

COLUMBIA COUNTY PLANNING COMMISSION MEETING

December 6, 2010

Meeting Minutes

Members Present: Jeff VanNatta, Rod Lloyd, Terry Luttrell, Linda Hooper, Guy Letourneau, Paula Lichatowich, Gayle Lee

Staff Present: Glen Higgins, Erika Owen, Debbie Jacob, Shannon Fair

Others: Joe Starnes, Elaine Starnes, Steve Scott, Mike Unger, Mark Samuel, Victor Noe, Cathy Brake, James Brake, W. Marc Farmer, Gigi Cooper, Matt Jaussen, Andrew Niem

The Planning Commission meeting was called to order by Chairman Letourneau at 6:30pm.

Debbie Jacob read the pre-hearing statement



1. James Brake, Conditional Use Permit, CU 11-04. has submitted an application for a Conditional Use Permit for a dwelling in the forest resource area. The subject property is zoned Forest Agriculture (FA-19) and is identified by Tax Lot No. 5209-000-01800 and is located adjacent to 30870 Canaan Road.

CONFLICTS OF INTEREST/EX PARTE CONTACTS:

Commission disclosed none

Debra Jacob read the Staff report pointing out the subject property on the overhead map. The applicant has requested a dwelling in the forest zone using the template test. There were 6 dwelling 12 parcels established prior to January 1, 1993.

The property does not have road frontage on Cannan Road so an access easement will need to be obtained. A private access easement and maintenance plan will need to be recorded. The local fire department will need to approve the driveway for fire apparatus access standards. There are no flood hazards or restrictions for residential use. The siting of the structure for primary and secondary fire breaks will be met within the property. The applicant will be required to demonstrate a lot evaluation for sewage disposal.

Staff recommends **approval** with **9** conditions

PUBLIC COMMENT

OPEN PUBLIC HEARING

In Favor

James Brake 20870 Canaan Rd., Deer Island, OR

Mr. Brake is satisfied with the Staff report at submitted.

In Opposition

None

CLOSED PUBLIC HEARING

Motion: Commissioner VanNatta moved to approve PA CU 11-04 adopting Staff's findings, conclusions and recommendations. Commissioner Luttrell seconded

Chairman Letourneau restated the motion: It has been moved and seconded to approve PA CU 11-04 adopting Staff's findings, conclusions and recommendations (passed - unanimous)



2. James & Milla Morrison, Conditional Use Permit, CU 11-03, have submitted an application for a Conditional use Permit for a dwelling in the forest resource area. The subject property is zoned Forest Agriculture (FA-19) and is identified by Tax Lot No. 7318-000-01301 and is located on a long drive off Lingberg Rd.

CONFLICTS OF INTEREST/EX PARTE CONTACTS:

Commission disclosed none

Erika presented the staff report, pointing out the subject property on the overhead map. The request is to site a single family dwelling using the template test. There are 11 parcels and 10 dwellings within 750' of subject property.

This site was originally zoned surface mining. Operations at the surface mine were discontinued in 1988. The site was reclaimed as forest zone. A previous conditional use to site a home expired. The site has been modified to change the location of the dwelling closer to public utilities. There is room for the primary and secondary fire zones within the property. The property is land locked. There is an existing gravel driveway on the site which will need to be extended approximately 270ft and will require a road access permit, easement and documentation from the fire department for fire apparatus access.

The applicant will use water from an existing well on an adjoining piece of property. Public utility services are all available to the property. The site is not capable of producing 5000sqft of timber products. There is a creek and small pond on the property. The creek is located a significant distance from the proposed building site

Staff recommends **approval** with **10** conditions

PUBLIC COMMENT

OPEN PUBLIC HEARING

In Favor

Victor No (Representative) PO 1141, Clatskanie, OR

The applicant is satisfied with the Staff report as submitted

Commissioner Lichatowich asked the applicant to point out where the mining activities were conducted. The applicant pointed out the locations on the overhead map. The activities were not near the area where the proposed dwelling will be sited.

In Opposition

None

CLOSED PUBLIC HEARING

Motion: Commissioner Lee moved to approve CU 11-03 adopting Staff's findings, conclusions and recommendations. Commissioner Hooper seconded.

Chairman Letourneau restated the motion: It has been moved and seconded to approve CU 11-03 adopting Staff's findings, conclusions, recommendations and conditions of approval (Passed - Unanimous)



3. West Oregon electric Coop, Plan Amendment and Zone Change, PA 11-02 and ZC 11-01, Has submitted an application for a Comprehensive Plan Amendment and Zone Change from a Residential to Community Service Designation to Accommodate Development of an Electrical Substation.

CONFLICTS OF INTEREST/EX PARTE CONTACTS:

Commissioner VanNatta is a share holder of West Electric and has a relative on the board but does not feel this will impact his decision. Commissioner Lee buys her power from the applicant but does not feel this will impact her decision

Erika Owen presented the Staff report, pointing out the subject property on the overhead map.

West Oregon Electric is proposing to place a new sub station on the subject property because the existing sub stations are located in 100 yr flood hazard areas. The applicant has owned the property since 1979 using it as a holding location. In 1984 the property was zoned RR5 because it is located in an area with other properties zoned RR5. In 1995 the applicant applied for a zone change, but the Board of Commissioners denied the application because the proposed use was already allowed in the RR5 zone, nullifying the need for the zone change. Electric Substations are no allowed within RR5 zones, so the applicant is again applying for the zone change.

The property is flat where the sub station is proposed to be located and then slopes. There is a small wetland that runs along Hwy 47, but the substation will be located a significant distance from the creek.

The site is buffered in all directions by Alder and Douglas fir.

Erica gave explanation as to the requirements to approve a zone change. Staff has found that the request is consistent with the Comprehensive Plan as well as the State Wide Planning Goals.

There is an easement to use the driveway and the applicant plans to use the same access. There is already a well located on the property. The applicant submitted a letter of support which was read into record by Staff.

The main issued from neighboring property owners have to do with the visual impacts, noise impacts, dusts impacts and electrical & magnetic fields. The visual impacts are buffered by trees with the exception to the west which is forest land. The transformers will generate a low hum. The applicant has ordered "low noise" transformers which will have a minimal impact on neighbors. The increase in EMF from the sub station will be most likely less than what is normally emitted in the in home on a regular basis once it reaches surrounding dwellings. The applicant has stated that there will not be an increase in traffic to the site, but the nature is different.

Staff recommends **approval** with **2** conditions

PUBLIC COMMENT

OPEN PUBLIC HEARING

In Favor

Mark Farmer, 1372 Cherry St., Vernonia, OR

Mr. Farmer explained to the commission members that the property was originally purchased for the placement of a future sub station. The Vernonia transformer has exceeded it's 40yr life time, and floods have impacted the ability for the sub-station to provide power to it's customers. A property search was conducted, and it was found that this would be the best fit for the needs. There was an environmental review done on the proposed site finding the impacts to be minimal. The applicant has proposed to plant additional buffering between the properties to lessen any visual impact on neighboring properties.

The majority of the lines will be located underground to help maintain power. Commissioner Lee asked for an explanation of where the lines will be running from the new sub-station. The application explained, using a map included in the Staff report, where the sub-station will be located and where the lines are proposed. The poles will be 55-60 ft.

Mike Unger, Elcon Associates, 12670 NW Barnes Rd., Tigard, OR

The height of the poles will be 55ft from Highway 47 to the sub-station. The trees are over 100ft. There will be 4 single phase transformers located on the site. There is a slight increase in the noise as the load increases. Commissioner Lee asked how much noise is generated by the existing transformers. The applicant did not know, but did state that they have ordered "low noise" transformers for the new installation.

In Opposition

Joe Starnes, 58901 Nehalem Hwy S .Vernonia, OR

Mr. Starnes provided copies of a statement as well as additional documentation for the Commission members to review.

Mr. Starnes owns a neighboring property to the subject property and is opposed to the application. Mr. Starnes is concerned about the environmental health impacts. He feels this will impact the resale value of his property. There are issues with dust and noise from existing uses of the property and he is concerned that this will only get worse with increased use.

Rebuttal

Steve Scott, 715 Maple St., Vernonia, OR

The oil in the transformers is FR3 which is environmentally safe

Mark Farmer, 1372 Cherry St., Vernonia, OR

Mr. Farmer stated that the amount of EMF is much lower than Mr. Starnes has suggested.

CLOSED PUBLIC HEARING

Commissioner VanNatta abstained from discussing or voting on the application.

RE-OPEN PUBLIC HEARING

Mark Farmer, 1372 Cherry St., Vernonia, OR

Mike Unger, Elcon Associates, 12670 NW Barnes Rd., Tigard, OR

Chairman Letourneau asked if the electrical field is mitigated with wires being located under the ground. The applicant responded that the lines are shielded when placed underground. Chairman Letourneau asked about the concerns Mr. Starnes brought up about the use of his driveway. The applicant advised the commission members that they have addressed this concern and are working to ensure that vehicles are not being parked on the adjoining property. The problems were from contractors who are no longer employed by the applicant. The applicant will work with the neighbors to mitigate their concerns. The substation, as proposed, has the capacity for twice the existing servicing community.

CLOSED PUBLIC HEARING

Members discussed further testimony received by the applicant

Motion: Commissioner Lee moved to recommend approval of PA 11-02 and ZC 11-01 to the County Board of Commissioners adopting Staff's findings, recommendations and conclusions. Commissioner Lloyd seconded

Chairman Letourneau restated the motion: It has been moved and seconded to recommend approval of PA 11-02 and ZC 11-01 to the County Board of Commissioner adopting Staff's findings, conclusions and recommendations. (Passed 5-1 (Hooper) (VanNatta abstained))



4. ORPET, Inc. Design Review, DR 11-06 has submitted an application for a Type 2 Site Design Review to Construct a PET Plastics Recycling Plant on a site in the Multnomah Industrial Park owned by the Port of St. Helens, zoned Heavy Industrial (M-1). The subject property is identified as Tax Lot No. 4117-000-00100 and is located at 58144 Old Portland Road.

CONFLICTS OF INTEREST/EX PARTE CONTACTS:

Commissioner Luttrell is on the Port of St. Helens Commission and excused himself from the hearing. Commissioner Lichatowich advised the board that she has worked with the applicant in the past but does not feel this will impact her decision.

Debbie Jacob presented the Staff report pointing out the subject property on the overhead map. There are currently 5 plants of this type operating in Oregon. There will be no chemical processing or manufacturing of product on the site. The structure will be built on the existing slab that housed the Multnomah Plywood Mill site. The use is permitted within the existing Heavy Industrial Zone. The City of St. Helens will extend the private sewer line to the site with consent to annex into the City. There are existing septic systems that will not be used on site and will need to be abandoned and decommissioned before the facility can connect to City sewer.

The applicant has asked for a sewer lines to be installed prior to occupancy instead of prior to a building permit being issued. Staff has agreed to make this consideration. The site is served by City of St. Helens public water; testing of the existing fire hydrants will be required prior to building permit issuance. The applicant submitted a storm water erosion plan.

The concrete slab the structure will be located on is at least 75' away from seasonal wetlands, and will not impact those wetlands. As long as the proposed building is located on the existing concrete slab there will be no issues with the flood planes.

The proposal will not require any improvements to surrounding roads. The applicant is proposing 24 additional parking places including 2 ADA accessible parking spaces. Offices will be located within the structure.

Staff recommends **approval** changing conditions 6 b & c to be 7 b & c making them prior to occupancy and re-lettering sub conditions under 6.

PUBLIC COMMENT

OPEN PUBLIC HEARING

In Favor

Matt Janssen 2271 SE 35th Pl, Portland, OR

The applicant advised Staff and Commission members that if this application is approved it will be the only plant in the Pacific Northwest. Chairman Letourneau asked if the bottles are sorted and shredded at

this facility. The applicant responded that the bottles will be sorted, ground up, and cleaned using water before being sold for use. Chairman Letourneau asked if product will be received by rail. The applicant advised that in the future they would like to utilize the rail, but currently two trucks will deliver product daily.

Andrew Niem, 36200 Pittsburg Rd., Ste E, St. Helens, OR

Mr. Niem has looked at similar equipment and it is relatively light weight, he does not feel that the vibration will impact the structure.

In Opposition

None

CLOSED PUBLIC HEARING

Motion: Commissioner VanNatta moved to approve DR 11-06 moving b&c of condition 6 to condition 7 b&c and renumbering condition 6d to 6b. Commissioner Hooper seconded

Chairman Letourneau restated the motion: It has been moved and seconded to approve DR 11-06 adopting Staff's findings, conclusions, recommendations and moving b&c of condition 6 to condition 7 b&c and renumbering condition 6d to 6b. (Passed - unanimous)



There being no further business, Chairman Letourneau adjourned the meeting at 8:20pm