



ERICK BENDEL PHOTO

Bruce Francis, property manager of the Breakers Point Homeowners Association, tromps through European dune grass that has trapped windblown sand west and south of Breakers Point.

Breakers Point may appeal dune grading request to LUBA

Homeowners association still hopes to shore up condo with sand

By Erick Bengel
Cannon Beach Gazette

The Breakers Point Homeowners Association has notified the Oregon Land Use Board of Appeals that it intends to appeal the City Council's March 3 decision denying the association's request to grade nearly 74,000 cubic yards of sand from the dunes west and south of the condominium complex.

Dean Alterman, the association's Portland lawyer, filed the notice with the state agency March 10, he said. By now, the 43 people who participated in the council's decision by providing oral or written testimony should have received notice.

He anticipates that, barring any mishaps, LUBA will hear the case in late May or early June, and hand down its final decision by late June, he said. "It's a pretty fast time schedule."

LUBA, which cannot accept new testimony, can take one of three

actions: affirm the City Council's decision (which upheld the planning commission's January denial), decide there were procedural errors and remand the case back to the council, or — the rarest option — they can overturn the council's decision and allow Breakers Point to proceed with the dune grading, Alterman said.

If LUBA remands the case back to the city, the council may rehear it, adopt new findings from LUBA or, perhaps, send it upstream to the planning commission.

Though most LUBA decisions are considered final by both parties, the losing party has the right to appeal LUBA's decision to the state Court of Appeals and, if that doesn't pan out, to the state Supreme Court. However, whereas the former *must* hear the case, the latter may refuse it.

Alterman said his Breakers Point clients don't want to suggest that their LUBA appeal stems from "animosity or any problem with the city. They're doing what they need to do to protect their interests."

'Waiting for a decision'

Why did Breakers Point choose to pursue a LUBA appeal rather

than start over with the planning commission, as the City Council advised?

"Because we're at a point where we've got a building that's about to drop into the ocean," said Bruce Francis, property manager of the homeowners association.

Part of Breakers Point's original proposal involved placing 7,000 cubic yards of the graded sand on the embankment of the Ecola Creek Estuary to stabilize Building No. 45. The condo, which sits near the creek's edge, has seen its backyard erode away. This rapid process threatens to expose the gas main and undermine the building's foundation.

Soon, Breakers Point may have to turn to the municipal code's clause that allows them to place emergency riprap beneath the building, in lieu of graded sand. "We'd be left no alternative," he said.

Since four to five months passed between Breakers Point submitting its request for a conditional use permit to the City Council's unanimous denial, Francis said it doesn't make sense to begin again with the planning commission.

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Book bash celebrates the written word

Hobnob with guest authors during 3-day event April 10-12

By Erick Bengel
Cannon Beach Gazette

"Get Lit at the Beach" — that local literary love fest among accomplished authors and brazen bibliophiles (to paraphrase novelist Terry Brooks) — returns to Cannon Beach next month for the fourth straight year, courtesy of the Tolovana Arts Colony.

From April 10 through 12, five professional writers of fiction and nonfiction will offer readers a window into the world of "wordsmithery" during a series of interactive events that celebrate books, the art of storytelling and the joy of reading.

This year's guest authors — Karen Joy Fowler, Jim Lynch, Nancy Pearl, Gail Tsukiyama and Brooks himself — will discuss their work and writing lives, their inspirations and experiences, and readers can ask them questions, both publicly and privately, said Brooks, who lives in Cannon Beach.

"Get Lit" kicks off with an authors reception at 5 p.m. on April 10 at Cannon Beach Community Hall, where attendees can partake of hors d'oeuvres and refreshments while mingling with the authors.

Saturday features morning, afternoon and evening sessions, all held at the Surfsand Resort Ballroom.

At 10 a.m., Tsukiyama will give an author talk and book signing, followed by Lynch at 11:30 a.m.. After



KAREN JOY FOWLER



GAIL TSUKIYAMA



NANCY PEARL



JIM LYNCH



TERRY BROOKS

a lunch and shopping break, it will be Fowler's turn at 2:30 p.m. Then, at 6 p.m., Pearl will deliver her keynote speech during a prime rib dinner that offers a no-host bar.

The festivities culminate with a moderated question-and-answer panel beginning at 10 a.m. Sunday at the Coaster Theatre Playhouse. Coffee and treats will be served, thanks to the Cannon Beach Book Company.

Scholarships

Ten scholarships are available for high school and college students who are familiar with the authors and want to learn more about the writing process.

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Locals looking to challenge Laurel Street development



ERICK BENDEL PHOTO

Property owner Jeff Nicholson has said he plans to tear down this 99-year-old house at 532 N. Laurel St. and rebuild it using some of the original materials according to modern building standards.

Opponents of City Council's decision form nonprofit 'Friends of Cannon Beach'

By Erick Bengel
Cannon Beach Gazette

A group of concerned citizens, outraged at the City Council's vote to approve a controversial north-end development project earlier this month, have retained a lawyer and intend to appeal the council's decision to the Oregon Land Use Board of Appeals.

They and other locals have also formed a domestic nonprofit corporation under the name "Friends of Cannon Beach." With more than 30 members and growing, the group is now seeking tax-exempt status from the

IRS, said Jeff Harrison, a north-end resident helping to lead the LUBA appeal.

"The response has been amazing, and our ranks have grown quickly, mostly by word of mouth," he said, adding that about half of the "grass roots" group lives near 532 N. Laurel St., where the development would take place.

Because LUBA battles can be costly, the group opened a U.S. Bank account and has been collecting donations and financial pledges from local residents and business owners, from people in town and from out of state.

"I'm hearing from and receiving checks from people I've never heard of, let alone met," said Harrison.

Supporters who wish to contribute to Friends of Cannon Beach can do so at any U.S. Bank location, or at the group's crowd funding page, www.gofundme.com/FriendsOfCB. For more information, people can email FriendsOfCannonBeach@gmail.com.

"We're madly raising money and have a lot of support," said north-end resident Elizabeth Lorish, a Friends member.

Code readings

At its March 3 meeting, the council, by a 4-1 vote, gave Portland res-

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New police dog trained to sniff out illegal drugs

Cannon Beach PD's K-9 officer the only narcotics dog in Clatsop County

By Erick Bengel
Cannon Beach Gazette

The Cannon Beach Police Department's new K-9 officer, a 2-year-old male chocolate Labrador named "Gunner," passed his narcotics certification test earlier this month in Port Angeles, Wash., "with flying colors, 100 percent," said Officer Josh Gregory, the dog's handler.

On his first attempt, Gunner sniffed out "training aids" (i.e., drugs) planted in hotel rooms, vehicles and boxes, alerting Gregory to the areas and objects that contained drugs, bypassing the ones that didn't, and, said Gregory, "Hey, he's certified! Easy as that. It was not hard at all."

Considered the department's "ninth officer," the 75-pound Gunner came to Cannon Beach in late December pretrained to hit on cocaine, heroin, methamphetamine and derivatives like ecstasy.

Because citizens nationwide carry medical marijuana cards, and the states of Colorado, Washington and Alaska have legalized recreational marijuana (plus Washington, D.C.) with Oregon set to join them July 1, 2015, Gunner and many other K-9 officers of his generation will not be trained to hit on that drug.

After he and Gregory spent two months bonding and working with a trainer from Washington County at different sites, including City Hall and the public works building, Gunner was officially certified through the Pacific Northwest Police Detection Dog Association on March 3.

Gunner has been deployed on several calls, though Gregory couldn't comment on them because the cases are pending.

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ERICK BENDEL PHOTO

Officer Josh Gregory gives some well-deserved love to Gunner, the only narcotics dog in Clatsop County at the moment. Gunner was certified March 3.

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