

YAMHILL COUNTY PLANNING COMMISSION

Thursday, June 3, 2010 - 7:00 p.m.
Yamhill County Courthouse, Room 32
535 NE 5th St.
McMinnville, Oregon 97128

Roll Call: Matt Dunckel, David Polite, Michael Sherwood, Daryl Garrettson, John Abrams, Marjorie Ehry, Bob White.
Absent: Alan Halstead **Staff:** Ken Friday, Michael Brandt, Rick Sanai

The minutes from the Planning Commission Hearing of May 6, 2010 were unanimously approved.

Rick Sanai read the "raise it, or waive it" statement required by ORS 197.763.

Chair Garrettson asked Ken Friday to read the applicable criteria. Ken Friday read the criteria.

Chair Garrettson opened the public hearing at the point of opponent's case.

QUASI-JUDICIAL PUBLIC HEARING:

- DOCKET NO.:** PAZ-01-10/WRG-01-10
REQUEST: Approval of a Comprehensive Plan amendment from Agriculture/Forestry Large Holding to Quarry; a zone change from EF-80, Exclusive Farm use to MR-2, Mineral Resource. The application includes a Willamette River Greenway permit. The purpose of the application is to establish a sand and gravel operation on the property.
APPLICANT: Baker Rock Resources, represented by Todd Sadlo
TAX LOT: 5326-600 and adjacent land north of Tax Lot 5326-600 which is identified on their legal description as being owned by Baker Rock Resources
LOCATION: North of and adjacent to the southernmost point of Upper Island Road, Dayton
CRITERIA: Sections 402, 404, 902 and 1208.02 of the Yamhill County Zoning Ordinance. Section 904, Limited Use Overlay may also be applied. It should be noted that the local criteria to review the proposed zone change is superseded by the Oregon Administrative Rules. Oregon Administrative Rule (OAR) 660-23, in particular the section dealing with Mineral and Aggregate Resources of OAR 660-023-180 applies to the request. Also applicable is OAR 660-12-0060 Transportation Planning Rule.

Opponent's case:

Shane Byerly, 19538 SE Grand Island Loop, Dayton, OR 97114: Chair Garrettson read the written comments from the green card.

Neil Svarverud, 17880 SE Grand Island Road, Dayton, OR 97114: Gave testimony in opposition specifically regarding the need to consider all the potential traffic from previous mining approvals as well.

Ellie Gunn, 652 SE Washington St., McMinnville, OR 97128: Not present

William Crochell, 433 SW Brockwood Ave., McMinnville, OR 97128: Chair Garrettson read his written comments from the green card.

Jim Parker, 14350 SW Hidden Hills Road, McMinnville, OR 97128: Gave testimony in opposition, specifically regarding the bridge. Bob White asked about the report he had mentioned. Mr. Parker said he feels the bridge study should be done before this application is approved. Michael Sherwood asked about the bridge repairs that he mentioned from 2004. Mr.

Parker read the repairs that were recommended in the report.

Jeff Bramlett, 1255 2nd St. NW, Salem OR 97304: Slide presentation. Gave testimony in opposition. Michael Sherwood asked how far his farm is from the subject parcel. He explained. David Polite asked what he thinks is particularly unique about the farmland in grand island. He responded. Marjorie Ehry asked how many acres he is farming. He said just under 2 acres. Chair Garrettson asked if he has a CSA and how many members. He replied he does have a CSA and has 13 members.

Anne-Marie Anderson, PO Box 57, Dayton, OR 97114: Chair Garrettson read the written comments from the green card.

Adrienne Santana, 962 SW Westvale St., McMinnville, OR 97128 : Chair Garrettson read written comments from the green card..

Kris Bledsoe, 3500 SW Redmond Hill Road, McMinnville, OR 97128: Gave testimony in opposition. She purchased an eight acre property at 18695 SE Upper Island Road that she intends to move to and currently leases to farmers. Michael Sherwood asked how large the island is. Audience said 4,000 acres. White asked about the need for rock. Bledsoe said she doesn't think there is a shortage in the supply of rock.

Dave Cruickshank, 11925 SE Cruickshank Road, Dayton, OR 97114, representing the Yamhill County Farm Bureau: Gave testimony in opposition. Bob White asked about the 800 acre figure that he stated. Mr. Cruickshank stated it is the combined acreage of MR zoned land all along the river, including land off of the island. Matt Dunckel asked about the efforts he mentioned that have been made by the County and DOGAMI to keep the river from moving. Mr. Cruickshank explained there have been efforts made, however, unsuccessfully. Mr. Abrams asked about prioritizing the industry as far as the roads. He said there needs to be a traffic plan.

Ken Finnicum, 21847 SE Grand Island Road, Dayton, OR 97114: Gave testimony in opposition. Asked how much water a minute will come out of the cells. Mr. Sadlo explained. Asked what road route will be used. Mr. Sadlo explained. Mr. Finnicum asked how the fish channel works. Mr. Lidstone explained. Bob White asked about any legislation about mining rock from the river. Mr. Finnicum explained what he knew.

Ilsa Perse, 5765 Mineral Springs Road, Carlton 97111: Gave testimony in opposition.

Chair Garrettson called for a 5 minute recess.

Sam Sweeney, 1070 Ferry Street, Dayton, OR 97114: Gave testimony in opposition.

Ronald Shindler, 18001 Walnut Hill Road, Amity, OR 97101: Gave testimony in opposition.

John Brenna, 16760 Valley View Ct, Amity, OR 97101: Gave testimony in opposition.

Leslie Lukas-Recio & Mr. Recio, 18525 SE Lower Island Road, Dayton, OR 97114: Gave testimony in opposition. Michael Sherwood asked how large their farm is and where it is located. It is 38 acres and they showed it on the map. John Abrams asked about the agri-tourism and when they conduct their events. Ms. Lukas-Recio explained. Chair Garrettson asked what crops they grow. They said mostly berries, and listed the other items they farm. David Polite asked if dust would impact their produce. They explained their process and how the dust would impact their farm. Currently they don't get much dust.

William Scoggin, 350 NW Gardner, Sheridan, OR 97378: Gave testimony in opposition.

Public Agency Report: Bill Gille, Yamhill County Public Works Department described the process for the bridge inspections and the results from the past inspections. The members of the Commission asked Mr. Gille questions about the bridges and roads on Grand Island. Mr. Gille explained.

Ken Friday gave a review of the public agency reports submitted.

Rebuttal and Questions of the Proponents: Todd Sadlo, 1532 SE 36th Ave, Portland, OR 97214: Attorney representing the applicant. Chris Lidstone, 4025 Automation Way, Ft. Collins, Colorado: Geomorphologist. Addressed the concerns with computer modeling, pit capture, the noise berms and the fish channel and the question of who will take care of the site if the applicants abandon the site. He doesn't think the river dredging will be an option in the near term. David Polite asked if any other pollutants can be released from the mine site. Mr. Lidstone explained the Willamette Valley is not known for having heavy metals. Commissioner Polite asked if the water tables a mile away can be affected. Mr. Lidstone explained the unconfined aquifer which is what is on Grand Island. John Abrams asked if there is a potential to add to the flow of Skeeter Creek and benefit the agricultural community. Mr. Lidstone said it could be done and explained the process through DEQ and DOGAMI. Chair Garrettson asked for a description of the fish channel/gated culvert and the expected velocity through the channel. Mr. Lidstone explained. Chair Garrettson asked if the PC required the reclamation of the subject site back to farm land if the fish channel would not be required. Mr. Lidstone said that is correct. Commissioner Ehry asked if the current sites are being farmed. Mr. Sadlo said portions are being farmed. Commissioner Ehry asked about the road widening proposed and when it would be done. Mr. Sadlo stated it would be done prior to the start of the operation.

The PC and Mr. Sadlo discussed the road improvements needed and required.

Chair Garrettson said they could choose what the land shall be reclaimed to and he thinks the site should be reclaimed back to agricultural land and asked Mr. Sadlo if this would be a deal breaker for the project. Mr. Sadlo explained the applicants position on this. Chair Garrettson asked about the condition requiring the road to be improved to county road standards without the rough proportionality standard. Mr. Sadlo responded. Commissioner Polite asked about the Goal 5 plan that the County has to develop. Mr. Sadlo said they should not be subject to standards that do not apply to the Goal 5 rules. Commissioner Dunkel asked if there is aggregate on poor farmland. Mr. Lidstone said they go together because of the deposits from the river. Commissioner Dunkel asked if the neighbors have been talked to about the condition regarding the well. Mr. Sadlo said they did meet with them. Dunkel asked about condition #28. Mr. Sadlo explained how it should be figured out. Commissioner White asked about the bridge. Mr. Sadlo explained. Commissioner Abrams asked if the hours of operation could be changed. Mr. Sadlo explained the conditions currently proposed regarding hours of operation. Commissioner Sherwood asked about the reason for making the application given the current economic state. Mr. Sadlo explained.

Mr. Sadlo addressed the concerns relating to the impact to agricultural uses on the island including dust.

Ken Friday recommended a continuance at the point of staff recommendation to July 1, 2010.

Motion: Chair Garrettson moved to continue the hearing to July 1, 2010 at staff recommendation. Seconded by Michael Sherwood. Motion passed unanimously.

Other business:

Planning Commission voted for the reappointment of John Abrams to the Commission. **Motion passed unanimously.** Planning Commission voted for the reappointment of Daryl Garrettson to the Commission. **Motion passed unanimously.**

Adjourn: Planning Commission hearing adjourned at 11:01 PM.