

## YAMHILL COUNTY PLANNING COMMISSION

Thursday, November 7, 2013 ≈ 7:00 p.m.

McMinnville Civic Hall Hearing Room

200 NE 2<sup>nd</sup> St.

McMinnville, Oregon 97128

**Roll Call:** Matt Dunckel, Marla Robison, Michael Sherwood, Daryl Garrettson, Alan Halstead, John Abrams, Dan Armstrong, Marjorie Ehry **Staff:** Michael Brandt, Ken Friday, Stephanie Armstrong, Todd Sadlo

**Minutes:** Alan Halstead moved to approve the minutes from October 3, 2013. Michael Sherwood seconded. Motion passed unanimously.

### QUASI-JUDICIAL PUBLIC HEARING:

**DOCKET NO.:** PAZ-02-13

**REQUEST:** An application to change the comprehensive plan designation from *Commercial* and *Public* to *Agriculture Forestry Large Holding*. The request is also to change the existing zoning from *RC Recreation Commercial* (approximately 25 acres) and *PWS Public Works, Safety* (approximately 227.5 acres) to *EF-80 Exclusive Farm Use*.

**APPLICANT:** Riverbend Landfill Company, Inc.

**ZONING:** *RC Recreation Commercial* (approximately 25 acres), *PWS Public Works, Safety* and *EF-80 Exclusive Farm Use*

**TAX LOTS:** 5501-101, 200, 400 and 401

**LOCATION:** 13465, 13469 and 14325 SW Highway 18, McMinnville

**CRITERIA:** Sections 402, 601, 802 and 1208.02 of the Yamhill County Zoning Ordinance. Comprehensive plan policies may be applicable. Section 904, Limited Use Overlay may be applied. The request is also subject to the Transportation Planning Rule, OAR 660-012-0060.

Chair Garrettson opened the public hearing.

**Abstentions, Objections to Jurisdiction, Ex Parte Contact:** Alan Halstead stated he received a letter in the mail from John McGhehey. Marjorie Ehry and Matt Dunckel also stated they received the letter. Dan Armstrong stated he received the letter also but didn't open it. Matt Dunckel stated he has done work for the landfill. All Commissioners stated it won't effect their decision on the application.

Ken Friday read the "raise or waive it" statement required by ORS 197.763 and gave the staff report.

Chair Garrettson noted that all written correspondence has been sent to the PC Members with an opportunity for them to review the material.

**Proponent's case:** Paul Burns: 7227 NE 55<sup>th</sup> Ave, Portland, OR: Provided background information on the operations on the landfill and discussed the master plan for the landfill.

Tommy Brooks, 1001 SW 5<sup>th</sup> Ave, Ste 2000, Portland 97204: Addressed why the zone change is needed and the history as to how Waste Management (WM) got to the point of requesting the zone change.

Mary Dorman, 921 SW Washington, Portland 97205: Addressed the zone change criteria and how the application meets the criteria and that there is a demonstrated need for the landfill. The importance of fees, money to the County, jobs, etc. Ms. Dorman went over Waste Management's development of a stewardship plan and discussed why no other sites are as well suited for a landfill.

No questions by the commission.

Phil Hutchison, 417 NW Adams, McMinnville 97128, Chamber of commerce: Testified in support of the application.

Scott Wagner, 9500 NE Glenhollow Dr, Newberg 97132, SP Fiber technologies: Testified in support of the application. Michael Sherwood asked the location of his business. Mr. Wagner answered.

Waldo Farnham, 13215 SW Fox Ridge Rd, McMinnville 97128: Testified in support of the application.

Pat Fuches, 1955 NE Springer Ct. McMinnville 97128: Testified in support of the application.

Ed Gormley, 1020 NW Baker Crest Ct, McMinnville 97128: Testified in support of the application. Also read a letter submitted by the Spirit Mountain Casino.

Roger Smith, 17693 Blue Heron Rd, Lake Oswego 97037: Testified in support of the application.

Shawn Rollins, PO Box 713, McMinnville 97128: Testified in support of the application.

Mike Ragsdall, 1119 SW 1<sup>st</sup>, Dundee 97115: Testified in support of the application.

The following individuals stated they are in support of the application:

Evan Burmester, 13207 NE Farling Ct, Portland 97230, David Wilson, 1208 SE 179<sup>th</sup>, Vancouver, WA 98883, Satarri Tofte, 7515 NE Ambassador Dr, Portland 97218, Robert Maten 7515 NE Ambassador Dr., Portland, Julie Gross 1851 NW Alder St, McMinnville 97128, Chris Scott, 355 SW Kimberley Loop, McMinnville 97128, Julie Dornon, 1620 SW Shelton St, McMinnville 97128, James Denson, 11900 NE 18<sup>th</sup> St, Vancouver, WA 98684, Tim Watson, 4751 Chinook Ct, West Linn, Dave Huber, 2904 NE Wyooski Rd, Newberg 97132.

Written comments only: William Hancock, 16430 SW Briedwell Rd, McMinnville, Erin Allison, 503 Bridge St, Lafayette, Joey Reeser, PO Box 1083, Amity, Donny and Tracy Allison, PO Box 206, Lafayette, Karen Hancock, 16430 SW Briedwell Rd, McMinnville.

Stan Primozych, 475 SW Mt Bachelor St, McMinnville: Stated he is in support of the application.

Bill Carr, 2923 SE Turner Creek Dr, Hillsboro 97123: Stated he is in support of the application.

10 min break.

### **Opponent's Case:**

Sid Friedman, Friends of Yamhill County, PO Box 1083, McMinnville 97128: Testified in opposition. Stated proponents didn't address the criteria. The soils at the dump are not agricultural soils. The rural facilities goal is meant for the rural community and the largest amount of garbage comes from metro and cities. The application is inconsistent with the comprehensive plan. Criteria of demonstrable need, the old Zia report hasn't been completed, therefore, applicant hasn't met the criteria related to showing need. The applicant needs to address other counties and sites for alternative sites. Limited use overlay will be an ineffective tool as the overlay can be amended or removed.

Clarke Ellingson, 10075 SW Youngberg Hill Rd, McMinnville, Chair read written comments into record.

Merilyn Reeves, 22250 Boulder Crest Ln, Amity: Testified in opposition.

Susan Watkins, 13440 SW McCabe Chapel Rd, McMinnville: Testified in opposition. Requested that the Commission leave the record open. Chair asked for clarification on her position. Ms. Watkins clarified.

Ilsa Perse, 5765 Mineral Springs Road, Carlton: Testified in opposition. Submitted an ad she found in the Oregonian put together by WM when eastern Oregon landfill was first opened.

Kris Bledsoe, 18695 SE Upper Island, Dayton: Testified in opposition.

David Williams, not there.

Carolyn O'Brien, 1659 SW Goucher Ct, Apt. 70, McMinnville: Stated she agrees with previous testimony in opposition.

Phyllis Bragner, 605 NE 1<sup>ST</sup> McMinnville: Testified in opposition.

Arnie Hollander, 13440 SW McCabe Chapel Rd, McMinnville: Testified in opposition.

Cynthia Perkins, not there, Chair read written comments into the record.

Patricia McGhehey, not there.

Marilyn Higginson, PO Box 581, Sheridan: not in support

John McGhehey, not there.

Judith Bernards, not there.

Larry Hollar, Chair read written comments into record.

Bonnie Laux: Chair read written comments into record.

Marcia Mikesh; agrees with previous comments in opposition.

Marc Davis, 652 SE Washington St, McMinnville: Testified in opposition.

Linda Grove, agrees with previous testimony in opposition.

Molly Lynne Crowell, 1737 SW Songbird St, McMinnville: agrees with previous testimony in opposition.

Leonard Rydell, 601 Pinehurst Dr, Newberg: Testified in opposition.

Kris Tribys, 22852 SE Royal Anne Dr, Amity: Testified in opposition.

Eric Fannih, 3210 Ridge St., Vancouver, WA: Testified in opposition.

Hannah Momtazi, 1036 NW Baker Crest Ct, McMinnville: Testified in opposition.

Marni Hailey, 16300 NE Leander Dr, Sherwood: Testified in opposition.

Susan Karp, 8755 SE Three Trees Lane, Amity: Agrees with testimony in opposition.

Amelie Redman, PO Box 263, Willamina 97396: Testified in opposition.

Liz Marlia Stein, 1525 NE 18<sup>th</sup> St, McMinnville: Testified in opposition.

Brian Mary, not there.

Eleanor Parker, not there.

Marilyn Walster, 14286 NW Old Moores Valley Road: Testified in opposition.

Patricia Faye Marshall: in agreement with opponent's testimony.

Hailey Cox, 11270 SW Riverbend Road, McMinnville: Testified in opposition.

John Bissey, not there.

Ramsey McPhillips, 13000 SW McPhillips Road, McMinnville: Testified in opposition.

Erin Rainey, 11270 SW Riverbend Road, McMinnville: Testified in opposition.

Craig Markum, 22245 NE Ilafern Ln, Dundee: Testified in opposition.

Laura McMasters, not there.

Janet and Gil Rinard, support other testimony.

Nanette Villarreal, 262 NE Dunn Pl, McMinnville: Support other testimony in opposition.

Ken Jagocseidl, not there.

Tyler Gerlach, Chair read testimony into record.

Patricia Farrell, in support of denial of application.

Ronley Larson, 14815 SW Delashmutt Ln, McMinnville: Testified in opposition. Dunckel asked about his “agreement” with the County. Mr. Larson explained. Chair Garrettson clarified that they don’t have the ability to order WM to compensate anybody.

Thomas Gerrie, 6905 Springvalley Rd, Salem 97304: Representing Willamette Valley Winery Association. Testified in opposition.

Steve Iversen, not there.

Lillian Frease, 14025 SW McCabe Chapel Road, McMinnville: Testified in opposition.

David Hanson, not there.

Rhonda Larson, 14815 Delashmut Lane: Testified in opposition.

Chair Garrettson stated that people testifying need to stick to the criteria.

Kathleen Blair, Chair read written comments into record.

Clinton White, not there.

Jackie Johnson, agrees with what’s been said, wants application denied.

Susan Ruggles, Chair read written comments.

Edward Farrar, Supports comments in opposition.

Susan Aldrich-Markham, Chair read comments into record.

Tom and Ellen Abrego, Chair read written comments.

Denise Patton, Chair read written comments.

Donna Anessi, Chair read written comments.

Connie Hutchison, Chair read written comments.

Tom Alfesen, Chair read written comments.

Beth Dell, Chair read written comments.

**Public Agency Reports:** Ken Friday gave the report from the SWCD letter and a letter from Department of Agriculture.

**Rebuttal:** Tommy Brooks provided rebuttal.

Chair Garrettson closed hearing to reopen at staff recommendation.

**Motion:** The record shall be open to 5:00 PM on November 14, 2013, for all parties to submit written testimony or evidence to the Planning Department at 525 NE 4<sup>th</sup> Street, McMinnville.

The record shall then be open until 5:00 PM on November 21, 2013, for all parties to submit to the Planning Department written rebuttal to what was submitted during the first open record period.

The record shall then be open for the applicant only to submit written testimony until 5:00 PM on November 27, 2013. At that point the record shall be closed.

The Planning Commission shall then reopen the hearing at 7:00 PM on December 5, 2013 in the McMinnville Civic Hall Hearing Room, 200 NE 2<sup>nd</sup> Street, McMinnville, at the point of Staff Recommendation.

Motion passed unanimously.

Other business. None.

Adjourn: 10:36pm