



**Oceanside Estates Homeowners Association
Minutes of Board of Directors Meeting
03/10/2022**

Minutes of the Board of Directors' meeting of the Oceanside Homeowners Association, Brookings, OR, held at 6:00 p.m. on March 10, 2022.

1. CALL TO ORDER

Board President Jim Turner presided over the meeting and called the meeting to order at 6:01 p.m.

2. ROLL CALL

Board members present:

- Board member Jim Turner
- Board member Edit Szanto

Two HOA members were also present.

Two guests joined the meeting: Ms. Denis Ortega and Mr. Victor Ortega.

3. QUORUM OF DIRECTORS

The majority of the Board members were present; quorum of Directors was established.

4. APPROVAL OF THE AGENDA

The draft agenda was e-mailed out to Board members prior to the meeting. The agenda was accepted as submitted.

5. APPROVAL OF MINUTES

- The Board approved the February 3, 2022, Board of Directors' meeting minutes.

• NEW BUSINESS

- The bridge on the beach access trail has been repaired by Edgar Garcia from Garcia's Lawn Care. Invoice for the materials has been submitted to the HOA treasurer.
- Information item: presentation by our guests on the proposed Residential Care Facility adjacent to the HOA. The following information was provided by our guest Mr. and Ms. Ortega. The property is off Passley Drive (17212 South Passley on a 0.58-acre lot). The proposal is for a 9,588 square-foot single story fourteen (14) bedroom facility. The developers are calling it a single-family home. Developers applied for a conditional use permit (Nr. 2-20), and the City Planning Commission considered the application in June 2020. The Ortegas put together a petition and gathered over 100 signatures, and they also talked to the City Planning Commission. The driveway to this property is 150 feet long and only 15 feet wide. Numerous concerns were raised, including size of the facility on a relatively small lot, parking, no turnaround, whether or not it would qualify as a licensed facility in Oregon, etc. The City Planning Commission voted 5 to 2 to deny the conditional use permit. The developer appealed to the City Council, and the City Council overturned the Planning Commission's decision. They felt that this was good for the community, property owners have the right to choose what

they want to do with their property, and that this was a home, not a business. The fire Marshall said that the driveway was adequate.

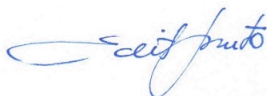
The City Council's decision was appealed through LUBA (the Ortigas and 21 others signed on to the appeal, including several HOA members) based on five arguments. LUBA remanded it back to the city. LUBA found that the city failed to make findings that Hwy 101 and Dawson Road were adequate to handle the traffic, city failed to provide evidence that the sidewalk network was adequate and the facility would not interfere with pedestrians using adjoining properties, that the city did not provide evidence that the 12-foot driveway was adequate despite the fire Marshall stating that for emergency vehicles it was fine, and that the City Council did not address whether the project would cause any drainage issues.

Ms. Sandra Geiger spoke about drainage. The following is information provided by Ms. Geiger: Every lot has a drainpipe buried in the yard and the gutters go into this pipe. There is a drainpipe on the East side that this new facility wants to connect to. This drainpipe is owned by the HOA, it is maintained by the HOA. The concern is whether the system can handle this or will cause an issue for the HOA; and whether they even have the right to connect to the system owned by the HOA. There is a drop inlet/catch basin next to Ms. Sara Towne's home; an open grate system where if there is a blockage, it can overflow. There is a design flaw in the whole system: there are three 12-inch pipes going into one collection point at Ms. Sara Towne's home that services the ground water and collects the water from the gutters; and it all flows into one 12-inch pipe.

The city's position is that the city owns the drainage system. According to the water map of the city (City Building Department), this part of the drainage system is a private/public drainage system. It does have water from other neighborhoods going through part of it; the rest of it supposed to be privately owned only by the HOA. The city does own an easement. Our system was specifically designed for West Cliff to connect to it.

In the HOA records there is no information about the drainage system as it stands right now (no specific information about where the pipes are, size of the pipes, etc.). There is a pipe from West Cliff and another one (Garvin?) that go into that drainage basin next to Ms. Towne's home. There used to be a larger swale which overtime it became smaller and smaller as houses were built. There are manholes on some HOA members' property. The system starts at the manhole on Mr. Jim Turner's property. There is a manhole on Ms. Sara Towne's property. From there it goes all the way to Dawson, one pipe with no cleanouts.

- **OPEN FORUM**
 - No one had questions or comments.
- **NEXT MEETING DATE**
 - A. The Board did not set a meeting date. The Board will meet as needed and notices will be sent to HOA members.
- **ADJOURN**
 - B. The Board meeting adjourned at 6:35 p.m.



Edit Szanto, Secretary

03/10/2021
Date