



Certificate of Satisfactory Completion
Repair (Minor) - Residential - New

186-20-000179-PRMT

Clatsop County Onsite
820 Exchange Street
Astoria, Oregon 97103
503-325-9302
Fax: 503-325-9303
health@co.clatsop.or.us
Website:
https://www.co.clatsop.or.us/publichealth/page/onsite-septic-system-pr
ogram

Date Certificate Issued: 06/29/2020
Work Description: minor repair; tank only

Applicant: Septic System Design
Address: 89647 Manion Drive
Warrenton OR 97146
Phone: 503-717-8681
Email: gntlmangeorge@gmail.com

Primary Contractor: Keith Keranen Excavating, Inc.
Installer License: 38452
Address: 37194 Hwy 26
Seaside OR 97138-3615
Phone: (503) 717-2200
Email: kkeraneninc@hotmail.com

Owner: Thomas E Clarke
Address: 3911 NW Gordon St
Portland OR 97210-1254
Owner: Julia A Clarke
Address: 3911 NW Gordon St
Portland OR 97210-1254

Property Address: 1726 N Ocean Ave, Gearhart, OR
97138

Parcel: 61004AA03300 - Primary Township: 6 Range: 10 Section: 4AA

Lot Size: N/A Water Supply: Community Water Supply
Zoning: N/A City/County/UGB: County
Land Use Approval: N/A

Category of Construction: Single Family Dwelling

Table with 2 columns: Existing, Proposed. Row: Use of Structure: 4 bedrooms, N/A

Date Certificate Issued: 06/29/2020
Work Description: minor repair; tank only

Conditions of Approval

In accordance with Oregon Revised Statute 454.66 and Oregon Administrative Rules 340-71, this Certificate is issued as evidence of satisfactory completion and installation of components as described in the permit at the location identified.

Issuance of this Certificate does not constitute a warranty or guarantee that this onsite wastewater treatment system will function indefinitely without failure. Conditions imposed as permit requirements continue for the life of the system.

The area of the initial and the identified replacement area must not be subjected to activity that is likely to adversely affect the soil or the functioning of the system. Such activities may include, but are not limited to, vehicular traffic, livestock, covering of the area with asphalt or concrete, filling, cutting or other soil modification activities.

This system must operate in compliance with OAR Chapter 340, Division 071 and must not create a public health hazard or pollute public waters.

Unless otherwise required by the agent, the system installer must backfill (cover) this system within 10 days after issuance of this Certification of Satisfactory Completion.

Clatsop County Public Health recommends that the owner inspect the septic tank every 3 years and pump it when necessary.

Certificate of Satisfactory Completion

System Inspection: No **Operation of Law - 7 Days Notice:** No **Pre-Cover Inspection Waived Per 340-071:** No

Comments: N/A

Yvonne Van Nostran

Onsite Inspector

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

Final Inspection Request and Notice - Septic ID: 186-20-000179-PRMT

Pursuant to the requirements within ORS 454.665, OAR 340-071-0170 and OAR 340-071-0175, the system installer and/or the permittee must notify the Department of Environmental Quality (or its authorized Agent) when the construction, alteration or repair of a system for which a permit was issued is completed and prior to backfilling or covering the installation. The Department (or Agent) has 7 days to perform an inspection of the completed construction/installation following the official notice date, unless the Department (or Agent) elects to waive the inspection and authorizes the system to be backfilled. Receipt and acceptance of this completed form by the Department (or Agent) establishes the official notice date of your request for the pre-cover inspection. Faxed copies are acceptable for inspection request purposes only. Originals must be received before a Certificate of Satisfactory Completion is issued. Please complete sections 1 through 4 on the form and return it to the office that issued the permit. Forms that are determined to be incomplete will be returned.

RECEIVED
JUN 29 2020
CLATSOP CO. PUBLIC HEALTH

SECTION 1: Owner/Permittee Information:

TwNShp: 6 **Range:** 10 **Sect:** 4AA

Name: Julia A Clarke Thomas E Clarke

Lot: 03300

Property Address: 1726 N Ocean AVE, Gearhart, OR 97138

SECTION 2: System Component Specifications:

A. Tanks/Pumps	System Type:	Water tight verification*
Tanks(1)	Volume: <u>1000</u> Compartments: <u>1</u> Manufacturer: <u>NORWESO</u>	Date:
Tanks(2)	Volume: <u>N/A</u> Compartments: Manufacturer:	Date:
Pump(s)	HP: <u>N/A</u> Model/Manuf.	Float(s) Type(1): Model/Manuf.
		Float(s) Type(2): Model/Manuf.

B. Piping

Effluent Sewer (tank to drainfield)	Yes	No <input checked="" type="checkbox"/>	Diameter:	ASTM#/Other:	Length:
Pressure Transport Pipe	Yes	No <input checked="" type="checkbox"/>	Diameter:	ASTM#/Other:	Length:

C. Secondary Treatment Unit:

Sand Filter**	Yes	No <u>N/A</u>	Type:	Container Dimensions:	
Underdrain pipe	Diameter:		ASTM#/Other:	Length:	
Manifold piping	Diameter:		ASTM#/Other:	Length:	
Internal Pump	HP:		Model/Manufacturer		
Floats(1)	Type:		Model/Manufacturer		
Floats(2)	Type:		Model/Manufacturer		
ATT	Yes	No <input checked="" type="checkbox"/>	Model:		
Certified Maint.	Provider Name:				
Operation and Maint.	Contract Received?		Yes	No <input checked="" type="checkbox"/>	

D. Drainfield Media

Type	(Gravel, Pipe or alternative?) <u>TANK Replacement ONLY</u>				
Distribution Box	Yes	No <input checked="" type="checkbox"/>			
Drop Box	Yes	No <input checked="" type="checkbox"/>			
Distribution Pipe	Yes	No <input checked="" type="checkbox"/>	Diameter:	ASTM#/Other:	Length:
Comment	<u>RISER w/UD</u>				

Clatsop County Department
of Public Health

On-Site Waste Water Program

Approved By J. Van Nestran

Date 6/29/20

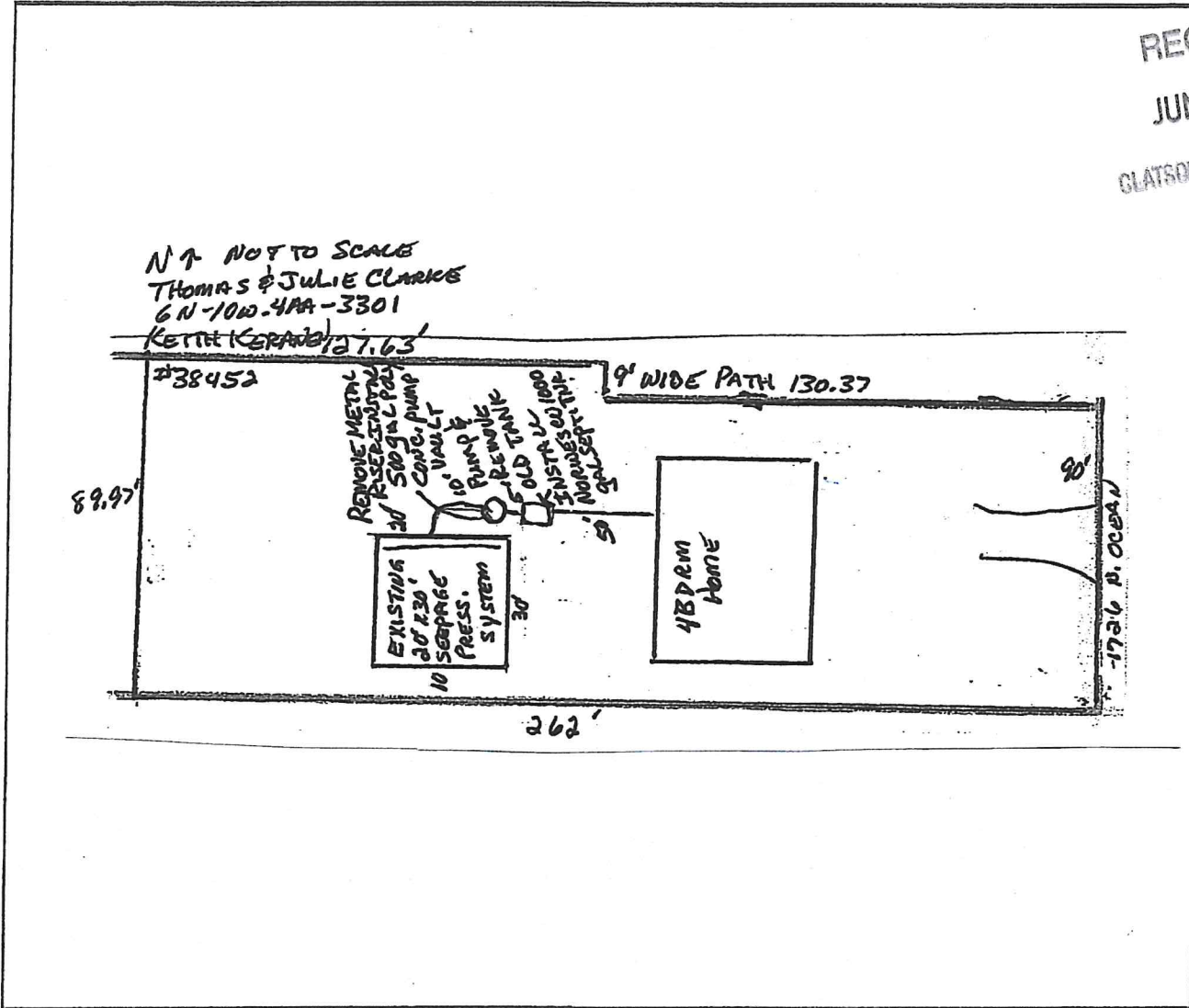
*All Tanks(s) were tested for water-tightness after installation and passed in accordance with OAR 340-071-0025(3)

**Attach sieve analysis for Underdrain Media and Filter Sand

SECTION 3 - As Built Plan

- AS-BUILT PLAN OF THE CONSTRUCTED SYSTEM. Indicate the direction of NORTH. Show locations of all wells within 200 feet of the system. Show system setback distances from property lines, structures, wells, streams, etc.

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SECTION 4 - Construction was performed by (Signature Required)

I certify that the information provided on both pages of this document is correct and that the construction of this system was in accordance with the permit and the rules regulating the construction of onsite wastewater treatment systems (OAR Chapter 340, Divisions 71 and 73).

Owner/Permittee or Certified Installer w/Certification#: Print Name: KETHA KERANE EXC

Licensed Installer: Yes No License#: 38452 Certification#:

Owner/ Certified Installer: Signature: [Signature] Date: 06/26/20 Phone#: 503-217-2200

SECTION 5 - Office Use Only:

Installer/Owner (Permittee) Notified:

Notice Accepted Yes No Date: 06/26/2020

Yes No Date: 06/26/2020

If No, Reason for Non Acceptance:

Comment: photos received in lieu of find inspection

Clatsop County Department of Public Health

On-Site Waste Water Program
 Approved By [Signature]
 Permit No. 186-20-000179
 Date 6/29/20



Clatsop County
Environmental Health
820 Exchange Street, Suite 100
Astoria, Oregon 97103
Phone 503-325-8500

mmcnickle@co.clatsop.or.us www.co.clatsop.or.us

RECEIVED
JUN 29 2020
CLATSOP CO. PUBLIC HEALTH

Septic Tank Decommission

The Department of Environmental Quality rules require that all septic tanks be properly abandoned following hookup to a new septic system or when the tank is no longer in use. Please return the following form along with the pumping receipt to the Clatsop County Community Development Department.

Oregon Administrative Rule 340-071-0185 Decommissioning of Systems

(2) Procedures for decommissioning

- a. Tanks, cesspools and seepage pits must be pumped by a licensed sewage disposal service to remove all septage.
- b. Tanks, cesspools and seepage pits must be filled with reject sand, bar-run gravel or other material approved by the agent, or the container must be removed and properly disposed.

Property Owner: JULIE & THOMAS CLARKE

Septic Tank Location: 1706 W. OCEAN

Legal Description: T 6N R 10W S 9AA Lot 3301

Date Tank Pumped: 6-24-20

By: [Signature] License #: 37864
(signature of licensed pumper)

This septic tank was backfilled with sand, clean bar-run gravel or other approved material after being pumped.

By: N/A Date: _____
(signature of operator/owner)

This septic tank was removed and properly disposed of.

By: [Signature] Date: 6/24/20
(signature of operator/owner)

Clatsop County Department
of Public Health
On-Site Waste Water Program
Approved By [Signature]
Permit No. 86-20-000179
Date 6/29/20

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JUN 29 2020
CLATSOP CO. PUBLIC HEALTH



COMPLETE SEPTIC SERVICE

41092 ZIAK-GNAT CREEK LANE

ASTORIA, OREGON 97103

503-458-6870 • Toll Free 1-888-745-6726

"GUARANTEED LOWEST PRICES"

05448

NAME

Keranen - Clarke

DATE 6-24-20

PHONE

ADDRESS

1726 N. Ocean Gearhart OR 97138

WE ALSO DO INSPECTIONS, INSTALLATIONS, AND REPAIRS

	DESCRIPTION	AMOUNT
	<u>Pump out clean septic tank + Pump tank</u>	<u>600-</u>

Thank you

Clatsop County Department
of Public Health
On-Site Waste Water Program
Approved By G. Van Nortran
Permit No. 186-20-000179
Date 6/29/20

PAYMENT DUE UPON RECEIPT OF THIS INVOICE

TOTAL 600-

SERVICE CHARGE of 1 1/2% MONTHLY or 18% ANNUALLY on unpaid balance of 30 days or more past due. Title to goods sold is retained by Complete Septic Service until all charges, including labor, are paid in full. If an attorney's services are required to collect the goods sold of any amount due, reasonable attorney fees and court costs will be added.

Thank You

Ordered By _____



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JUN 29 2020
DEPT. OF PUBLIC HEALTH

THOMAS & Julie CLARKE 6N-10W-4AA-3301 KEITH KERAWED EXC #3845a





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JUN 25 2020

CLATSOP COUNTY PUBLIC HEALTH

THOMAS & JULIE CLARK 6N-10W-4AA-3301

KETH KERANEN EXC #38452





Septic Permit
Repair (Minor) - Residential - New
186-20-000179-PRMT

Clatsop County Onsite
 820 Exchange Street
 Astoria, Oregon 97103
 503-325-9302
 Fax: 503-325-9303
 health@co.clatsop.or.us
 Website:
<https://www.co.clatsop.or.us/publichealth/page/onsite-septic-system-program>

Date issued: 6/12/20 **Expiration date:** 6/12/21
Work description: minor repair; tank only

Applicant: Septic System Design
Address: 89647 Manion Drive
 Warrenton OR 97146
Phone: 503-717-8681
Email: gntlmangeorge@gmail.com

Primary contractor: Keith Keranen Excavating, Inc.
Installer License: 38452
Address: 37194 Hwy 26
 Seaside OR 97138-3615
Phone: (503) 717-2200
Email: kkeraneninc@hotmail.com

Business License: N/A

Owner: Thomas E Clarke
Address: 3911 NW Gordon St
 Portland OR 97210-1254
Owner: Julia A Clarke
Address: 3911 NW Gordon St
 Portland OR 97210-1254

Property address: 1726 N Ocean Ave, Gearhart, OR
 97138

Parcel: 61004AA03300 - Primary **Township:** 6 **Range:** 10 **Section:** 4AA

Lot size:	N/A	Water supply:	Community Water Supply
Zoning:	N/A	City/County/UGB:	County
Land use approval:	N/A	County:	N/A
Action:	New	Type of application:	Repair (Minor) - Residential
System failing:	N/A	Septic tank last pumped:	N/A
Comments: N/A			

Category of construction: Single Family Dwelling

	Existing	Proposed
Use of structure:	4 bedrooms	N/A

Conditions of approval

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

Date issued: 6/12/20**Expiration date:** 6/12/21**Work description:** minor repair; tank only

Have a copy of the approved plot plan and permit on site during construction and for all inspections. Submit a complete As-Built and Materials list form prior to final inspection on all construction-installation permits.

Modifications to the approved plan or proposed use need to be approved prior to installation. A construction-installation permit is valid for one year from the date of issuance.

All work is to conform to Oregon Administrative Rules, Chapter 340, Divisions 071 and 073. Make no changes in system location or specifications without written approval from the permit issuing agent.

Install with dry soil conditions.

Vehicular traffic and livestock must be restricted from the system area.

All roof drains must be directed away from the system area.

Meet all required setbacks.

A pre-cover inspection of the installed absorption facility (prior to backfill) is required.

A final inspection request and notice form including a detailed and accurate as-built plan of the constructed system and a list of all materials used in the construction of the system must be completed and submitted prior to requesting a final inspection.

Yvonne Van Nostran

Onsite Inspector

6/12/20



Clatsop County
Onsite Septic System Program
 820 Exchange Street, Suite 100
 Astoria, Oregon 97103
 Phone 503 325-9502
 www.co.clatsop.or.us

RECEIVED

JUN 09 2020

CLATSOP CO. PUBLIC HEALTH

PD CK# 4419
#2730

Application for Onsite Sewage Treatment System

186-20-000179

Processed on 6/11

A. Property Owner Information

THOMAS & JULIE CLARKE 3911 NW Gordon St, Ptld 97210 503-799-1355
 Name Mailing Address (Street, PO Box, City, State, Zip) Phone Number

B. Legal Property Description

6N 19W 4AA 3301 & 3300 1.88 TOTAL
 Township Range Section Tax Lot Tax Account Number Acreage or Lot Size
CLATSOP CLATSOP CLATSOP CLATSOP CLATSOP CLATSOP
 County Subdivision Name Lot Block

Property Address: 1726 N. OCEAN GEARHART, OR 97138
 (Street, City, State, Zip)

Directions to Property GO SO. ON HWY 101, TURN RT @ U-HAUL, GO TO PALASADES, TURN RT, TURN RT ON TO N. OCEAN. PROP. ON LEFT. FOR SALE SIGN WINERMERE KATY WALSTRA

C. Existing Facility / Proposed Facility / Water Information

Existing Facility Single Family Residence 4
 Number of Bedrooms
 Other _____

Proposed Facility Single Family Residence
 Number of Bedrooms
 Other _____

Water Supply Public GEARHART
 Name
 Private _____
 Well, Spring, Shared

D. Type of Application

- Site Evaluation
- Construction
- Permit Repair 1000 GAL TANK ONLY
 - Major
 - Minor
- Alteration Permit
 - Major
 - Minor
- Renewal Permit
- Existing System Evaluation
- Permit Transfer
- Permit Reinstatement
- Compliance Record Review
- Authorization Notice for:
 - Connecting to an Existing System Not in Use
 - Replacing a Mobile Home or House with Another Mobile Home or House
 - The Addition of One or More Bedrooms
 - Personal Hardship
 - Temporary Housing
 - Other-Please Specify _____

If the required fee and attachments are not included with this application, it will be returned to you as incomplete. Post a flag or sign with your name and address at the entrance to the property. Flag and number the test holes.

By my signature I certify that the information I have furnished is correct and hereby grant Clatsop County and its' authorized agents permission to enter onto the above described property for the sole purpose of this application

George Owen 6/9/20
 Signature Date

GEORGE OWEN 503-717-8681 GNTZMAN@GEORGE@GMAIL.COM
 Applicant's Name (Please Print Legibly) Applicant's Phone Applicant's E-Mail Address

89697 MANION DR WARRETON, OR 97146
 Applicant's Mailing Address

Applicant is the Owner Authorized Representative Licensed Septic Installer
 Authorization Attached KEITH KERANEN EXC #38452
 Installers Name



Clatsop County
 Onsite Septic System Program
 820 Exchange Street, Suite 100
 Astoria, Oregon 97103
 Phone 503 325-9302
 www.co.clatsop.or.us

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JUN 09 2020

CLATSOP CO. PUBLIC HEALTH

#186-20-000179

Notice Authorizing Representative

I, THOMAS & JULIE CLARKE, have authorized
(Property Owner - Please Print)

GEORGE OWEN To act as my agent in performing
(Authorized Representative - Please Print)

the activities necessary to obtain site evaluations, permits, and other onsite wastewater treatment program services provided by Clatsop County on the property described below in accordance with OAR chapter 340, division 071. I agree that any costs not satisfied by the Authorized Representative are my responsibility.

PROPERTY IDENTIFICATION

1726 N. OCEAN TERRACE

Property Situs or Road Address

And described in the records of Clatsop County as: CLATSOP

Township 6N Range 10W Section 4AA Tax Lot 3300 Map ID _____

Township _____ Range _____ Section _____ Tax Lot _____ Map ID _____

PROPERTY OWNER:

Name: Tom and Julie Clarke

Mail Address: 3911 NW Gordon St

Phone: 503-799-1355

tom.clarke@nike.com

pdxclarke@gmail.com

Email: _____

City/State/Zip Portland, OR 97210

FAX: _____

Date: 6/6/20

AUTHORIZED REPRESENTATIVE:

Name: George Owen

Mail Address: 89647 MANION DR

Phone: 503-717-8681 / 503-717-2477

Email: GNTLMAN GEORGE @ GMAIL.COM

City/State/Zip WARRENTON, OR 97146

FAX: 503-717-8681

Date: 6/6/20

Signature: Tom Clarke George Owen

DocuSigned by:

5F0D36A2613B4EE...

DocuSigned by:

6/6/2020 | 1:13:30 PM PDT

6/6/2020 | 12:02:29 PM PDT

*owner

RECEIVED

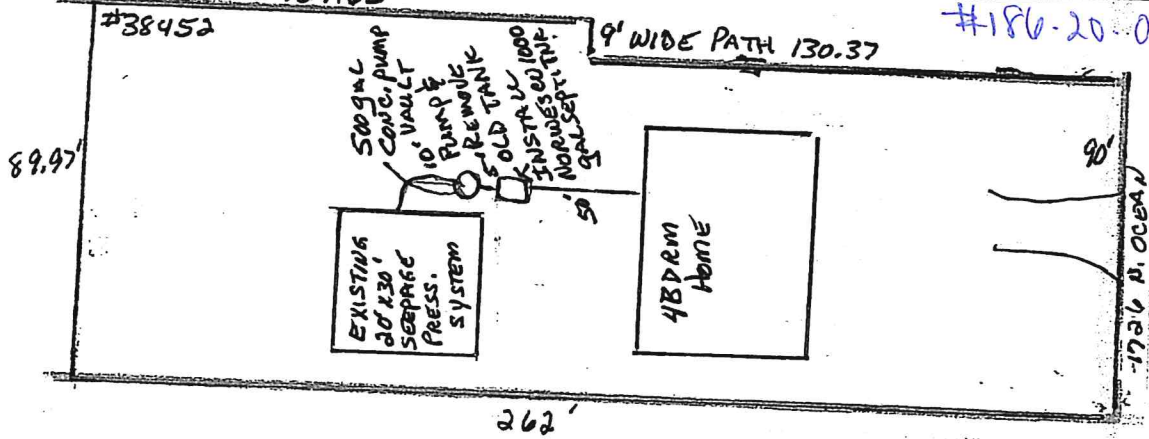
JUN 09 2020

CLATSOP CO. PUBLIC HEALTH

N ↑ NOT TO SCALE
THOMAS & JULIE CLARKE
6 N-10W-4AA-330D

KETTER CERAMIC 127.63'

#186-20-000179



PARTS LIST

Thomas & Julie Clarke

6N-10W04AA-3301 & 3300

Keith Keranen Exc. #38452

- 1 Norwesco 1000 gal septic tank**
- 1 20" poly riser**
- 1 4" Zabel filter insert**
- Misc. parts**

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JUN 09 2020

CLATSOP CO. PUBLIC HEALTH

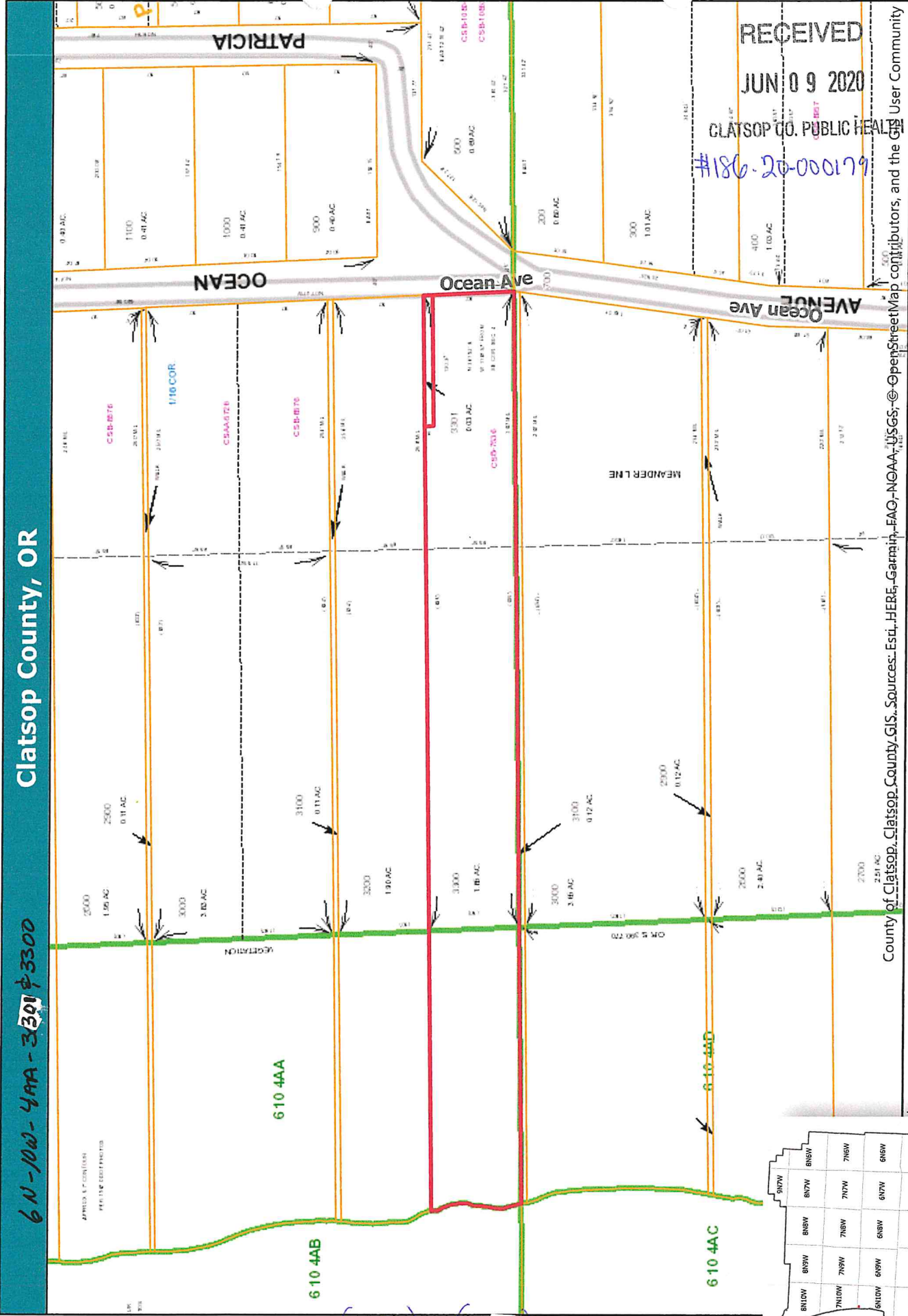
#186-20-000179

KATH KERANSON BYC #38452

THOMAS & JULIE CLARK

6 N - 100 - 4AA - 3301 & 3300

Clatsop County, OR



County of Clatsop, Clatsop County GIS. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, OpenStreetMap contributors, and the User Community



Clatsop County

0.05

mi



This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

8N7W	8N7W	8N5W	7N8W	8N6W	8N6W	4N5W
8N5W	8N5W	7N8W	8N6W	8N6W	8N6W	4N5W
7N8W	7N8W	7N6W	8N6W	8N6W	8N6W	4N5W
8N5W	8N5W	8N6W	8N6W	8N6W	8N6W	4N5W
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8N5W	8N5W	8N6W	8N6W	8N6W	8N6W	4N5W

6/4/2020 12:49 PM

1.85 (0.03) - 188 acres total



Transaction Receipt

186-20-000179-PRMT

IVR Number: 186096446082

Clatsop County Onsite

820 Exchange Street

Astoria, Oregon 97103

503-325-9302

Fax: 503-325-9303

health@co.clatsop.or.us

Receipt Number: 453187

Receipt Date: 6/11/20

<https://www.co.clatsop.or.us/publichealth/page/onsite-septic-system-program>

Worksite address: 1726 N Ocean AVE, Gearhart, OR 97138

Parcel: 61004AA03300

Fees Paid

Transaction date	Units	Description	Account code	Fee amount	Paid amount
6/11/20	1.00 Ea	Repair (minor) - single family dwelling	81-7204	\$264.00	\$264.00
6/11/20	1.00	GIS fee - Onsite	81-7045	\$9.00	\$9.00
6/11/20	1.00	DEQ Surcharge	78-9934	\$100.00	\$100.00

Payment Method: Check number: 4419

Payer: Keith Keranen
Excavating, Inc.

Payment Amount:

\$373.00

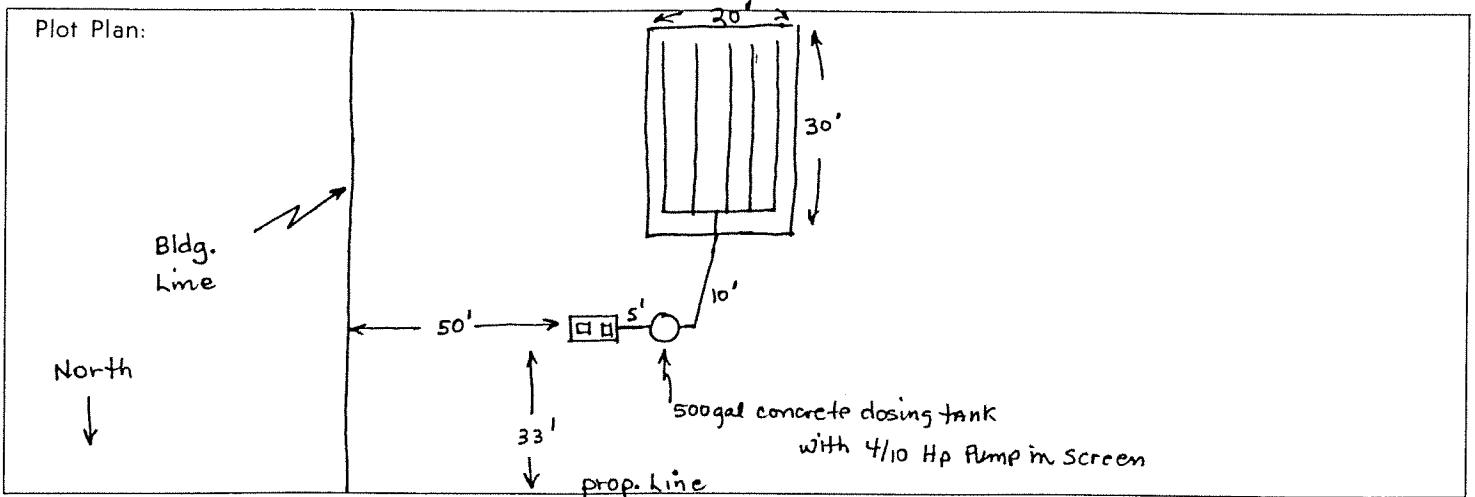
Cashier: Yvonne Van Nostran

Receipt Total:

\$373.00

**STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
SUBSURFACE SEWAGE SYSTEM
CERTIFICATE OF SATISFACTORY COMPLETION**

Property Owner Charles Mersereau Permit Number 82-6791
 T. 6N R. 10W Sec. 4AA Tax Lot/Acct. No. 3300 Date of Final Insp. April 21, 1982
 Loc./Road Lower Palisades Road Approved By John D. Smith Rd.
 Installer Sea Coast Nursery - Dave Darling Title Env. Analyst
 Disposal Trenches: 600 Square Ft. 20ft x 30ft Lineal Ft.
 Tank Size: Steel 1000 Gallons. System Designed to Serve 3 bedroom - 375 gal per day



DEQ/WQ-402 1/78

**STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY**

Control # 6791
 Property Owner Charles Mersereau Permit Number 82-6791
 T. 6N R. 10W Sec. 4AA Tax Lot/Acct. No. 3300 Expiration Date April 15, 1982
 Loc./Road Lower Palisades Road Issued By John D. Smith Rd.

PERMIT

[NOT TRANSFERABLE]

New Construction of Repair of Connection of Alteration of

Low pressure distribution seepage bed.

A SUBSURFACE SEWAGE SYSTEM

All work to conform to Oregon Administrative Rules Chapter 340 71-030. Work shall be done by property owner or by Licensed Sewage Disposal Service.

[MAKE NO CHANGES IN LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL]

SPECIFICATIONS

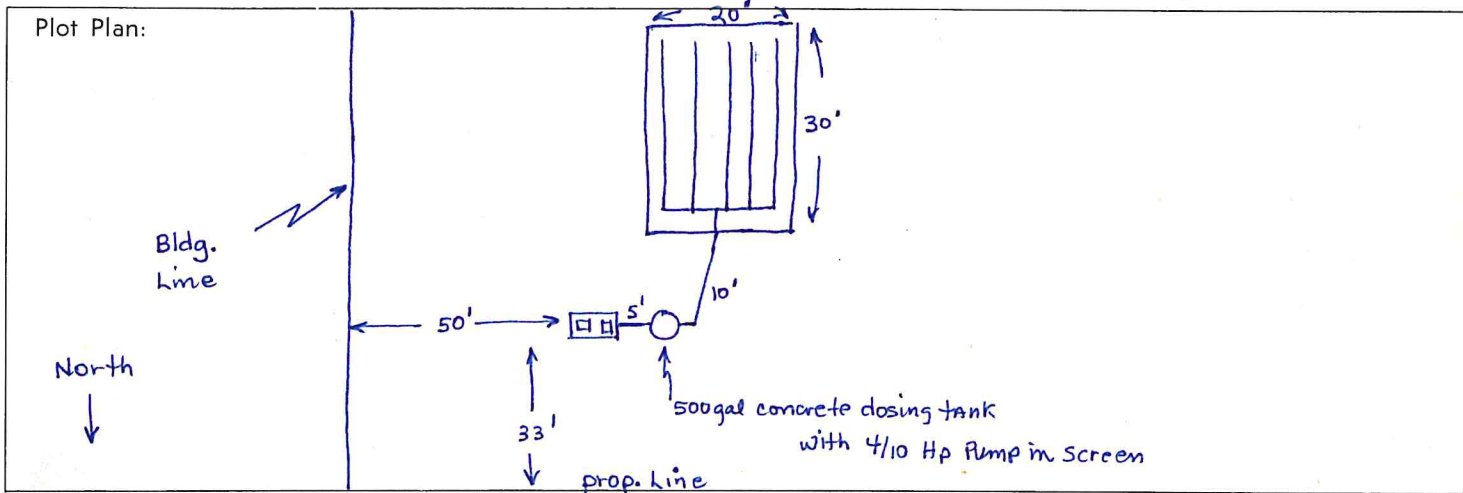
Tank size 1000 gallons. Disposal trenches Seepage bed - 600 Square ft. 20ft x 30ft Lineal ft.
 Maximum trench depth 36 inches Minimum trench depth 18 inches
 Loop Equal LPD Serial Distance between lines on center 4ft and not over 2ft from sidewalk
 Total rock depth 12 inches Below pipe 8 inches Above pipe 2 inches Rake sidewalls
 Special Conditions. [Follow Attached Plot Plan]. Typical Low pressure distribution in sand construction techniques - Filter fabric - Treated paper strips over fabric over pipe etc. No gate or check valve required - Visual and audible Alarm required

PRE-COVER INSPECTION REQUIRED - CONTACT: 30 gal/minute discharge thru 70-1/8" holes x-41 = 28.79p @ 5ft head at orifices

DO NOT ON SITE

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
SUBSURFACE SEWAGE SYSTEM
CERTIFICATE OF SATISFACTORY COMPLETION

Property Owner Charles Mersereau Permit Number 82-6791
T. 6N R. 10W Sec. 4AA Tax Lot/Acct. No. 3300 Date of Final Insp. April 21, 1982
Loc./Road Lower Palisades Road Approved By John L. Smith Rd.
Installer Sea Coast Nursery - Dave Darling Title Env. Analyst
Disposal ^{Bed} Trenches: 600 Square Ft. 20ft x 30ft Lineal Ft.
Tank Size: Steel 1000 Gallons. System Designed to Serve 3 bedroom - 375 gal per day



DEQ/WQ-402 1/78

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
SUBSURFACE SEWAGE SYSTEM INSTALLATION
CORRECTION NOTICE

The Inspection of this Subsurface Sewage System has Produced the Following Violations: _____

Under the provisions of the OREGON ADMINISTRATIVE RULES, all violations listed above must be corrected and a **CERTIFICATE OF SATISFACTORY COMPLETION** must be issued prior to use of this system. When corrections have been completed, call for inspection.

PERMIT NO. _____

CONTACT:

INSPECTION:

TIME _____

DATE _____

BY _____

(SIGNATURE)

DO NOT REMOVE THIS NOTICE FROM SITE

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

Control # 6791

Property Owner Charles Mersereau
T. 10W R. 10W Sec. 49A Tax Lot/Acct. No. 3300
Loc./Road Lower Palisades Road

Permit Number 82-6791
Expiration Date April 15, 1982
Issued By Wm. L. Shute, Rtd.

PERMIT

[NOT TRANSFERABLE]

New Construction of Repair of Connection of Alteration of
*low pressure distribution
seepage bed.*

A SUBSURFACE SEWAGE SYSTEM

All work to conform to Oregon Administrative Rules Chapter 340 71-030. Work shall be done by property owner or by Licensed Sewage Disposal Service.

[MAKE NO CHANGES IN LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL]

SPECIFICATIONS

Tank size 1200 gallons. Disposal-trenches Seepage bed - 600 Square ft. 20 ft x 30 ft -lineal-ft.
Maximum trench depth 26 inches Minimum trench depth 18 inches
 Loop Equal L.P.D. Serial Distance between lines on center 4 ft and not over 2 ft from sidewall
Total rock depth 12 inches Below pipe 8 inches Above pipe 2 inches Rake sidewalls
Special Conditions. [Follow Attached Plot Plan]. Typical low pressure distribution in sand construction
Techniques - Filter fabric - Treated paper strips over fabric over pipe etc. No gate or check valve
required - Visual and audible alarm required

PRE-COVER INSPECTION REQUIRED - CONTACT: 30 gal/minute discharge thru 70 - 1/8" holes X-41 = 28.7 gpm
@ 5 ft head at orifices
1/3 hp. pump should be sufficient

POST ON SITE

DEQWQ-404 Rev. 1/78 (REGION COPY)

SP*54377-340

JOHNS Dave

***DEQ**

From: ILLINGWORTH Dennis *DEQ
To: JOHNS Dave *DEQ
Cc: ILLINGWORTH Dennis *DEQ
Subject: Request for addition to residence
Date: Friday, August 30, 1996 3:04PM

Dave,

In reviewing the variance file for 6N, R10W, S4AA, TL 3300, the following facts pertain to this site:

1. the variance request was due to a moratorium for issuing on-site sewage disposal system permits in the Clatsop Plains.
2. the lot is over one acre in size.
3. the Dept. and Commission found that the Clatsop Plains groundwater study would allow for a higher loading rate than what was requested through the variance.
4. the variance approved a system for 375 gpd
5. the on-site sewage disposal system is a pressurized seepage bed designed the same size as one would be for 450 gpd.

The present rules would allow a 450 gpd system on this site.

The request from the present owner is for an addition that is not increasing the projected sewage flow and does not go outside the existing foundation.

The applicants plans show the house to be a 4 bedroom residence. We do not know when this 4th bedroom was added. It may very well have been built as a 4 bedroom, with plans stating 3 bedrooms. It is apparent from the completion notice that his system is designed for 450gpd.

The permit review can be signed, with the comment "no DEQ action necessary".

Please print and file

Thanks
Dennis

DEPARTMENT OF
ENVIRONMENTAL
QUALITY

FAX COVER SHEET

NORTHWEST REGION
NORTH COAST
BRANCH OFFICE
WARRENTON, OR 97146
(503) 861-3280
(503) 861-3259(FAX)

DATE: 8-30-96 TIME: 3:50 pm

TO: CITY OF GEARHART

FROM: DAVE JOHNS, DEQ, NCBO

TELEPHONE:(503) _____ EXTENSION: _____

FAX NUMBER (503) 738-9385

COVER PAGE PLUS 2 PAGES

MESSAGE: RE: SCOTT THOMASON 610-4AA-3300

1726 N. OCEAN GEARHART

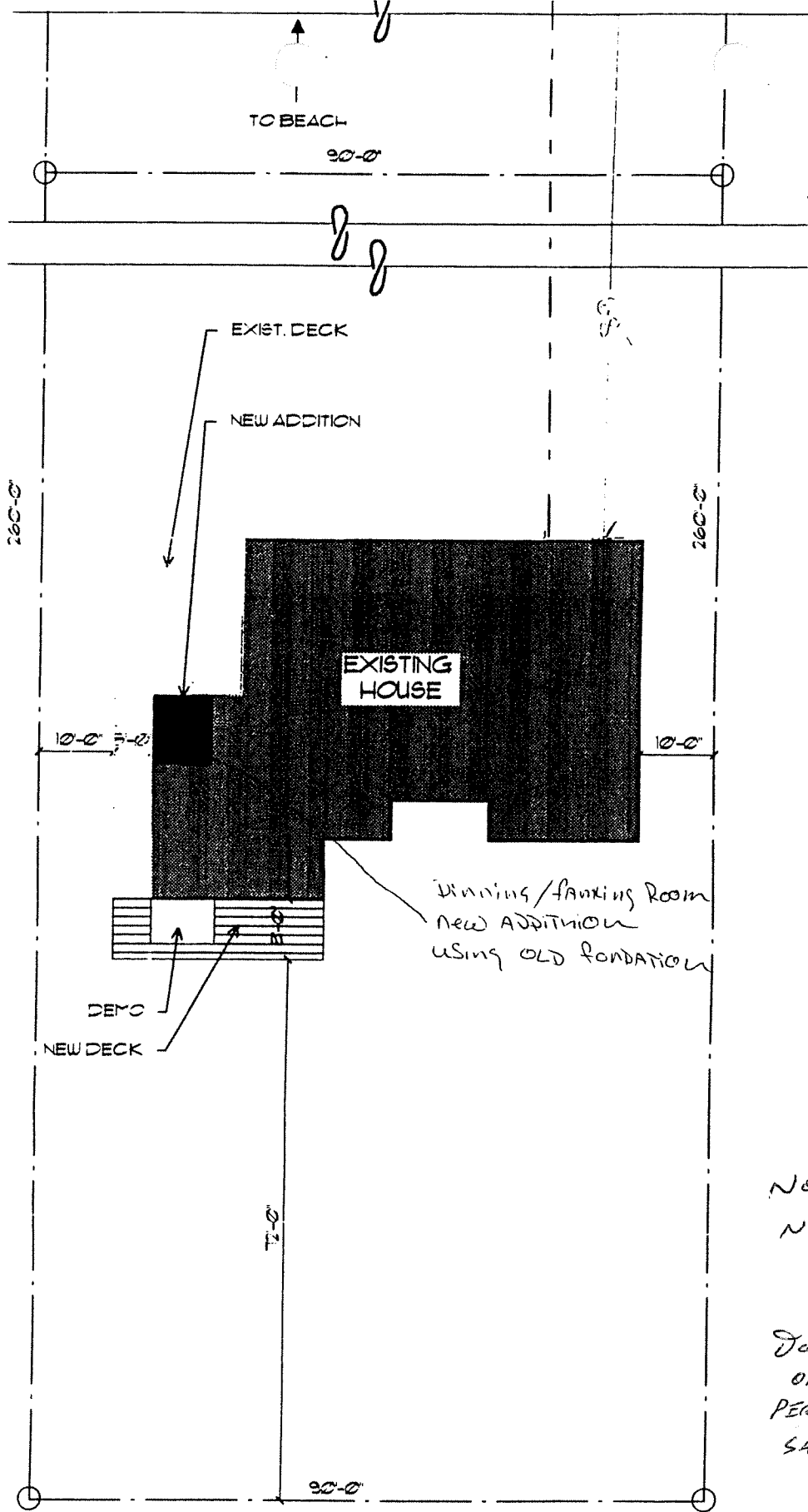
APPROVAL OF PROPOSED ADDITIONS

SUBMITTED BY P. H. BAGGENSTOS CONST.

717-1958 / 738-3030

PLEASE HOLD FOR PETE





NO DEQ ACTION
NECESSARY.

David Johns, DEQ
OFFICE COORDINATOR
PER DENNIS ILLINGWORTH,
SANITARIAN, DEQ, NWR,
PORTLAND

8-30-96



FOR OFFICE USE ONLY

STATE OF OREGON
Department of Environmental Quality

FOR OFFICE USE ONLY

Date Test Holes Ready

Date Rec'd April 14, 1982

Date Completed

Required Fee \$95.00

Receipt No. 24265

Control No.

APPLICATION FOR:

- Site Evaluation Report
Permit to Construct On-Site Sewage Disposal System
Permit to Repair On-Site Sewage Disposal System
Permit for Alteration of On-Site Sewage Disposal System
Permit Renewal
Authorization Notice
Other (Specify)

(Required fee and land use compatibility statement must accompany application)

FOR OFFICE USE ONLY:

PLOT PLAN REQUIRED YES NO ATTACHED YES NO
VICINITY OR TAX LOT MAP REQUIRED YES NO ATTACHED YES NO
TEST HOLES REQUIRED YES NO ATTACHED YES NO
LAND USE COMPATIBILITY STATEMENT YES NO ATTACHED YES NO

ADDITIONAL ITEM(S) REQUIRED Planning Dept.: ESTABLISHED BUILDING-LINE IS

WESTERLY EXTENT OF STRUCTURES; SEPTIC OK WEST OF 30 foot

COUNTER AT 15/4/82

For Applicant's Use (Please Print)

Charles Mersereau
(Property Owner's Name)

6N 10W 44A 3300 Clatsop
(Township) (Range) (Section) (Tax Lot/Acct. No.) (County)

Pacific Palisades
(Subdivision Name) (Lot No.) (Block No.) (Lot Size) 1.31 AC.

Bearhart
(Public Water Supply) (Private Water Supply, Specify Type)

Proposed 3
(Single Family Residence - Number of Bedrooms) (Other - Specify)

Directions to Property: Lower Palisades Road

By my signature, I certify that the information I have furnished is correct, and hereby grant the Department of Environmental Quality and its authorized agent permission to enter into the above described property for the purpose of this application.

Pbt plan signed by David Darling of Seacoast Nursery
(Signature)

April 12, 1982
(Date)

- Owner
Authorized Representative
S.D.S. License No. 33079

Owner's Mailing Address

Applicant's Mailing Address (if different)

P.O. Box 2823
Bearhart Ore 97138

Phone

Phone

PROPOSED SUBSURFACE OR ALTERNATIVE SEWAGE DISPOSAL SYSTEM

Installer: Complete top part of form to signature
and submit both copies with application.

(Exhibit No. 1)

Permit No. _____

Installer's Name <i>Seacoast Nursery Const</i>		Property Address <i>1006 610 4AA 3300</i>			
No. Living Units <i>one</i>	Bedrooms <i>Three</i>	Baths <i>two</i>	Basement Yes <input checked="" type="checkbox"/> No _____	Water Supply Community _____ Public <input checked="" type="checkbox"/> Other—List _____	

Septic Tank:
 Ft. from well 0 Steel Concrete _____ No. Compartments one Gallon Capacity 1000
 Inside Dimensions: Feet

Length	Width	Diameter	Depth	Tile Disposal Field: Distribution Box: Yes _____ No <input checked="" type="checkbox"/>
--------	-------	----------	-------	--

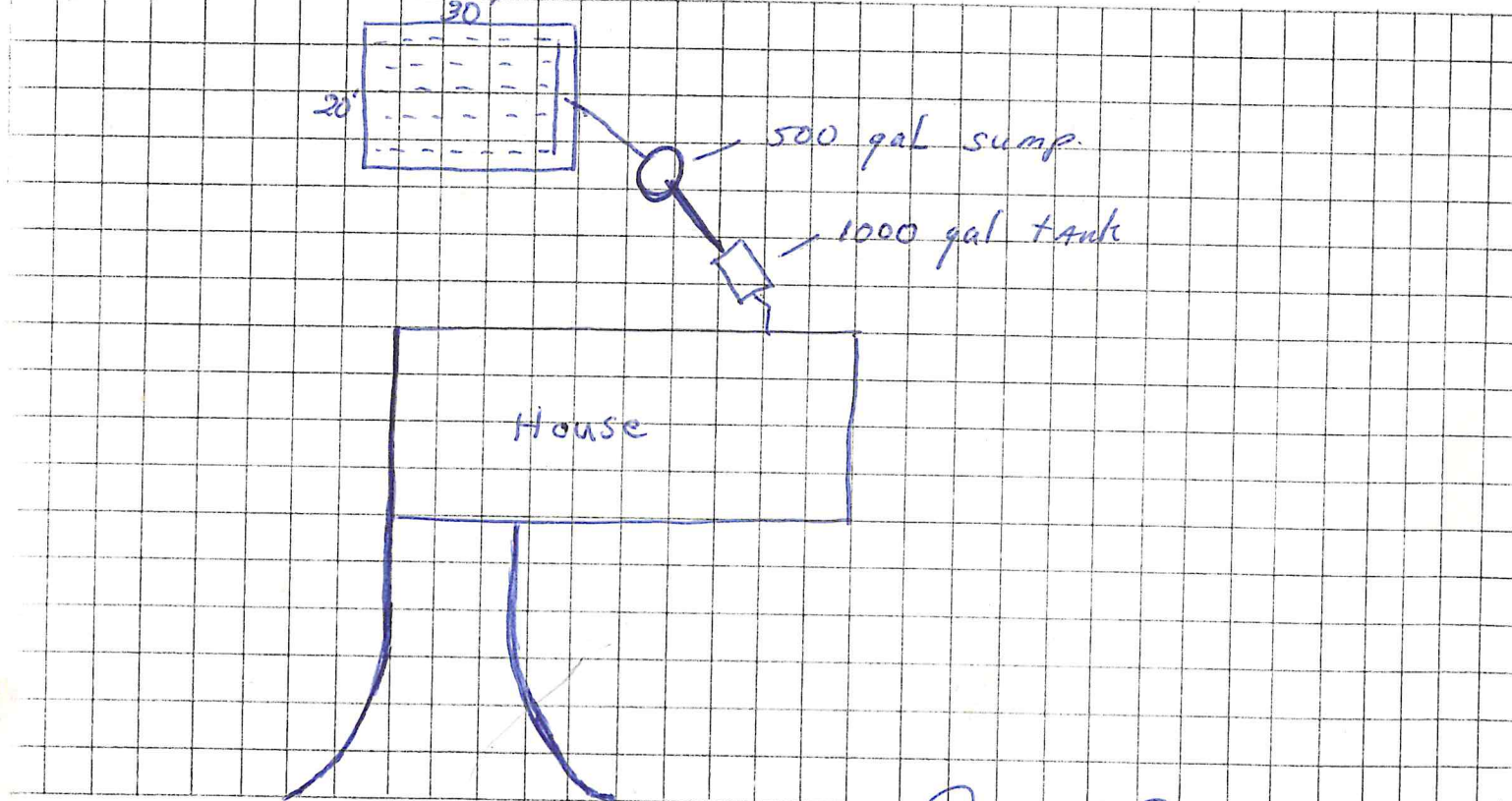
Applicant Name <i>Charles Mersereau</i>	Other Distribution—Type <i>low Pressure</i>
--	--

Mailing Address <i>P.O. Bx.</i>	Feet from Well <i>0</i>	Foundation <i>0</i>
------------------------------------	----------------------------	------------------------

Gearhaet <i>one</i>		Lot Line Front <i>0</i>	Side <i>0</i>	Rear <i>0</i>
---------------------	--	----------------------------	------------------	------------------

Length of Lines—Feet 2. <u>26'</u>	Trench Width <i>-</i>	Total Sq. Ft. <i>600</i>	Ft. Between Lines <i>4'</i>	Filter Type <i>2"</i>	Filter Depth Above Tile <i>2" in.</i>	Filter Depth Below Tile <i>8" in.</i>
---------------------------------------	--------------------------	-----------------------------	--------------------------------	--------------------------	--	--

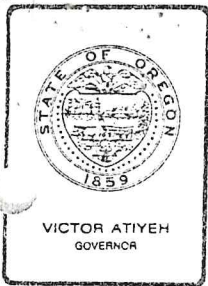
Plot Plan ~~SECTION 1001~~



Date 4-12-82 Signature *David Darling*

Sanitarian Use Only:
 Approved: System Installation Conforms to DEQ rules for Subsurface Sewage Disposal
 Disapproved: Does not Conform to DEQ Rules for Subsurface Sewage Disposal

Remarks: _____ Date: _____



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-3600

RECEIVED
MAR 1982

MEMORANDUM

Astoria Branch

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. E, January 22, 1982, EQC Meeting

Charles Mersereau - Request for Variance to On-Site Sewage Disposal Rules

The pertinent legal authorities are summarized in Attachment "A".

Mr. Charles Mersereau applied to the Department of Environmental Quality, Astoria Branch Office, for a site evaluation for an on-site sewage disposal system on November 2, 1981. The property is identified as Tax Lot 3300, Section 4AA, Township 6 North, Range 10 West, Willamette Meridian, Clatsop County, and is located just north of the city of Gearhart and is within the City's urban growth boundary.

Mr. Gerald R. Campbell, Waste Management Specialist, DEQ Astoria Branch, evaluated the property on November 3, 1981. Two backhoe pits at the proposed site were examined and observed to contain clean, dunal sand to a depth of 96 inches. No evidence of past or current water tables was noted in the soil profile. The westerly portion of the tax lot is located in the active dune area designated by Clatsop County. The proposed location of the house and on-site sewage disposal system is not within the active dune area.

Mr. Mersereau was notified that the proposed site did not comply with the Administrative rules because it is located within the Clatsop Plains Moratorium area. The moratorium was decreed by the Commission preventing the issuance of either construction permits or favorable reports of evaluation. Mr. Mersereau applied for a variance from the Clatsop Plains Moratorium (OAR 340-71-460(6)(e)) to allow issuance of an on-site sewage disposal system permit for a maximum of 375 gallons sewage flow per day (3 bedroom single family residence). The application was found to be complete and was assigned to Mr. Charles H. Gray, variance officer. Mr. Gray scheduled a visit to the proposed site and the variance hearing for November 24, 1981. After closing the hearing, Mr. Gray evaluated the information provided by Mr. Mersereau and others.

3. Before system construction begins, a complete application for a construction installation permit must be submitted to the Department's Astoria Branch Office, and personnel from that office shall issue the permit.

Summation

1. The pertinent legal authorities are summarized in Attachment "A".
2. Mr. Mersereau submitted an application for site evaluation to the Department's Astoria Office. Mr. Gerald Campbell evaluated the property and determined the property complies with the Department's minimum standards for issuance of a construction installation permit. The property, however, cannot be granted a favorable site evaluation or permit since it is located within the Commission authorized Clatsop Plains Moratorium.
3. The Department received a variance application from Mr. Mersereau, which was reviewed for completeness and assigned to a variance officer, Mr. Charles Gray.
4. Mr. Gray examined the proposed site and conducted a public information gathering hearing. After closing the hearing, Mr. Gray evaluated the record and found that an on-site sewage disposal system, limited to a maximum daily sewage flow of three hundred seventy-five (375) gallons, and installed pursuant to specific conditions, could be expected to function properly at the site. Mr. Gray recommends the Commission find that strict compliance with OAR 340-71-460(6)(e), as they pertain to Mr. Mersereau's proposed seepage bed site, are inappropriate for cause, and authorize a construction installation permit be issued subject to special conditions.

Director's Recommendation

Based upon the findings in the summation, it is recommended that the Commission adopt the recommendation of the variance officer as the Commission's findings, and grant variances from OAR 340-71-460(6)(e).

William H. Young
jas
William H. Young

Attachments 4

- Attachment "A" - Pertinent Legal Authorities
- Attachment "B" - Supporting Letter for Variance Approval
- Attachment "C" - Proposed Plan
- Attachment "D" - Proposed Conditions for Granting Variance

Charles H. Gray:o
229-5288
November 30, 1981
R0165 (1)

ATTACHMENT A

1. Administrative rules governing on-site sewage disposal are provided for by Statute: ORS 454.625.
2. The EQC has been given statutory authority to grant variances from the particular requirements of any rule or standard pertaining to on-site sewage disposal system if, after hearing, it finds that strict compliance with the rule or standard is inappropriate for cause or because special physical conditions render strict compliance unreasonable, burdensome or impractical: ORS 454.657.
3. Mr. Gray was appointed as a variance officer pursuant to the Oregon Administrative Rules: OAR 340-71-425.

RO165.A (1)

ATTACHMENT B
RECEIVED
AUG 27 1981
DIANE SPIES

EXHIBIT G - COPY 1

R. W. BECK AND ASSOCIATES

ENGINEERS AND CONSULTANTS

PLANNING
DESIGN
RATES
ENVIRONMENTAL
ECONOMICS
MANAGEMENT

TOWER BUILDING
7TH AVENUE AT OLIVE WAY
SEATTLE, WASHINGTON 98101
206-622-5000

GENERAL OFFICE
SEATTLE, WASHINGTON
206-622-5000

FILE NO. UU-0000--AE-GA

August 25, 1981

Mr. Jeff Bennett
The Portland Center
150 Southwest Harrison
Portland, OR 97201

Dear Mr. Bennett:

Subject: Clatsop Plains "208" Study
Ground Water Protection Plan

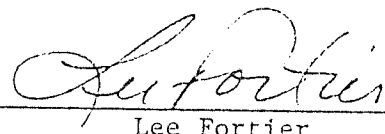
Enclosed please find summaries of water quality data from two test wells that bracket the property we discussed over the telephone on Monday. The chemical constituent which is of concern to the Oregon Department of Environmental Quality (DEQ) is nitrate (NO_3), for which DEQ has set a planning limit of 5 mg/l. As you can see from the tabulation, the well to the south of the property exhibits very high NO_3 concentrations at times, while the well to the north remains nearly void of NO_3 . Undoubtedly, the reason for the high NO_3 concentrations in the south well is the wastewater discharge from the condominium complexes, and not an overall deterioration in water quality.

As for the probable success of obtaining a variance for development on the property in question, I do not feel there should be a water quality problem with the densities proposed. However, to further mitigate any possible concern, I would suggest that you propose the use of a low pressure distribution system along with the septic tank. The DEQ has shown some reduction in NO_3 concentrations from these systems, and is in favor of their use.

If I can be of further assistance, please call.

Very truly yours,

R. W. BECK AND ASSOCIATES



Lee Fortier
Principal Engineer

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
AUG 21 1981

LF/lb
Enclosure

WATER QUALITY CONTROL

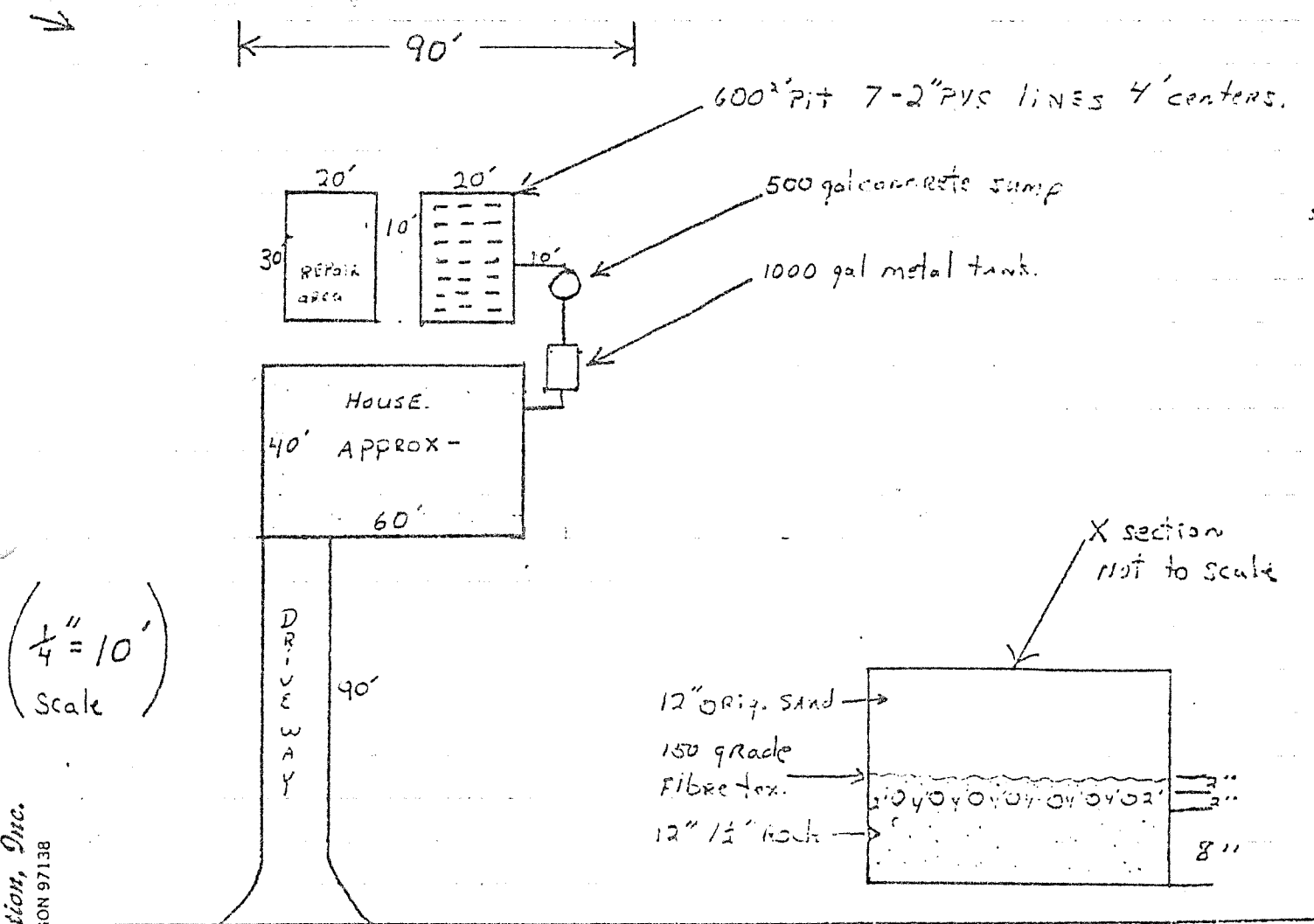
STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM

ATTACHMENT C
 LU 11-30-81 1981

PLOT PLAN

NORTHWEST REGION

Property Owner 610-4AA-3300 Date 11-30-81
 Location: T. _____ R. _____ Sec. _____ Tax Lot/Acct. No. _____



Lower Palisades Road.

REMARKS: _____

FOR DEQ USE ONLY

Seacoast Nursery Construction, Inc.
 BOX 475 - HAMLET RT. - SEASIDE, OREGON 97138

Approved Permit Number _____

PROPOSED CONDITIONS FOR GRANTING VARIANCE

1. This on-site sewage disposal system shall serve one (1) single family dwelling having an estimated sewage flow not to exceed three hundred seventy-five (375) gallons per day and no more than three (3) bedrooms.
2. A standard subsurface sewage disposal system, consisting of a 1000 gallon (minimum capacity) septic tank and six hundred (600) square feet of seepage bed, shall be installed within the area identified on the system plan (Attachment C). The seepage bed shall be dug to twenty-four (24) inches depth.
3. Except as authorized by specific variance, all requirements of the Oregon Administrative Rules, Chapter 340-71-100 through 71-600 shall be met.
4. Astoria Branch staff shall inspect the installation of this system at those stages of construction they identify as appropriate to insure proper installation.
5. The permittee shall comply with all local planning, zoning, and building ordinances.

RO165.A (1)

610-4AA-3300



Department of Environmental Quality

522 S.W. 5th AVENUE, P.O. BOX 1760, PORTLAND, OREGON 97207 PHONE (503) 229-
Astoria Branch, P.O. Box 369, Astoria, Oregon 97103 (503) 325-8660

November 3, 1981

Jeff Bennet
Attorney at Law
150 SW Harrison
Portland, Oregon 97204

Re: SS - DENIAL
610-4AA-3300

Dear Mr. Bennet:

On November 2, 1981, I evaluated this property in response to the application you submitted for Charles Mersereau. As I have indicated in the enclosed illustration, the soil conditions fully meet all the requirements for installation of a septic system.

This property, however, is within the boundaries of the Clatsop Plains Building Moratorium. As long as the moratorium is in effect a septic system cannot be approved. You may refer to Oregon Administrative Rule 340-71-460(6) regarding this. The only possibility of building on this property is to obtain a variance from the Environmental Quality Commission. I suggest that you contact Charles Gray or Thomas Bispham in the Northwest Region office if you are interested in doing this. Their telephone numbers are 229-5288 and 229-5292.

Let me know if I can be of further assistance.

Sincerely,

Gerald R. Campbell
Waste Management Specialist

GRC/jm

cc: Charles Mersereau

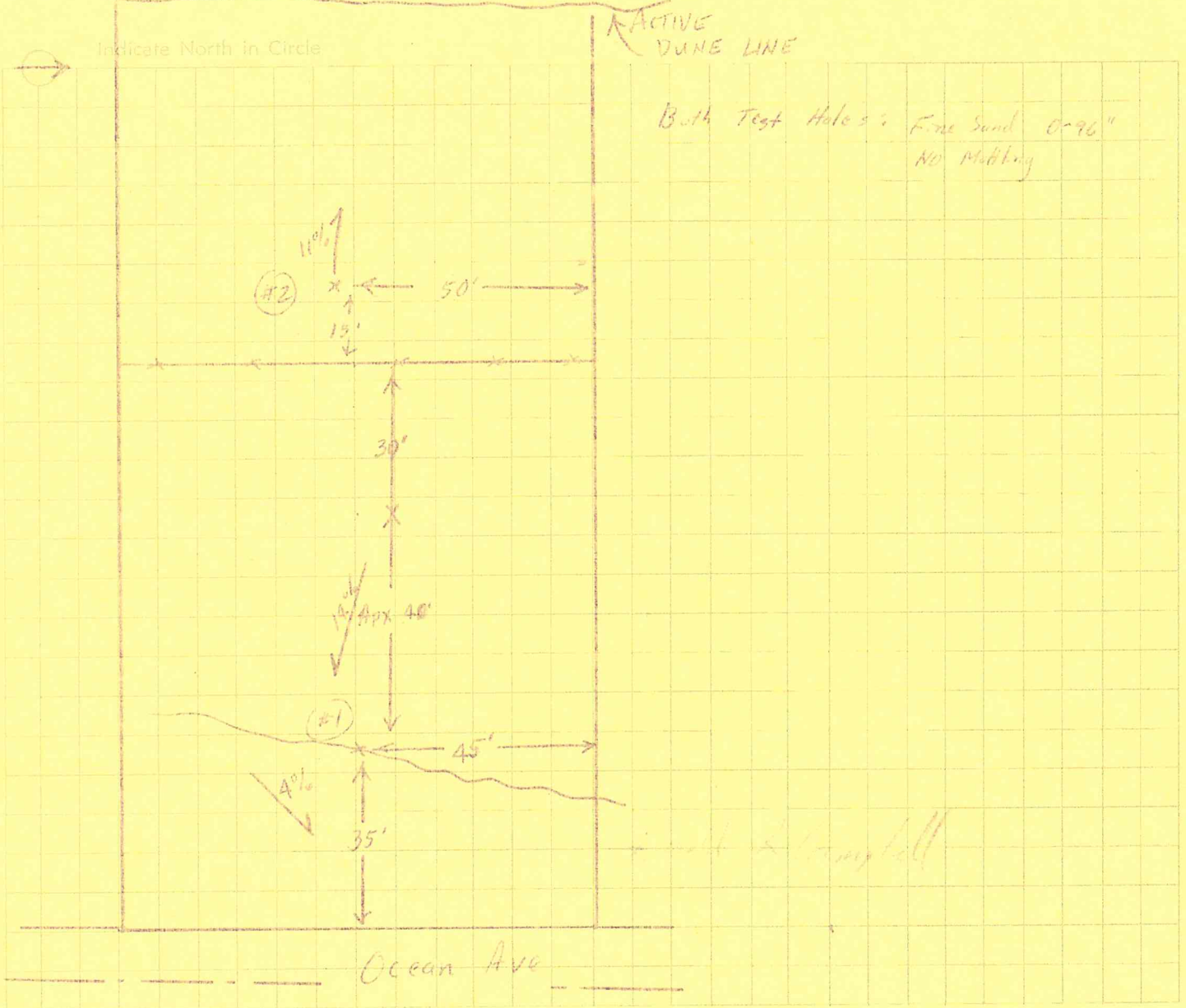


Contains
Recycled
Materials

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM
PLOT PLAN

Property Owner Charles Messer Date Nov 3, 1981

Location: T. 6N R. 10W Sec. 4AA Tax Lot/Acct. No. 3300



REMARKS: If the Clatsop Plains building moratorium were Scale 1"=20'
not in effect, this building site would be approved.
Install a septic system: 150' from ft of beachfield
Serial distribution
Locate in the area of hole # 2

FOR DEQ USE ONLY

Approved Permit Number THIS IS NOT A PERMIT
 Disapproved By: Donald Campbell NOV 3 1981
(SANITARIAN SIGNATURE) (DATE)

FOR OFFICE USE ONLY

STATE OF OREGON
Department of Environmental Quality

FOR OFFICE USE ONLY

Date Test Holes Ready

Date Rec'd 11-2-81
Date Completed
Required Fee 150.00
Receipt No. 23566
Control No.

APPLICATION FOR:

- Site Evaluation Report
Permit to Construct On-Site Sewage Disposal System
Permit to Repair On-Site Sewage Disposal System
Permit for Alteration of On-Site Sewage Disposal System
Permit Renewal
Authorization Notice
Other (Specify)

(Required fee and land use compatibility statement must accompany application)

FOR OFFICE USE ONLY:

PLOT PLAN REQUIRED YES NO ATTACHED YES NO
VICINITY OR TAX LOT MAP REQUIRED YES NO ATTACHED YES NO
TEST HOLES REQUIRED YES NO ATTACHED YES NO
LAND USE COMPATIBILITY STATEMENT YES NO ATTACHED YES NO
ADDITIONAL ITEM(S) REQUIRED

For Applicant's Use - (Please Print)
Charles Mersereau (contract purchaser)
Property Owner's Name
T6N R10W 4AA 3300
(Gearhart Palisades N/A)
City of Gearhart
three (two plus den)

NOTE: The owner, the Estate of Gladys Harder, has authorized Mr. Mersereau or his attorney to act as its agent; filed DEQ-Portland
Clatsop
1.31 acres
N/A
N/A

Directions to Property: see enclosed

By my signature, I certify that the information I have furnished is correct, and hereby grant the Department of Environmental Quality and its authorized agent permission to enter into the above described property for the purpose of this application.

Signature: Jeffrey J. Bennett

October 22, 1981
Owner
Authorized Representative
S.D.S. License No.

Owner's Mailing Address
Estate of Gladys Harder
Schwab, Burdick & Hilton
Frank Hilton, Attorney at Law
1200 Oregon National Building
610 SW Alder
Portland, Oregon 97205 226-2926

Applicant's Mailing Address (if different)
Jeffrey J. Bennett
Attorney at Law
150 SW Harrison
Portland, Oregon 97201
222-2117
Phone

Diane Spies

Attorney at Law

The Portland Center
150 Southwest Harrison
Portland, Oregon 97201
(503)-222-2117

October 23, 1981

Mr. Jerry Campbell
Oregon Department of Environmental Quality
857 Commercial
Astoria, Oregon 97103

Re: Site Evaluation Report for Charles and Janet Mersereau

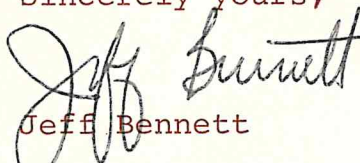
Dear Mr. Campbell:

Pursuant to our conversation of Thursday, October 1981, I am enclosing a DEQ application for a site evaluation report for the property referred to therein. I have also attached a tax lot map and directions to the subject property. I have, this day, communicated with Mr. Mersereau and have requested that he forward the \$150 application fee to you under separate cover.

As you will see, Mr. Mersereau is not the fee owner of the subject property. The Estate of Gladys Harder, however, has authorized Mr. Mersereau and this office to act as its agent in seeking a DEQ variance from the Clatsop Plains Moratorium. That authorization is on file with the DEQ in Portland should you request affirmation of Mr. Mersereau's authorization to file this application.

I have also communicated with Dave Darling of Sea Coast Nursery regarding the required test holes for your inspection. I have requested that he contact you when such holes are completed. Should you have further questions regarding this application, feel free to contact me at your earliest convenience.

Sincerely yours,


Jeff Bennett

JB:amr

cc: Mr. and Mrs. Charles Mersereau
Mr. David Darling

Dept. of Environmental Quality

RECEIVED
OCT 30 1981

Astoria Branch

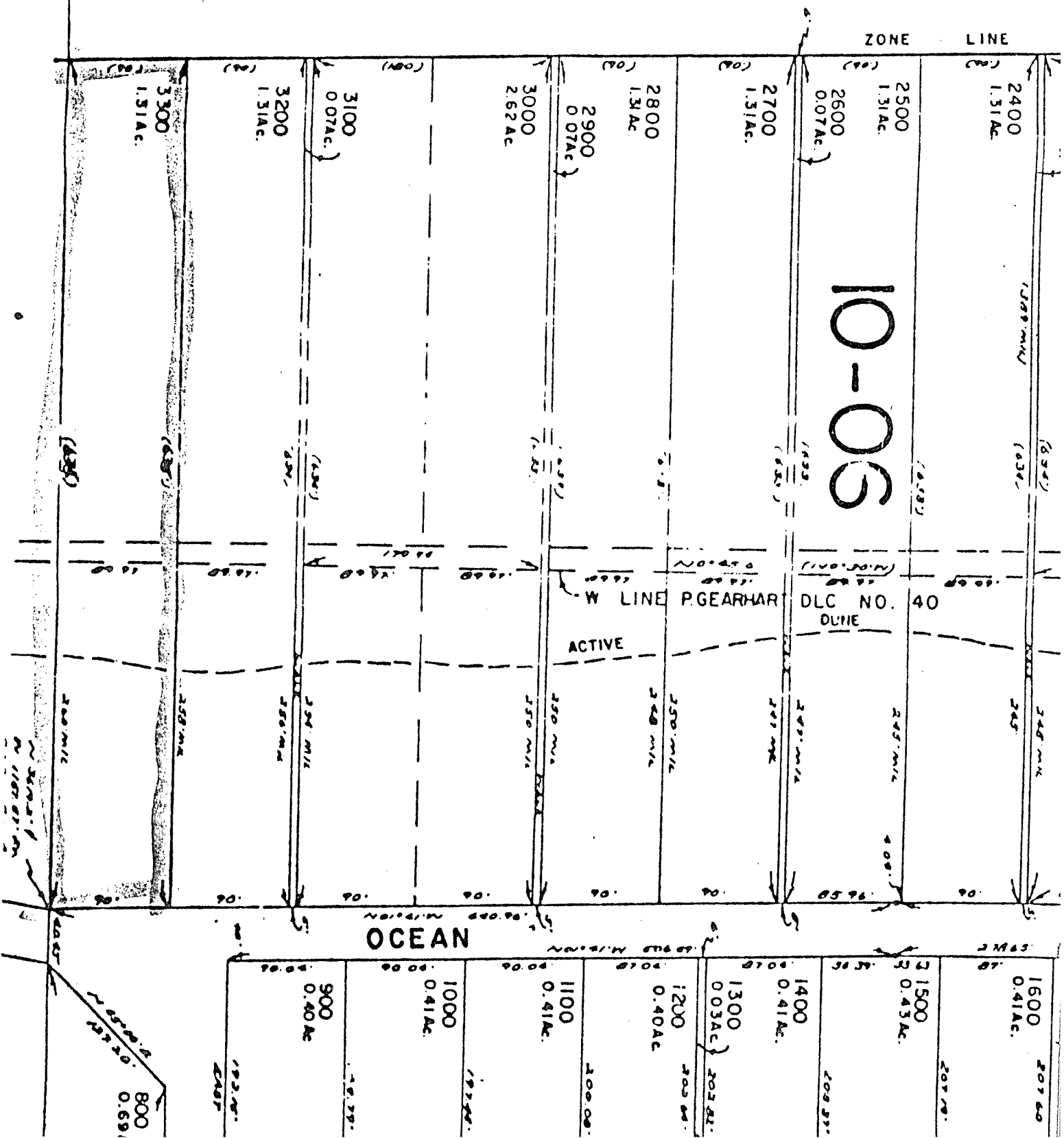
1 As shown by R. W. Beck and Associates, it is their opinion that there
2 should be no water quality problem with the proposal especially
3 where a low pressure distribution system is utilized.

4 Consistent with R. W. Beck and Associates' opinion, the
5 applicant plans on installing a low pressure distribution system
6 consistent with the Administrative Rules adopted for installation
7 of such systems by the Oregon Department of Environmental Quality.
8 See OAR 340-71-275. (It is my understanding that this
9 administrative rule section governs design and installation of the
10 low pressure distribution system. In the event a different section
11 governs, the Mersereau's will install such system according to
12 those rules).

13 Secondly, the Mersereau's are retired and plan on building their
14 permanent retirement home on the subject property. While I am
15 uncertain what the "advanced age" criterion set forth in OAR 340-71-420
16 (2)(a) requires, the applicant's age may certainly have bearing on
17 issuance of this hardship variance.

18 CONCLUSION. Based upon the foregoing, the Appliant requests
19 that a Hearings Officer and the Commission to grant either a Formal
20 or Hardship variance to the Clatsop Plains Moratorium.
21
22
23
24
25
26

EXHIBIT C - COPY 1



RECEIVED
AUG 27 1981

COAST TITLE COMPANY

Title Insurance and Escrow

729 S. Holladay Drive • Seaside, OR 97138 • (503) 738-8411

DIANE SPIES

EXHIBIT B - COPY 1

A tract of land in Section 4, Township 6 North, Range 10 West of the Willamette Meridian, County of Clatsop, State of Oregon described as follows:

Beginning at a point which is 3,619.20 feet North and 1,187.57 feet West of the Southeast corner of said Section 4, said point being in the West line of Ocean Avenue as evidenced by instrument recorded in Volume 156 of Deeds page 214, Records of Clatsop County, Oregon; thence running West a distance of 635 feet, more or less, to the line of ordinary high tide of the Pacific Ocean; thence North $0^{\circ} 30'$ West along said high tide line a distance of 89.97 feet; thence East a distance of 635 feet, more or less to the West line of said Ocean Avenue; thence South $1^{\circ} 41'$ East along the West line of said Ocean Avenue a distance of 90.00 feet to the point of beginning.



North Coast Branch - Astoria
DRC

Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

January 26, 1982

Mr. Charles Mersereau
P. O. Box 2823
Gearhart, OR 97138

Re: WQ - SSS - Variance
Tax Lot 3300; Sec. 4 AA;
T 6 N.; R 18 W.; W.M.;
Clatsop County

Dear Mr. Mersereau:

On January 22, 1982, the Environmental Quality Commission reviewed your request for variance from the Oregon Administrative Rules for the property referenced above. The Commission adopted the recommendation of the variance officer and granted a variance from OAR 340-71-460(6)(e). The Department's North Coast Branch Office is authorized to issue a construction installation permit upon their receipt of a completed permit application, with the following special conditions:

1. The on-site system shall be located within the areas identified on the enclosed plan, Attachment A; and
2. The on-site system shall be constructed in accordance with all of the conditions listed in Attachment B; and
3. Before construction of the on-site system begins, the construction installation permit must be issued.

Please feel free to contact Mr. Charles Gray if there are any questions. His telephone number is 229-5288, or toll free, 1-800-452-7813.

Sincerely,

Sherman O. Olson, Jr.

Sherman O. Olson, Jr.
Assistant Supervisor
On-site Sewage Systems Section
Water Quality Division

S00:g
XG853 (1)

Enclosures

cc: ✓ North Coast Branch, Astoria
Northwest Regional Office, DEQ
Mr. Jeffrey J. Bennett

Dept. of Environmental Quality

RECEIVED
JAN 27 1982

Astoria Branch

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

ATTACHMENT **A** **V** **E**

DEC 2 1981

PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM

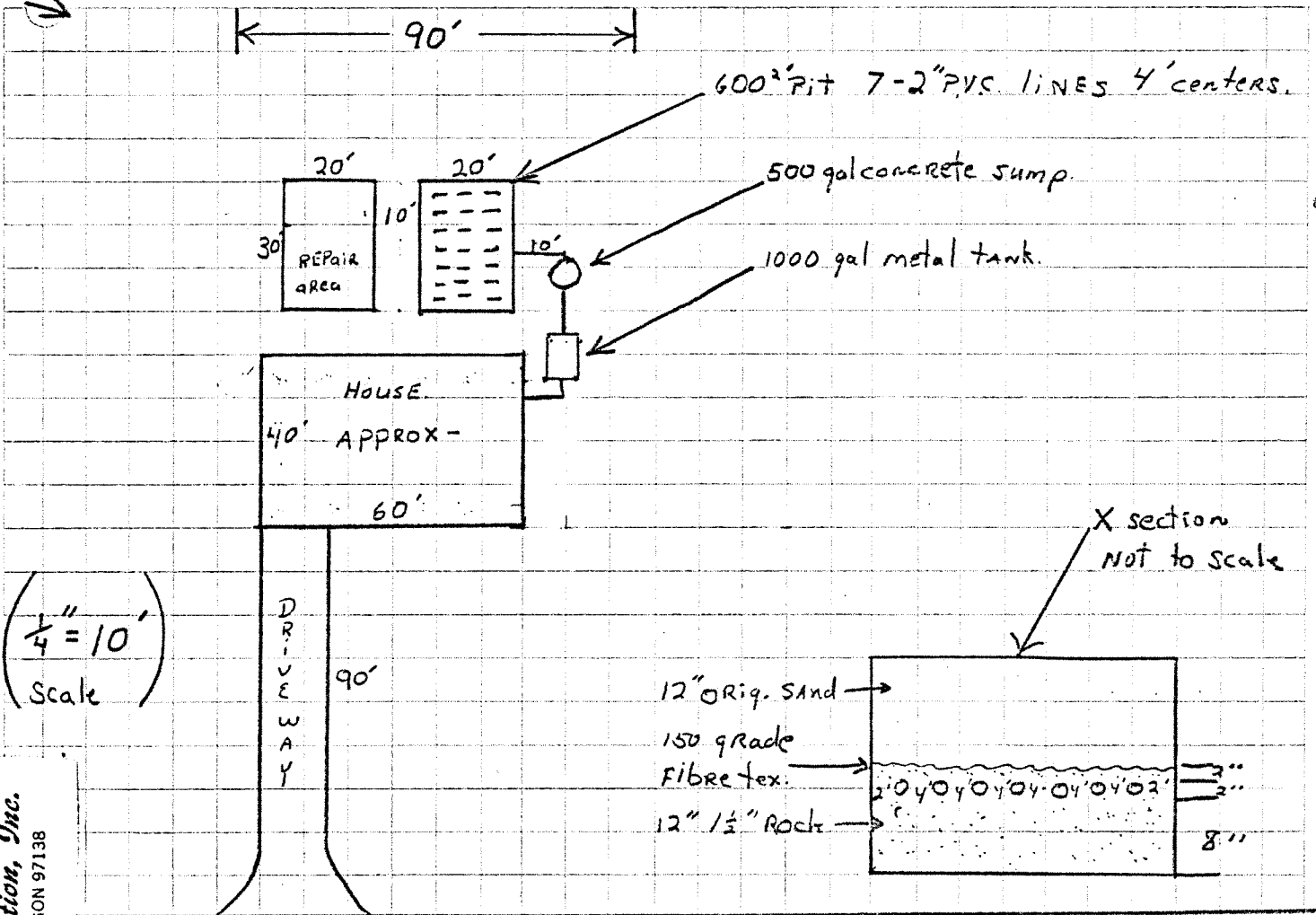
PLOT PLAN

NORTHWEST REGION

Property Owner 610-4AA-3300 Date 11-30-81

Location: T. _____ R. _____ Sec. _____ Tax Lot/Acct. No. _____

Indicate North in Circle



(1/4" = 10'
Scale)

Seacoast Nursery Construction, Inc.
BOX 475 - HAMLET RT. - SEASIDE, OREGON 97138

lower Palisades Road.

REMARKS: _____

FOR DEQ USE ONLY

Approved

Permit Number _____

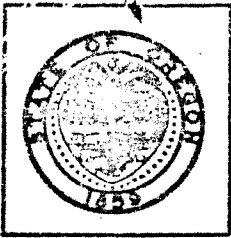
Disapproved

By: _____

PROPOSED CONDITIONS FOR GRANTING VARIANCE

1. This on-site sewage disposal system shall serve one (1) single family dwelling having an estimated sewage flow not to exceed three hundred seventy-five (375) gallons per day and no more than three (3) bedrooms.
2. A standard subsurface sewage disposal system, consisting of a 1000 gallon (minimum capacity) septic tank and six hundred (600) square feet of seepage bed, shall be installed within the area identified on the system plan (Attachment C). The seepage bed shall be dug to twenty-four (24) inches depth.
3. Except as authorized by specific variance, all requirements of the Oregon Administrative Rules, Chapter 340-71-100 through 71-600 shall be met.
4. Astoria Branch staff shall inspect the installation of this system at those stages of construction they identify as appropriate to insure proper installation.
5. The permittee shall comply with all local planning, zoning, and building ordinances.

RO165.A (1)



DEPARTMENT OF COMMERCE
BUILDING CODES DIVISION
401 LABOR AND INDUSTRIES BUILDING
SALEM, OREGON 97310

APPLICATION FOR BUILDING PERMIT

JURISDICTION _____
STATE OFFICE _____
ADDRESS _____
TELEPHONE _____

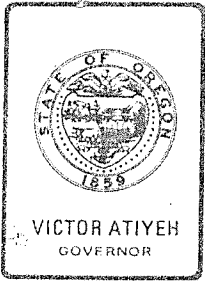
Applicant to complete numbered spaces only.

JOB ADDRESS 1 <u>Ag't. 1700 Ocean Ave. - Palisades</u> is building within city limits: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
IDENTIFYING NAME OF BUILDING 2 <u>SFO - Bsmt - 2-story - 3-bedrm.</u> COUNTY <u>Cl.</u>	
LEGAL DESCR. 3	LOT NO. _____ TAX LOT NO. <u>3300</u> BLCK <u>1</u> TRACT _____ Township <u>6N</u> Range <u>18W</u> W.M. _____ Section No. <u>4AA</u> <input type="checkbox"/> See Attached Sheet
OWNER 4 <u>Charles Mersereau</u>	MAIL ADDRESS <u>908 2823 Gearhart</u> ZIP _____ PHONE <u>738-8518</u>
CONTRACTOR 5 <u>Self</u>	MAIL ADDRESS _____ PHONE _____ LICENSE NO. _____
ARCHITECT OR DESIGNER 6 <u>David Blair Smith</u>	MAIL ADDRESS <u>0314 SW Custer Way</u> PHONE <u>246-2895</u> LICENSE NO. <u>Phd. 97219</u>
ENGINEER 7	MAIL ADDRESS _____ PHONE _____ LICENSE NO. _____
USE OF BUILDING 8 <u>Res.</u>	
9 Class of work: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION Existing Sq. Ft. _____ <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE Additional Sq. Ft. _____	
10 Describe work: <u>Construct 2-story 3 bedroom SFO & basement</u>	
11 Change of use from _____ to _____	
12 Total area of building <u>2800</u> Sq. Ft.	No. of stories <u>2</u> No. of bedrooms <u>3</u> No. of living units or apts. <u>1</u> Flood hazard zone <input type="checkbox"/> Yes <input type="checkbox"/> No
13 Declaration of Valuation of work \$ <u>85,000</u>	14 LOCAL GOVERNMENT APPROVALS
15 Signature Required to Become Valid	SPECIAL APPROVALS REQUIRED BEFORE PERMIT IS ISSUED
I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.	ZONING Use Zone <u>R-1</u> UGB Fire Zone _____ Zoning Permit No. <u>92-184</u> Date <u>11-18-82</u> Signature <u>Blaise Edmunds</u>
	SANITATION Public _____ Private <u>X</u> DEQ Permit No. <u>82-6791</u> (Installed <u>4-21-1982</u>) Date <u>100.19.1982</u> Signature <u>John D. Smith</u>
Signature of Contractor <u>Charles P. Mersereau 11-1982</u> (Date)	DEPT. OF HUMAN RESOURCES - HEALTH DIVISION Public Swimming Pool No. _____ Date _____ Signature _____
Signature of Owner (If Owner Builder) _____ (Date)	
16 Directions to job-site. Draw map if necessary. <u>Just N. of Gearhart</u> BP 388.00 12.40 70 15.52 3.12 PR 252.20 15.52 \$ 655.72 structural Separate permits required for mechanical, plumbing and electrical work.	

OFFICE USE ONLY

Plans reviewed for:		Plan Review No. _____
Plan Review - Structural and F&LS. <input type="checkbox"/>	Name _____ Date _____	Permit No. _____
Plan Review - Structural Only. <input type="checkbox"/>	Name _____ Date _____	Application Accepted By _____
Plan Review - Fire & Life Safety Only. <input type="checkbox"/>	Name _____ Date _____	

ASTORIA BR.



Department of Environmental Quality

522 SOUTHWEST 5TH AVE. PORTLAND, OREGON

MAILING ADDRESS: P.O. BOX 1760, PORTLAND, OREGON 97207

January 8, 1982

Mr. Charles Mersereau
P. O. Box 2823
Gearhart, OR 97138

Re: WQ-SSS Variance
Clatsop County

Dr. Mr. Mersereau:

The Environmental Quality Commission will be considering your variance request at their regularly scheduled meeting on January 22, 1982. The Commission will meet within the 14th Floor Conference Room of the Yeon Building, 522 S.W. Fifth Avenue, Portland, Oregon. It will be reviewed by the Commission sometime after 9:00 a.m.

Copies of the staff report, Agenda Item No. E, and tentative agenda are enclosed for your reference.

If you or your representative are unable to attend, please contact me at 229-6443.

Sincerely,

A handwritten signature in cursive script that reads "Sherman O. Olson, Jr.".

Sherman O. Olson, Jr.
Assistant Supervisor
On-Site Sewage Systems Section
Water Quality Division

SOO:g
XG800 (1)

cc: Mr. Jeffrey J. Bennett
✓ Astoria Branch Office, DEQ
Northwest Region, DEQ

Dept. of Environmental Quality
RECEIVED
JAN 11 1982

Astoria Branch

OREGON ENVIRONMENTAL QUALITY COMMISSION MEETING

January 22, 1982

14th Floor Conference Room
Department of Environmental Quality
522 S. W. Fifth Avenue
Portland, Oregon

TENTATIVE AGENDA

9:00 am CONSENT ITEMS

These items are routine and are usually acted on without public discussion. If any item is of specific interest to the Commission or sufficient need for public comment is indicated, the Chairman may hold any item over for discussion.

- A. Minutes of the December 4, 1981, EQC meeting.
- B. Monthly Activity Report for November, 1981.
- C. Tax credits

9:05 am PUBLIC FORUM

An opportunity for citizens to address the Commission on environmental issues and concerns not a part of this scheduled meeting. The Commission reserves the right to discontinue this forum after a reasonable time if an unduly large number of speakers wish to appear.

HEARING AUTHORIZATIONS

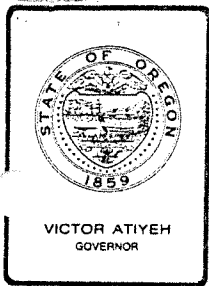
Public testimony will be accepted on the advisability of scheduling a public hearing but not on the substance of the rule.

- D. Request for authorization to conduct public hearings on proposed amendments to rules governing on-site sewage disposal, OAR 340-71-100 to 340-71-600, OAR 340-73-025 to 340-73-085.

ACTION AND INFORMATIONAL ITEMS

Public testimony will be taken on all remaining items except those for which a public hearing has previously been held. Those items on which testimony will not be taken are indicated by an asterisk (*). However, the Commission may choose to question interested parties present at the meeting.

- E. Request for variance to on-site sewage disposal rules:
Charles Mersereau.
- F. Appeal of subsurface variance approval granted to Mr. Marvin Peters:
Mr. and Mrs. Ronald G. Walters, Lincoln County.



Environmental Quality Commission

Mailing Address: BOX 1760, PORTLAND, OR 97207

522 SOUTHWEST 5th AVENUE, PORTLAND, OR 97204 PHONE (503) 229-5696

MEMORANDUM

To: Environmental Quality Commission

From: Director

Subject: Agenda Item No. E, January 22, 1982, EQC Meeting

Charles Mersereau - Request for Variance to On-Site Sewage Disposal Rules

The pertinent legal authorities are summarized in Attachment "A".

Mr. Charles Mersereau applied to the Department of Environmental Quality, Astoria Branch Office, for a site evaluation for an on-site sewage disposal system on November 2, 1981. The property is identified as Tax Lot 3300, Section 4AA, Township 6 North, Range 10 West, Willamette Meridian, Clatsop County, and is located just north of the city of Gearhart and is within the City's urban growth boundary.

Mr. Gerald R. Campbell, Waste Management Specialist, DEQ Astoria Branch, evaluated the property on November 3, 1981. Two backhoe pits at the proposed site were examined and observed to contain clean, dunal sand to a depth of 96 inches. No evidence of past or current water tables was noted in the soil profile. The westerly portion of the tax lot is located in the active dune area designated by Clatsop County. The proposed location of the house and on-site sewage disposal system is not within the active dune area.

Mr. Mersereau was notified that the proposed site did not comply with the Administrative rules because it is located within the Clatsop Plains Moratorium area. The moratorium was decreed by the Commission preventing the issuance of either construction permits or favorable reports of evaluation. Mr. Mersereau applied for a variance from the Clatsop Plains Moratorium (OAR 340-71-460(6)(e)) to allow issuance of an on-site sewage disposal system permit for a maximum of 375 gallons sewage flow per day (3 bedroom single family residence). The application was found to be complete and was assigned to Mr. Charles H. Gray, variance officer. Mr. Gray scheduled a visit to the proposed site and the variance hearing for November 24, 1981. After closing the hearing, Mr. Gray evaluated the information provided by Mr. Mersereau and others.

Evaluation

The property was found to be 1.31 acres in size. The applicant is petitioning relief under the variance on the basis that no adverse environmental impacts will occur if the variance is granted. Further grounds for petition are that the property is currently held in an estate and in order to settle the estate, the property's true market value must be finalized.

The property sets immediately adjacent to the Pacific Ocean. The soil profile is clean dunal sand without any evidence of a water table within 96 inches as described by Mr. Campbell. Mr. Gray determined there was sufficient area with suitable soils to install an alternative on-site sewage disposal system with equal area for future replacement to serve up to 375 gallons per day sewage flow.

The Department recently received the preliminary draft on the Clatsop Plains Ground Water Protection Plan. The report indicates that projected densities in the area of this property would not exceed the 5 mg/l nitrate limit. The plan recommends that future development with on-site sewage disposal systems utilizing low pressure distribution/sand filter systems can occur on lot sizes of less than one acre in this area.

Although the property is within the Clatsop Plains Moratorium boundary, the installation of an on-site sewage disposal low pressure distribution system to serve up to a three bedroom single family residence would not degrade the ground water. Since the lot size is 1.31 acres, disposal of up to 375 gallons of sewage flow per day is an application rate below that recommended by the Clatsop Plains Ground Water Protection Plan Report. The variance applicant, Mr. Mersereau, provided a statement from the authors of the Ground Water Plan supporting the proposed variance. The statement is Attachment "B".

After evaluating this site and after holding a public information hearing to gather testimony relevant to the requested variance, Mr. Gray finds that the proposed location and type of on-site sewage disposal system to be used would function properly and not create a public health hazard or cause pollution of public waters, or degrade the Clatsop Plains aquifer.

Variance Officer's Recommendation

Mr. Gray recommends the EQC find that strict compliance with OAR 340-71-460(6)(e), as they pertain to Mr. Mersereau's proposed seepage bed site, are inappropriate for cause. Special conditions to be imposed upon granting variance from the rule include:

1. The on-site system shall be located within the areas identified on the enclosed plan, Attachment "C".
2. The on-site system shall be constructed in accordance with all of the conditions listed in Attachment "D".

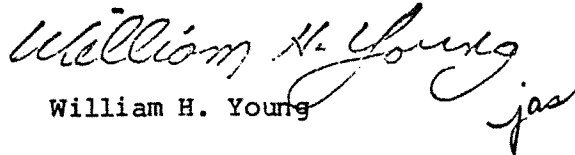
3. Before system construction begins, a complete application for a construction installation permit must be submitted to the Department's Astoria Branch Office, and personnel from that office shall issue the permit.

Summation

1. The pertinent legal authorities are summarized in Attachment "A".
2. Mr. Mersereau submitted an application for site evaluation to the Department's Astoria Office. Mr. Gerald Campbell evaluated the property and determined the property complies with the Department's minimum standards for issuance of a construction installation permit. The property, however, cannot be granted a favorable site evaluation or permit since it is located within the Commission authorized Clatsop Plains Moratorium.
3. The Department received a variance application from Mr. Mersereau, which was reviewed for completeness and assigned to a variance officer, Mr. Charles Gray.
4. Mr. Gray examined the proposed site and conducted a public information gathering hearing. After closing the hearing, Mr. Gray evaluated the record and found that an on-site sewage disposal system, limited to a maximum daily sewage flow of three hundred seventy-five (375) gallons, and installed pursuant to specific conditions, could be expected to function properly at the site. Mr. Gray recommends the Commission find that strict compliance with OAR 340-71-460(6)(e), as they pertain to Mr. Mersereau's proposed seepage bed site, are inappropriate for cause, and authorize a construction installation permit be issued subject to special conditions.

Director's Recommendation

Based upon the findings in the summation, it is recommended that the Commission adopt the recommendation of the variance officer as the Commission's findings, and grant variances from OAR 340-71-460(6)(e).


William H. Young

Attachments 4

- Attachment "A" - Pertinent Legal Authorities
- Attachment "B" - Supporting Letter for Variance Approval
- Attachment "C" - Proposed Plan
- Attachment "D" - Proposed Conditions for Granting Variance

Charles H. Gray:o
229-5288
November 30, 1981
RO165 (1)

ATTACHMENT A

1. Administrative rules governing on-site sewage disposal are provided for by Statute: ORS 454.625.
2. The EQC has been given statutory authority to grant variances from the particular requirements of any rule or standard pertaining to on-site sewage disposal system if, after hearing, it finds that strict compliance with the rule or standard is inappropriate for cause or because special physical conditions render strict compliance unreasonable, burdensome or impractical: ORS 454.657.
3. Mr. Gray was appointed as a variance officer pursuant to the Oregon Administrative Rules: OAR 340-71-425.

RO165.A (1)

EXHIBIT G COPY 1

R. W. BECK AND ASSOCIATES

ENGINEERS AND CONSULTANTS

ATTACHMENT B
RECEIVED
AUG 27 1981
DIANE SPIES

PLANNING
DESIGN
RATES
ENVIRONMENTAL
ECONOMICS
MANAGEMENT

TOWER BUILDING
7TH AVENUE AT OLIVE WAY
SEATTLE, WASHINGTON 98101
206-622-5000

GENERAL OFFICE
SEATTLE, WASHINGTON
206-622-5000

FILE NO. UU-0000-AE-GA

August 25, 1981

Mr. Jeff Bennett
The Portland Center
150 Southwest Harrison
Portland, OR 97201

Dear Mr. Bennett:

Subject: Clatsop Plains "208" Study
Ground Water Protection Plan

Enclosed please find summaries of water quality data from two test wells that bracket the property we discussed over the telephone on Monday. The chemical constituent which is of concern to the Oregon Department of Environmental Quality (DEQ) is nitrate (NO₃), for which DEQ has set a planning limit of 5 mg/l. As you can see from the tabulation, the well to the south of the property exhibits very high NO₃ concentrations at times, while the well to the north remains nearly void of NO₃. Undoubtedly, the reason for the high NO₃ concentrations in the south well is the wastewater discharge from the condominium complexes, and not an overall deterioration in water quality.

As for the probable success of obtaining a variance for development on the property in question, I do not feel there should be a water quality problem with the densities proposed. However, to further mitigate any possible concern, I would suggest that you propose the use of a low pressure distribution system along with the septic tank. The DEQ has shown some reduction in NO₃ concentrations from these systems, and is in favor of their use.

If I can be of further assistance, please call.

Very truly yours,

R. W. BECK AND ASSOCIATES

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
OCT 21 1981

Lee Fortier

Lee Fortier
Principal Engineer

LF/lb
Enclosure

WATER QUALITY CONTROL

STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM

ATTACHMENT C *V E*

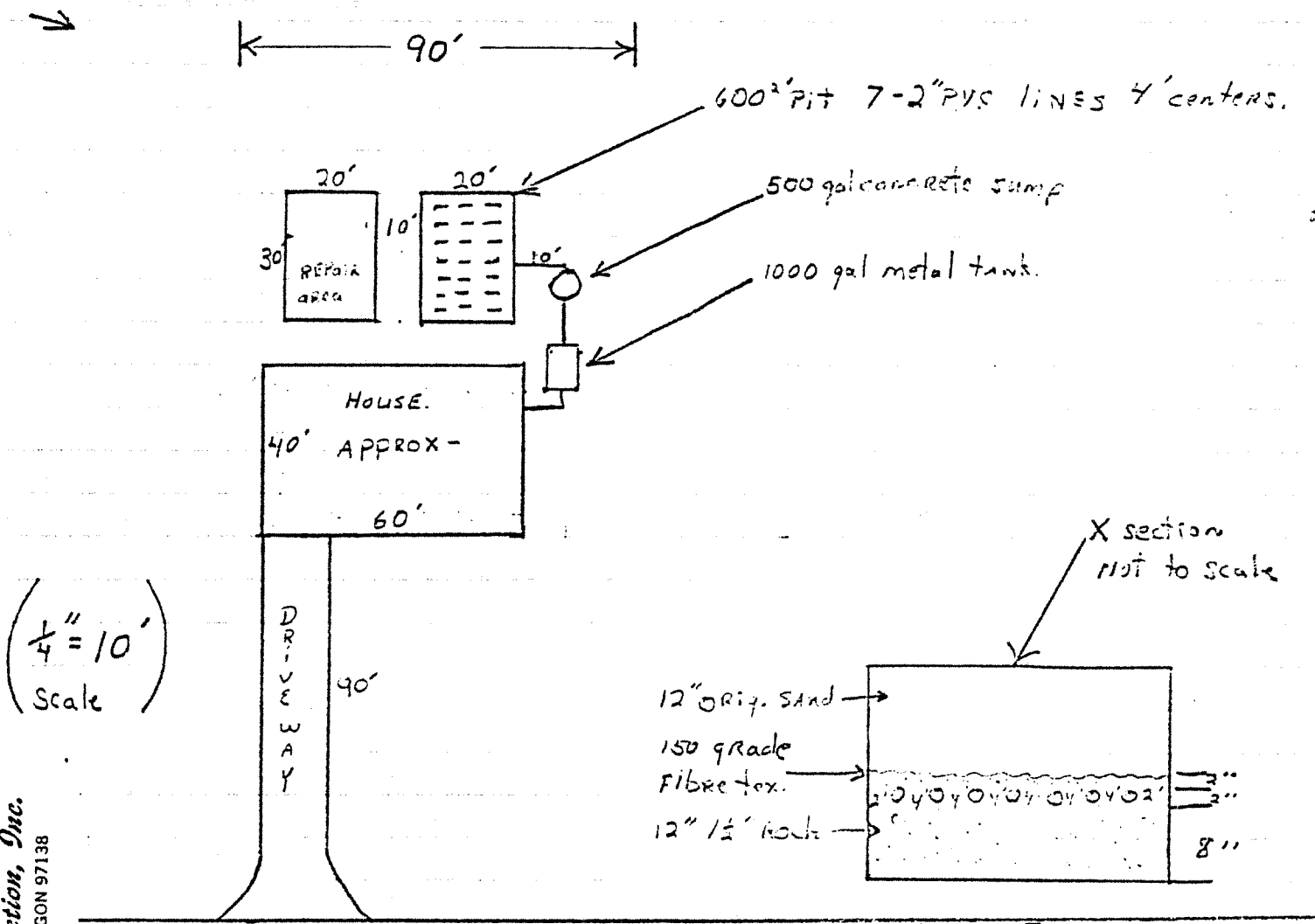
NOV 2 1981

PLOT PLAN

NORTHWEST REGION

Property Owner 610-4AA-3300 Date 11-30-81

Location: T. _____ R. _____ Sec. _____ Tax Lot/Acct. No. _____



Seacoast Nursery Construction, Inc.
 BOX 475 - HAMLET RT. - SEASIDE, OREGON 97138

lower Palisades Road.

REMARKS: _____

FOR DEQ USE ONLY

- Approved
- Disapproved

Permit Number _____

By: _____ (SANITARIAN SIGNATURE) _____ (DATE)

PROPOSED CONDITIONS FOR GRANTING VARIANCE

1. This on-site sewage disposal system shall serve one (1) single family dwelling having an estimated sewage flow not to exceed three hundred seventy-five (375) gallons per day and no more than three (3) bedrooms.
2. A standard subsurface sewage disposal system, consisting of a 1000 gallon (minimum capacity) septic tank and six hundred (600) square feet of seepage bed, shall be installed within the area identified on the system plan (Attachment C). The seepage bed shall be dug to twenty-four (24) inches depth.
3. Except as authorized by specific variance, all requirements of the Oregon Administrative Rules, Chapter 340-71-100 through 71-600 shall be met.
4. Astoria Branch staff shall inspect the installation of this system at those stages of construction they identify as appropriate to insure proper installation.
5. The permittee shall comply with all local planning, zoning, and building ordinances.

RO165.A (1)

Astoria Exhibit #2
Branch
office
copy

Diane Spies
Michael Jay Rune

Attorneys at law
The Portland Center
150 Southwest Harrison
Portland, Oregon 97201
(503)-222-2117

Dept. of Environmental Quality
R E C E I V E D
NOV 30 1981

November 9, 1981

Astoria Branch

Mr. Sherman Olsen
Oregon Department of Environmental Quality
522 S.W. 5th Avenue
Post Office Box 1760
Portland, Oregon 97207

Re: Mersereau Real Estate Contract
Tax Lot No. 610-4AA-3300; Clatsop Plains Moratorium Area

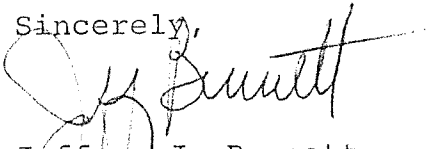
Dear Mr. Olsen:

Enclosed please find a copy of a letter this office has received from Gerald Campbell of the Astoria DEQ office together with an original and duplicate copy of the plot plan prepared by Mr. Campbell during his site evaluation report of the above-referenced property. As you will note, the property would be improved for septic availability if it were not for the Clatsop Plains Moratorium.

It is my understanding that this documentation will complete the Mersereau's application for a variance from the Clatsop Plains Subsurface Sewage Moratorium. The agency authorization from the Estate of Gladys J. Harder, fee simple owner of the subject property, will arrive in your office shortly. Rest assured, however, that the Mersereau's have oral authorization from the personal representatives of the Harder Estate to proceed in this matter.

When the DEQ has established a hearing date for the variance request, please notify me immediately in order that I may file a brief for the Hearings Officer's consideration. Also, consistent with our earlier application letter, we request the Hearings Officer grant an opportunity for this office to present oral argument at the time of the hearing. Should you have further questions, please notify me immediately.

Sincerely,


Jeffrey J. Bennett
Attorneys for the Applicants

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
R E C E I V E D
NOV 10 1981

WATER QUALITY CONTROL

AUTHORIZATION TO ACT AS AGENT

The Estate of Gladys J. Harder, being the owner of real property known as Tax Lot No. 1006 610 4 AA 3300, ^{Clatsop} ~~Clackamas~~ County, Oregon, hereby authorizes Charles Mersereau to act as its agent for the purpose of seeking a variance from the Oregon Department of Environmental Quality regarding the application of the Clatsop Plains Moratorium.

ESTATE OF GLADYS J. HARDER

By: 
Michael Harder, Personal Representative

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
R E C E I V E D
NOV 18 1981

WATER QUALITY CONTROL

10-21-81
B225.00
#4357

Exhibit #4

Application for Variance from Administrative Rules
Regulating Subsurface Sewage Disposal Systems

Please complete this application form and submit the application fee* (\$225) and required attachments to:

Department of Environmental Quality
Subsurface and Alternative Sewage Systems Section
P.O. Box 1760
Portland, Oregon 97207

REFERENCE INFORMATION--Please Print

<u>Charles Mersereau (contract purchaser)</u>		<u>T6N</u>	<u>R10W</u>	<u>4AA</u>
Name of Owner		Township	Range	Section
<u>P.O. Box 2823</u>		<u>3300</u>		<u>1.31 Ac.</u>
Address		Tax Lot or Account No.		Parcel Size
<u>Gearhart, Oregon 97138</u>		Subdivision Name <u>Gearhart Palisades</u>		
<u>City</u>	<u>State</u>	<u>Zip Code</u>		
<u>Atty. 222-2117</u>		Lot _____	Block _____	
Business Phone		Home Phone		

ATTACHMENTS

Provide The Following Items:

1. Complete and accurate directions to the property. A locator map would be helpful.
2. Copies of all correspondence and field notes relating to past denial(s) for septic tank-drainfield development. A copy of the site evaluation report must be included.
3. Two (2) copies of the parcel's legal description (metes and bounds, warranty deed, sales contract, or approved subdivision plat).
4. Two (2) copies of an assessor or title company plat map or a surveyor plat map.
5. Two (2) copies of a statement from the local government agency regulating zoning, land use planning, and building requirements which assures development of the proposed sewage generating structure will not conflict with any applicable ordinances.
6. Two (2) copies of narrative description of your variance proposal including the system construction specifications. Please list the step-by-step procedures that you propose to be followed for the installation of this system.
7. On a plot plan draw to a defined scale not smaller than one inch equals thirty feet, show the location and dimensions of the proposed drainfield and its replacement area. Indicate separation distances between disposal trenches, wells, springs, water courses, agricultural drainage tile, ditches, drainage ways, waterlines, buildings, roads, embankments, and other identifying features which help demonstrate parcel to drainfield relationships. Please provide two (2) copies.
8. Two (2) copies of a profile view of the proposal which illustrates the projected drainfield layout, trench dimensions, backfill depth, boundaries, (in cases where a crown over the drainfield is proposed), slope direction and percent of slope.

A minimum of two test pits must be provided within the specific area where the actual variance system is being proposed. The pits should be approximately two feet wide, four feet long, and excavated to either bedrock or to a depth of five (5) feet. Similar pits must be provided in the area of the repair system. The Variance Officer may require that the proposed drainfield and the future replacement drainfield are staked out.

Please note that it is your responsibility to present all of the facts and the reasoning which you feel justifies the granting of the variance as requested.

Jeffrey J. Bennett
 Signature of Owner
October 15, 1981
 Date
 of Attorneys for Applicant

State of Oregon
 DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
 OCT 21 1981

* Pursuant to ORS 454.662, the applicant is not required to submit the application fee if, at the time of the application, the applicant is 65 years of age or older, is a resident of the State of Oregon, and has an annual household income, as defined in ORS 310.630, of \$15,000 or less. Appropriate documentation must be submitted with the application.

WATER QUALITY CONTROL

Diane Spies
Michael Jay Rune

Attorneys at Law
The Portland Center
150 Southwest Harrison
Portland, Oregon 97201
(503)-222-2117

October 15, 1981

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
OCT 21 1981

Department of Environmental Quality
Subsurface Alternative Sewage Systems Section
Post Office Box 1760
Portland, Oregon 97207

WATER QUALITY CONTROL

Re: Variance Application of Charles Mersereau

To Whom It May Concern:

Enclosed please find an executed Application for Variance from DEQ Administrative Rules regulating Subsurface Sewage Disposal Systems. Attached to the application also please find:

- A -1. Directions to the property
- B -2. Two copies of legal description
- C -3. Two copies of title company plat map
- D -4. Two copies of statements from Clatsop County
- E -5. Two copies of a statement from the City of Gearhart
- G -6. Two copies of narrative of Variance proposal
- Exhibit F -7. Proposed low pressure distribution system
- H -8. Two copies of profile view of the proposal

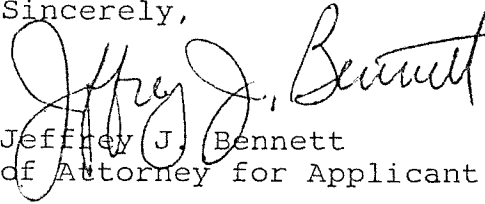
Please be advised that SeaCoast Nursery is in the process of preparing more detailed plans for the proposed low pressure distribution system, and that those plans should be in your office within one week. Also, Clatsop County presently has no record of prior denial for a septic tank-drainfield development for the subject property.

Please advise this office as soon as possible relating to the time the Hearings Officer plans to view the subject property. This will allow us to notify SeaCoast Nursery to prepare proper

test pits, and, if necessary, stake-out the proposed drainfield and replacement drainfield. Also, please advise me of the time and date the Hearings Officer plans to hold the informational hearing required by OAR 340-71-430(1). The applicant requests that the Hearings Officer allow submittal of written briefs and oral argument.

Thank you for your prompt attention to this matter. Should you have any questions regarding the application or any attachments thereto, please feel free to contact me at your convenience.

Sincerely,



Jeffrey J. Bennett
of Attorney for Applicant

cc: Mr. and Mrs. Charles Mersereau

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BEFORE THE HEARINGS OFFICER
FOR THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

In the matter of Charles Mesereau's)
Application for Formal and Hardship) APPLICANT'S NARRATIVE
Variance to OAR 340-71-460 (6) (e))

Pursuant to OAR 340-71-415 and OAR 340-71-420, Applicant Charles Mesereau makes the following statements regarding his variance proposals.

FORMAL VARIANCE. OAR 340-71-415 provides that variance from any rule for on-site sewage systems may be granted after a hearing before a special variance officer. The property, which is the subject of this application, is located within the Clatsop Plains Moratorium area indicated in OAR 340-71-460 (6) (e). Further, OAR 340-71-460 (3) provides that any Commission order prohibiting subsurface or alternative sewage disposal systems within these areas shall be a rule. Therefore, a formal variance may be requested from these rules.

OAR 340-71-415 (3) sets forth the criteria the Hearings Officer and Commission will use in order to determine whether the requested formal variance should be granted. Applicant Mersereau will stipulate that the subject property contains no special physical conditions which are under strict compliance, unreasonable, burdensome, or impractical. See Oar 340-71-415 (3) (b). Therefore, this formal variance request is based upon the applicant's contention that strict compliance with the rule are standard is inappropriate

1 for cause. See OAR 340-71-415 (1) (e).

2 Enclosed within this packet is correspondence from R. W. Beck
3 and Associates relating to the Clatsop Plains (208) Study Ground
4 Water Protection Plan. The correspondence includes field summaries
5 for sample sites adjacent to the subject property. A review of the
6 correspondence indicates that construction of a low pressure
7 distribution system along with the septic tank for the subject
8 property would result in no water quality problem. Because of this
9 finding, it is Charles Mersereau's contention that strict compliance
10 with the Clatsop Plains Moratorium is inappropriate in this case.

11 HARDSHIP VARIANCES. OAR 340-71-420 (4) provides that before
12 an application for a hardship variance will be considered, an
13 application for standard variance must be denied based upon
14 technical rule considerations. Applicant Charles Mersereau hereby
15 designates on his application that he wishes such application to be
16 considered for a hardship variance in the event the formal request
17 is denied.

18 OAR 340-71-420 (2) sets forth criteria the Hearings Officer
19 and Commission will consider in determining whether a variance
20 application based upon hardship should be granted or denied. The
21 applicant will stipulate that subsection (b) does not apply but
22 that both subsections (a) (c) warrant the Hearings Officer's finding
23 of a hardship variance in this case.

24 First, and most importantly, OAR 340-71-420 (2) (c) provides
25 the following criteria for granting the hardship variance. "Relative
26 insignificance of the environmental impact of granting a variance."

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BEFORE THE HEARINGS OFFICER

FOR THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

In the matter of Charles Mersereau's)
application for Formal and Hardship) DIRECTION TO PROPERTY
Variance to OAR 340-71-460 (6) (e))

Applicants hereby submit this document as Exhibit A to this application for variance from Sewage Disposal System Administrative Rules, and serving as complete and accurate directions to the subject property.

The Hearings Officer should take Highway 26 to the City of Gearhart. At Gearhart Junction (the first stop light within the City of Gearhart located by a Dairy Queen Drive In, on the East side of Highway 26), turn left on Pacific Way and travel West approximately 3/4 mile to Marion Avenue, the second major street intersection on Pacific Way. At Marion Avenue, turn right or North, and travel approximately 3/4 mile and just beyond the Gearhart House Condominiums, look for a street sign on the left hand side of the road, for Sea Breeze Avenue. The sign is small but accompanied by a Dead End/Private Property sign. Turn left onto Sea Breeze Avenue toward the Pacific Ocean and travel approximately 75 to 100 yards to Ocean Avenue. Turn right or North on Ocean Avenue and look for a Kent Price Realty sign. It is the only such sign in the area and is located on the subject property.

1 As shown by R. W. Beck and Associates, it is their opinion that there
2 should be no water quality problem with the proposal especially
3 where a low pressure distribution system is utilized.

4 Consistent with R. W. Beck and Associates' opinion, the
5 applicant plans on installing a low pressure distribution system
6 consistent with the Administrative Rules adopted for installation
7 of such systems by the Oregon Department of Environmental Quality.

8 See OAR 340-71-275. (It is my understanding that this
9 administrative rule section governs design and installation of the
10 low pressure distribution system. In the event a different section
11 governs, the Mersereau's will install such system according to
12 those rules).

13 Secondly, the Mersereau's are retired and plan on building their
14 permanent retirement home on the subject property. While I am
15 uncertain what the "advanced age" criterion set forth in OAR 340-71-420
16 (2)(a) requires, the applicant's age may certainly have bearing on
17 issuance of this hardship variance.

18 CONCLUSION. Based upon the foregoing, the Appliant requests
19 that a Hearings Officer and the Commission to grant either a Formal
20 or Hardship variance to the Clatsop Plains Moratorium.
21
22
23
24
25
26

COAST TITLE COMPANY

Title Insurance and Escrow

729 S. Holladay Drive • Seaside, OR 97138 • (503) 738-8411

EXHIBIT B - COPY 2

A tract of land in Section 4, Township 6 North, Range 10 West of the Willamette Meridian, County of Clatsop, State of Oregon described as follows:

Beginning at a point which is 3,619.20 feet North and 1,187.57 feet West of the Southeast corner of said Section 4, said point being in the West line of Ocean Avenue as evidenced by instrument recorded in Volume 156 of Deeds page 214, Records of Clatsop County, Oregon; thence running West a distance of 635 feet, more or less, to the line of ordinary high tide of the Pacific Ocean; thence North $0^{\circ} 30'$ West along said high tide line a distance of 89.97 feet; thence East a distance of 635 feet, more or less to the West line of said Ocean Avenue; thence South $1^{\circ} 41'$ East along the West line of said Ocean Avenue a distance of 90.00 feet to the point of beginning.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
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OCT 21 1981

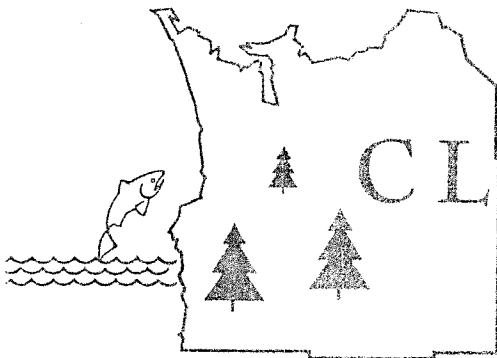
WATER QUALITY CONTROL

EXHIBIT D - COPY 2

RECEIVED

SEP 21 1981

DIANE SPIES



CLATSOP COUNTY

Courthouse Astoria, Oregon 97103

September 17, 1981

Jeff Bennett
150 S.W. Harrison
Portland, Oregon 97201

Re: Tax Lot 3300, Sec. 4AA, T6N, R10W, W.M.

Dear Mr. Bennett:

This letter is in response to your phone inquiry of earlier this week concerning the above listed property in the Clatsop Plains.

As we discussed, the parcel is a vacant tract approximately 1.3 acres in size which is located within a Department of Environmental Quality sewage moratorium area. The area is zoned Low Density Residential (R-1) and is located in the unincorporated area of the county. Approximately the westerly three-quarters of the property is also located in an Active Dune Overlay District. I have enclosed a copy of both zones for your reference.

Please note that building is not allowed in the active dune area and that subsurface sewage disposal may be allowed under some circumstances after appropriate review and approval. I have checked the county air photo and topographic maps which show this area and find the line of the active dune runs north-south in a line roughly analogous to the building line.

Given that any structures would be sited according to all setback and height requirements of the ordinance and that a septic permit could be obtained from the DEQ, I think it is safe to say that this department would be able to approve a building permit for a single family structure (not a mobile home) on the site.

If you have any questions or I can be of further assistance do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Alwin Turiel-Strauss".

Alwin Turiel-Strauss
Subdivision and Zoning Administrator

ATS:jr
encl.

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
OCT 21 1981

WATER QUALITY CONTROL

CITY OF GEARHART

"Gearhart By The Sea"

Drawer "D"

Gearhart, Oregon 97138

Phone 738-5501

RECEIVED

SEP 23 1981

DIANE SPIES

EXHIBIT E - COPY 2

September 23, 1981

Mr. Jeff Bennett
150 S.W. Harrison
Portland, Oregon 97201

Dear Mr. Bennett:

The parcel of land we discussed last week is within a subdivision known as the Palisades. This parcel is also within the City of Gearhart's Urban Growth Boundary.

The Palisades is designated R-1 Zoning, which is single family residential with a minimum lot size of 10,000 square feet.

The subsurface septic system, which would be required, is in compliance with the City of Gearhart's Comprehensive Plan.

If I may be of any further assistance to you, please do not hesitate to contact Gearhart City Hall.

Sincerely,

CITY OF GEARHART



Bruce F. Maltman
City Administrator

BFM:jv

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
RECEIVED
OCT 21 1981

WATER QUALITY CONTROL

Exhibit F

STATE OF OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

PROPOSED SUBSURFACE SEWAGE DISPOSAL SYSTEM

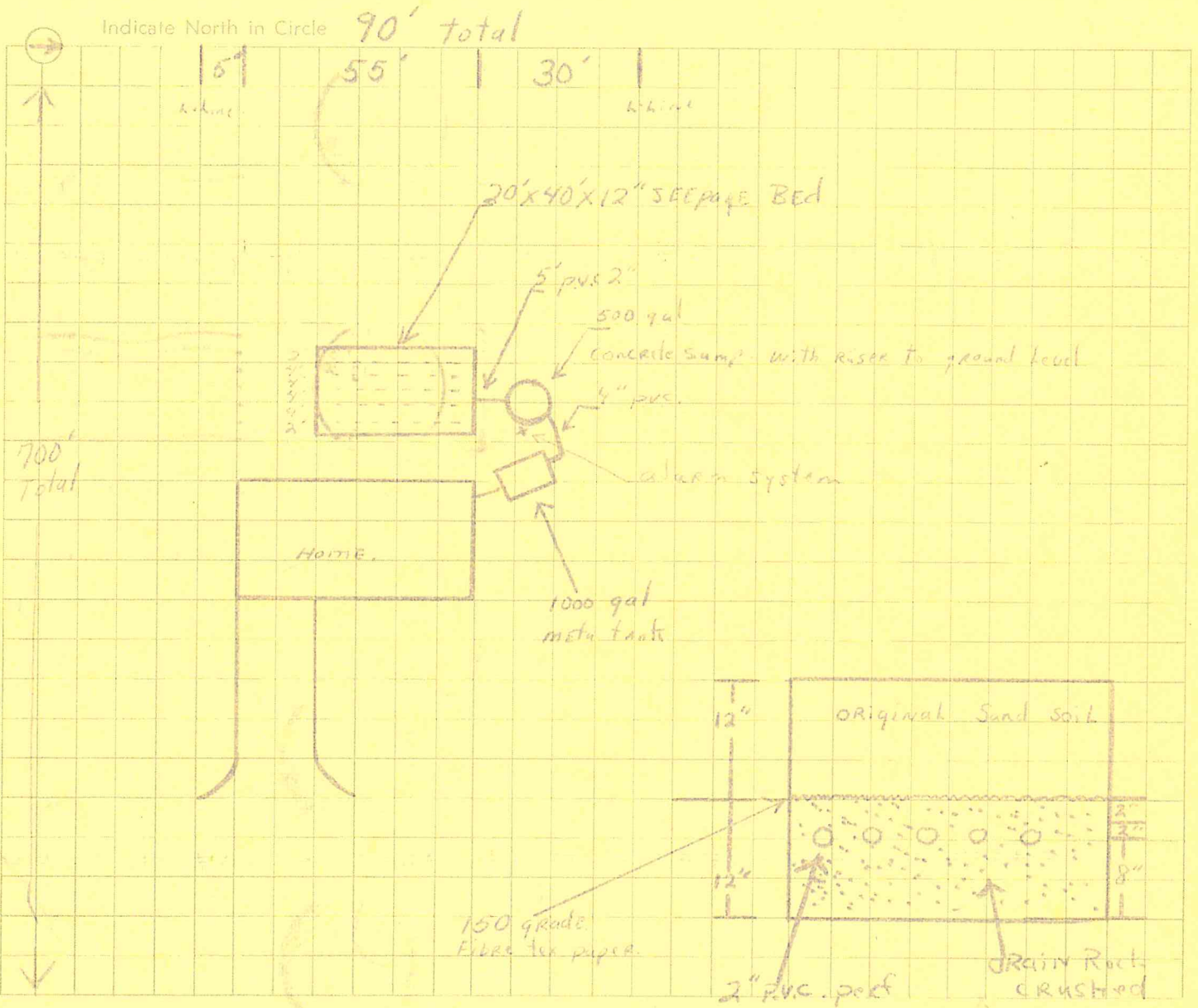
PLOT PLAN

DATE OCT 21 1981

EXHIBIT F - COPY 2

Property Owner Estate of Gladys J. Harber WATER QUALITY CONTROL - 81 Date

Location: T. R. Sec. Tax Lot/Acct. No. 1006-610-4AA-3300



REMARKS:

Blank lines for additional remarks.

FOR DEQ USE ONLY

Approved

Permit Number

Disapproved

By:

(SANITARIAN SIGNATURE)

(DATE)

RECEIVED
AUG 27 1981
DIANE SPIES

R. W. BECK AND ASSOCIATES

EXHIBIT G - COPY 2

ENGINEERS AND CONSULTANTS

PLANNING
DESIGN
RATES
ENVIRONMENTAL
ECONOMICS
MANAGEMENT

TOWER BUILDING
7TH AVENUE AT OLIVE WAY
SEATTLE, WASHINGTON 98101
206-622-5000

GENERAL OFFICE
SEATTLE, WASHINGTON
206-622-5000

FILE NO. UU-0000-AE-GA

August 25, 1981

Mr. Jeff Bennett
The Portland Center
150 Southwest Harrison
Portland, OR 97201

Dear Mr. Bennett:

Subject: Clatsop Plains "208" Study
Ground Water Protection Plan

Enclosed please find summaries of water quality data from two test wells that bracket the property we discussed over the telephone on Monday. The chemical constituent which is of concern to the Oregon Department of Environmental Quality (DEQ) is nitrate (NO₃), for which DEQ has set a planning limit of 5 mg/l. As you can see from the tabulation, the well to the south of the property exhibits very high NO₃ concentrations at times, while the well to the north remains nearly void of NO₃. Undoubtedly, the reason for the high NO₃ concentrations in the south well is the wastewater discharge from the condominium complexes, and not an overall deterioration in water quality.

As for the probable success of obtaining a variance for development on the property in question, I do not feel there should be a water quality problem with the densities proposed. However, to further mitigate any possible concern, I would suggest that you propose the use of a low pressure distribution system along with the septic tank. The DEQ has shown some reduction in NO₃ concentrations from these systems, and is in favor of their use.

If I can be of further assistance, please call.

Very truly yours,

R. W. BECK AND ASSOCIATES

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

RECEIVED
OCT 21 1981

Lee Fortier

Lee Fortier
Principal Engineer

LF/lb
Enclosure

WATER QUALITY CONTROL



Environmental Geology & Ground Water Engineering Services
 P.O. Box 328 • Kelso, WA 98526 • PUS: 423-3680

CLATSOP 208
 WATER QUALITY DATA

Well# (W) _____
 Surface site# (S) _____

Measuring Point 19.5#
 Elevation _____

Date Collected	Sample Bottle(s)	Depth (feet)	Elevation (feet)	pH	Conductance μ mho/cm (25°C)	Temperature (°C)	Total Dissolved Solids mg/l TDS	Chloride mg/l Cl	Sulfate mg/l SO ₄	Ammonia mg/l NH ₃	NITRATE		Dissolved Oxygen mg/l DO	Iron mg/l Fe	Manganese mg/l Mn	COLIFORM		
											mg/l NO ₃ -N+NO ₂ -N	mg/l NO ₂ -N				Total #/100 ml	Fecal	
6/02/61								23.2	5.2	0.06	0.05			0.02				
3/17/69								20.2	5.1	0.17	0.08			0.09				
10/01/73								35.4	—	2.04	0.05			0.05				
3/10/70								28.8	4.4	0.03	0.07			0.03				
4/11/70								48.5	4.1	0.01	0.01			—				
10/29/77		10.40	9.27					75.8	4.4	0.05	0.06			0.42				
11/15/77		11.25	8.42															
11/29/77		5.94	13.73															
1/24/78		7.58	12.09															
10/21/78		9.33	10.34															
11/6/78		11.5	8.17	6.9	148	12.2		25.4	3.9		0.02							
5/6/79		7.0	12.67	6.4	149	10.5	106	28.7	4.8	0.07	0.04	0.02	5.9	0.27	<0.05	<10	<50	
8/1/80		4.53	15.14	6.5	192	14.0°	125	35.0	6.5	0.02	0.03	—	4.5	0.45	0.02	200	100	
11/19/80		10.84	8.83	6.2	196	4.0°	167	37.4	5.3	0.05	0.12	<0.02	4.1	6.62	0.04	150	130	
3/14/81		7.78	11.99	6.9	165	11.5°	121	35.0	4.1	0.04	0.06	<0.02	7.2	4.48	<0.02	<30	<30	

COMM

BEACH

EXHIBIT C - COPY 2

