

**MINUTES**  
**YAMHILL COUNTY PLANNING COMMISSION**

May 3, 2012, 7:00 p.m. Room 32  
Yamhill County Courthouse  
535 NE 5<sup>th</sup> Street  
McMinnville, OR 97128

The meeting was called to order at 7:00 p.m. by Vice-Chair Alan Halstead.

1. **ROLL CALL. Present:** Matt Duncel, Alan Halstead, Michael Sherwood, David Polite, Dan Armstrong (late), Bob White, John Abrams. **Absent:** Daryl Garrettson, Marjorie Ehry **Staff:** Ken Friday, Michael Brandt
2. **MINUTES.** Review of minutes from April 5, 2012. Commissioner Sherwood moved that the minutes be approved as written; Commissioner White seconded. Motion approved unanimously.
3. NFD-01-12 has been rescheduled.

**QUASI JUDICIAL PUBLIC HEARING:**

**DOCKET NO.:** C-13-11/SDR-11-11  
**REQUEST:** Conditional use and site design review approval for a public park.  
**APPLICANT:** Yamhill County Parks and Recreation  
**TAX LOT:** 5512-300, 790 and 1700  
**LOCATION:** 12555 SW River Bend Road, McMinnville  
**ZONE:** PWS, Public Works/Safety, PRO, Parks, Recreation and Open Space and EF-80, Exclusive Farm use  
**REVIEW CRITERIA:** Sections 402.04(D), 402.07(A), 405, 802.03, 1101.02 and 1202.02 of the Yamhill County Zoning Ordinance

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

**STAFF REPORT:** Ken Friday gave a brief staff report.

**PROPONENTS:**

*Ken Huffer, Yamhill County Parks Department:* Provided a brief background of the County parks mission. Described the project proposed under the current CUP. Stated that the project is proposed in phases and described those phases. Emphasized that the phased approach will help mitigate any concerns or problems that may arise. Went over the concerns that the public submitted after the initial application was made in May of 2011. Concerns that were addressed by Mr. Huffer: illegal activity occurring around the park, trespassing, concerns that the access road would impact farming activity on neighboring properties, protection of cultural resources at the site, floodplain, camping, river access and boating, proposed expansion of the Riverbend Landfill, noise and visual nuisances, and timeline for development.

Michael Sherwood asked how he knows that people want parks. Mr. Huffer said surveys were conducted and the calls that he gets on a daily basis. Sherwood asked if the park will generate revenue. Mr. Huffer said there is no user fee. If the cost exceeds the parks budget they would look at a fee.

Sherwood asked about what jobs it would create. Mr. Huffer explained there would be seasonal maintenance jobs, contractors for getting the park established and businesses like to locate near areas that have parks and greenways. Sherwood asked about grants to fund the park. Mr. Huffer said grants would be used as well as system development charges. Sherwood asked if the park will be over Whiteson Landfill. Mr. Huffer said that no development will occur on the old landfill.

Bob White asked about the odor from the nearby operating landfill. Mr. Huffer said he hasn't noticed odor when he has been out there.

David Polite asked if there are statistics that show how YC compares to neighboring counties for park land. Mr. Huffer provided the acreage and said Benton County is closest to YC and has over 1400 acres compared to YC's 145 acres.

Matt Dunckel asked if that included Chehalem Park and Recreation. Mr. Huffer said most of those don't serve the rural communities. Dunckel asked about traffic regarding the camping portion of the application. Mr. Huffer said that it is part of the overall vision for the park, however, would require another application with the County. Currently the application is day use only. Mr. Huffer stated they would be well below 200 trips per day for the park and the traffic impact would be small. Dunckel asked about the duplication of services in the Master Plan. Mr. Huffer explained. Dunckel said that security is hard to provide at these places. Mr. Huffer stated they do their best to work with law enforcement and explained the things they do to deter crime at the parks. Dunckel asked about the Rice property buffer. Mr. Huffer said that it was a landfill buffer. Dunckel asked if the park will it be irrigated. Mr. Huffer said no.

Dan Armstrong asked if they are looking for other areas to put a park. Mr. Huffer said there isn't a large acquisition fund; most of the park system was donated to the County. Armstrong asked about Monroe landing closing due to illegal activity. Mr. Huffer explained he doesn't have first hand knowledge of it. Armstrong asked if there will be river access. Mr. Huffer said yes and explained where and that it will be for non-motorized boats.

#### **Questions from the opponent's:**

*Dan Upshaw, 15480 SW Briedwell Road:* Is there a reason we haven't talked with waste management for a trail design on post closure for the landfill? Mr. Huffer said he spoke with Georege Duvendack when he was manager and explained the process for something like that for the County and said they would continue to be involved.

*Hal Sheldon, 17550 River Road:* He smells the dump and in the summer it is the worst; have you done any studies with DEQ for smelling methane gas? Mr. Huffer stated not that he is aware of.

*Cammie DeRaeve, 17500 SW Hook and Eye Lane:* Adjacent farmer and is worried about crime at the parks. Mr. Huffer stated that crime does occur but a park is not an attractant for that activity and they will do their best to deter crime. Ms. DeRaeve worried about fire. Mr. Huffer said there are strict rules for fires.

*Erin Rainey, 1127 SW Riverbend Road:* Asked if the wood cutting project will continue and if it's in conjunction with juvenile delinquent program. Mr. Huffer said yes and explained.

*Ronda Larson, 14815 Delashmut Lane:* What protection for security/liability do they have as property owners? Mr. Huffer explained.

*Roger Hall, 2450 NW Anthony Court, McMinnville, Chairman of the Parks Board:* Stated he doesn't need to testify but is available for questions.

**OPPONENTS:**

*Dan and Carmen Upshaw, 15480 SW Briedwell Road:* Lives south of park and has a hunting club that hunts water fowl. Testified in opposition. Will be putting up a fence. Concerned about his continued ability to farm because of the fence. Bob White asked about the gun club and if it's a possible problem. Dan Upshaw said not unless they trespass and that is part of the problem. John Abrams asked about what is farmed to the north. Dan Upshaw said it is all different types of crops and he has a partnership with another farmer. Dan Armstrong asked about the access. Dan Upshaw explained it is an access easement, 40 feet wide. Dan Upshaw said the master plan requires the County to work with neighbors. And he doesn't think the County has done that. Would like to leave the record open. Ken Huffer asked about his recollection of a conversation regarding the farming leases. Dan Upshaw said he doesn't recall. Ken Huffer asked if the fence is sufficient to deter trespass onto property. Dan Upshaw said he doesn't know. Dan Upshaw stated he supports Camie DeReave's letter that was submitted.

*Ronley and Rhonda Larson, 14815 SW Delashmut Lane:* Testified in opposition. Concerned about trespass and privacy, closeness to the landfill and health concerns related to that. Wants a fence put up but the flooding will wash the fence away every year. Wants the record left open. Michael Sherwood asked where the Waste Management property is located and if you could walk across the river. Larson's pointed to it on the map and explained you can cross the river in the summer.

*Dale and Elouse Middleton, 12340 SW Riverbend Road:* Testified in opposition. Concerned about the fence and the migration of wildlife, concerned about security. Dan Armstrong asked where their property is. They pointed to it on the map.

*Cammie and David DeRaeve, 17500 SW Hook and Eye Lane:* Submitted written comments with concerns. Testified in opposition. Asked about a barrier between the old landfill and the park. Huffer stated they would keep maintaining the existing fence. Dan Armstrong asked where they are located. David DeRaeve showed him on the map.

*Richad Bourassa, 15930 Briedwell Road:* Testified in opposition. Traffic, access to farmland, security.

*Erin Rainey, 11270 SW Riverbend Road:* Testified in opposition. Bad location for a landfill and park.

*Arty Morrison, 16151 Briedwell Road:* Testified in opposition. Wants fences and concerned about train and traffic.

9:30 pm: David Polite excused himself.

**PROPONENT:**

*Eric Watt:* (Vice Chair Halstead accidentally called out of order) Member of parks advisory board. Testified in favor. Matt Dunckel is still concerned with criminal activity at parks. Michael Sherwood asked about discussion with neighbors and when that occurred. Watt responded. Questions and comments were taken from the opponents.

Vice Chair Halstead closed the public hearing for deliberation.

**MOTION:** The motion is to leave the record open for all parties to submit additional written testimony to the Yamhill County Planning Department, located at 525 NE Fourth Street, McMinnville, by 5:00 PM on May 10, 2012.

Then, to leave the record open to 5:00 PM on May 17, 2012, for all parties to submit written rebuttal to what was submitted during the first open record period.

Finally, to allow the applicant until 5:00 PM on May 24, 2012, to submit final rebuttal.

At that point the record will be closed.

The hearing will then be continued to June 7, 2012, 7:00 PM, Room 32 at the point of Public Agency Reports.

Bob White moved to pass motion and Michael Sherwood seconded. Motion passed unanimously.

Other business: No new business.

Meeting adjourned at 9:55 p.m.