

From: [Victor Dodier](#)
To: [citycouncil](#)
Subject: January 11 Council agenda item 6.a concerning Rural-Hoyt Connection
Date: Sunday, January 10, 2021 3:49:13 PM
Attachments: [VJD comments on Dec 14 staff report.docx](#)

Please see attached letter of support for a pedestrian connection between the Fairmount Hill and Candalaria neighborhoods.

Victor Dodier

January 10, 2021

Mayor Bennett and City Councilors
Salem Civic Center
555 Liberty Street SE
Salem, OR 97301

Subject: City staff report of December 14 concerning a potential connection between Candalaria and Fairmount neighborhoods.

I strongly support the concept of a connection between Hoyt Street (the Candalaria neighborhood) and Rural Street (the Fairmount Hill neighborhood).

I have been following this issue for some time, both as a resident of the Fairmount Hill neighborhood and as a member of the South Central Association of Neighbors (SCAN). I am surprised by how difficult this issue has become.

I was surprised by the cost estimates contained in the most recent staff report (December 14, 2020) concerning establishing a connection. The amount of work / cost estimated for a multi-use path through either Pioneer Cemetery or City View Cemetery put the concept of a connection beyond what can be afforded in the current budget environment. Further, and despite the high cost, the city staff report leaves the issue of protection for the cemeteries unresolved.

A simple pedestrian connection, not a paved multi-use path, that is open only during the hours that the cemeteries themselves are open can be both affordable and doable in the short-term.

I believe that a long-term solution using the City View access road and fencing that separates both cemeteries from the connecting path may resolve concerns about potential for vandalism in the cemeteries. Mr. Mark Wigg has proposed a concept. He has shared his concept in public comments. However, a solution along these lines has not been analyzed and priced by city staff and may be more expensive than the city staff estimates in the December 14 report. It should be considered for the long-term.

In conclusion, I wish to reiterate my support for a simple pedestrian connection between the two neighborhoods that is open during the hours that the cemeteries are open.

Victor Dodier
396 Washington Street S.
Salem, OR 97302

From: [Erin McNicholas](#)
To: [CityRecorder](#); [citycouncil](#)
Subject: Testimony for Potential Path connecting Candalaria and Fairmount (Pioneer Alley resident)
Date: Saturday, January 9, 2021 8:24:40 PM

DATE: January 9, 2021
TO: City Council, City of Salem
RE: Testimony for Potential Path connecting Candalaria and Fairmount (Pioneer Alley resident)

My name is Erin McNicholas. I live at 470 Rural Avenue, part of the Pioneer Alley pocket neighborhood. I am writing to express my concerns regarding the proposed pedestrian path through the Pioneer cemetery and through my backyard.

As a walker, I appreciate efforts to make the city more walking friendly, but destroying this beautiful peaceful pocket neighborhood is not the way. There is already a path running parallel to River road at the end of Rural Avenue that connects the Fairmont and Candalaria neighborhoods. Adding signage and improving the trail would make walking between these two neighborhoods easier. But even without that, I regularly walk down rural, along commercial, and up Hoyt. Going slightly out of my way to preserve the peace of the cemetery and neighborhood is not an impediment.

The pocket neighborhood I am part of is something rare and special. Sharing a common backyard with my neighbors has created a greater sense of community than anywhere else I've lived. There is a communal garden. In the summer, neighbors sit out and visit next to the grove of trees. In spite of our differing experiences and political ideas, we are able to take part in this peaceful and safe community. The city should be promoting the development of more neighborhoods like this one, not dividing them.

I appreciate your time and consideration. I hope that you will hear the concerns of the people most affected by this plan, the residents along the proposed path.

Sincerely,

Erin McNicholas, Pioneer Alley Resident

--

Erin M. McNicholas, Ph.D.
Professor of Mathematics
Willamette University
900 State St
Salem, OR 97301
503-370-6590
emcnicho@willamette.edu

To schedule an appointment with me, click [this link](#)

“Things are not all so comprehensible and utterable as people would mostly have us believe; most events are unutterable, consummating themselves in a sphere where word has never trod.”

— Rainer Maria Rilke, *Letters to a Young Poet*

January 8, 2021

Page 2

Pioneer Cemetery is unique within the park system and the historical area classification. It is an active burial ground and a historic cultural landmark recognized under Salem Revised Code as a Goal 5 resource and a City of Salem Historic Landmark. Management protocols and allowable uses for this site are different from those of traditional city parks.

Participants in the long-running public debate on the pathway concept will recognize that, as a Salem Goal 5 Resource, Pioneer Cemetery is to be accorded a level of review under City ordinance and Statewide Land Use Planning Rules. When Land Use Planning Goals, such as Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and Goal 12 (Safe, Convenient and Economic Transportation System), are in conflict, the local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it. If Council chooses to adopt a plan for realizing the throughfare concept, the review process will be fulfilled.

Episodes of vandalism are vivid in memory for those who witnessed recurring destruction when the cemetery was open on three sides and regular management was interrupted. We volunteers have never assumed residents of neighborhoods adjoining the cemetery transiting a footpath in the manner in which a pedestrian-only path is intended would be the perpetrators of acts of vandalism. What is of concern to us is the likelihood of unintended consequences should a pathway be put through. We sympathize with residential neighbors on the opposite side of our north boundary whose privacy would be compromised by a stream of passers-by coming and going through their precinct. Once a pathway is open, users of other transit modes would likely want to join the flow. It is the occasional person not willing to observe posted rules and the person more rare yet, who, taking advantage of point of access in less public view, could enter conveniently with misuse of the grounds in mind.

Finally, safety hazards and an increased maintenance burden for the City are other consequences that worry us. The tall, stacked shaft monuments are weighty but fragile in that the mortar that holds the components together has disintegrated in the majority that are yet to be secured. Though the City has been extremely fortunate in having no serious injury to report concerning unescorted children playing in the path of a falling monument, such misfortunes have happened elsewhere. The cemetery's scenic assets in stately great White oaks are failing at an accelerated rate. The City has had to undertake intricate and expensive removal of sudden oak collapses three times in the last year and a half. The trend is likely to continue. By sheer luck of the failures-without-warning occurring, by chance, mostly outside of public open hours, visitors and workers have escaped harm so far. The number of damaged monuments to be repaired after these events grows. These are not idle concerns that we have about adding an appreciable flow of public transiting into the mix. The west boundary lane, which appears to be the notional site for a throughfare is the main avenue of access for motorized visitor and maintenance vehicles.

Respectfully,

Elisabeth Walton Potter

Friends of Pioneer Cemetery

From: [Tori Hickerson](#)
To: [CityRecorder](#)
Cc: [Robert Chandler](#); [Julie Warncke](#); [Kathleen Dewoina](#)
Subject: [Possible Scam Fraud]Jan 11 City Council Testimony re: Candalaria/Fairmount Proposal -- local resident submitting
Date: Friday, January 8, 2021 4:44:32 PM
Attachments: [Pioneer Cemetery Path \(Conceptual\) \(003\).pdf](#)
[Candalaria Fairmont Connection Hickerson Tori.docx](#)

WARNING: Your email security system has determined the message below may be a potential threat.

If you do not know the sender or cannot verify the integrity of the message, please do not respond or click on links in the message. Depending on the security settings, clickable URLs may have been modified to provide additional security.

DATE: January 8, 2021

TO: City Council, City of Salem

RE: Testimony for Potential Path connecting Candalaria and Fairmount (Pioneer Alley resident)

My name is Tori Hickerson and I rent the cottage at [2040 John Street S, Salem, OR 97302](#). It is best to reach me by phone, since I work from email all day long. If I miss you, please leave a message so I can return your call: 503-931-5899.

I apologize for submitting this letter so late. However, I have struggled to put my mixed feelings on paper. It saddens me to have to protest such a development due to people's behavior in today's world.

Although I have not been a resident but a couple of years, I am grateful for this quiet and respectful neighborhood. I come from the edge of small towns, near countryside and it was a hard decision moving back to Salem. Being next to the two cemeteries has helped with a quiet atmosphere.

You will see, by the attached map, my home is one of the most affected by this proposal. Either if the sidewalk is extended to wrap around my yard or if the path is cut immediately behind my home – into my yard and next to my bed and bathroom windows.

I hate to admit the fear this stirs, as I am a single woman who lives alone.

This last year, we have seen an increase in pedestrian traffic, theft and transient camps near [Fairmount Park](#). Our garbage and recycling cans have been gone through and I do not feel like I can leave my front door open or leave much outside on my *open* porch.

This type of path, "connecting neighborhoods," is not only going to be used by upstanding citizens who want to have safe passage. I guarantee it will also be used by hoodlums, as an escape route. This will also bring more participants to the cemeteries – who may not respect those buried.

Just the *talk* of this has brought more traffic (foot *and* vehicle traffic) to our little dead-end road.

Has the city considered enhancing the beautiful [Fairmount Park Trail](#)? This is an established trail – in nature, outside of standing residential yards. There is an opportunity to continue this trail, down to a sidewalk on River Road South. Multiple neighborhoods could then cross to Minto Island Road SW and to Minto Brown Park! I understand *we* (city council *and* constituents) would need to invest in a safety measure to cross the road. However, this would benefit so many Salem residents.

I wonder what safety measure is being considered for the proposal of the Candalaria and Fairmount connection....?

Please heed my safety concerns. I do not know how I could continue to rent with a path installed immediately behind my home or one wrapping around my open yard.

I hope this finds you well in the new year, and open to hearing the concerns of those who will be affected by this proposal.

Tori Hickerson, Pioneer Alley Resident

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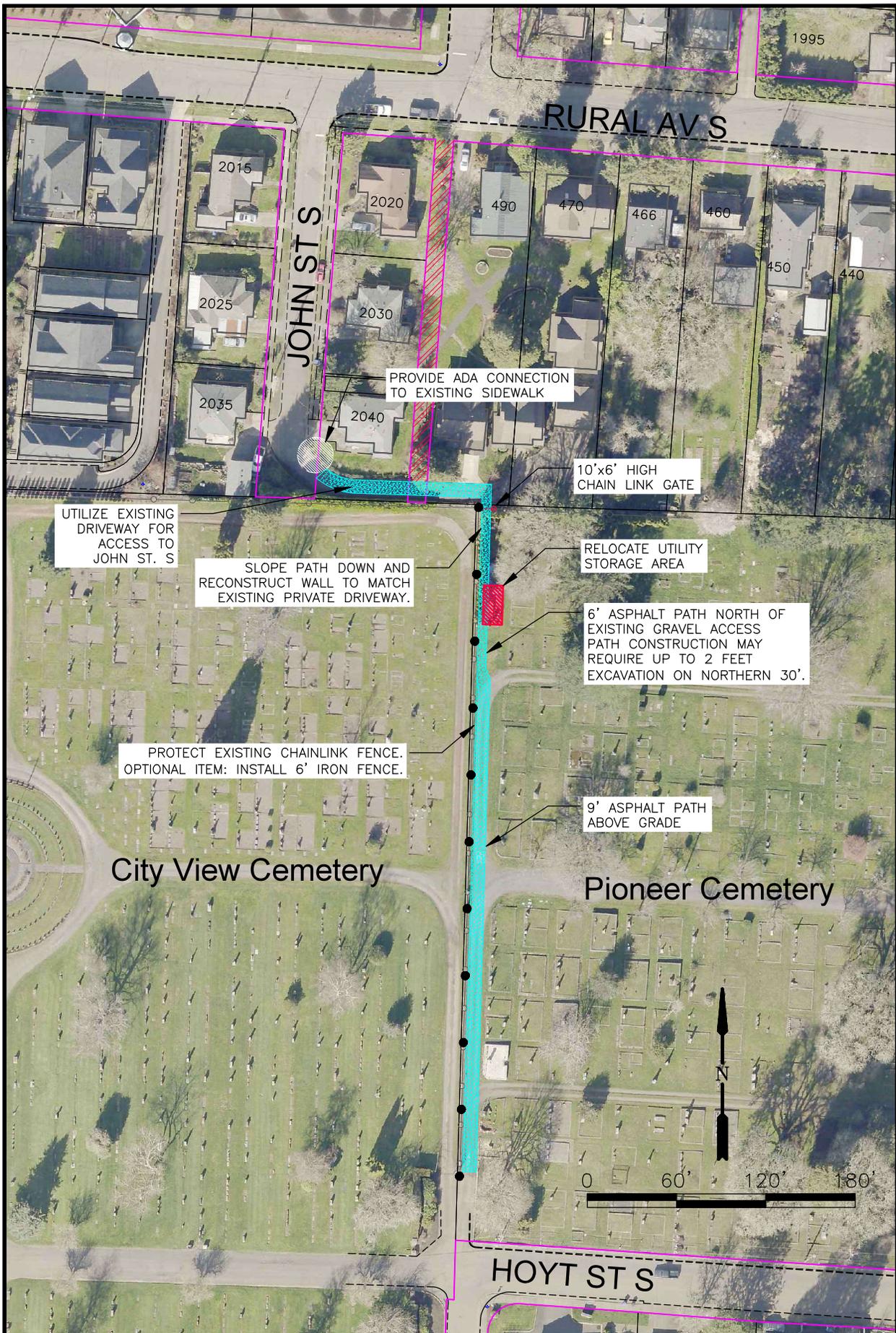
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Tori Hickerson, Pioneer Alley Resident



PROVIDE ADA CONNECTION TO EXISTING SIDEWALK

10'x6' HIGH CHAIN LINK GATE

RELOCATE UTILITY STORAGE AREA

6' ASPHALT PATH NORTH OF EXISTING GRAVEL ACCESS PATH CONSTRUCTION MAY REQUIRE UP TO 2 FEET EXCAVATION ON NORTHERN 30'.

9' ASPHALT PATH ABOVE GRADE

PROTECT EXISTING CHAINLINK FENCE. OPTIONAL ITEM: INSTALL 6' IRON FENCE.

SLOPE PATH DOWN AND RECONSTRUCT WALL TO MATCH EXISTING PRIVATE DRIVEWAY.

UTILIZE EXISTING DRIVEWAY FOR ACCESS TO JOHN ST. S

City View Cemetery

Pioneer Cemetery



PROJECT ESTIMATE SKETCH:
RURAL AV SE AND HOYT ST SE
PEDESTRIAN PATH
OPTION 5 (PIONEER CEMETERY PATH)

- NEW PATH
- OPTIONAL ITEM: EXTENSION THROUGH 12 FOOT ALLEYWAY
- OPTIONAL ITEM: SOLAR PATH LIGHT (REQUIRES 2-3 FT FOUNDATION)

ENGINEERING DIVISION
 655 Liberty Street SE, Room 325
 Salem, OR 97301-3513
 Phone 503-588-6211
 www.cityofsalem.net

October, 2020

G:\Group\pdp\Primary Estimate\RuralHoyt Cemetery Connection\CAD\CONCEPT\dwg_122344.dwg (12/23/20)

From: [Jennifer Johns](#)
To: [citycouncil](#)
Subject: Path between Fairmount and Candalaria neighborhoods
Date: Sunday, January 10, 2021 9:45:23 AM

Dear Councilors,

I am writing in support of creating a path through either City View or Pioneer Cemetery to connect the two neighborhoods along Rural and Hoyt in South Salem. I have supported this effort for years and can remember when my son, (who was maybe 10 at the time and is 17 now) testified with his best friend, Max Howard, who lived on "the other side," to the City Council, about how much they wanted this path--to allow access to walk to each other's houses without having to walk along Commercial. There are many many people from the Candalaria side who would take advantage of the park on Rural--because there is no city park within walking distance of this neighborhood--and many many people from the Rural side who would take advantage of walking to access to businesses, grocery stores and restaurants on the Candalaria side. So I hope you will reconsider your positions and support this path. This path should be the path of least resistance, it should keep the historical integrity of the cemeteries, and should be cost effective.

Thanks for your service to our community,
Jennifer Johns

390 Candalaria Blvd
Salem 9730

From: [Jim Scheppke](#)
To: [CityRecorder](#)
Subject: Testimony on Agenda Item 6a
Date: Friday, January 8, 2021 12:05:41 PM

Dear Mayor and Councilors:

As an active member of the South Central Association of Neighbors, I have heard all of the arguments for and against a connection between the Fairmount and Candalaria neighborhoods. I recently made a site visit with SCAN Board members and others to walk the site and discuss alternatives. Having done this research, I am convinced that a simple gravel pedestrian path with gates on both ends open during daylight hours could be achieved with modest expense in the near term. I urge the City Council to move forward with such a plan.

Longer term I would like to see a more robust connection as suggested by my fellow Board member Mark Wigg that would accommodate both pedestrians and cyclists 24/7. But for now it would be progress to make the simpler, cheaper connection for pedestrians. This could be a pilot test of sorts to see if the fears of some that this would lead to “vandalism and misuse” of Pioneer Cemetery are justified. Having some knowledge of pioneer cemeteries in other places that are open to public access 24/7 and have not suffered vandalism to any significant extent, I think these fears are unfounded. If anything, a pedestrian path would contribute to a safer environment in the cemetery — one that was less prone to vandalism.

I am reminded of the great Jane Jacobs and her belief that “eyes on the street” is the greatest contributor to public safety. This concept also applies to historic cemeteries, I believe:

“There must be eyes upon the street, eyes belonging to those we might call the natural proprietors of the street ... When there are people present in a public space such as city streets, it strengthens the space and inspires social cohesion.”

Thank you for your consideration of this important issue.

Jim

Jim Scheppke
jscheppke@comcast.net
503-269-1559

Amy Johnson

From: Jeff Schumacher <jeff.schumacher@gmail.com>
Sent: Friday, January 8, 2021 8:42 AM
To: citycouncil
Subject: Hoyt Rural connection

Mayor Bennett and Councilors,

In light of the City's staff report on the cost estimates for a pedestrian path connecting upper Hoyt and upper Rural, I am in favor of the City pursuing a "path of least resistance" which could be significantly cheaper.

In November of 2019, when I was chair of SCAN, we passed a resolution reading: *SCAN supports a path connecting upper Hoyt to upper Rural Avenue S and encourages the City to implement a path called for in its TSP immediately.* This is a generic statement of support for connectivity. We were not advocating for a fully improved pathway, and considering all the issues confronting Salem right now an expensive pedestrian path may be a tough sell no matter where the funds come from. Instead of being satisfied with the recent staff report I support City staff looking again at how to connect Rural and Hoyt at a price tag we might afford.

After being around this issue for the last couple of years, my strong belief is the people supporting this path between Rural and Hoyt care most *that a connection exists* - perfection is not the highest priority, connectivity is.

Please do not let high cost estimates be the end of this effort. Instead, I ask the City to pursue a connection by more modest means.

Thank you,
Jeff Schumacher
1945 W Nob Hill St. SE
Salem, Oregon 97302

From: [Mark wigg](#)
To: [CityRecorder](#); [citycouncil](#)
Subject: Hoyt - Rural Connector Item 6.a on agenda for 1-11-2021
Date: Sunday, January 10, 2021 11:11:18 PM
Attachments: [cemetery trail 3.docx](#)

Thank you, Mayor Bennett and Councilors for your service to our community. You have way too much work for volunteers.

The Hoyt -Rural Connection that I describe in the proposal emailed to you today would enhance the entrance to Pioneer Cemetery, increase security at both cemeteries with additional lighting and gates, reduce vehicle damage to gravesites, and replace the barbed-wire and cyclone fence with a fence appropriate for a pioneer cemetery. The connector could be open 24 hours a day even when the cemeteries are closed. This makes for a park-like gateway between the Candalaria and Fairmont neighborhoods. Trails, parks, ways to get around without using your car; these are most frequently requested 'wants' according to the 2019 Our Salem surveys.

Over the last 20 years Salem has painted over 100 miles of bike lanes on busy streets, but the percent of people commuting by bicycle has dropped from 1% to 0.5%. People don't want to ride on loud, dirty, dangerous, busy streets 6 inches from death. And, drivers get nervous when they see kids in those bike lanes. Do we really want to see dozens of kids cruising down Commercial Street? That is the only option today.

The Hoyt Rural Connector is the type of infrastructure we need if the city is to reverse its downward slide in bike usage.

Mark Wigg

Ward 1

Hoyt-Rural Connector and a New Entrance for Pioneer Cemetery

Salem should improve the entrance to Pioneer Cemetery and reestablish the connection between Rural and Hoyt streets. This proposal shows how this could be completed and the benefits of this action. The two goals of this proposal are to maintain security of the two cemeteries and to provide 24/7 access between Hoyt and Rural. In developing this proposal, I learned that by enhancing the access to Pioneer Cemetery we could achieve both objectives.

The picture below shows the entrance to Pioneer Cemetery and exit from City View Cemetery. The distance between the two curbs is 24 feet.



With the widening of Commercial Street adjacent to the cemetery, the historic access to the cemetery from Commercial was closed, but an elaborate gateway was constructed at the closed entrance. Unfortunately, the City added a hedge that blocks the view of the cemetery and reduces security by screening the cemetery.



The current entrance is not as attractive as the closed entrance and evokes images of concentration camps more than a serene resting place.

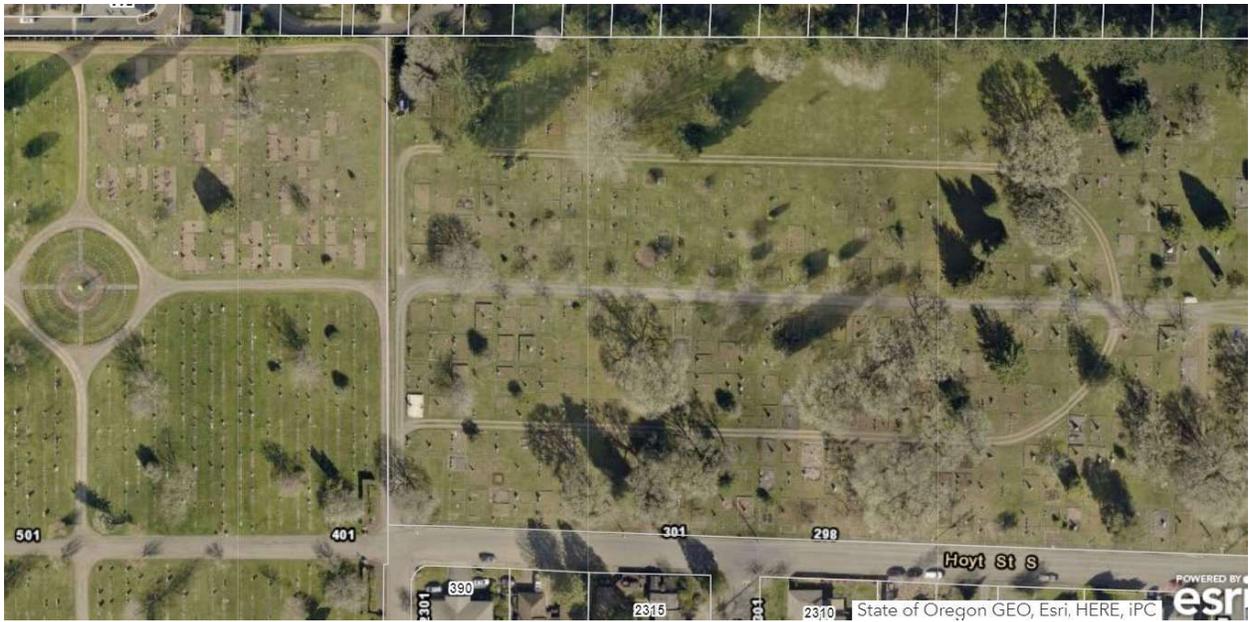


After vandals toppled and damaged monuments in the cemetery, a fence was constructed around the entire cemetery to protect it. While the fence is a non-conforming historic element, it has helped protect one of the best-preserved pioneer cemeteries in Oregon. However, the fence also blocked access from the north that was allowed for 150 years.

The narrow roads and tight turning radius of the roads in Pioneer Cemetery has resulted in damage to some of the gravesites in the cemetery as vehicles cut the corners to make the turns. The pictures below show the damage to the gravesites. Posts have been placed to reduce the damage. Note how the concrete borders of the gravesites have been pushed below ground level and were knocked out of alignment. The aerial photograph below shows the roads and traffic patterns in the cemeteries.



The fence between the cemeteries also severs the historic connection between the G. A. R. Memorial Circle and Pioneer Cemetery. The Memorial Circle is visible on the left in the picture below and the aerial photograph shows how the cemeteries were connected.



The picture shows the road leading to the Memorial Circle from Pioneer Cemetery.



Both cemeteries have flowering trees lining the main roads as shown in the pictures below. Pioneer Cemetery first and City View Cemetery below.



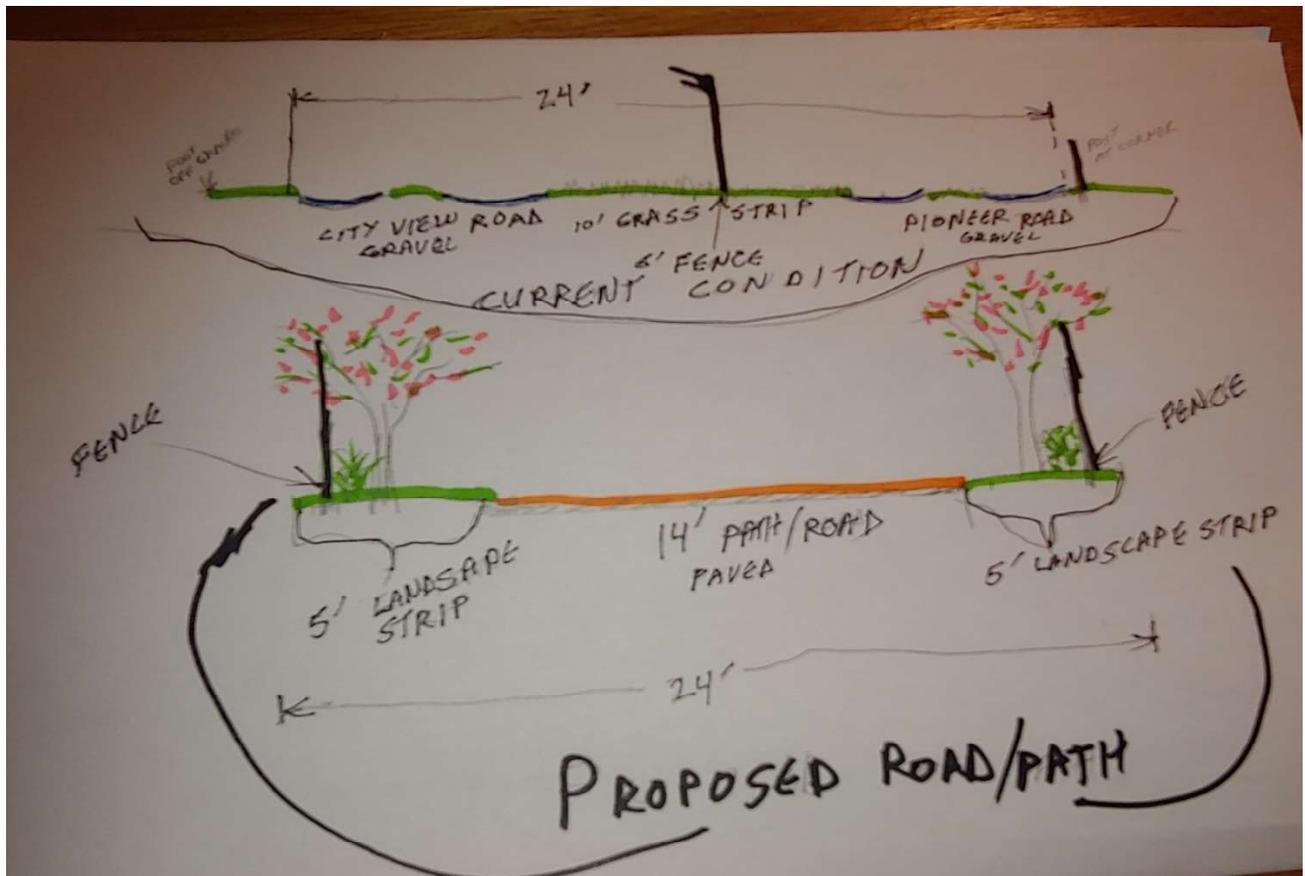
Salem should repeat this visually welcoming pattern by lining the new entrance from Hoyt Street with cherry or other flowering trees as shown below.



The City could take this opportunity to replace the cyclone and barbed wire fence with a fence resembling the wrought iron style historic fences to enhance the historic appearance of the cemetery.



By creating a more inviting entrance to the cemeteries Salem could also reestablish the connection between Rural and Hoyt by constructing one 14 ft. road, lined with cherry trees with the fences and gates behind the rows of trees as shown below. The gates could slide like pocket doors rather than swing open.



The section of the roads along the western edge of Pioneer Cemetery shows the 10-ft wide grass strip between the two roads. One 14-foot wide road with landscape strips and two fences would fit within the same footprint of the two narrower roads.



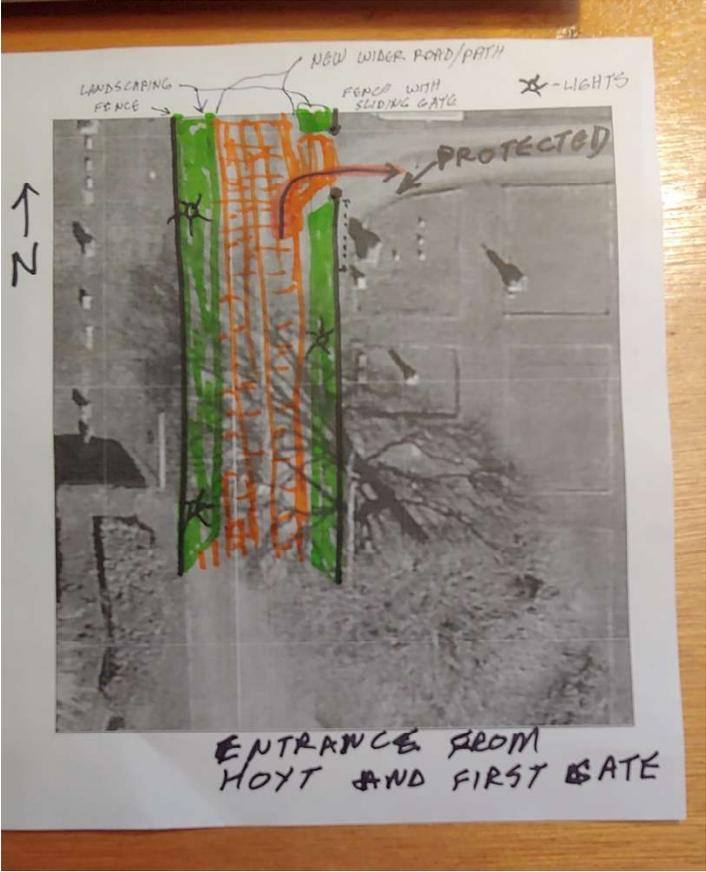
When the new road/path turns west toward John Street, the security fence would be moved to the other side of the road and a sight-obscuring fence would run along the edge of the driveway to give the neighbors more privacy. The picture below shows the northwest corner of City View Cemetery. The slope of the path to the road would be less than 5%. The path would be off the cemetery road and onto the area between the road and north property line up to John Street.



The problems with vehicles cutting the corners and damaging graves will be eliminated by the new design. The wider roadway and gate posts will require vehicles to be in alignment with the cemetery roads before passing the gravesites. The aerial photo shows the current condition.



The picture below is a very rough depiction of the same area showing the new landscaping, one road/path instead of two, the new location for the security fences, new lighting, and a gate location that prevents vehicles from cutting across gravesites.



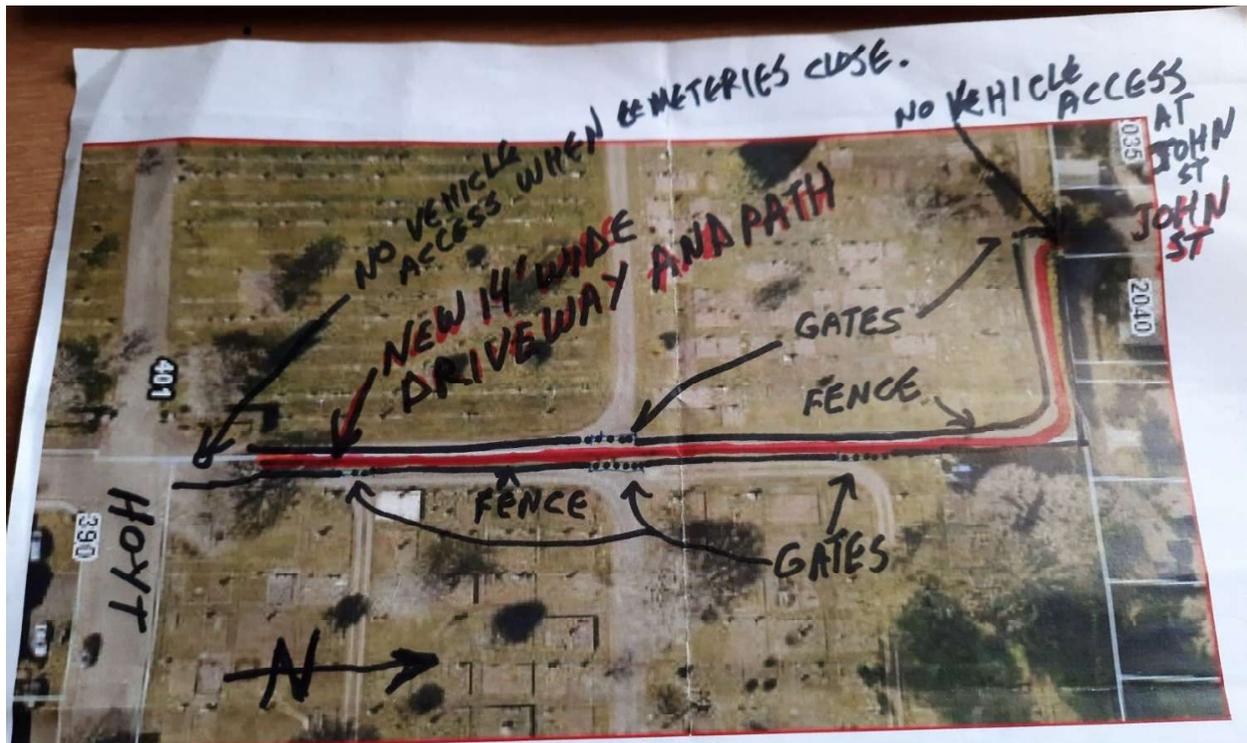
One of the problems with only using the Pioneer Cemetery for a new path, is that the path would require removal of the cemetery maintenance yard. This is the only place in the cemetery for a maintenance yard. The picture below shows a portion of the Pioneer Cemetery maintenance area.



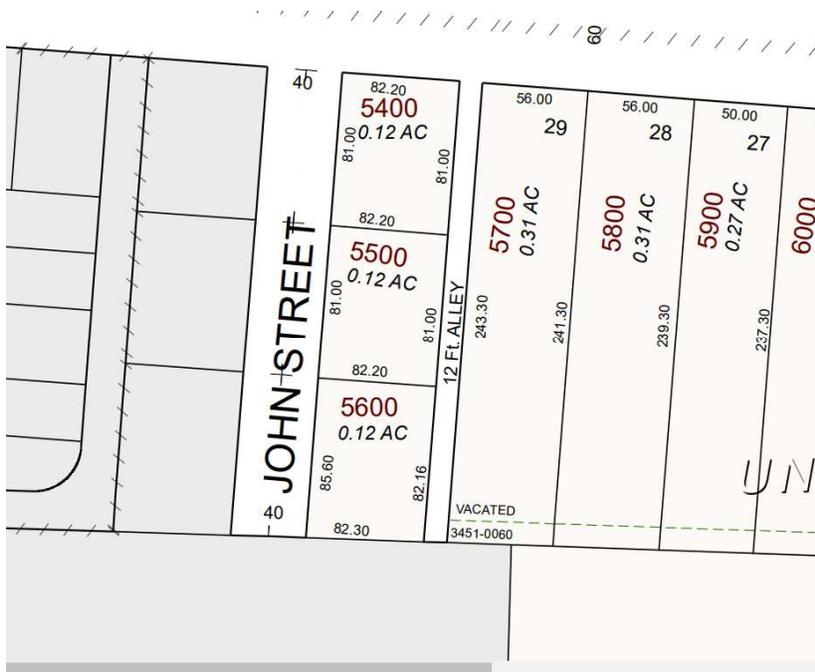
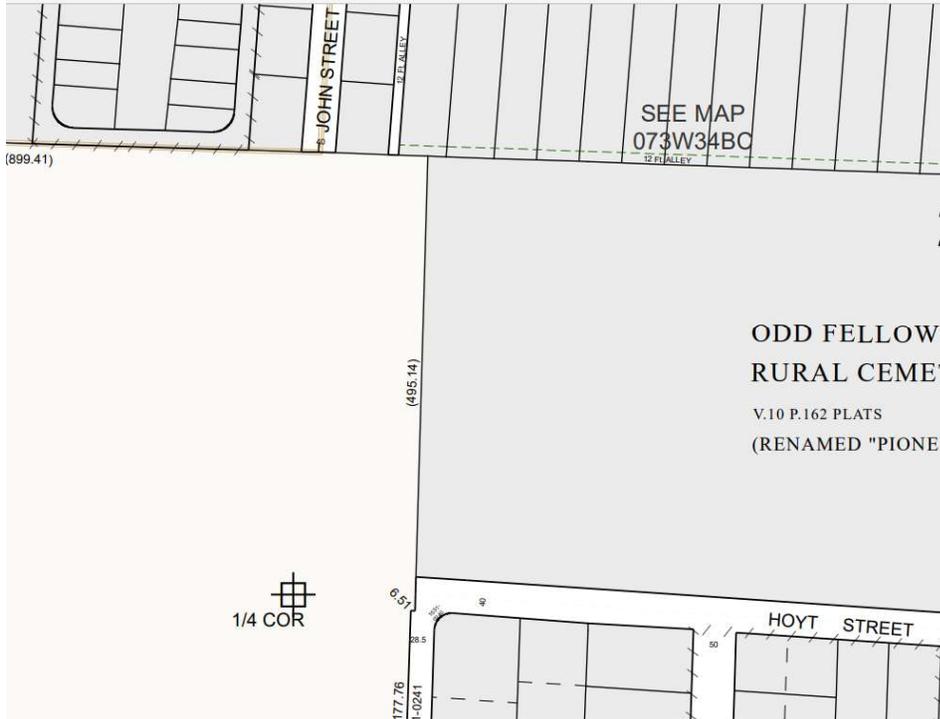
The picture below shows where John Street ends at the cemetery. From the wall at the blue dashed line to the cemetery fence is 14 feet. The 2-ft high wall could be removed and regraded for a gradual path descent to John Street. Lighting would be enhance security in this now-dark cul-de-sac.



The very rough sketch below shows the access to the cemeteries for vehicles and the access to John Street for pedestrians and bicycles that would be open 24/7. The cemetery gates could be closed as needed by the cemeteries.



By routing the connector to John Street, the properties or alley north of the cemetery would not be needed.



Please tell our councilors and mayor that this is the solution you support. Thank you.

Mark Wigg 971-600-6607

From: [PAT NORMAN](#)
To: [CityRecorder](#)
Cc: normanboo@comcast.net
Subject: Pioneer Cemetery and consideration of a trail
Date: Sunday, January 10, 2021 7:52:33 PM

Mr. Mayor and City Councilors:

Salem's Pioneer Cemetery is a destination. It is an amazing and unique cemetery given its age, given the people who are interred within its grounds and the fact it is on the National Register of Historic Places. Friends of Pioneer Cemetery are committed to honor its history and culture, trying to maintain its heritage by caring for the grounds, gravestones, monuments, flora and anything needing tending. Our crew leaders organized this work crew in 2004 and were honored by Willamette Heritage Center in 2017 with the George Strozut Award for preservation of Pioneer Cemetery. The city staff proposal for a path through Pioneer Cemetery would require the removal of the field crew's utility storage area. This area contains tools, supplies and many items necessary to our ongoing work. We are unable to identify another area close to a drive that would not infringe upon burial plots.

Previously I have commented about the dog owner issue that resulted in Pioneer Cemetery designated a "no dogs" area, which has cleaned up the grounds significantly. Unfortunately, we are seeing signs that the dog owners are again entering the cemetery. City View staff and Pioneer Alley residents speak about the experiences with vandalism and theft. There was a recent report of Fairmount Park trees being tagged with paint, and such activity in Pioneer Cemetery would be so damaging to gravestones. What proactive plan does City Council suggest and financially support to protect Pioneer Cemetery if there was a trail on the grounds? What plan does City Council suggest and financially support to restrict this trail to pedestrians only?

With his permission, I will mention Kerry Wymatelik, a Veteran and Quartermaster of Veterans of Foreign Wars Marion Post 661. He, with others in VFW Post 661, participate in Honor Guard at the funerals of fellow Veterans in the Salem area and beyond. He and other VFW members coordinate with City View Cemetery, and have for many years, in organizing the yearly Memorial Day Veterans event. Mr. Wymatelik, with numerous other Veterans, signed the petition in opposition to a trail submitted to you by Friends of Pioneer Cemetery. Beyond the Veterans, which include many from the War of 1812, Mr. Wymatelik has family buried in Pioneer Cemetery. Hallowed grounds.

As previously stated, I am advocating for Commercial Street as the designated connector between the neighborhoods. Perhaps bollards would be appropriate for safety. Fairmount Park is listed in the city's 2013 Parks Master Plan for improvements including a forest trail, turf and irrigation and shared use path, so is a second option. This is a very expensive trail and does not include the cost of any possible easement nor property acquisition. If such money is available, our community has many emergent issues at hand.

Thank you.

Pat Norman

Pioneer Cemetery neighbor
and Volunteer with Friends of Pioneer Cemetery

Ward 7 and Candalaria resident

From: [PAT NORMAN](#)
To: [Robert Chandler](#)
Cc: [Amy Johnson](#); [Ruth Stellmacher](#); [Chuck Bennett](#); [Chris Hoy](#); [Vanessa Nordyke](#); [Julie Warncke](#); [Peter Fernandez](#); normanboo@comcast.net
Subject: RE: Pioneer Cemetery trail - cost estimates of easements and property
Date: Monday, January 11, 2021 8:41:44 AM

Robert,
I appreciate your prompt response and the information provided. Thank you.
Pat Norman

On 01/08/2021 3:18 PM Robert Chandler <rhandler@cityofsalem.net> wrote:

Good afternoon, Ms. Norman:

Thank you for your question, which is a good one.

Estimating the cost of easements or property acquisition was specifically not included in Councilor Nordyke's August 10 motion. There were several reasons for this, but I think you have identified the key one—the difficulty in estimating these costs with any kind of precision. For the most part, the estimates we have provided in the staff report are based on unit prices (for construction), past experiences of staff (for archaeological aspects), and standard engineering practices (for design and construction engineering, for example). We have also included in our planning-level estimate a contingency of 30%, which is standard practice at this level of project conception. However, as you note in your email, easement and/or acquisition costs can vary widely. The cost will depend on the type and location of the property, the property owner's [un]willingness to sell, and the nature of the process in terms of regulations, duration, and litigation. Further, if there is condemnation involved, we may be required to pay the opposing side's attorney's fees which, of course, can be quite high.

My specific concern regarding cost estimating was the risk that we might inadvertently and significantly overestimate *or* underestimate the costs, thereby inappropriately influencing Council's decision with inaccurate or misleading information.

Additionally, we recognized there are still several options under consideration by Council. We did not want to get ahead of Council by initiating potentially time consuming and resource intensive appraisals, consultations, and negotiations on land costs with private property owners when, in fact, we do not yet have direction from Council on the way forward.

In many ways, the value of the information provided in our report is less on the specifics of the cost estimates but more our acknowledgement that if a path connecting Candalaria and Fairmount neighborhoods is envisioned by Council, the cost for such an endeavor is likely to be in the \$100,000s for ADA compliance, archaeology, and construction and not in the \$1,000s as suggested by some if we were to simply replace one fence panel with a single lockable gate.

Thank you, again, for your help with the report and for your ongoing good work in our community.

Best regards,

Robert

Robert D. Chandler, PhD, PE

Assistant Public Works Director

City of Salem | Public Works Department

555 Liberty Street SE, Suite 325, Salem Oregon 97301-3513

rhandler@cityofsalem.net | 503-588-6008

[Facebook](#) | [Twitter](#) | [YouTube](#) | [CityofSalem.net](#)

From: PAT NORMAN <normanboo@comcast.net>

Sent: Thursday, January 7, 2021 9:52 PM

To: Chuck Bennett <CBennett@cityofsalem.net>; Chris Hoy <CHoy@cityofsalem.net>; Vanessa Nordyke <VNordyke@cityofsalem.net>; Julie Warncke <JWarncke@cityofsalem.net>; Robert Chandler <RChandler@cityofsalem.net>

Cc: normanboo@comcast.net; CityRecorder <CityRecorder@cityofsalem.net>

Subject: Pioneer Cemetery trail - cost estimates of easements and property

Hello Mr. Mayor, City Councilors, Ms. Warncke and Mr. Chandler,

re: City Staff report regarding potential path connecting Candalaria and Fairmount neighborhoods placed on the 12-14-2020 Council agenda.

At my neighborhood SWAN meeting on Tuesday, January 5, 2021, I asked Councilor Nordyke the reasoning for excluding cost estimates for easements and/or acquiring property, and how might City Councilors assess and make a decision when they do not have complete information. Councilor Nordyke stated it was a good question and she didn't know but could contact city staff for an answer. Hence, I have included Julie Warncke and Robert Chandler on this email.

To whomever has this information, could you please share how the decision to exclude this financial piece from the report and why. This is a very expensive project and I am concerned by the fact that specific costs are not addressed for City Council members and the general public. I do understand that precise estimates would be difficult as these issues can involve court and other unpredictable processes. But the city certainly has experience in these issues in order to give some idea of costs.

I would be happy to hear an answer through discussion at the January 11, 2012 City Council meeting if at all possible. There are many taxpayers besides myself who are interested in your answer. Thank you for your attention to this matter.

Pat Norman

Ward 7 resident

Candalaria Area

From: [PAT NORMAN](#)
To: [Chuck Bennett](#); [Chris Hoy](#); [Vanessa Nordyke](#); [Julie Warncke](#); [Robert Chandler](#)
Cc: normanboo@comcast.net; [CityRecorder](#)
Subject: Pioneer Cemetery trail - cost estimates of easements and property
Date: Thursday, January 7, 2021 9:52:06 PM

Hello Mr. Mayor, City Councilors, Ms. Warncke and Mr. Chandler,
re: City Staff report regarding potential path connecting Candalaria and Fairmount neighborhoods placed on the 12-14-2020 Council agenda.

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Pat Norman
Ward 7 resident
Candalaria Area

Amy Johnson

From: Robert Chandler
Sent: Friday, January 8, 2021 3:19 PM
To: PAT NORMAN
Cc: Amy Johnson; Ruth Stellmacher; Chuck Bennett; Chris Hoy; Vanessa Nordyke; Julie Warncke; Peter Fernandez
Subject: RE: Pioneer Cemetery trail - cost estimates of easements and property

Good afternoon, Ms. Norman:

Thank you for your question, which is a good one.

Estimating the cost of easements or property acquisition was specifically not included in Councilor Nordyke's August 10 motion. There were several reasons for this, but I think you have identified the key one—the difficulty in estimating these costs with any kind of precision. For the most part, the estimates we have provided in the staff report are based on unit prices (for construction), past experiences of staff (for archaeological aspects), and standard engineering practices (for design and construction engineering, for example). We have also included in our planning-level estimate a contingency of 30%, which is standard practice at this level of project conception. However, as you note in your email, easement and/or acquisition costs can vary widely. The cost will depend on the type and location of the property, the property owner's [un]willingness to sell, and the nature of the process in terms of regulations, duration, and litigation. Further, if there is condemnation involved, we may be required to pay the opposing side's attorney's fees which, of course, can be quite high.

My specific concern regarding cost estimating was the risk that we might inadvertently and significantly overestimate *or* underestimate the costs, thereby inappropriately influencing Council's decision with inaccurate or misleading information.

Additionally, we recognized there are still several options under consideration by Council. We did not want to get ahead of Council by initiating potentially time consuming and resource intensive appraisals, consultations, and negotiations on land costs with private property owners when, in fact, we do not yet have direction from Council on the way forward.

In many ways, the value of the information provided in our report is less on the specifics of the cost estimates but more our acknowledgement that if a path connecting Candalaria and Fairmount neighborhoods is envisioned by Council, the cost for such an endeavor is likely to be in the \$100,000s for ADA compliance, archaeology, and construction and not in the \$1,000s as suggested by some if we were to simply replace one fence panel with a single lockable gate.

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Robert

Robert D. Chandler, PhD, PE
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rchandler@cityofsalem.net | 503-588-6008
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Sent: Thursday, January 7, 2021 9:52 PM

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Cc: normanboo@comcast.net; CityRecorder <CityRecorder@cityofsalem.net>

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Pat Norman
Ward 7 resident
Candalaria Area

Amy Johnson

From: Susan Arbor <susan.arbor@gmail.com>
Sent: Friday, January 8, 2021 12:03 PM
To: citycouncil
Subject: Simple Unpaved Path

Dear Councilors,

I am writing in strong favor of a simple, low cost, unpaved footpath that connects Hoyt St. S and Rural Ave. S. Compacted gravel will be quite adequate. Open daylight hours only will be perfect to allow an easy connection for neighbors. No bells or whistles needed. Thank you for listening and thank you for your service to the city of Salem. ~
Susan Arbor (Fairmount Hill)

From: [Susann Kaltwasser](#)
To: [citycouncil](#); [CityRecorder](#)
Subject: Proposed Path through Pioneer Cemetery
Date: Monday, January 11, 2021 4:20:48 AM

To: Salem City Council and Mayor Bennett
From: Susann Kaltwasser
RE: Pioneer Cemetery Path Proposal

Although this item on your agenda is only an informational report and not a public hearing, I offer my comments based on my personal experience with pathways and in hopes that it prompts you to consider asking for more information before this proposal moves further.

In the past number of years, as chair of a neighborhood association I had to ask the City Council to close three walkways that had become public nuisances. Currently I am seeking the closure of yet another walkway that has been a nuisance to adjacent property owners for at least the last 12 years.

At the time of the last closing in the late 1990s staff talked about developing a code for future walkways. Unfortunately the Council did not direct staff to do this. I urge you to do it now.

The City needs clear standards by which staff can determine whether a request by neighbors for connectivity is safe and justified. This is for legal, as well as, planning purposes.

If there were a design code staff could evaluate a request and simplify a response. Without a standard each request necessitates a lengthy and confusing process, as well as, putting the decision on the Council to make a choice using possible arbitrary criteria. This necessitates a political decision rather than one based on clearly laid out conditions that ensure public safety and need for a path. Desire is not a need, in my opinion.

Connectivity is an admirable goal. But it has pros and cons that need to be fairly weighed. Need is a quantifiable term. The City has defined need for parks, street and lot sizes for example, but not for walkways. Although the staff report here tried to talk about such criteria, they do not have one to be their guide. Nor does the Council. I urge you to create that criteria as part of this process.

Suggested Criteria:

Each of the previous closures that I was involved with were made after it was clearly established that a public hazard existed. Crimes were evident in each case. But beyond that, staff had identified 3 shared characteristics that they felt led to the poor results.

The identified characteristics that were found (based on my recollection) was length of the path, ability to supervise from the street and lighting. In other words, staff concluded that pathways should be relatively short (about 200 feet as I recall), be well lit and must be straight or have no sight obscuring features.

The proposed path under consideration through the Pioneer Cemetery should be designed in a way that ensures the safety of users, as well as, those who must live next to the pathway. The

path's value to make it easy for users to pass through the area must be weighted against the impact on the adjacent property owners as they will bear the greatest burden for maintenance, vigilance and disturbances.

When I read through the comments thus far submitted to the record, none of the adjacent property owners seems to want the extra burden of the path. If they are not supportive, from where will the vigilance come?

As I looked at the various plans in the staff report, I saw a few red flags that create situations similar to problems with the closed walkways I dealt with. One was length. Depending on how you measure it, the path is at a minimum of 520 ft and could be up to 900 feet. It has several 90 degree turns and there is no guaranteed lighting. Of course, the assumption is that no one will climb the fence or gates. There seems to be an assumption that one will mind walking at dusk when visibility is low and surely no one would use the path in the fog. To not have adequate lighting at all access points seems essential.

Another red flag is that it is not clear whether sight obscuring fencing will be forbidden along the Pioneer Alley PUD properties. Normal behavior of property owners is to want privacy. It always happens when the opportunity arises for these adjacent property owners to construct sight, and hopefully, noise reducing fences along a public pathway. Such fences along paths produce alleys where activities are less noticeable and unfortunately less safe.

I did not see whether the police were asked about their ability to protect citizens both using the path and adjacent to the path. I know that in the case of the closed walkways, they agreed that they could not supervise them due in large part to the design. In all cases the former walkways increased the likelihood of criminal activity that the police could not protect and in one case became a frequently used path for robbers in the area. The remaining pathway that I want to close creates a big problem for the police because a person can escape through the walkway on foot or bike, while the officer must drive around almost a mile to get to the connecting street. Even if they leave their vehicle for a foot chase, if the person has parked their car on the other side, they are long gone.

I saw some testimony submitted by a neighbor showing nice paths in their neighborhood as an example of what they hoped this would be. But I noticed that both were short and straight. Each one was well designed with conditions where the public could see straight through them and know they were safe to enter.

More Questions

I don't think the staff report has addressed all of the potential problems. Nor does it address the legal responsibility issues. Such questions as to who will maintain both the path and the adjacent cemeteries? How will security be ensured? If a gate or gates be installed who will open and close it? What power of enforcement will there be to continue this responsibility over decades? What happens if the gate is not closed or is closed later than dusk?

I think we can all agree that able people can climb fences or gates. In fact one piece of testimony by a neighbor, Evan West, states that, "I know that local residents who are agile enough to do so, frequently do scale the chain-link fence to cut across the cemetery when it is more convenient for them to do so."

Other statements in Public Comments that should be noted and responded to:

SWAN comments:

“a deterrence to the vandalism that has plagued this site”

SCAN comments:

“There are risks to headstones toppling over, there are risks to encroachment onto grave sites, there are risks of vandalism. All these risks currently exist, and if pedestrians are allowed to cross into Pioneer Cemetery at that northwest corner it is possible that those risks would be increased.”

Email from Robert Chandler to Sunnyslope NA

“Installing lighting is only an option and certainly not a necessity. This is why it is not included in the base cost estimate. I know the gates for both cemeteries are shut every night, but I have observed that sometimes this does not occur until past dusk and into early nightfall. A number of individuals have expressed concerns regarding safety and security if a path were constructed. Having a lit path may be a desired option to reduce risks related to safety and security. “

From staff report

“The width of Pioneer Cemetery starting at Hoyt Street S and extending north towards Rural Avenue S is approximately 520 feet. “

“The pedestrian access easement could connect to John Street S or to Rural Avenue S. A connection to John Street S would require that the City purchase an access easement over a shared driveway for residential properties at 470 and 490 Rural Avenue S. A connection to Rural Avenue S could be made via an existing unopened alley right-of-way that runs through the landscaping area of the Pioneer Alley Planned Unit Development. “

“Based on the distances between the intersection of Hoyt Street S and Skopil Avenue S (Candalaria neighborhood) and the intersection of Rural Avenue S and John Street S (Fairmount neighborhood), a pedestrian pathway through Pioneer Cemetery would save approximately 2,800 feet of travel (900 feet vs. 3,700 feet).

Oregon State Historic Preservation Office (SHPO) Clearance Review

This review must demonstrate that the proposed alterations will not adversely impact either the above ground resources or the below ground resources (including burials). Additionally, the City must demonstrate that alternatives have been explored to accomplish the same goal-connectivity between neighborhoods-that would avoid impacting the historic resource.

Historic Landmarks Commission (HLC) Review

Any proposed alterations at Pioneer Cemetery would require a Type III public hearing review before the HLC. As with the SHPO review, the City will need to demonstrate that the

proposed alterations will not adversely affect any above or below ground historic resources. The HLC review and its decision are considered a land use actions which are appealable to the Hearings Officer. The HLC decision cannot be called up by the City Council for further consideration.

Option 6: Construct a connection that includes City View Cemetery

A pedestrian route could be made in which a portion or all of the path runs along the boundary between Pioneer Cemetery and City View Cemetery. The terminus of the path could be located at the northern boundary of City View Cemetery and aligned with John Street S. This option would require acquisition of an easement from City View Cemetery. The property owner of the cemetery has stated as recently as early 2020 that he is not interested in providing an easement for the purposes of pedestrian pathway.

2012 Letter from Friends of Pioneer Cemetery

We maintain that this sound policy question can, or at least *should* be interpreted broadly so that proper consideration can be given to cultural values as well as public health and safety. The rules and policies on transportation system connectivity should in this case be weighed in the balance with the City's landmark preservation ordinance (Salem Revised Code, chapter 230) along with the goals of a comprehensive master plan for maintenance and restoration adopted in 2004 by the Parks and Recreation agency, which is now a division of the Department of Public Works along with Transportation Services. Pioneer Cemetery is a City of Salem Historic Landmark, so designated in 1990. Since 1981, the property has been recognized under Section 106 of the National Historic Preservation Act as one officially declared *eligible* for inclusion in the National Register of Historic Places. The latter declaration requires review and compliance with federal regulations when federal funding is involved in an undertaking that will affect the registered eligible property. In none of the recitals which have accompanied public proceedings affecting Pioneer Cemetery to date have these important facts about the Pioneer Cemetery's City landmark status and National Register eligibility been acknowledged except by the Friends of Pioneer Cemetery.

Our constituency includes descendants of the interred pioneers, those who regularly walk with their dogs in the cemetery and other members of the public at large who have contacted us with their concerns. Our view is this: vacation of the remnant right-of-way would satisfy a compelling public need if it eliminated a point of entry for a way of convenience that could compromise the security we have been able to establish thus far and force unwanted alteration of a recognized historic cultural landscape. “

Thank you for consideration of my comments.

Susann Kaltwasser
Ward 8

From: [Susan Powers](#)
To: [citycouncil](#)
Cc: [Vanessa Nordyke](#)
Subject: Letter of Support
Date: Sunday, January 10, 2021 6:13:45 PM

Hello City of Salem Council:

I am writing a letter to show my support in having a pedestrian connection between Rural and Hoyt Street. I fully support having a pedestrian access point from Rural Ave S that would connect during daylight hours, while the cemetery is open on Hoyt St, so that people are able to move around their community and neighborhoods without having to walk all the way around Pioneer Cemetery and be subjected to the heavy & loud traffic on Commercial St.

I have reviewed the city's feasibility report and believe that the budget reflects costs that far exceed what is actually needed to create a connection - a simple gate with lock would be a wonderful first step.

Please consider a plan that is a path of least resistance so that a pedestrian connection between two neighborhoods is possible and not prohibitive because of cost restraints. This is all possible while also being respectful of any historical integrity for the Pioneer Cemetery boundary.

I hope you will work together as councilor's to resolve that the neighborhoods of Candalaria and Fairmount will finally have a pedestrian connection.

Thank you for your efforts and for supporting a pedestrian friendly Salem.

With kind regards,
Susan Powers

From: [Ted Burney](#)
To: [CityRecorder](#); [citycouncil](#)
Cc: [Jeanine Stice](#); [Rob Thrasher \(robert.thrasher.music@gmail.com\)](#)
Subject: SWAN Comments for Mayor Bennett and Council regarding item 6.a 20-470 Hoyt-Rural Connector
Date: Sunday, January 10, 2021 11:24:40 AM
Attachments: [SWAN Comments for City Council regarding Summary of Options presented by City Staff for Candalaria Fairmount - Hoyt Rural connector via Pioneer Cemetery City View Cemetery.pdf](#)

Dear Mayor Bennett and Salem City Council members:

Attached for your review is comment from the Southwest Association of Neighbors that has been discussed, voted upon and approved for distribution by the SWAN board. This is for your review as you receive an information report regarding the possible Hoyt-Rural connector at the January 11, 2021 council meeting.

The attachment is a PDF and should be easily opened. If you have any difficulty opening the file please contact me or Jeanine Stice our neighborhood association chair.

Thank you for your time and service to the community.

Ted Burney
SWAN Land Use Chair
503-428-0625

SWAN Comment on Summary of Options presented by City Staff for Candalaria/Fairmount - Hoyt/Rural connector via Pioneer Cemetery/City View Cemetery

The options presented by the City of Salem staff in regards to opportunities and hurdles to overcome for a potential path connecting Candalaria and Fairmount neighborhoods utilizing a corridor between Hoyt and Rural streets through Pioneer Cemetery show that it can be done.

However, the study presented by city staff seems costly and seems to miss the mark on the issue that SWAN presented in terms of protection and preservation of Pioneer Cemetery and City View Cemetery. Hence this miss by staff highlights the importance of community participation in the process. Staff did as they were asked to do and presented options for construction of a pathway. In this regard, city staff did a fine job. It is up to involved citizens to refine the process.

It would be beneficial to connect the neighborhoods. Protection and preservation of both cemeteries must be listed as top criteria in the pathway development.

SWAN initially put forth a path proposal that would have created a connector to neighborhoods, other Salem parks and an educational and visitor opportunity for the public at Pioneer Cemetery. This was following the model of historic East coast cemeteries which bring history to visitors through public access and interpretive waypoint signage. In this initial proposal by SWAN, protection of Pioneer cemetery as well as public access were priorities.

In the current city staff analysis - options are laid out for a connector but do not consider the needs of preservation and protection of the cemeteries. The study merely highlights straight paved pathways and the avenues to achieve them.

By incorporating community input other possibilities can and should be examined.

The staff proposal discusses excavation for an asphalt pathway. This asphalt path is much wider than needed and seemingly expensive. If costs for any required property purchase for this asphalt path were added to the staff report the connector would probably rise in price. Any anticipated property or easement purchases should be included in estimates.

Perhaps simply extending and maintaining the current compacted gravel access roadway would be a simpler, less costly option and more in keeping with the historic nature of Pioneer Cemetery. Instead of a 24-7 path requiring lighting, it could be a dawn to dusk access much like the current access to both cemeteries.

If any historical review for this path extension would be needed we believe the review should be followed and staff should utilize their knowledge and expertise to guide the process.

The proposed path need not displace the current Pioneer Cemetery maintenance area. The maintenance area could be reconfigured as a rectangle instead of a square and the pathway could go behind the maintenance area.

A recent proposal from SCAN showcases another alternative. Cutting down the 24 foot wide Pioneer Cemetery access road to a 14 foot wide access road. The road could then be lined with

Cherry and Hawthorne trees mirroring the existing spring blooming trees in both City View and Pioneer Cemetery.

The new trees would be in the original 24 foot roadway, now reduced down to fourteen feet and behind them on either side of the roadway would be an ornamental iron fence protecting both Pioneer and City View Cemeteries. This would eliminate the need for the current barbed wire fence between the cemeteries.

Another excellent idea from the SCAN proposal is to install sliding gates along the proposed iron fencing. These gates could allow access to existing roadways in both cemeteries and reconnect Pioneer Cemetery to City View and the Veterans Monument Circle as it once was. The current city study mentions installation of a single 6 foot fence. The two fence option would offer more protection for both cemeteries and we believe it should be greater than a 6 foot height. Preferably eight feet.

The city study mentions the possibility of running the connector path over the common area of the Pioneer Alley development along the city owned utility easement. Instead of bisecting a common area that can encourage community we would recommend, as our first choice, following the John Street easement west along the private roadway to the public roadway. Currently there is a fence at what is assumed to be the City View Cemetery property line and then an approximate 3-4 foot hedge and ledge over to an existing cast cement block wall. It is conceivable that the proposed trail could follow this block wall and taper down in height and grade to meet ADA needs. A survey would need to be done to see if an ADA compliant grade could be made. If there is no existing easement wide enough or long enough for this point of the connector to John Street, we are in favor of first offering affected property owners an opportunity to sell a few feet of land rather than acquiring the property through eminent domain for public use and then offering payment as compensation.

In short, a connector can help create community but protection and preservation of the cemeteries needs to be made a priority. Opportunities were squandered in the past to create this connector. It is not the time to give up the idea but rather to creatively design and engineer a solution to the issue. This is not unobtainable, with community input, ideas from many viewpoints we believe we can create a win for this pathway and the Salem community.

Ted Burney
SWAN Land Use Chair

Jeanine Stice
SWAN Chair

Amy Johnson

From: William Davis <wdavis07@wou.edu>
Sent: Sunday, January 10, 2021 9:31 PM
To: CityRecorder
Subject: City Council Meeting Agenda Item 6.a. Testimony
Attachments: pdf15232812dpi100.pdf

Good day,

I am William Davis and live in Ward 7 in the Sunnyslope neighborhood. Evan White is writing on behalf of the neighborhood and I would like to support his comments and thoughts on a cost-effective approach to a friendly, walkable access to downtown without navigating busy streets as a pedestrian.

Goal 12 of Oregon's Land Use Goals would support such an option for an additional attractive means to access downtown for pedestrians.

I too believe that a gravel option of 1/4 minus rock would provide firm surfacing to meet ADA Trails guidelines without the need to excavate as the gravel and drainage could be overlaid and compacted. Susan Creek Falls near Roseburg is an excellent example of a gravel trail that meets ADA requirements. I've included a brief (for ADA standards) attachment to offer context for what an ADA trail would look like and require without concrete, that is also available at the link below:

<https://www.fs.fed.us/t-d//pubs/pdfpubs/pdf15232812/pdf15232812dpi100.pdf>

Respectfully,
William Davis



Forest Service Trail Accessibility Guidelines (FSTAG) Pocket Version



Forest
Service

National Technology &
Development Program

1523-2812-MTDC
Recreation

October
2015

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Cover—Three generations enjoy a hike through a beautiful mountain meadow.



Forest Service Trail Accessibility Guidelines (FSTAG)

Pocket Version

Kathleen Snodgrass
Project Leader

USDA Forest Service
National Technology and Development Program
Missoula, MT

2E22A08 Pocket Guide for FSTAG

October 2015

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7.0 Application

The Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) and the Forest Service Trails Accessibility Guidelines (FSTAG) are the legally enforceable standards for facilities, routes, and features within the National Forest System. FSTAG applies to all trails in the National Forest System that meet **all three** of the following criteria:

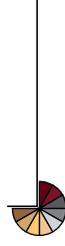
- Are new or altered
- Have the Federal Trail Data Standard (FTDS) designation designed use of “Hiker/Pedestrian”
- Connect directly to a trailhead or to a trail that currently substantially complies with the FSTAG

FSTAG provides guidance for maximizing the accessibility of trails while protecting the unique characteristics of the natural setting. Although the guidelines are not legally enforceable outside of the National Forest System, they may be used by other entities to define best practices for recreation areas.

FSTAG does not apply to:

- Maintenance work (routine or periodic repair of existing trails, recreation sites, or facilities).
- Trailheads, the constructed features at trailheads, and routes connecting those features. These must comply with the applicable technical provisions of the FSORAG and Architectural Barriers Act Accessibility Standards (ABAAS).
- Most buildings; recreational facilities that are not addressed in the FSORAG or FSTAG must comply with the applicable requirements of the ABAAS.
- Associated constructed features (such as tent pads, fire rings, and pit toilets) located along National Forest System trails. These must comply with the FSORAG.
- Boating and fishing facilities, swimming pools, play areas, sports arenas, miniature golf courses, and amusement parks. These must comply with chapter 10: Recreation Facilities of the ABAAS.

Side trails or other routes leading from a trail to associated constructed features must comply with the requirements for trails, not those for outdoor recreation access routes.





7.1 Conditions for an Exception

Where described in individual sections of the guidelines, some specific technical requirements may be reduced or changed if one or more of the following conditions exists on a trail. The exception shall not be used on the portion of the trail where the condition does not exist. If no exception is provided for the technical requirement, no exception is allowed. All other appropriate design options should be considered before applying the exception.

Some specific technical requirements also contain general exceptions that may be applied irrespective of the presence of a condition for an exception, if the general conditions for the exception are met. These are detailed specifically in the applicable sections and shall not be used for other features.

Condition for an Exception 1. Where compliance with the technical provision is not practicable due to terrain.

Condition for an Exception 2. Where compliance with the technical provision would fundamentally alter the function or purpose of the facility, trail, or the setting.

Condition for an Exception 3. Where compliance with the technical provision cannot be accomplished with the prevailing construction practices.

Condition for an Exception 4. Where compliance is precluded because the cultural, historic, or significant natural features are eligible for protection under Federal, State, or local law by the following:

- Endangered Species Act (16 U.S.C. §§ 1531 et seq.),
- National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.),
- National Historic Preservation Act (16 U.S.C. §§ 470 et seq.),
- Wilderness Act (16 U.S.C. §§ 1131 et seq.),
- Other Federal, State, or local law the purpose of which is to preserve threatened or endangered species; the environment; or archaeological, cultural, historical, or other significant natural features.

7.2 General Exceptions

The basis for the determination that General Exception 1 or General Exception 2 apply shall be documented and maintained with the records of the construction or alteration project. Documentation shall include the rationale for that determination, which conditions for exception and which exceptions apply, the date of the determination, and the name of the individuals who made the determination. There is no standard format for this documentation; each unit may develop its own format to meet its specific needs.

7.2.1 General Exception 1. Where a condition in section 7.1 prohibits full compliance with a specific requirement in section 7.4 on a trail segment, that trail segment shall comply with the specific requirement to the maximum extent practicable.

7.2.2 General Exception 2. If, after applying General Exception 1, it is determined that it is impracticable to provide a trail complying with section 7.4, the trail shall not be required to comply with section 7.4. Notification of this determination shall be sent to the Access Board. The [optional form](http://www.access-board.gov/outdoor) at <http://www.access-board.gov/outdoor> may be used. For long-distance trails, this exception applies to the trail segments that are planned for construction or alteration in a given planning period, rather than over the entire length of the trail.

7.2.2.1 The use of General Exception 2 is reasonable where one or more conditions for an exemption in section 7.1 and at least one of the following limiting factors exist:

Limiting Factor 1. The combination of trail running slope (grade) and cross slope exceeds 1:2.5 (40 percent) for over a distance of 20 feet (6 meters).

Limiting Factor 2. The surface is not firm and stable for a distance of 45 feet (14 meters) or more.

Limiting Factor 3. The minimum trail width is 12 inches (305 millimeters) or less for a distance of at least 20 feet (6,100 millimeters).

Limiting Factor 4. A trail obstacle of at least 30 inches (770 millimeters) in height extends across the full width of the trail.

Limiting Factor 5. One or more conditions for an exception exist that result in significant deviations from the technical provisions of sections 7.4.1 through 7.4.8 for more than 15 percent of the length of the trail.

7.2.2.2 Where General Exception 2 permits exemption of an entire trail from the requirements of section 7.4.1 through 7.4.8, it may be beneficial to construct a portion of the trail to meet the trail accessibility guidelines. Consider doing so especially if a prominent feature (such as a scenic view, waterfall, or other feature that would be of interest to visitors) is located between the trail terminus and the first extreme environmental barrier, and there are few or no significant conditions requiring exceptions on that portion of the trail.





7.3 Definitions

All trail-related definitions used in the FSTAG are from the Forest Service Manual or Handbook, the Forest Service Infrastructure Module, Trail Assessment and Condition Survey (TRACS) reference materials, or are mandated by the Access Board.

7.4 Technical Requirements

7.4.1 Surface. The trail tread surface, including resting intervals and passing spaces, shall be both firm and stable.

7.4.2 Clear Tread Width. The clear tread width of the trail shall be at least 36 inches (915 millimeters), as shown in figure 1.

Exception: Where a condition for an exception prevents achieving the required width, the clear tread width may be reduced to 32 inches (815 millimeters) minimum. If the condition for an exception prevents achieving the reduced width of 32 inches (815 millimeters), comply to the extent practicable.

7.4.3 Slope

7.4.3.1 The running slope (grade) of trail segments shall comply with this section, as shown in table 7.4.3.1, and shall be consistent over the distances cited.

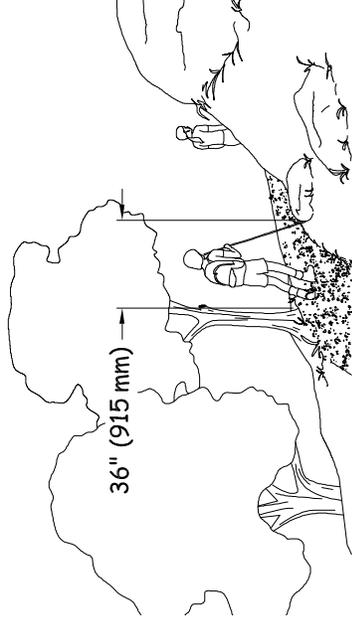


Figure 1—The requirement for clear tread width on a trail.

- Trail running slope (grade) of up to 1:20 (5 percent) is permitted for any distance.
- The running slope of any segment of a trail shall not be steeper than 1:8 (12 percent).
- No more than 30 percent of the total trail length may exceed a running slope (grade) of 1:12 (8.33 percent).
- Where the running slope (grade) of a segment of a trail is steeper than 1:20 (5 percent), the maximum length of the segment shall be in accordance with table 7.4.3.1, and a resting interval complying with section 7.4.4 shall be provided at each end of the segment.

7.4.3.2 The cross slope shall not exceed 1:20 (5 percent). Where the surface is paved or is elevated above the natural ground, the cross slope shall not be steeper than 1:48 (2 percent).

7.4.4 Resting Intervals. Where the trail grade exceeds 1:20 (5 percent), resting intervals shall be provided, as shown in table 7.4.3.1.

7.4.4.1 The resting interval shall be at least 60 inches (1,525 millimeters) long.

7.4.4.2 Where resting intervals are provided within the trail tread, resting intervals shall be at least as wide as the widest segment of the trail tread leading to the resting interval, as shown in figure 2. Where resting intervals are provided adjacent to the trail tread, the resting interval clear width shall be 36 inches (915 millimeters) minimum.

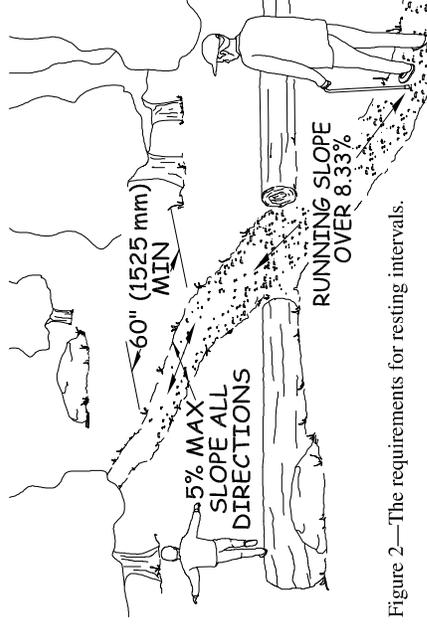


Figure 2—The requirements for resting intervals.

Table 7.4.3.1 Trail Running Slope (Grade) and Segment Length Between Resting Intervals.

Running Slope (Grade) of Trail Segments		Maximum Length of Segment Between Resting Intervals
Steeper than	But not steeper than	
1:20 (5 percent)	1:12 (8.33 percent)	200 feet (61 meters)
1:12 (8.33 percent)	1:10 (10 percent)	30 feet (9 meters)
1:10 (10 percent)	1:8 (12 percent)	10 feet (3.05 meters)





7.4.4.3 The slope of a resting interval shall not exceed 1:20 (5 percent) in any direction. Where the surface is paved or is elevated above the natural ground, the cross slope shall not be steeper than 1:48 (2 percent) in any direction.

7.4.4.4 Where resting intervals are provided adjacent to the trail tread, a T-shaped turning space shall be provided. The turning space shall have arms and base at least 36 inches (915 millimeters) wide. The crossarm shall be at least 60 inches (1,525 millimeters) long and be centered on the intersection with the base. The base must be at least 24 inches (610 millimeters) long. Vertical alignment between the trail tread, turning space, and resting interval shall be nominally level. The passing space shown in figure 3 meets or exceeds the requirements for a turning space. The trail tread, turning space, and resting interval may overlap.

7.4.5 Passing Spaces. Trails with a clear tread width less than 60 inches (1,525 millimeters) shall provide passing spaces at intervals of 1,000 feet (300 meters) maximum. Passing spaces and resting intervals may coincide or overlap.

7.4.5.1 The passing space shall be either:

- The intersection of two trails providing a T-shaped space where the base and the arms of the T-shaped space extend 48 inches (1,220 millimeters) minimum beyond the intersection, as shown in figure 3. Vertical alignment at the intersection of the trails that form the T-shaped space shall be nominally level.

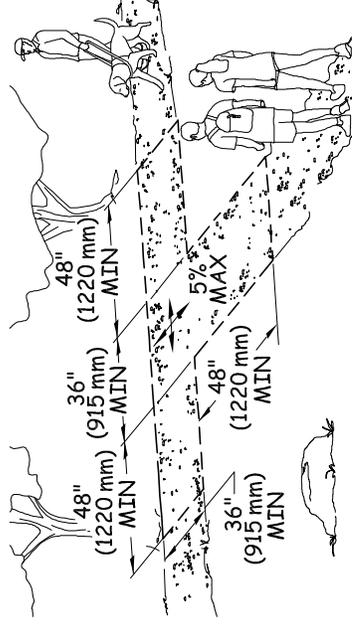


Figure 3—The requirements for passing spaces at T-intersections also meet or exceed the requirements for a turning space at a resting interval.

- A space 60 inches (1,525 millimeters) by 60 inches (1,525 millimeters) minimum, as shown in figure 4.

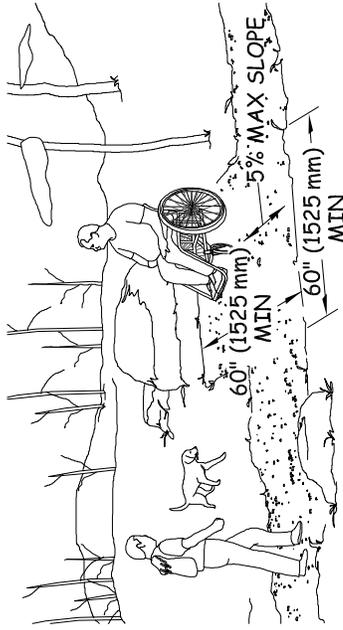


Figure 4—The requirements for passing spaces beside the trail.

7.4.5.2 The cross slope of a passing space shall not exceed 1:20 (5 percent) in any direction.

7.4.5.3 Where a segment of the trail does not comply with section 7.4, a passing space shall be located at the end of each adjacent trail segment that does comply with section 7.4.

7.4.6 Tread Obstacles. Tread obstacles on trails shall not exceed 2 inches (50 millimeters) in height measured vertically to the highest point. Where the trail surface is paved or is elevated



above the natural ground, tread obstacles shall not exceed one-half inch (13 millimeters) in height measured vertically to the highest point.

7.4.7 Openings. Openings in trail tread surfaces, trail resting spaces, and trail passing spaces shall be small enough to prevent passage of a 1/2-inch (13 millimeters) -diameter sphere. Elongated openings should be placed so that the long dimension is perpendicular, or as close to perpendicular as possible, to the main direction of travel, as shown in figure 5.

Exception: Where openings that do not permit the passage of a 1/2-inch (13 millimeters) sphere cannot be provided due to a condition for an exception, openings that do not permit passage of a 3/4-inch (19 millimeters) sphere shall be permitted.

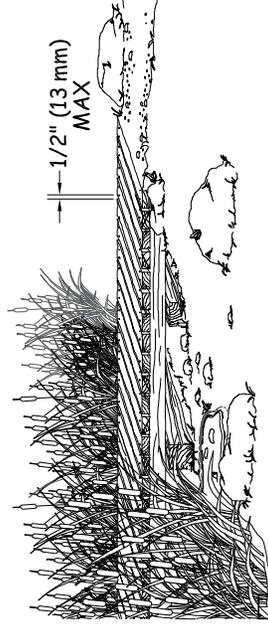


Figure 5—The requirements for openings that are perpendicular to the direction of travel on trail surfaces.



7.4.8 Protruding Objects. Constructed features, including signs, shall not extend into the trail tread more than 4 inches (100 millimeters) between 27 inches (685 millimeters) and 80 inches (2,030 millimeters) above the surface of the trail, as shown in figure 6.

7.4.9 Trail Facilities. Where provided on trails, facilities shall comply with the applicable provisions of the FSORAG. Outdoor

recreation access routes (ORARs) are not required at or between facilities on trails.

Exception: When the surface of the required clear ground space for trail facilities is not paved or is not elevated above the natural ground, slopes not steeper than 1:20 (5 percent) shall be permitted where necessary for drainage.

7.4.10 Trailheads

7.4.10.1 Where provided within trailheads each outdoor constructed feature such as parking spaces, toilets, or camp sites shall comply with the applicable portions of the FSORAG and ABAAS.

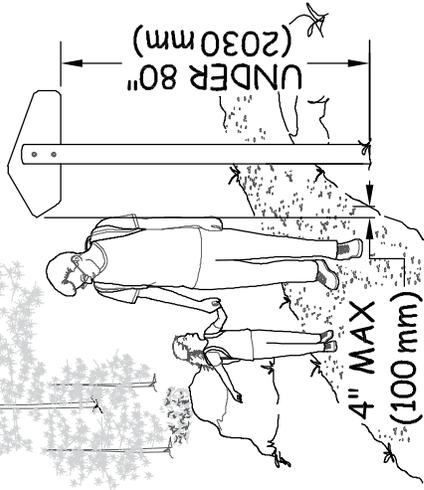


Figure 6—The requirements for constructed objects that extend over the trail.

7.4.10.2 At least one outdoor recreation access route complying with FSORAG section 2.0 shall connect the following places at trailheads:

- Accessible parking spaces or other arrival point
- Starting point of the trail
- Accessible outdoor constructed features, elements, spaces, and facilities within the trailhead

Exception 1. In alterations to existing trailheads, where a condition for exception prohibits compliance with a technical provision, the ORAR shall comply with FSORAG section 2.0 to the maximum extent practicable.

Exception 2. Where elements, spaces, or outdoor constructed features are altered at trailheads but the circulation path is not altered, an outdoor recreation access route shall not be required.

7.4.11 Trailhead Signs. New trailhead information signs at trailheads serving newly constructed or altered trails shall comply with the following requirements.

7.4.11.1 Trailhead signs shall be located centered at the back of a 30- by 48-inch (760- by 1,220-millimeter) minimum clear floor or ground space. The clear space shall not overlap the trail width but may overlap a resting space or passing space. The slope of the clear space shall not exceed 1:20 (5 percent) in any direction.

7.4.11.2 Regardless of whether the trail is accessible, the signs shall include at minimum the following information:

- Length of the trail or trail segment
- Surface type
- Typical and minimum tread width
- Typical and maximum running slope
- Typical and maximum cross slope
- A statement that the posted information reflects the condition of the trail when it was constructed or assessed, including the date of the construction or assessment

Where more extensive trail information is provided (for example, an aerial map of the trail and related facilities), the location of specific trail features and obstacles that do not comply with the technical provisions in section 7.4 should be identified and a profile of the trail grade should be included.

7.4.11.3 If materials need to be obtained from or manipulated on a sign or kiosk, the sign or kiosk shall be designed to meet the reach ranges in section 308 of the ABAAS, which are the same as those for inside administrative buildings.

7.4.12 Gates and Barriers. Where gates or barriers are constructed to control access to trails, gates and barriers shall comply with the following requirements.

7.4.12.1 Gate openings and openings in barriers for hiker passage shall provide a clear width of 36 inches (915 millimeters).

7.4.12.2 Gate hardware shall be 34 inches (865 millimeters) minimum and 48 inches (1,220 millimeters) maximum above the trail surface, shall be operable with one hand with 5 pounds (22.2 Newtons) or less of force, and shall not require tight grasping, pinching, or twisting of the wrist.





Forest Service Trails Accessibility Guidelines Quick Reference Chart

FSTAG must be applied *before* initiating new construction or altering any National Forest System trail with a Designed Use of Hiker/Pedestrian. Figure 7 distills the implementation process into a flowchart that provides a quick reference while you work through the process.

FSTAG Quick Reference

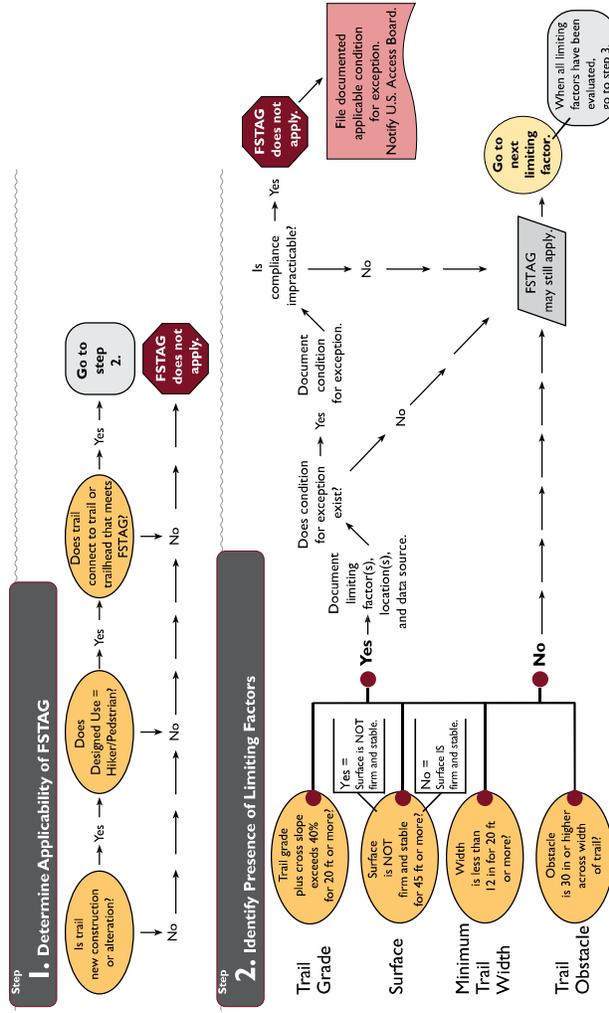


Figure 7—A flowchart outlining the process for evaluating a trail for compliance with the Forest Service Trails Accessibility Guidelines.

FSTAG Quick Reference (continued)

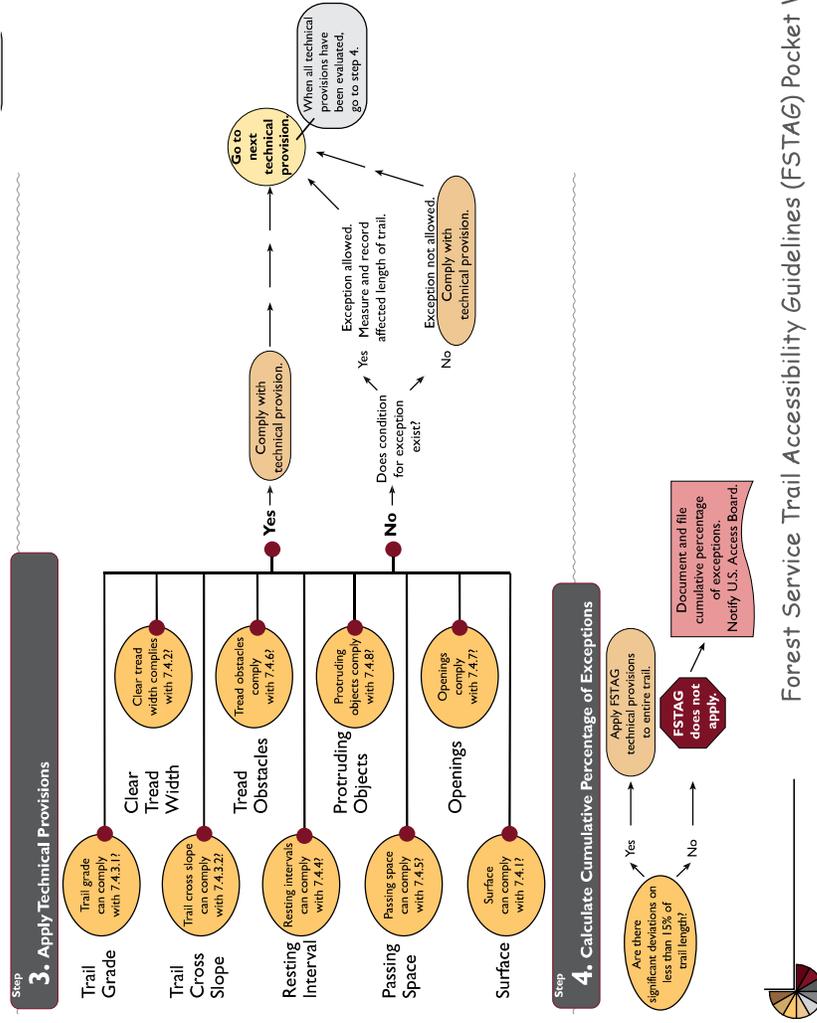


Figure 7—(continued). A flowchart outlining the process for evaluating a trail for compliance with the Forest Service Trails Accessibility Guidelines.



Web Links to Resources

Access Board Impracticability Notification Form:

<<http://www.access-board.gov/outdoor>>

Accessibility Guidebook for Outdoor Recreation and Trails:

<http://www.fs.fed.us/eng/php/library_card.php?p_num=1223%202806P>

Architectural Barriers Act Accessibility Standards:

<<http://www.access-board.gov/ada-aba/aba-standards-gsa.cfm>>

Federal Trail Data Standards:

<http://www.nps.gov/gis/trails/Doc2/Federal_Trail_Data_Standards_Final_20111108.pdf>

Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) Pocket Version:

<http://www.fs.fed.us/eng/php/library_card.php?p_num=1523%202811P>

Forest Service Outdoor Recreation Accessibility Guidelines:

<<http://www.fs.fed.us/recreation/programs/accessibility/>>

Forest Service Trails Accessibility Guidelines:

<<http://www.fs.fed.us/recreation/programs/accessibility/>>

Resource Text

Sections 5.1 (Camp Shelters) and 5.3 (Pit Toilets) of the “Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) Pocket Version” are included here for the convenience of those who provide camp shelters or pit toilets in association with trail projects. These sections are for use in areas with a Recreation Site Development scale level of 2 or less. For accessible recreation facility requirements, please see the “Forest Service Outdoor Recreation Accessibility Guidelines”; “Accessibility Guidebook for Outdoor Recreation and Trails”; or “Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) Pocket Version.”

5.1 Camp Shelters

5.1.1. General. Camp shelters at single camping units shall comply with section 5.1. Where camping units contain more than one camp shelter, at least 20 percent, but not less than two, of the camp shelters shall comply with section 5.1. Camp shelters located on trails shall be connected to other constructed features in the unit by a trail complying with the FSTAG. Camp shelters located in a campground, not on a trail, shall be connected to other constructed features by an ORAR complying with section 2.0.

5.1.2 Level or Sloped Entry. Camp shelters providing roll-in access shall have a level or sloped entry that complies with the FSORAG outdoor recreation access route technical requirements if the camp shelter is in a campground with a development level of 3 or higher. If the camp shelter is located off a trail, the sloped entry must comply with the FSTAG trail requirements.

5.1.3 Slope. The slope of the surface of the clear floor or ground space inside the camp shelter shall not be steeper than 1:48 (2 percent) in all directions.





5.1.4 Turning Space. Where the camp shelter floor is not elevated above the trail or ORAR, a turning space that is at least 60 inches (1,525 millimeters) in diameter or T-shaped with a minimum 36 inches (915 millimeters) wide by 24 inches (610 millimeters) deep base centered on a minimum 36 inches (915 millimeters) wide by 60 inches (1,525 millimeters) long crossarm shall be provided.

5.1.5 Floor Height. Where the floor at the entrance to the camp shelter is elevated above the ground surface, the floor shall be 17 inches (430 millimeters) high minimum to 19 inches (485 millimeters) high maximum measured from the clear ground space to the floor surface inside the camp shelter.

5.1.6 Clear Floor or Ground Space. A clear floor or ground space at least 36 inches (915 millimeters) by 48 inches (1,220 millimeters) positioned for a parallel approach shall be provided at the elevated entrance to the camp shelter. One full unobstructed side of the clear ground space shall adjoin or overlap the trail or ORAR, as applicable, or another clear ground space.

5.1.7 Surface. The surface of the clear ground space shall be firm and stable.

5.1.8 Slope. The slope of the surface of the clear ground space shall not be steeper than 1:48 (2 percent) in any direction.

Exception: When the surface is not paved or is not elevated above the natural ground, slopes not steeper than 1:33 (3 percent) shall be permitted where necessary for drainage.

5.1.9 Doors. Where provided, doors shall comply with ABAAS section 404, the same as for doors for buildings at administrative sites. The door shall not swing into or otherwise obstruct the clear floor or ground space or the turning space required by section 5.1.4.

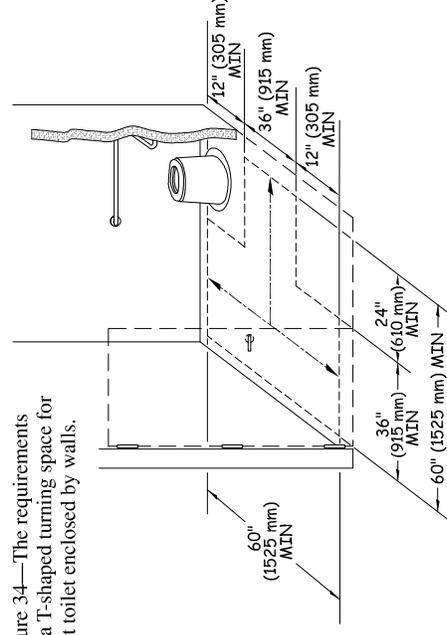
5.3 Pit Toilets

5.3.1 General. Pit toilets may only be provided in Forest Service recreation sites with a Recreation Site Development Scale level of 2 or less or at remote cabin locations. All pit toilets shall comply with section 5.3 and be connected to an ORAR complying with section 2.0. Where pit toilets are constructed in sites that are not accessed by motor vehicles, the pit toilet and all constructed features in the site shall be connected by trail segments complying with the FSTAG.

5.3.2 Turning Space and Clear Floor or Ground Space. Turning space and clear floor or ground space complying with section 5.3 shall be provided at pit toilets.

5.3.2.1 The clear floor or ground space shall be 60 inches (1,525 millimeters) wide minimum measured parallel with the back of the pit toilet, and 56 inches (1,420 millimeters) deep minimum measured parallel to the sides of the pit toilet. A turning space that is at least 60 inches (1,525 millimeters) in diameter or T-shaped with a minimum 36 inches (915 millimeters) wide by 24 inches (610 millimeters) deep base centered on a minimum 36 inches (915 millimeters) wide by 60 inches (1,525 millimeters) long crossarm shall be provided, as shown in figure 34. The turning space and clear floor or ground space may overlap.

Figure 34—The requirements for a T-shaped turning space for a pit toilet enclosed by walls.



5.3.2.2 The surface of the turning space and clear floor or ground space shall be firm and stable.

5.3.2.3 The slope of the turning space and clear floor or ground space surface shall not be steeper than 1:48 (2 percent) in all directions.

Exception: When the surface is not paved or is not elevated above the natural ground, no slopes steeper than 1:33 (3 percent) shall be permitted where necessary for drainage.





5.3.3 Seats.

5.3.3.1 The total height of the toilet seat on the riser for a pit toilet shall be between 17 inches (430 millimeters) and 19 inches (485 millimeters) above the floor or ground surface.

5.3.3.2 Where walls or partitions are provided, the seat shall be positioned with a wall or partition to the rear and to one side of the seat for a left-hand or right-hand approach. The back of the riser shall be flush against the back wall. The centerline of the seat shall be 16 inches (405 millimeters) minimum to 18 inches (455 millimeters) maximum from the side wall or partition.

5.3.3.3 Where walls or partitions are not provided, the seat shall be positioned in a corner of the clear floor or ground space required by section 5.3.2 for a left-hand or right-hand approach. The back of the seat shall be flush against the perimeter of the clear floor or ground space, as shown in figure 35.

5.3.4 Grab Bars. Where walls or partitions are provided, grab bars complying with ABAAS section 604.5 and 609 shall be provided, the same as for grab bars for toilets in administrative buildings. Required locations are shown in figure 36.

Exception: Where the walls or partitions cannot support a vertical or horizontal force of 250 pounds (1,112 Newtons), grab bars shall not be installed. In such cases, the riser shall have

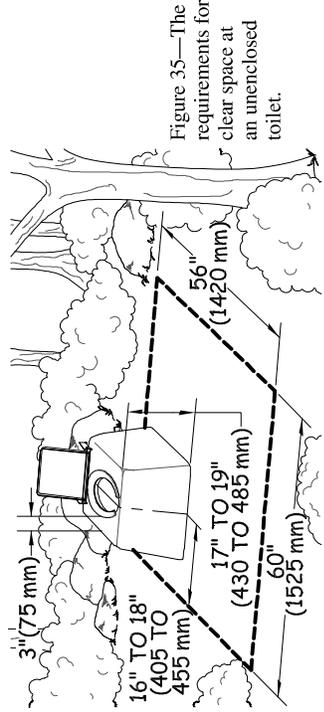


Figure 35—The requirements for clear space at an unenclosed toilet.

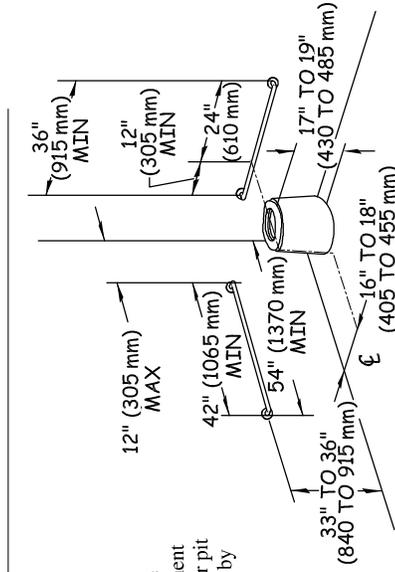


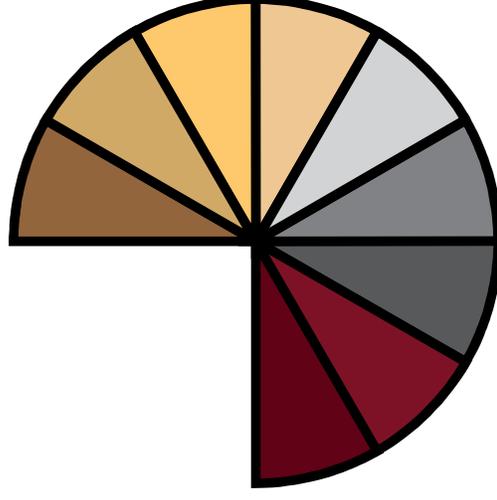
Figure 36—The grab bar placement requirements for pit toilets enclosed by walls.

vertical or nearly vertical sides and a flat area on each side of the seat that is about 3 inches (75 millimeters) wide.

5.3.5 Doors. Where provided, doors shall comply with ABAAS section 404, the same as doors for buildings at administrative sites. The door shall not swing into or otherwise obstruct the clear floor or ground space required by section 5.3.2.1.

5.3.6 Entrance. The entrance to the toilet shall be level with the surrounding surface.

Exception: Where bedrock, permafrost, or other environmental conditions prohibit a level entry or the toilet design (such as a composting toilet) necessitates a raised toilet structure, a sloped entry complying with the FSTAG provisions for a trail may connect the toilet entrance with the trail or ORAR. A 60- by 60-inch (1,220 by 1,220 millimeters) level landing must be provided outside the door to the toilet. Sloped entries do not require handrails.





About the Author

Kathleen Snodgrass began working at MTDC as a multidisciplinary project leader in 2001. She began her career with the Forest Service in 1984, working in facilities, landscape architecture, land line, and general engineering on the Nez Perce National Forest for about 10 years, and was the forest's facilities architect for about 7 years. Her publications include "A Guide to Maintaining the Historic Character of Your Forest Service Recreation Residence" and the "Accessibility Guidebook for Outdoor Recreation and Trails," which she co-authored with Janet Zeller and Ruth Doyle.

Library Card

Snodgrass, Kathleen. 2015. Forest Service Trails Accessibility Guidelines (FSTAG) Pocket Version. (1523-2812). Missoula, MT: U.S. Department of Agriculture Forest Service, Missoula Technology and Development Center. 18 p.

This handy, helpful format of FSTAG provides detailed guidance for users who plan, design, construct, or maintain developed outdoor recreation areas, while maintaining the natural setting.

Keywords: ABAAS, accessible, Architectural Barriers Act, camping, disabilities, exceptions, parking, picnics, recreation, routes, slopes, surfaces, toilets, trails, wheelchairs

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