

# Tree thinning has residents in a huff

Trees from Page 1A

would like to have it maintained.”

Given that ODOT has little choice but to eliminate the worrisome trees — and could be held legally liable for accidents that occur by leaving them alone — Mayor Sam Steidel said he hopes ODOT approaches the ongoing project as “an annual maintenance program” rather than an all-at-once endeavor.

## Costs

Originally, the department planned to remove 70 trees this month, Werst said.

But with a maximum of \$10,000 to spend on the project’s first stage, ODOT decided to reduce the number of trees removed this year, Grassick said.

The entire project cost \$7,300, Werst said, adding that the combined crew costs about \$760 per hour.

Trails End Recovery will sell the 40 to 60 tons of felled timber for a profit, he said. The company will then give ODOT a \$400 to \$600 discount on the final bill.

Whether ODOT still intends to remove all 200 trees, even if it happens over a longer time frame than expected, Werst could not say.

Former Mayor Mike Morgan said he hopes ODOT is “willing to only take out the trees that are absolutely needed and not work toward a goal of any sort.”

“We’re trying to keep clean-up and damage to a minimum. We know that the folks around here are real sensitive to the project,” Werst said. “I understand the sensitivity.”

## ‘Wait a minute’

“I’m not very happy about how this has played out,” said Ed Johnson, an Elkland Court neighbor of Kirsten Massebeau.

Though the loss of more than 50 trees is preferable to losing 70, Johnson said he had expected Will Caplinger, the city’s arborist, to weigh in on the issue before the thinning took place.

Last year, when ODOT informed Cannon Beach of its tree-thinning plan during a public meeting, city officials said the city would pay Caplinger to independently review the targeted trees. But when it appeared that ODOT would not follow through with the plan, the independent review was dropped.

If ODOT wanted to spend its limited funds on a project that would benefit Cannon Beach, the department should have invested in seismically upgrading the woodpile bridge over Ecola Creek, Johnson said. Ideally, the bridge should have taken precedence over tree thinning, he added.

And, as long as trees were getting cut, Johnson argued, the raw timber, should have been placed in the creek as “woody debris” to help restore salmon habitat, rather than given to Trails End Recovery to sell on the timber market.

Above all, Johnson said he wished there had been more opportunities for public participation and citizen involvement.

“Yeah, this is (ODOT’s) highway. (These are) their trees, in a sense. But this is a public issue that some people are very concerned about,” he said. “Any time you start cutting down trees in Cannon Beach, somebody should be saying, ‘Hey, wait a minute — do we need to do that?’”

## A ‘real drag’

With some of their buffer now gone, Kirsten Massebeau and her husband, Phillip Massebeau,



ERICK BENGEL PHOTO

An excavator prepares to drop felled trees and brush from the east side of U.S. Highway 101 into the back of a truck. The equipment belongs to Trails End Recovery, a Warrenton-based company.

**In the midst of the first round of ODOT tree thinning, far fewer trees now hang over the highway corridor. The ODOT and Trails End Recovery team were chided by neighbors for “destroying” Cannon Beach’s scenic byways.**

ERICK BENGEL PHOTO



said they are concerned about louder highway noise and stronger winds hitting the mature trees that sur-

round their property. “Not to mention the road is not as pretty when you’re coming down through Cannon

Beach anymore,” Phillip Massebeau said.

“We know there was nothing we could do about

it, but it would have been nice to at least have some say,” he added. “It’s a real drag.”

## LETTERS TO THE EDITOR

### Something is amiss

To the editor,

We are writing this letter on behalf of a number of Cannon Beach citizens who live or own property in the north end and are very upset about the events and results of the March 3 City Council meeting. We came to the meeting to voice our concerns about how the city and council had handled a proposal to create a planned development on 0.57 acres of steeply sloped primary dune.

There are plenty of reasons to be upset.

Mayor Steidel instituted a plan to allow public discourse at the beginning of each council meeting. On Tuesday afternoon, he told the neighbors that he would permit our presentation, as long as it fit into an appropriate time frame. Unfortunately, the city’s land use attorney unexpectedly forced the mayor to deny us the opportunity to speak.

In the months leading up to this meeting, the city’s process and notifications were defective and confusing. The notifications were not posted within the required time frame and contained misinformation. The result was a low public turnout and input.

We were shocked that the council ignored the planning commission’s 6-1 recommendation that the Nicholson proposal be denied. The planning commission has strongly opposed this proposal four times; the council has also gone on record as being opposed to certain parts of the proposal. Still, they approved the proposal on a 4-1 vote.

We strongly feel that the findings of fact are inconsistent with city codes and are not aligned with the comprehensive plan or the values of the community.

The final proposal is littered with misleading information, which contradicts the original plan.

Something is amiss. The incredible beauty, unique topography and vibrant community that is Cannon Beach is under attack. As citizens, we do not have a team of lawyers, geologists, engineers

and architects to stand up for us. We expect the commissioners, the councilors and city staff to do that. In this case, our belief that the council and staff would act in the best interests of the citizens was crushed.

We fear that this decision will set a precedent for even more misguided, high-density development. It is not that we abhor development, but we expect that it be orderly, sensitive to the community’s values and in compliance with codes and regulations applied as common sense would dictate.

**Elizabeth and Fred Lorish  
Cannon Beach**

### No trust

To the editor,

A couple of months ago, our house in North Cannon Beach on Seventh Street was flooded. It wasn’t the small creek overflowing, or heavy rains or, thank God, the ocean. It was a city of Cannon Beach water main that ruptured up on Ash Street, releasing thousands of gallons of water to flow downhill flooding two of our neighbors and our cabin.

Water breached inside our house, flooding the yards and undermining the back deck with a stream flowing under it and leaving our property basically a dried up riverbed. Kind neighbors turned on heat and dehumidifiers to stop mold growth inside.

We’re not the kind to file a claim to cover the expense of what is essentially just a big mess. We can live with the stained rug; restore the landscaping; repaint the deck; and remove the muck, gravel and mud. We can afford the sizable heating/drying energy bill.

But our neighbors’ damage was more severe. Washed out post supports under the house need replacing. Yards of road base and gravel cover their yards. Fence and landscaping have been destroyed. Then there’s the loss of rental income due to the liability of piles of gravel debris. Not to mention numerous, ongoing trips out from their home in Michigan.

The city was responsive, telling us from the start to file with CIS, the insurance for the city of Cannon Beach, assuring everyone things would be taken care of. After the initial conversation with a representative at CIS, we all received letters stating “since no negligence was found on the city’s part, all claims are denied.”

This left damaged property owners the only recourse to sue, filing tort claims plus high deductibles with their own insurance. In the end, this will cost the city (taxpayers) much more than if the right thing had been done from the start. Our neighbor has asked, “Why does the city of Cannon Beach do business with CIS?” A question that should make all property owners in town very concerned.

Because whenever city infrastructure fails causing damage to private property, evidently CIS yields its moronic big insurance wisdom and will stamp everything “non-negligent,” leaving homeowners with the costs. Even if these homes had been completely destroyed. Now, because of CIS’s asinine treatment of our neighbors and the city’s position that “it’s out of our hands,” I’m talking with legal counsel in solidarity.

Secondly, the city councilors approved the Nicholson development on Laurel Street in an astonishing turnaround last week, after rejecting the same plan prior. This was a clear slap in the face of the planning commission’s earlier rejection. With blatant disregard to zoning codes on what can be built on a specific acreage, over mass public objection and approving variances that are never ever allowed, the development is approved. Only one wise councilor voted “no.” Again, the cost to the city and its \$300-an-hour lawyer, as this goes on to LUBA (state Land Use Board of Appeals), is completely insane and avoidable. It’s called common sense.

With these two very recent North Cannon Beach issues, (and I have to assume there are similar scenarios all around town) I’ve

come to a conclusion that is sobering and eye opening to me: I can no longer trust our local city government to be honest.

Instead of working together for the common good, it appears they are above the public. The very people they’ve forgotten they answer to.

**Kent Suter,  
Cannon Beach**

### Citizens gobsmacked

To the editor,

Erick Bengel’s article in The Daily Astorian on March 4, 2015, (“Cannon Beach OKs development, denies dune grading bid”) indicates how the Cannon Beach City Council gobsmacked many citizens of Cannon Beach by its March 3 4 to 1 decision to grant Jeff Nicholson, a poor rich man who pumped \$1 million into a risky project, his request to build four houses on property zoned for one.

After citizens had been promised they could have five minutes at the beginning of the meeting to deliver their objection to the project, they were insulted by the city’s land use attorney when he advised the councilors not to allow any testimony before their final vote. With this decision, the City Council will allow four houses and a so-called “living wall,” which will destroy one of the city’s nicest natural slopes. The “living wall,” which should have been “dead on arrival,” will extend 120 feet and be 10 feet or higher in some places.

The planning commission, following the intention of the city code, voted 6 to 1 against Mr. Nicholson’s profit-making project. But the land use attorney hired by the City Council seemed more interested in Mr. Nicholson’s investment, which needed more seed money through the sale of three of the houses, than he was in the city code.

This leaves only one conclusion: In order to help a man so poor that all he owns is money, the City Council has chosen to help him make more by granting his request to change the code and

set a precedent for further development. Every person has a right to develop land, but in Mr. Nicholson’s case, development has eclipsed the land.

Such blatant disregard for the rules has left the City Council’s decision echoing the old saw, “The world ain’t round, it’s crooked.”

**Rex Amos  
Cannon Beach**

### Food pantry thanks those who helped

To the editor,

The Cannon Beach Food Pantry’s new home is at the Cannon Beach Elementary School Library, located at the very south end of Spruce Street.

Many thanks to so many!

Thanks to the Seaside School District Board for leasing the location, the city of Cannon Beach and the Oregon Food Bank. To those who did the remodel: Coaster Construction, Ray Neibuhr Plumbing and Cannon Beach Electric. Also, Anderson Painting, Sherwin-Williams Paint, Cobble and Blend, the American Legion and Jessie Bateman.

Then came the “Big Move” to the new location. Again, thanks to Coaster Construction, Sleepy Monk, the city’s public works department, the Cannon Beach Police Department, Cannon Beach Fire and Rescue, and many locals, second-home owners and visitors. They helped move refrigerators, freezers, shelves and many thousands of pounds of food. The pantry was totally in place and ready for business in four hours. What an incredible feat!

The pantry volunteers are very grateful for the many generous financial and in-kind donations from loyal supporters of the pantry who have helped us continue our mission: to feed hungry people.

Now we know it does “take a village to refit and move a pantry.”

**Molly Edison  
Cannon Beach Food Pantry  
manager  
Cannon Beach**