

Phone Conversation Transcript:

8/26/2009 @ 10:05 am - Ron Thompson, P.E. – MOA Building Official returns Del Isabelle's 8/24/2009 phone call message.

"D" – Del Isabelle

"T" – Ron Thompson

D – Good morning, Isabelle Construction, this is Del.

T – Ya hey Del, this is Ron Thompson just returning your call.

D – oh hi Ron, ya thanks for calling.

T – sure, what can I do for you?

D – umh well I got this report that uh..

T – Ron Wilde

D – yeah, Ron Wilde did... and it kinda looks like he's stepped back into the past about 4 years. I'm wonder ..wondering what's going on with that? Do you you have any idea why he's bringing up everything that's been issued or hashed over?

T – well he went out and what Bob had signed off isn't what..is..ins .. installed out there..

D – uh and ...

T – there's still some issues that need to be addressed. And so he was just trying to get you to address those issues.

D –huhh..

T – Cause the drainage doesn't go out to Dimond Boulevard like it's supposed to...the drainage umh....ditch and all that on the property down in the low part still crosses the property line up into Cate Remme's place. Its uh... and the topography isn't match exactly what your original design was so...he was tasked, based upon...uh...complaints of the area to check and see what Bob had approved.. . out there in the field and it does in fact meet the drawings and it doesn't... and so we just needed to finalize and get that stuff done and we were hoping to have you just taper that into the exact fashion that was on your approved plan...or submit a different approved plan that meets it.

D – Well I think the only thing that's lacking is...is the ditching to Dimond Boulevard but that's..that's because the uh..Chugach Electric hasn't moved the pole out of the middle of the right-of-way to do that. And, uh, we've been after them to get that, get that done so we can finish the road part...and uh...they... they claim it's on a schedule for. ..uh..well... uh...it's, it's uh...something where the city ...

T – but...well, I told him to touch base with you because the approved plan that we have, and I don't see an additional approved plan and, I don't know what Bob and them... you know I was under the impression there was a new approved plan that I thought was out there but I can't find it, Ron can't find it, and he didn't know what Bob had approved it to...but that drainage still comes right down and still goes right over the hill and then it does cross into...and we've, we've... talked about, a long time ago, if you, I remember right, uh one of two things. One, putting a berm along the property line on that East side to keep the water from, from crossing...

D – right...

T – or, dig the area up down onto your side lower to where it pools up in that area.

D – uh huh..

T – and neither of those are in place...

D – well, we do have a... pool there...

T – but, it crosses the property line...I mean...and this spring it crossed the property line a lot... and went up into...you know, whereas before, when I met you a long time ago, it didn't cross the property line, uh but this past winter it crossed well up into the, into the other property line. And so.. I believe a long time ago we all agreed, Cate agreed that she just wanted a ditch, or er uh a berm along there. I, I don't think the berm is the best thing to do and I don't remember if that's what you said too that that won't solve anything. I don't think it will either but it solves her complaint. She can't really have a a

D – riiight....

T – gripe after that...or...I mean.. you take and just dig out a little bit to where that...you know where that pond used to be or whatever and the water just comes back into there, so where it doesn't cross off ...over the property line..

D – right..

T – it just can't back up, so I mean there's the two options that..we've...Ron wanted to let you..that you, that you and your engineer could come up with what you think is the best option there.

D – Well I, I think actually the best thing is put a berm up so that we can't cross lot lines with uh..

T – in... in... my view is that the code doesn't specifically say that but Cate Remme ..was the one who wanted it and my view is I'd sit there and work with her to get that approved between the two of you to where if it doesn't solve it, you know, it is what it is, her water's on her side and your water's on your side and that's...

D – right...

T – what happens.

D – right...right..and I think...

T – that's what I keep telling her is uh like you put a berm up there, you may have worse a problem on your side than you ever had before

D – yea and she might have more water than she thought she had.

T – rrright...the whole side drains to there and so I mean...my view's , you know we want to really do what's right uh..

D – um hm..

T – and it's a tough situation because it just...you know your lot has always absorbed all these other peoples drainage which...you know...and the way the code reads ..is it says...natural drainage that of what.. has been existing, is supposed to be dealt with and handled and what she's saying is that the water that was supposed to go and always went into that pond now is pooling back up on her property. So she has a..an issue there..

D – um hm..

T – and I'm, I'm ... I think if you do a berm, its gonna cause her more problems...possibly, I don't know, I mean, you know, I don't know how much water from your side builds up that pond to where it raised up onto her side or whether or not...yea it...uh, uh, I don't know. Uh.. you may know a little bit more doing all the dirt work that you do but...uhm...the right thing to do, I think is to let it...to dig a little bit of a..uh holding settlement pond basically in that corner and then we solve both sides without risking coming back to the table because of that berm.

D – uh yea...well I guess you could kill two birds with one stone. If you put the berm in there, you can take material out there from the pond area so it'd have more retention area on my side ...

T – rrright..

D – but then it'd also stop material...or water from coming across from her side...

T – which..the..the...sad thing is...that's what she wants but the code doesn't really tell us that we should do that. The code tells us that you're supposed to handle the drainage that was existing when you did the work which means that you're not supposed to stop it and back it up on her lot. It's supposed to come in and be dealt with either divert it to a drainage system or...

D – but that's...that's the difficult thing here. There's no place to divert it to. It's not like we're stopping any drainage channels, we're just keeping it from coming onto our property.

T – rrright...but the problem is...the way the code reads is you can't just stop it because it was there first and drained onto your property so you have to address it on your...you know what I mean...you can't have a net flow difference across property lines...

D – well my understanding is...

T – you put a berm there, which is what Cate wants...

D – uh huh

T – then you actually, theoretically do stop the drainage, I mean, my view is that if I can get an agreement between you and Cate to put a berm there and she says, “that’s fine,” you know...

D – uh huh

T – I’m gonna get an approval by both of you that says it’s fine and then it’s never gonna be uh our issue from this point forward...or you just design a settlement area that actually...and don’t put the berm in...and all that water that comes over there ends up going in that settlement area.

D – right

T – which is what the...I mean ...that’s what the true code says. But I mean I don’t have to deal with the code if both neighbors agree to something, you know what I mean?

D – uh huh

T – So I mean I don’t know what you want me to do in talking with Cate what you’d rather do. I mean it seems to me like it might be easier to just dig the hole rather than construct a berm all the way along but that’s kinda what I was wanting to touch base with you, what you wanted to do?

D – Well what...from what Ron was saying... he wanted us to engineer the entire site for what the water drainage would be and then design a uh uh sump or...

T – We’re not going to go into some enormous in-depth detail on it...I mean...we just need some kind of pond and if...basically, I mean...you know he wants to have your engineer say well, how big you’re gonna dig that to where it’s not gonna cross the property line in the...when the ground’s thawed, cause it obviously doesn’t when the ground’s not thawed.


D – right..

T – It’s only that two...three weeks in the Spring that even matters...

D – exactly.

T – And so, you you know, I mean all we really...you know the the thing goes away if you get in there and just dig a hole that...that absorbs enough water to handle it so it’s not a problem in the spring. And then the rest of the year that thing works, I mean, it works just fine. Nothing drains enough uh to cross property line and nobody’s...but it’s all about the spring. And it’s all about the spring. And uh the water got pretty high this last spring...it got real close to her septic field so I mean, I understand where she’s coming from...

D – right..



T – But, you know, so...I mean I wanted to just work with you to try to find out if we can...I mean if we can just dig that...if your engineer comes in and says, "hey, dig that down three foot, you're gonna catch all the water that you need", or what, I mean... just a settlement pond of some sort then taper the grade that you pull out of there onto your slope...

D – uh hum

T – Uh, You know, at least that shows...then Cate gets off my back...


D – uh hum

T – Then you, then we...then...I can give you more time with regard to getting the drainage out to Dimond...

D – uh hum..

T – And we get moving forward, I mean, to me I think that if your engineer can tell you what to do to get that little pond together down there. I mean, I can't imagine that that would take you much more than a couple hours to get ready to be done with that.

D – uh hum..



T – And Cate would go, "Oh my God, thank God the water's gonna drain somewhere and not back up into my yard next spring" ...uh you know that's what...we're...we're kinda looking for as a real short term...that's all I uh need you to really get done...

D – uh hum...

T – this fall...if we can.. and, I mean, you know...I uh you...you...I mean...you and I both know that that berm's not gonna really solve the problem. That berm's gonna create another Bitch next spring.

D – uh...

T – I mean uh my view is...I'm willing if Cate really wants to do that, I'm gonna tell her that, "you know what, it might be a problem" and you know, you're saying it solves you cause then my water's not going on her property but at the end of the day, if it really did work, and she freaked out...I'd have to just say, well, she's right though although I have a letter here that says she agreed to this, she's gonna claim, "well, I'm not a dirt person, I didn't realize it would be this problem," so we go back to what we end up needing anyway which is just a pond over there on that other...or uh...a catch basin basically for the spring. And that's all it is, that two weeks in the spring...and it's not that...I mean, I was over there...it was a lot of water over there but it wasn't some enormous amount!

D – right...right...

T – I mean it isn't...you know...all you gotta do is...you know get that below that...uh



D - ??

T – Anyway...

D – Yeah...uh the other thing is there's what? Six properties draining into that same area so...

T – Yeah, I know. The problem is the way the code reads Del is that all existed prior to you doing your work so you're last man out, and you're...you know...we deal with this all over town, I mean, it's, it's a frustrating scenario...

D – uh hum

T – for you... that you have to deal with all this water. But typically we don't run into this problem so much that it just goes in a low spot into your lot but it really doesn't affect you either

D – uh hum

T – Um... but the way the code reads is it really has to be addressed so...I mean I didn't know if you could grab...is it...is it Mike your engineer?Whose your engineer?

D – uhh... Corky...

T – Corky. Uhh...Can he just tell you how deep to dig that thing to catch that water in the spring and then we get that done and move on and then... the rest I can delay to when your...when you put in your driveway when the electric is moved and all that?

D – I can ask him to take a look at that. I...I think what Ron was looking for was all the calculations that uh...you know and I thought... man that's gonna take a while for him...

T – Well I mean...my view is that if you go in there and do it and you....say Corky comes up and gives you a rough nu...uh he's gonna give you a rough number real fast...he may calculate it, he may just tell you...

D – uh huh

T –it looks like so much, you know you "dig it down three feet by twenty feet by five feet", or whatever...and it'll handle it all. I'm gonna...and then what we do is...well, we'll go through this spring and say, "Hey, look, he tried to do this to solve it. Did it solve it all? Or did it not...this spring?"

D – right...right...

T – And you know, if you have to go in and dig it another foot or whatever because it was too little, at least we showed progress, you showed progress, and I can get the...uh...I can get the...the bitching that's going onto the assembly, and to the Mayor's office and all, and all that off my back with a quick little...uh I don't think it's a huge ordeal, I think that...

D – Well, that's what I tried to tell Ron...just let me go out there and dig a settling pond and we'll see if it's big enough next spring and if it isn't, we'll dig it bigger next spring and...

T – well...

D – he said, that was too simple, he wanted...

T – I...my view is... if you... if you get in there and do that, and then call me up...I can go over there and take a look at it.

D - ok

T - I mean...uh...I can...I don't need some enormous amount of calculations here...I just need this thing...I need something done that Cate says, "Oh, perfect, he got it done this spring," ...

D – yeah...

T – or, or "this fall." So next spring I don't have to worry about it...and you know, I'll tell Cate, I'll say, "Hey, we dug it down, we think that that's enough but there might be more drainage coming in from other places that we don't know at this point in time."

D – right...

T – But it at least should be a fix for next spring...and it just has to be lower than...than the property line. It has to have a way to get over from the property line over to the pond and that's all we care about.

D – Sure...

T – Does that make sense?

D – That makes sense.

T – ok and uh...why don't you uh let me know when, when you think you're gonna do that?

D – ok

T – Um and I'll let you go ahead and do that...and...and my view is just ...you know I'm gonna go over there and just say, "Well geez, I kinda saw what the pond was this spring, and I'm gonna be looking to say, ok, that should be able to hold that much water."


D – ok

T – You know what I mean... you should be able to do that. You know how much was down there too. It's not an enormous amount but it's a significant amount that it backed up onto her property 10..15 feet last year where it hadn't in the past.

D – I think her problem is her septic system is so old, its failed. And uh...

T – It might be...but this way Del if we can get the water on your side, then she has no case about that your work is making her system fail. Although, you know, she's probably gonna always claim that.

D – uh hum



T – I mean...You know, I mean ...you know what I'm talking about...it's a tough situation, I mean...the last guy building in an area...it's always gonna be that way. It's really rough, it's tough and...

D – yeah...

T – I mean...I feel for you in a lot of ways but... that was a lot amount of dirt work and we just...my view is if I can get that work done I can, I can give you time to get the, the roadway and the sloping to Dimond Boulevard in...

D – ok

T – because I mean...we just need to get this done down there... then I can show my boss, I can show Cate, "Hey, look we're, we're dealing with the problem. Del will deal with the problem. He thinks this is enough, I think this is enough, and we'll see how it does this spring."


D – There you go.

T – Does that make sense?

D – Yep, I think that'll be fine.

T – Ok, When do you think that...something like that, when?

D – Oh...maybe next...within the next two weeks I think I can get it done.



T – Ok, I appreciate it. Then, just give me a call when you're done with it?

D – uh huh

T – And I'll come take a look. We'll approve it... and we'll go to town.

D – Sounds good.

T – Ok thanks Del.

D – Alright you bet. Thank you Ron.

T – Yeah Del.

D – Bye bye.

HANG UP.