

*Si necesita ayuda para comprender esta información, por favor llame
503-588-6173*

ADMINISTRATIVE DECISION - MINOR HISTORIC REVIEW

CASE NO. Historic Review Case HIS14-07 / Amanda No. 14-104915-DR

NOTICE OF DECISION DATE: April 1, 2014

REQUEST: Minor Historic Design Review of a proposal to remove three existing Upright European Hornbeam Maple trees and replace with three 3" caliper Upright European Hornbeam Maple trees. The trees are located within the Downtown National Register Historic District, on property within the CB (Central Business District), at 525 Ferry Street SE (Marion County Assessors Map and Tax Lot number: 073W27AB02000).

APPLICANT: Steve Ross, for Ross Brothers Profit Sharing Plan

LOCATION: 525 Ferry Street - 97301

CRITERIA: Salem Revised Code (SRC) Chapter 230.075

FINDINGS: Staff determined that the following standards from SRC 230 are applicable to this project:

230.075. Streetscape Standards. Streetscape improvements in historic districts shall comply with this section.

(a) Materials.

- (1) Replacement materials should match as closely as possible to the original color, texture, size and finish of the original materials.
- (2) Diseased street trees should be replaced in kind, if possible.

(b) Design.

- (1) Historic street lamps shall be preserved, if feasible.
- (2) Healthy, mature street trees shall be preserved if they are significant to the district.
- (3) Historic landscaped buffer zones, such as the grassy median between the sidewalk and curb shall be preserved.
- (4) Historic retaining walls should be preserved, if feasible.
- (5) Significant sidewalk and driveway features should be preserved when they contribute to the character of the district.
- (6) Original driveway locations and curb cuts should be preserved when they contribute to the character of the district.
- (7) Only those portions of character-defining streetscape that are deteriorated beyond repair shall be replaced.
- (8) New sidewalks should align with existing historic sidewalks on the block, if present.
- (9) When feasible, replacement or new sidewalks should exhibit scoring lines and brush patterns consistent with the historic material when those elements contribute to the historic character of the district. (Ord No. 34-10)

The applicant proposes to remove and replace the existing trees (Upright European Hornbeam) along the western property line, east of High Street SE. New trees which will comply with the City of Salem's street tree requirements will be replanted within the existing tree wells along High Street SE. The proposed new trees (Upright European Hornbeam) will be no less than 3-inches in caliper and shall be approved by the City Forester prior to planting thereby meeting SRC 230.075 (a)(1). The street trees are not diseased; therefore, SRC 230.075(a)(2) does not apply to this proposal. The applicant notes that the trees are so large that they are adversely affecting both the Jorgensen Building and the sidewalk below. The proposed new trees will have smaller root systems which will reduce cracking and deterioration of the sidewalk, thereby meeting 230.075(b)(5). While the three existing trees are large, these trees are not identified as significant to the district nor to the Jorgensen Building. They were most likely planted in the 1970s so are not yet fifty years old; therefore, SRC230.075(b)(2) does not apply to this proposal.

**NOTICE OF
DECISION**

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



No streetlamps, retaining walls, driveway locations, landscape buffer zones, or historic sidewalks will be altered as part of this proposal; therefore, SRC 230.075(b)(1),(3),(4),(5),(6),(7),(8) and (9) do not apply to this proposal.

DECISION: Based upon the application materials deemed complete on, April 1, 2014, and the findings as presented in this report, the application is APPROVED.



Kimberli Fitzgerald, Senior Historic Planner
Urban Planning Administrator Designee

kfitzgerald@cityofsalem.net
Phone: (503)540-2397

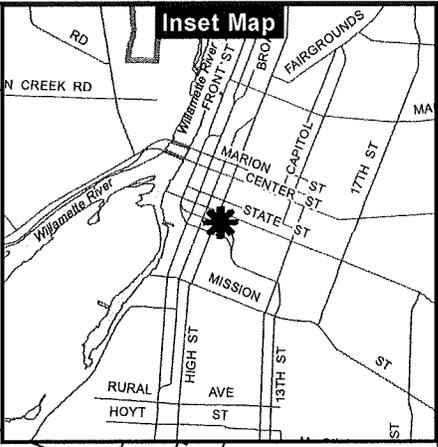
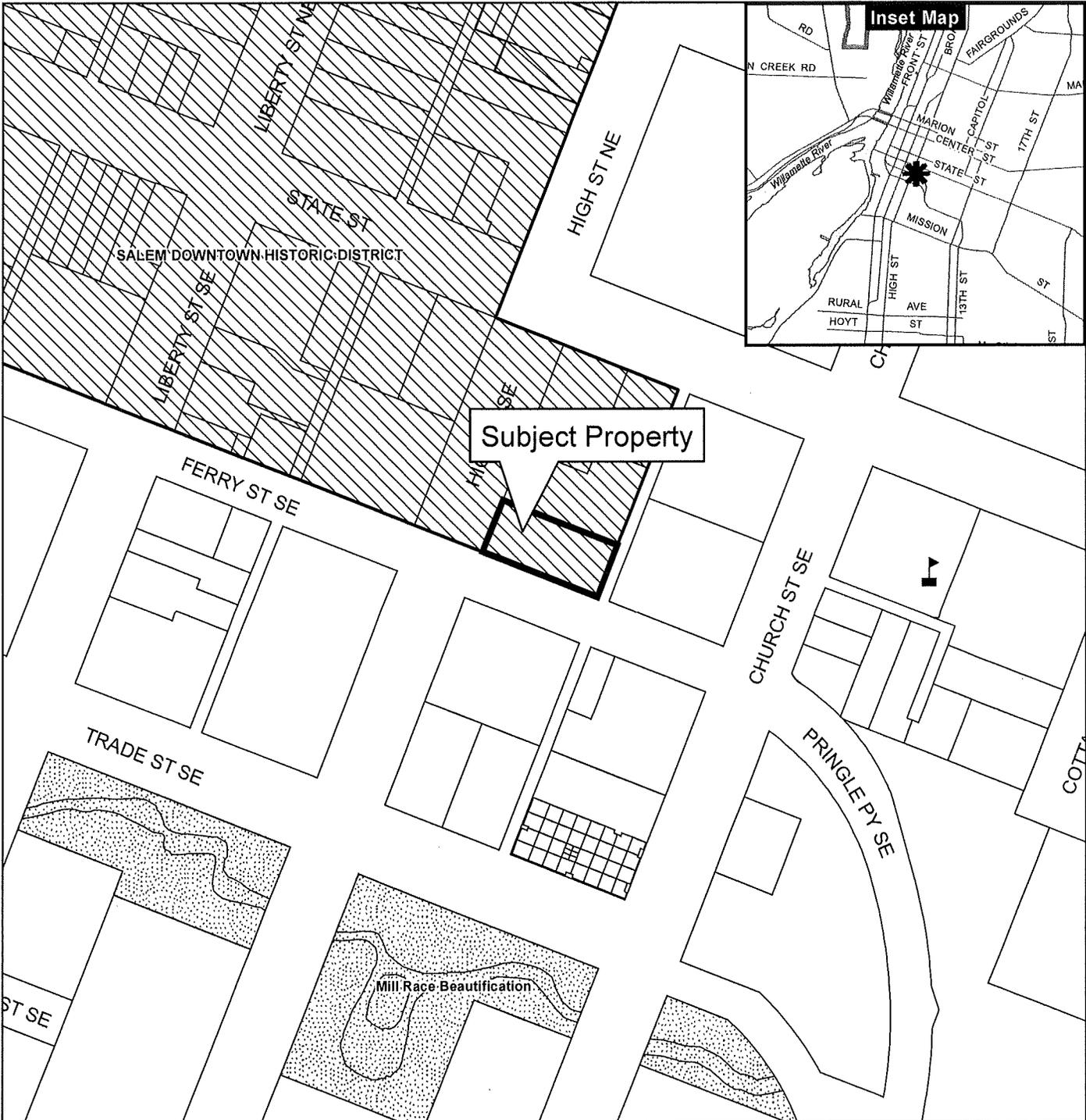
The rights granted by this decision must be exercised by April 17, 2016, or this approval shall be null and void.

Application Deemed Complete: March 28, 2014
Notice of Decision Mailing Date: April 1, 2014
Decision Effective Date: April 17, 2014
State Mandated Decision Date: July 30, 2014

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem OR 97301, no later than 5:00 p.m., April 16, 2014. The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance (SRC Chapter 230). The appeal must be filed in duplicate with the City of Salem Planning Division. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Salem Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks Commission may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

G:\CD\PLANNING\HISTORIC\DECISIONS\2014\HIS14-07 525 Ferry St SE.Dec.doc

Vicinity Map 525 Ferry Street SE



Legend

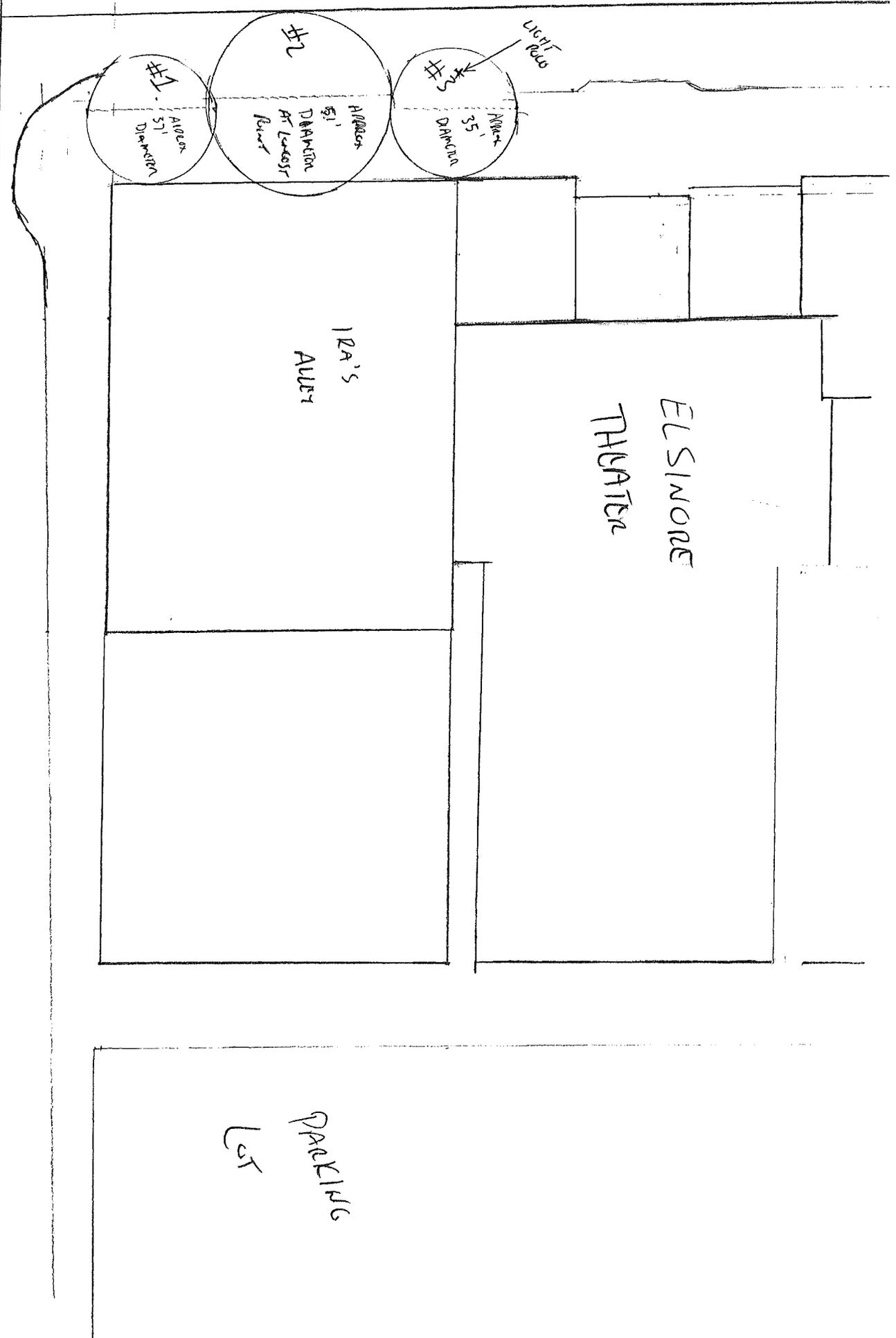
-  Taxlots
-  Outside Salem City Limits
-  Parks
-  Urban Growth Boundary
-  Historic District
-  City Limits
-  Schools

CITY OF Salem
AT YOUR SERVICE
Community Development Dept.



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

HIGH SI



FLORY ST

ELSIMORE
THEATRE

12A'S
ALLEY

PACKING
LOT

6.7 FT = 1 3/16

1" = 37.02 FT

1/16" = 2.92 FT



*Travis Alley looking at
the 3 trees from intersection
@ High and Ferry St., Salem*



Google earth



*Dra's Alley building
View from top*

HISTORIC REVIEW PROCESS APPLICATION FORM - COMMERCIAL-MINOR

1. GENERAL DATA REQUIRED (to be completed by the applicant)

525 Ferry St. SE Salem, OR 97301
 ADDRESS OF SUBJECT PROPERTY

Ross Bros. Profit Sharing Plan
 (Name of Applicant(s))

P.O. Box 9069 Salem, OR 97305 503-393-5885/503-991-2883
 (Applicant's Mailing Address with ZIP Code) (Day-time Phone / Cell Phone)

steve.ross@allstate-construction.com 503-393-5892
 (Applicant's E-mail Address) (Fax Number)

Office and Restaurants NON-HISTORICAL Commercial
 (Existing Use of Subject Property) (Comp Plan Designation) (Zoning)

> **Has contact been made with the Neighborhood Association?** Yes No

> **For Downtown Toolbox Grant Applicants only:**
Has contact been made with the Urban Development Department? Yes No

NOTE: Historic Design Approval does not guarantee approval of Toolbox Grant Funds through Urban Development.

> **Owner's Representative** or Design Professional to be contacted regarding matters on this application, if other than applicant:

Steve Ross - Trustee P.O. Box 9069 Salem, OR 97305
 (Name) (Mailing Address with ZIP Code)
steve.ross@allstate-construction.com 503-393-5885/503-991-2883
 (E-Mail Address) (Phone / Cell / Fax)

2. SIGNATURES OF ALL PROPERTY OWNERS and/or contract purchasers are required:

[Signature] P.O. Box 9069 Salem, OR 97305
 Printed: Steve Ross (Mailing Address with ZIP Code)

[Signature] P.O. Box 9069 Salem, OR 97305
 Printed: Steve Toney, Trustee (Mailing Address with ZIP Code)

3. SUBMITTAL FEES

Application Fee..... \$ 232.00
 Processing Fee.....\$ 12.50
 Automation Fee.....\$ 5.00
 Notification Fee..... \$ 17.00
Total..... \$ 266.50

WORK PROPOSED

Commercial District
 Individual Resource
 Public District
 Residential District

Note: There is an additional Archiving Fee of \$.50 per page, charged at time of submission. This fee is waived if electronic versions of all materials are also submitted.

FOR STAFF USE ONLY		
RECEIVED BY <u>ASD</u>	DATE <u>3/10/14</u>	RECEIPT NO. <u>14-10A915</u>
N.A. _____	WARD NO. _____	ZONE MAP NO. _____
Adjacent N.A. _____	PRE-APPLICATION FILE NO. _____	
CASE NO. _____		

Historic Alteration Review - Commercial Resource Worksheet

Site Address: 575 Ferry St. S.E.
Salem, OR 97301

Resource Status: Contributing
 Non- Contributing

Type of Work: Activity Proposed

Major Minor

Replacement, Alteration, Restoration or Addition of:

Architectural Feature:

- Awning
- Door
- Exterior Trim, Lintel
- Other architectural feature
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: _____

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe)
remove trees, 3EA
and replant same
type - smaller.

New:

- Addition
- Accessory Structure
- Sign
- Mural
- Accessibility Ramp
- Energy Improvements
- Mechanical Equipment
- Primary Structure

Will the proposed alteration be visible from any public right-of-way? YES NO

Project's Existing Material: oversize and
decaying upright European
Hornbeams Project's New Material: new upright European
Hornbeams

Project Description

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work:

We requested the removal of the three trees as they
were decaying and cracking sidewalk's with their roots.
Upon removal of these trees, city has given approval
we request that the removal be also approved by
your office. The trees will be replanted with
the upright European Hornbeams that are in good
condition. These are same species that would be removed
at 3" caliper size.

Steve M. Run
Signature of Applicant

2-25-14
Date Submitted/Signed

5

111

94

MAY 1 1934

REEL PAGE
1164 795

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That IRA'S ALLEY, A CALIFORNIA LIMITED PARTNERSHIP

In consideration of _____ Dollars, to _____ herein do hereby grant, bargain, sell and convey unto ROSS BROS. CONSTRUCTION, INC. PROFIT SHARING PLAN

Grantee the following described real property, situate in the County of MARION and State of Oregon, to wit:

LOT 5, BLOCK 7, SALEM, IN MARION COUNTY, OREGON.

730-2708-2090
657-0091
1164-0793
0794

Alc

F.A.T. OF WA. (COA) 1934

Parcel # 04050-410

To Have and to Hold the granted premises unto the said Grantee, its heirs and assigns forever. And the Grantor do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances, EXCEPT TERMS AND PROVISIONS OF THE RIVERFRONT-DOWNTOWN URBAN RENAISSANCE PLAN RECORDED JUNE 6, 1975, IN REEL 17, PAGE 213 AND AMENDMENTS RECORDED NOVEMBER 5, 1976, IN REEL 62, PAGE 328 AND RECORDED AUGUST 24, 1977, IN REEL 93, PAGE 368 AND RECORDED APRIL 3, 1978, IN REEL 118, PAGE 871 AND RECORDED MAY 22, 1979, IN REEL 168, PAGE 1577 AND RECORDED SEPTEMBER 14, 1984, IN REEL 356, PAGE 1195 AND RECORDED FEBRUARY 1986, IN REEL 491, PAGE 392 AND RECORDED MAY 20, 1986, IN REEL 463, PAGE 270 AND RECORDED FEBRUARY 27, 1987, IN REEL 527, PAGE 361 and that they, will and their heirs, executors and administrators, shall warrant and forever defend the granted premises, against the lawful claims and demands of all persons, except as above stated.

Witness our hand and seal this 9th day of MAY, 1934

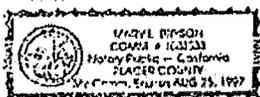
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SELLING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

IRA'S ALLEY (SEAL)
KENNETH L. OLSON, GENERAL PARTNER (SEAL)
CHARLES A. NICHOLSON, GENERAL PARTNER (SEAL)

STATE OF OREGON, CALIFORNIA
County of Marion

BE IT REMEMBERED, That on this 9th day of MAY, 1934, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named KENNETH L. OLSON AND CHARLES A. NICHOLSON

known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that THEY executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Notary Public for OREGON
My Commission expires Aug 25 1937 CALIFORNIA

STATE OF OREGON
County of _____ ss.

I certify that the within instrument was received for record on _____ at _____ o'clock _____, and was recorded in Book _____ Page _____ Record of Deeds of said county.

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:
ROSS BROS. CONSTRUCTION, INC.
3501 BROOKLAKE ROAD, N.
SALEM, OR 97303
Return to:
ROSS BROS. CONSTRUCTION, INC.
3501 BROOKLAKE ROAD, N.
SALEM, OR 97303

Recorder of Conveyances

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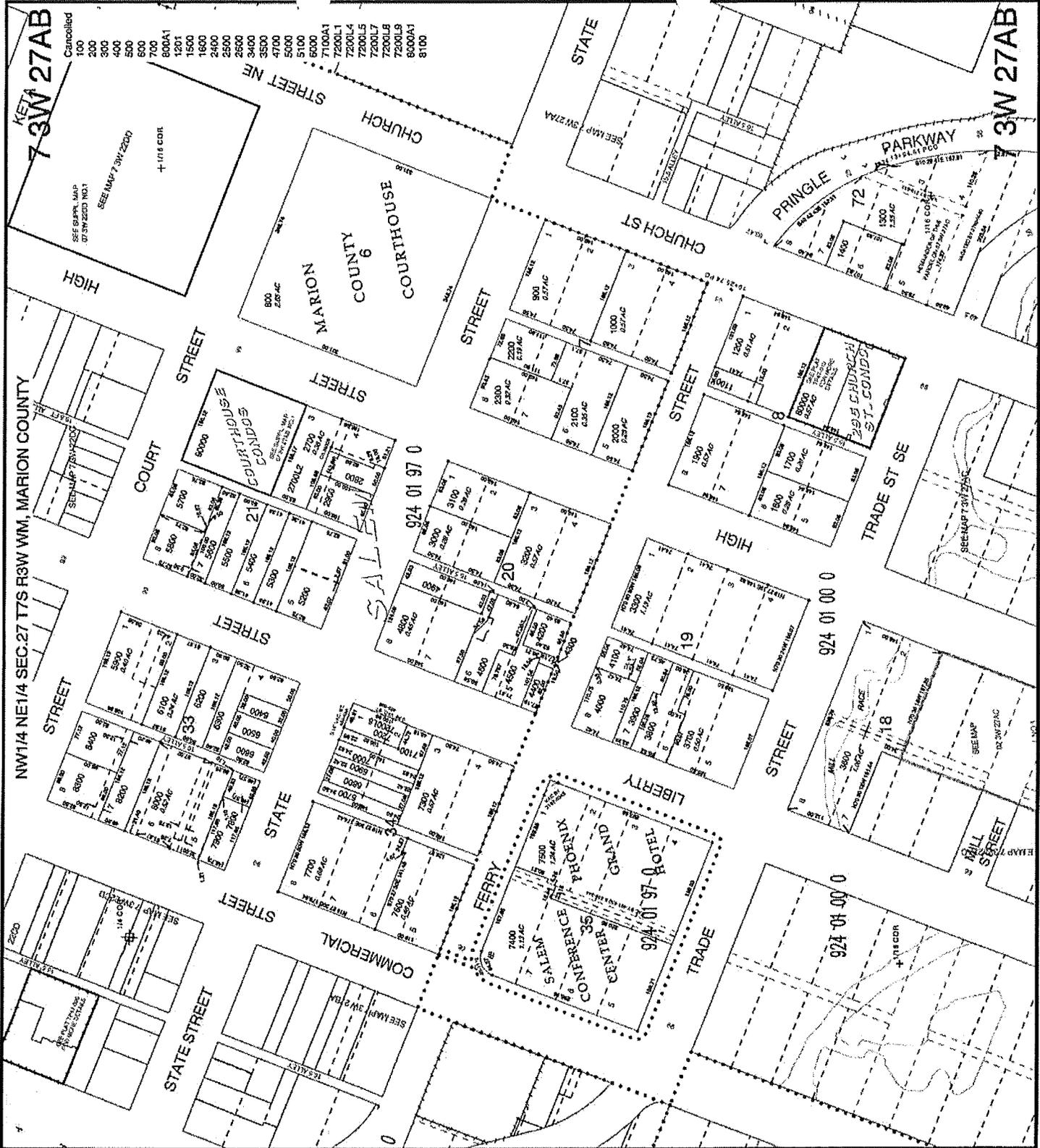
MAY 11 1991

ESCROW NO: 10611588

PAGE 2

AND RECORDED FEBRUARY 29, 1988, IN REEL 605, PAGE 49, FILM RECORDS FOR MARION COUNTY, OREGON; REVOCABLE PERMITE AGREEMENT RECORDED OCTOBER 23, 1981, IN REEL 264, PAGE 1514, FILM RECORDS FOR MARION COUNTY, OREGON; REVOCABLE PERMITE AGREEMENT RECORDED JUNE 12, 1984, IN REEL 347, PAGE 436, FILM RECORDS FOR MARION COUNTY, OREGON; REVOCABLE PERMIT AGREEMENT RECORDED AUGUST 16, 1984, IN REEL 353, PAGE 1818, FILM RECORDS FOR MARION COUNTY, OREGON; COMMERCIAL TRUST DEED RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 438, FILM RECORDS FOR MARION COUNTY, OREGON, IN ORIGINAL AMOUNT OF \$275,000.00; UNRECORDED LEASE WITH FRED SCHNEIDER DBA CROISSANT & CO. DISCLOSED BY INSTRUMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 439 AND RE-RECORDED FEBRUARY 16, 1989, IN REEL 673, PAGE 360, FILM RECORDS FOR MARION COUNTY, OREGON; UNRECORDED LEASE WITH LA MARGARITA RESTAURANT DISCLOSED BY INSTRUMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 439 AND RE-RECORDED FEBRUARY 16, 1989, IN REEL 673, PAGE 368, FILM RECORDS FOR MARION COUNTY, OREGON; UNRECORDED LEASE WITH KENNETH WACHTER, CPA DISCLOSED BY INSTRUMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 439 AND RE-RECORDED FEBRUARY 16, 1989, IN REEL 673, PAGE 368, FILM RECORDS FOR MARION COUNTY, OREGON; FINANCING STATEMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 440, FILM RECORDS FOR MARION COUNTY, OREGON AND FILED WITH THE SECRETARY OF STATE FEBRUARY 1, 1989 AS FILE #N11623; FINANCING STATEMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 441, FILM RECORDS FOR MARION COUNTY, OREGON; FINANCING STATEMENT RECORDED JANUARY 31, 1989, IN REEL 670, PAGE 442, FILM RECORDS FOR MARION COUNTY, OREGON; UNRECORDED LEASE DATED MARCH 3, 1992 WITH PEDRO ROSALES; UNRECORDED LEASE DATED JUNE 1, 1993 WITH FRED THEEDIE, DOING BUSINESS AS OASIS RECORDS; UNRECORDED LEASE DATED MAY 2, 1992 WITH CAL.; UNRECORDED LEASE DATED JULY 15, 1993 WITH BLINDSKILLS, INC.; UNRECORDED LEASE DATED AUGUST 5, 1993 WITH GREATER OREGON TELECOMMUNICATIONS CORPORATION; UNRECORDED LEASE DATED MARCH 10, 1992 AND AMENDED MARCH 31, 1992 WITH KEVIN BURNS, DOING BUSINESS AS HEDGARE/COMMUNITY CARE; UNRECORDED LEASE DATED NOVEMBER 1, 1991 AND AMENDED APRIL 10, 1992 WITH DWIGHT CATER DOING BUSINESS AS CATER SOFTWARE; UNRECORDED LEASE DATED DECEMBER 10, 1991 WITH DON LEARY; UNRECORDED LEASE DATED OCTOBER 31, 1991 WITH CUCINA RUSTICA, INC., AN OREGON CORPORATION; UNRECORDED LEASE DATED FEBRUARY 10, 1994 WITH C.A.L.; UNRECORDED LEASE DATED APRIL 25, 1994 WITH DANIEL J. LOUNSBURY; MAINTENANCE AGREEMENT DATED OCTOBER 24, 1991;

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Cancelled
100
200
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700
800A1
1201
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7200L1
7200L4
7200L5
7200L7
7200L8
7200L9
8000A1
8100

7 3W 27AB

NW1/4 NE1/4 SEC.27 T7S R3W WM, MARION COUNTY

LEGEND

- LINE TYPES**
- TAX LOT BOUNDARY
 - OLD PROPERTY LINE
 - VACATED RIGHT-OF-WAY
 - RAILROAD RIGHT-OF-WAY
 - STREAK, LAKE, ETC. FOR BOUNDARY
 - SUBDIVISION BOUNDARY
 - PARTITION PLAT BOUNDARY
 - TAX CODE BOUNDARY
- SYMBOL TYPES**
- D.L.C.
 - CONTROL POINTS
 - SURVEY MONUMENTS
 - C.L.G. CORNERS
 - SECTION 1/4 SEC 1/4 COR 1/4 COR

NUMBERS
TAX CODE NO.
000 00 00 0

AGEAGE - ALL AGEAGES EXCLUDE ANY PORTION THAT MAY LIE WITHIN THE INDICATED PUBLIC RIGHT OF WAY.

TICK MARKS - WHEN A TICK MARK IS INDICATED ON THE EXTENSION OF A LINE FROM THE DIMENSION CODE TO THE TICK MARK, GENERALLY THIS IS USED WHEN DIMENSIONS GO INTO PUBLIC RIGHT OF WAY.

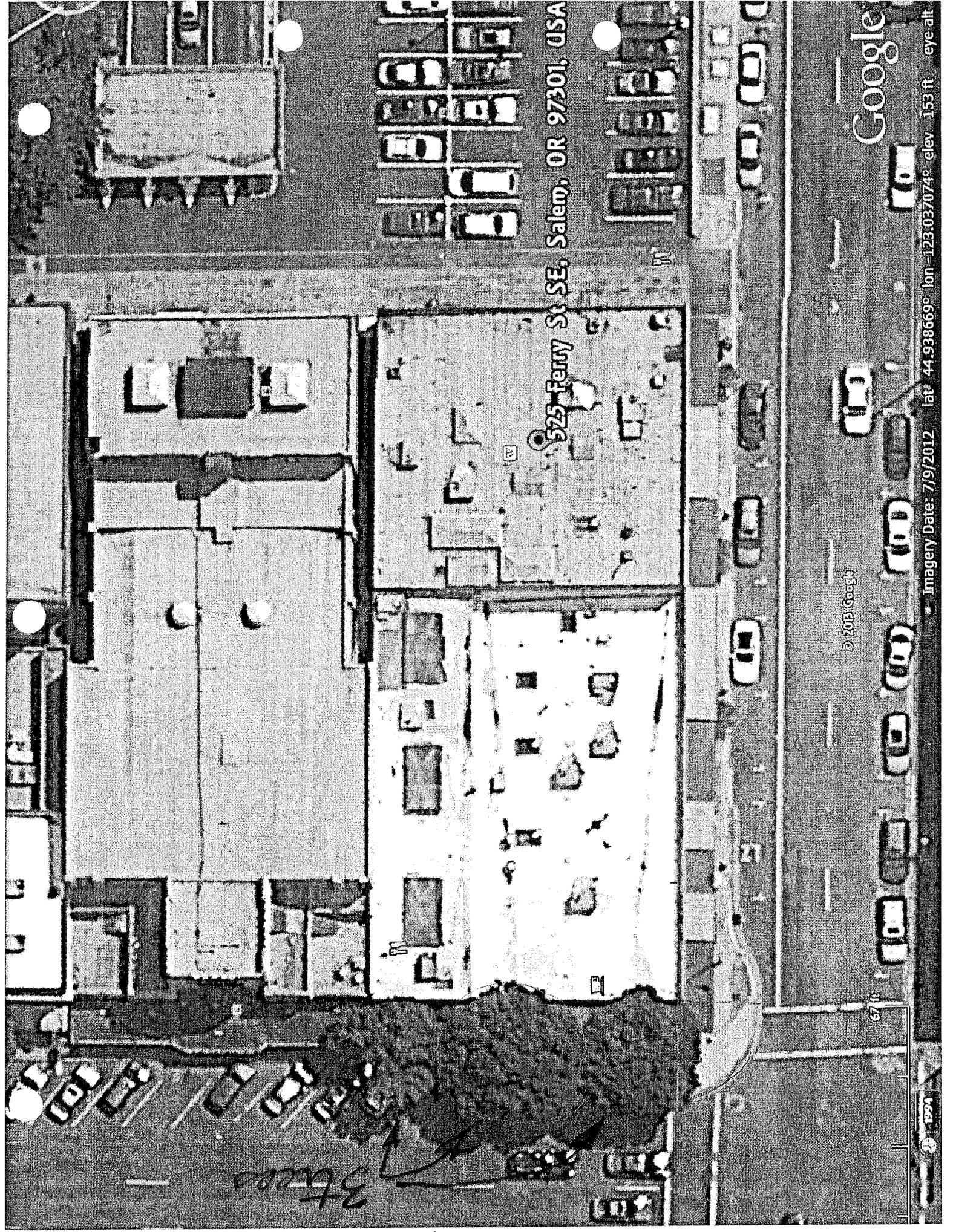
ARROWS ARE USED INTO DIMENSIONS IN AREAS OF GREATER COMPLEXITY.

NOTICE: This map was created for Assessor's Office use ONLY.



SCALE 1" = 100'
or 1:1200

Plot file created: April 01, 2013
www.marioncountyga.gov



525 Ferry St SE, Salem, OR 97301, USA

© 2013 Google

Google

Imagery Date: 7/9/2012 lat: 44.938669° lon: -123.037074° elev: 153 ft eye alt

3 trees

Ross Bros. Profit Sharing Plan
P.O. Box 9069
Brooks, Oregon 97305
503-393-5885

07/30/13

C/O Jan Staszewski
Parks Maintenance
1460 20th St SE, Bldg 14
Salem, OR 97302

*request to
City of Salem
to remove trees*

RE: REQUEST FOR REMOVAL OF TREES IN FRONT OF 525 FERRY STREET, IRA'S ALLEY BUILDING

Jan:

Ross Bros. Profit Sharing Plan is requesting to have three trees outside of the Ira's Alley Building at 525 Ferry Street removed. The information requested is as follows:

- The specific name and address of the requestor.
Ross Bros. Profit Sharing Plan
P.O. Box 9069
Brooks, Oregon 97305
503-393-5885
- The specific address of the subject trees (if different).
180 High St SE
Salem, OR 97301
- The location, species, and size of existing trees to be removed or relocated;
The three trees we are requesting to have removed/relocated are on the Da Vinci's side of the Ira's Alley building at 180 High Street. They are all maple trees that measure approximately 45 feet tall, and range in canopy diameter from approximately 35' to 50'.
- The location, species, and size of trees to be planted;
We will replant young trees in the same location, of the same species as the trees getting removed.
- The location of any underground utilities that may be impacted;
There is a light pole near tree #3 that is pointed out on the drawing. Otherwise there are no other utilities that we know of nearby.
- Elevations of any buildings that may be impacted by the tree planting or removal.
The only building that should be impacted is the Ira's Alley building. On that side, the roof at its tallest is approximately 24 feet tall, and it also has a section that is 20 feet tall.
- Photographs of the site.
Attached, as well as a to-scale drawing of the area.

Best Regards,



Steven C. Toney, Trustee

TO: Shade Tree Advisory Committee **FOR MEETING:**
Friday, December 20, 2013 at 3:00 p.m.
Parks Shops Meeting Room

FROM: Jan Staszewski, Urban Forester
Public Works Department

DATE: December 16, 2013

SUBJECT: Request For Permit To Remove Three Street Trees At 180 High Street/525
Ferry Street SE (Ira's Alley).

*tree type
and size
if allowed
to be removed*

ISSUE:

Should a permit be issued to remove the three Upright European Hornbeams in front of 180 and 190 High Street SE (Da Vinci Ristorante & Croissant and Company side of the building) at 525 Ferry Street SE (Ira's Alley)?

RECOMMENDATION:

Staff recommends that the property owners be permitted the removal of the three Hornbeam trees to be replaced with the planting of three approved; 3" caliper trees at the property owner's expense.

BACKGROUND:

The City received a petition from Mr. Steven C. Toney dated July 30, 2013 (see attached) that presented his request to be permitted to remove three trees at 180 & 190 High Street SE. Mr. Toney stated that the City trees are contributing to the broken sidewalk and maintenance problems for their building, awning, and the sidewalk.

This petition to be allowed to remove and replace these downtown street trees is the process the property owner follows to seek relief under the City Code (SRC 360.030) and associated Parks Operations Division Policies and Procedures – Policy/Procedure Number 290.001 (see attached).

FACTS AND FINDINGS:

The City addressed the conflict of downtown historic buildings and trees in 2001 by modifying the Salem Revised Code: Chapter 86.030(b). The revision to this chapter is as follows:

“Any person desiring for any lawful purpose to plant or remove trees in the Salem Downtown Historic District or the Central Business District shall make application to the director. In addition to the application requirements in SRC 86.030 (a), an application to plant or remove a tree in the Salem Downtown Historic District or Central Business District shall follow the guidelines in SRC 86.130 (c) and must include:

CITY OF *Salem*
AT YOUR SERVICE
PUBLIC WORKS DEPARTMENT

555 Liberty Street SE / Room 325 • Salem OR 97301-3513 • Phone 503-588-6211 • Fax 503-588-6025

*Cities
approval
and
recommendation*

January 9, 2014

Steven C. Toney
Trustee
Ross Bros. Profit Sharing Plan
Brooks OR 97305

RECEIVED

JAN 23 2014

ALL STATE CONST. INC.

SUBJECT: Requested Permit to Remove and Replace Three Trees on the High Street SE Side of 525 Ferry Street SE

Dear Mr. Toney:

Your request for a permit to remove three trees on the High Street SE side of 525 Ferry Street SE. has been reviewed and approved by Peter Fernandez, P.E., Public Works Director, with the following conditions:

1. That the City work with the property owner to expand the existing cut-outs to the downtown standard of 6' x 6'.
2. That the applicant replant with the same species of tree that was removed.
3. That the expense of the tree removal and replanting be borne by the petitioner.

You may appeal the decision of the Director by following the procedure as provided by the Salem Revised Code 86.160 and 20J.220.

86.160. Appeals.

"... Appeals of final decisions by the Director are contested cases, as defined in SRC 20J.020. The applicant may appeal the final decision by filing a notice of appeal, according to the procedures set forth in SRC 20J.220. The appeal shall [be] held according to procedures set forth in SRC Chapter 20J."

20J.220. Appeals of Denials of New or Renewed Licenses or Permits.

(a) Any person who has been denied a new license or permit, or a renewal of an existing license or permit, may appeal the denial to the hearings officer, by filing a notice of appeal with the City Recorder. The notice of appeal must be filed within fifteen business days after the date

Engineering Division
Parks and Transportation
Services Division
555 Liberty Street SE / Room 325
Salem OR 97301-3513
Phone 503-588-6211
Fax 503-588-6025

Operations Division
1410 20th Street SE / Building 2
Salem OR 97302-1209
Phone 503-588-6063
Fax 503-588-6480

Parks Operations
1460 20th Street SE / Building 14
Salem OR 97302-1209
Phone 503-588-6336
Fax 503-588-6305

Willow Lake Water Pollution
Control Facility
5915 Windsor Island Road N
Keizer OR 97303-6179
Phone 503-588-6380
Fax 503-588-6387

Steven C. Toney

January 9, 2014

Page 2

notice is delivered to the person or the person is deemed to have been received by the person under SRC 20J.210.

(b) The notice of appeal shall contain:

(1) The name and address of the appellant;

(2) A copy of the notice of denial being appealed; and

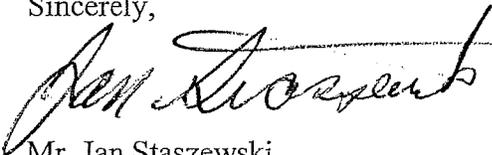
(3) The basis for the appeal, stating with specificity the reason the denial of the issuance or renewal is incorrect.

(c) The notice of appeal shall be accompanied by an appeal fee, as established by resolution of the City Council. The appeal fee is non-refundable, unless the hearings officer finds the denial or failure to renew was not well grounded in law or fact, in which case the appeal fee shall be refunded in full.

(d) The hearings officer's review shall be limited to the reasons set forth in the appellant's notice of appeal as to why the denial of the issuance or renewal was incorrect. A notice of appeal filed after the period provided for filing an appeal shall be dismissed by the hearings officer as untimely. Failure to appeal as provided in this section shall be a waiver of all right to review the denial.

Please contact me at 503-361-2215 if you have any questions. Thank you.

Sincerely,



Mr. Jan Staszewski
Urban Forester

JS/JDS/VLS:H:\PRCSParks\PARKS\Admin\Chrono\2014\US 010914 FerrySt525_SE_D_Response.docx

cc: File

RECEIVED

JAN 23 2014

ALL STATE CONST. INC