

**JOINT PUBLIC HEARING
YAMHILL COUNTY PLANNING COMMISSION
YAMHILL COUNTY BOARD OF COMMISSIONERS**

Thursday, July 21, 2011 - 7:00 p.m.

McMinnville Civic Hall

200 NE 2nd St.

McMinnville, Oregon 97128

Planning Commission Roll Call: Matt Dunckel, Michael Sherwood, Daryl Garrettson, John Abrams, Marjorie Ehry, Dan Armstrong, Dave Polite **Absent:** Alan Halstead, Bob White **Board of Commissioners Roll Call:** Leslie Lewis, Kathy George **Absent:** Mary Stern **Staff:** Michael Brandt, Ken Friday, Rick Sanai

LEGISLATIVE PUBLIC HEARING:

Chair Garrettson opened the public hearing

1. **DOCKET NO.:** G-01-10
REQUEST: To add the following language to the permitted uses listed in Section 402.02 of the Exclusive Farm Use District of the Yamhill County Zoning Ordinance:

5. *The maintenance, expansion or enhancement of an existing site on the same tract for the disposal of solid waste for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation. The use must satisfy the standards set forth in ORS 215.296(1)(a) and (b) and the standards set forth in Section 1101, Site Design Review. The maintenance, expansion or enhancement of an existing use on the same tract on high-value farmland is permissible only if the existing use is wholly within a farm use zone. No other Yamhill County Zoning Ordinance criteria or Comprehensive Plan goal or policy shall apply as an approval standard for this use.*

APPLICANT: Yamhill County

CRITERIA: ORS 197 and 215, OAR 660-033 and Section 1207.01 of the Yamhill County Zoning Ordinance.

Abstentions, Objections to Jurisdiction, Ex Parte Contact: None.

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

Staff Report: Mike Brandt gave a review of the staff report.

Questions of Staff: Chair Garrettson asked Mike if this amendment allows new facilities. Mike said it does not.

Waste Management:

George Duvendack, District Manager at Riverbend Landfill, 13469 SW Hwy 18, McMinnville: Testified in support of the proposed amendment.

Paul Burns, Director of Operations for Waste Management, 7227 NE 55th Ave. Portland : Testified in support of the proposed amendment.

Tommy Brooks, Cable Hueston, 1001 SW 5th Ave, Ste 2000, Portland: Testified in support of the proposed amendment. Requested the record left open for 7 days in order to respond to any comments submitted.

George Duvendack showed a video "Community Voices" in support of Waste Management.

Adam Winston, Director of Hauling Operations for Waste Management, 7227 NE 55th Ave., Portland: Testified in support of the proposed amendment. David Polite asked what percentage of waste is coming from outside of

county. George Duvendack stated that approximately 35 percent of waste is coming from inside of Yamhill County.

Michael Sherwood asked if they would apply for an expansion. George Duvendack said they would. Michael Sherwood asked if Waste Management owns the land across the highway from the current landfill and how many acres. George Duvendack said yes and that it is 150 acres.

Waste Not:

Bill Kabaisman, 121 SW Morrison St., 11th Floor, Portland: Testified in opposition to the proposed amendment. Disagreed with the raise it or waive it reading by Rick Sanai for a legislative hearing. Disagreed with the LUBA reversal being procedural and PWS zoning no longer allowing solid waste facilities as stated by Mike Brandt. He believes it is a legislative decision by the County to accommodate the expansion of the landfill.

Susan Watkins, 13440 SW McCabe Chapel Road, McMinnville: Testified in opposition to the proposed amendment.

Ilsa Perse, 5765 Mineral Springs Road, Carlton: Testified in opposition to the proposed amendment.

John Mcgehee 12830 SW McCabe Chapel Road, McMinnville: Testified in opposition to the proposed amendment.

Clark Ellingson, 10075 SW Youngberg Hill Road: Testified in opposition to the proposed amendment.

Susan Meredith 14100 SW McCabe Chapel Road: Testified in opposition to the proposed amendment.

Chair Garrettson asked Mr. Kabaisman some questions.

7 minute break

Rodney Larsen, 14815 SW Delashmut Lane: Testified against the proposed amendment.

Janet Buntley 602 SW Hembry St, McMinnville: Testified against the proposed amendment.

Sid Friedman, 14286 Old Moores Valley Road, Yamhill: Testified against the proposed amendment.

Commissioner George asked about the proposal to change the zoning and if landfill expansions are a problem in other Counties. Sid answered that the change doesn't even require a conditional use application and has no sideboards.

Commissioner George asked if this is the same type of use that is allowed in other counties. Sid stated he is not familiar with other county codes. Commissioner George asked about the cost of garbage disposal going up in the event of the landfill closing and if all of the costs were considered in the fee he provided. Sid answered.

Chair Garrettson asked if the county could make a landfill a conditional use. Sid said counties can allow landfills in EF zones but don't have to make them outright permitted but can be a conditional use.

Arnie Hollander 13440 SW McCabe Chapel Rd, McMinnville, Testified against the proposed amendment.

Marilyn Webster, 14286 NW Old Moores Valley Rd, Carlton: Testified against the proposed amendment.

Helen Bitar: 30500 Mariah Lane, Sheridan: Testified against the proposed amendment.

Michael Leichner, PO Box 820, Sherwood: Testified in support of the proposed amendment.

Cleo Westphal, 915 cedar St, McMinnville: Testified in support of the proposed amendment.

Hannah Momtazi: 1036 NW Baker Crest Court, McMinnville: Testified against the proposed amendment.

Lawrence Treadwell, 30500 Moriah Lane Sheridan: Testified against the proposed amendment.

Ramsey McPhillips, 13000 SW McPhillips Road, McMinnville: Testified against the proposed amendment.

Pete Truax, Mayor of Forest Grove, 1924 Council Street, Forest Grove: Testified in support of the proposed amendment.

Cheryl Hill, 2417 NW Alice Kelley St, McMinnville: General Manager of Freelin Wade. Testified in support of the proposed amendment. David Polite asked for clarification regarding her statement that the landfill is working well with tourism. Ms. Hill replied.

David Walsh, SP Newsprint: 1301 Wyooski St, Newberg: Testified in support of the proposed amendment.

Kris Bledsoe, 18695 SE Upper Island Road, Dayton: Testified against the proposed amendment. .

Drew Corman, 139 Main St. Mt Kisko, New York: VP of a company that provides alternatives to landfills.

Suggested alternatives. Testified against the proposed amendment. The Commission asked questions and Mr. Corman responded.

Shirly Venhause, 8200 N Highway 99W, McMinnville: Testified against the proposed amendment.

James Bishop, 9900 NE Parrett Mtn Road, Newberg: Testified against the proposed amendment.

Shirly Bishop, 9900 NE Parrett Mtn Road, Newberg: Testified against the proposed amendment.

Tim Stieber, 136 Daniel St. McMinnville, Represents SWCD: Testified against the proposed amendment.

Shawn Rollins, PO Box 953, McMinnville: Testified in support of the proposed amendment.

Phyllice Bradner, 605 NE 1st St. McMinnville: Testified against the proposed amendment.

Joe Cook, 410 NE 12th St, McMinnville: General Manager for WOW, Testified in support of the proposed amendment. David Polite asked if the cost of road maintenance is taken into account for the cost of service. Mr. Cook said no. Commissioner Lewis asked how the bidding process would work. Mr. Cook answered.

Karen Swensen: 20100 SW Peavine Rd, McMinnville: Testified against the proposed amendment.

Jennifer Redmond-Noble, 13500 Peavine Road, McMinnville: Testified against the proposed amendment.

Commissioner George asked if WM is allowed to dump garbage with no sorting? Ms. Redmond-Noble said yes.

John Engelbrecht, 1266 NW Augusta Drive, McMinnville: Testified against the proposed amendment.

Haley Cox, 11270 SW Riverbend Road, McMinnville: Testified against the proposed amendment.

Erin Rainey, 11270 SW Riverbend Road, McMinnville: Testified against the proposed amendment.

Shannon Cox, 11270 SW Riverbend Road, McMinnville: Testified against the proposed amendment.

Craig Markum 2245 NW Ilafern Ln, Dundee: Friends of Yamhill County: Testified against the proposed amendment.

Mark Davis, 652 SE Washington St., McMinnville : Testified against the proposed amendment.

Sam Sweeney, 1070 Ferry St., Dayton: Testified against the proposed amendment.

Alec Gainer, 14500 SW McCabe Chapel Road, McMinnville: Testified against the proposed amendment.

John Shue, 20100 SW Peavine Road, McMinnville: Testified against the proposed amendment.

Susan Ruggles, 15500 SW Dusty Drive, McMinnville: Testified against the proposed amendment.

MOTION: Chair Garrettson closed the oral testimony. Motion to leave the record open for 7 days of written testimony and to continue the hearing to September 1, 2011. John Abrams moved to allow for written testimony only to be submitted no later than 5pm, July 29, 2011 and to continue the Planning Commission hearing to 7pm, September 1, 2011. Marjorie Ehry seconded. Continued at the point of staff recommendation.

MOTION: Commissioner Lewis moved to continue the Board of Commissioners hearing to 10am, September 8, 2011 at the point of staff recommendation. Commissioner George seconded. Motion carried.

Adjourn: Hearing adjourned at 10:29pm.