTZ ERIC & SUSANNA S
	1685 2N 12E 9 1000	BAIRD ERNEST J
	1705 2N 12E 9 1100	GISWOLD REVOCABLE TRUST
	1689 2N 12E 9 1200	COUGHLIN JOHN T & JENNIFER P
	1688 2N 12E 9 1300	WALTER S CURRIE & ELIZABETH P DEXTER
	1698 2N 12E 9 1400	BUCKWALTER JESSE D
	14829 2N 12E 9 1500	RAPPAPORT J C
	15810 2N 12E 9 401	UNITED STATES OF AMERICA
	1679 2N 12E 9 500	UNITED STATES OF AMERICA
	1701 2N 12E 9 600	FREELAND HERBY E
	1700 2N 12E 9 700	VAN HORN TIMOTHY D
	495 2N 12E 9 800	CITOLI JEANNINE R
	1692 2N 12E 9 900	BLAKE DAVE & SUE

