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# Appeal Tribune

WEDNESDAY, JUNE 12, 2019 ■ [SILVERTONAPPEAL.COM](http://SILVERTONAPPEAL.COM)

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Property developer Gene Oster stands on the property he plans to build a 40-parcel subdivision on in Silverton on June 6, 2019. MICHAELA ROMÁN / STATESMAN JOURNAL

## Silverton developer wins subdivision appeal

**Bill Poehler**  
Salem Statesman Journal  
USA TODAY NETWORK

In over 20 years working in real estate in his life-long home of Silverton, Gene Oster has learned a lot about land use.

The step he and every other property developer want to avoid is taking a case to the state Land Use Board of Appeals as the odds of winning in that arena aren't great, less than 5%.

But when Silverton officials rejected a subdivision proposal of his, effectively suggesting he would need to spend more than \$2 million on roadway intersection improvements, Oster figured the appeal was worth the risk.

And he was right. Oster was one of the few appeals upheld by LUBA. He's now prepping to start building homes.

### Applying to develop a subdivision

Except for his college days at Oregon State, Oster has spent his entire 66 years in Silverton.

After graduating college with a business degree, he was the co-owner and operator of an insurance agency in Silverton for 30 years, but before he retired from that line of work, Oster dabbled in real estate.

"Like I say, I love the community," Oster said. "I've just been fortunate over the years to be able to live in

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## D-Day: Salem's Band of Brothers connection

Don Malarkey, Bill Wingett and Leo Boyle were there on that fateful day

**Capi Lynn**  
Salem Statesman Journal  
USA TODAY NETWORK

Salem once was home to three members of the famed Band of Brothers who parachuted into France, fought across the Netherlands and Belgium and occupied Hitler's Eagle's Nest in Germany during World War II.

They lived, worked and retired in this community under the radar — a real estate broker, a carpenter and an educator — until their unit was immortalized by Stephen Ambrose's best-selling book and HBO's award-winning miniseries.

Don Malarkey, the real estate broker, was the best known. He consulted on the miniseries and wrote his own book about his military service.

Bill Wingett, who owned a woodworking business, attended reunions but preferred to avoid the publicity.

Leo Boyle, a high school teacher and then special

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## Clock ticking on solar farms

**Bill Poehler**  
Salem Statesman Journal  
USA TODAY NETWORK

The clock is quickly ticking away on dozens of solar farms approved, but not yet built in the Willamette Valley.

The state Land Conservation and Development Commission adopted new rules prohibiting solar farms being built on high-value farmland, and many previously approved solar farms are nearing the expiration under their conditional land use approvals.

If they don't go forward soon, they won't be able to. "Anything that was approved in 2017 has to have a permit in 2019," said Marion County planning director Joe Fennimore, "and a lot of those are coming due and I don't know how many of those are going to go forward. As far as I know, none have applied."

In Marion County, there are 32 photovoltaic solar arrays proposed to be built on high-value farmland.

Of those, five have been completed — locations outside Gervais, Silverton, Turner, Salem and Woodburn — and four more have received permits.

Fennimore said the ones that have received permits may still build under the old code as long as they show progress.

But that leaves 23 solar farms in the county that must get permits in less than a year to fall under previous rules, and seven of those must be done by the end of the year or will never be able to go forward.

"This is basically a prohibition of solar in the Wil-

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## Oregon Legislature overhauls dam safety rules

**Tracy Loew**  
Salem Statesman Journal  
USA TODAY NETWORK

The Oregon Legislature has approved updating Oregon's nearly century-old dam safety regulations.

House Bill 2085 rewrites the laws governing construction, inspection and enforcement authority for state-regulated dams. It now goes to Gov. Kate Brown for her signature.

The bill increases the state's authority to force owners of aging, dangerous dams to do maintenance and make repairs.

It requires state approval and oversight of new dam construction and old dam removals.

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Crews work to drill and test soil samples for a proposed new dam at the Big Creek Reservoir near Newport. ANNA REED/STATESMAN JOURNAL

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