

**CITY OF SUTHERLIN
PLANNING COMMISSION MEETING
CIVIC AUDITORIUM – 7:00 PM
TUESDAY, AUGUST 1, 2023**

COMMISSION MEMBERS PRESENT: Michael Hogsett, John Banducci, Alan Woods, Norm Davidson and Adam Sarnoski

COMMISSION MEMBERS EXCUSED: Tom Maloney

COMMISSION MEMBERS ABSENT: None

CITY STAFF: Jamie Fugate, City Planner and Kristi Gilbert, Community Development Director

Meeting called to order at 7:00 pm by Chair Davidson

MEDIA PRESENT: None

AUDIENCE: Tom Schaub, Greg Demers, Dian Cox, Carter R. Boehm, Steve Peery, John Blakely, John Lahley, Chester Quesnoy, Diana Quesnoy, Dick Titus, Coraleigh Hopkins, Robert Demers, John Daye, Mark Anderson, Steve Martin, Julie Martin, Brent and Anita Hunsaker, Jim and Mary Dennis, Terry Wells, Carolyn Reeves, Trixy Diamond, David Roell, Casie Roell and Lynn Wilcox

FLAG SALUTE

APPROVAL OF MINUTES

A motion made by Commissioner Sarnoski to approve the minutes of the June 20, 2023 Planning Commission meeting; second made by Commissioner Hogsett.

In favor: Commissioners Banducci, Sarnoski, Hogsett, Woods and Chair Davidson

Opposed: None

Excused: None

Motion carried unanimously

CONTINUANCE OF QUASI-JUDICIAL PUBLIC HEARING(S)

1. **FOREVER GREEN FOREST MANAGEMENT, LLC**, request for a Conditional Use Permit and Tree Falling Permit (greater than 5 acres) on a 76.87± acre property located on the north of E Sixth Avenue, inside the City of Sutherlin. The subject property is described as Tax Lot(s) 400, 700 & 800 in Section 16B and part of Tax Lot 100 in Section 17A, all in T25S, R5W, W.M., and Property I.D. No(s). R43275, R43355, R43379, (pt) R21376 and (pt) R131744. **PLANNING DEPARTMENT FILE NO. 23-S005.**

Chair Davidson opened the hearing, with reading of the disclosure (legal) statement; app persons testifying shall be deemed parties to appeal the application and must provide full name and mailing address if they wish to be notified of the decision, continuances, appeals, or procedural actions

required by the Code. The Sutherlin Development Code specifies applicable criteria to be relied upon in making a decision.

Chair Davidson asked the Commission if there were any conflicts of interest or personal bias; Chair Davidson asked the audience if there were any challenges of impartiality of any person(s) on the Commission. Hearing none, Chair Davidson asked for those wanting to have party status that weren't already to please step up to the podium and state their name and address for the record. **Mark Anderson, 635 Sherwood**, stated he wished to have party status. Chair Davidson then called for the Staff Report.

Jamie Fugate, City Planner, updated the commission that no new testimony from opposition was received, however Greg Demers, representative of the applicant did submit a response late this afternoon. Mrs. Fugate entered the response as "Applicants Exhibit 1." Mrs. Fugate stated the staff report remained the same and with the recommendation of action alternative number 1.

APPLICANT'S TESTIMONY - Greg Demers, representative for the property owner/applicant who is proposing the timber harvest, gave the property description and elaborated on the two applications submitted. By harvesting the timber, this will open up the land (contours, topography, etc) to allow them to determine what development would best fit. Mr. Demers stated the specific type of trees to be removed and that the goal is to develop the property in 0.50 – 1.00 acre lots or cluster lots. They specifically chose Arch Avenue as their haul route to avoid Sherwood, Mardonna, and Terrace Lane roads. Mr. Demers said the slopes of the property is under 25% slopes and the property contains no risk, they will not negatively impact the area. He went on to say they have hired a third-party forester to help with the timber harvesting and they have already secured 20,000 seedlings for reforestation purposes. proceeded to review "Applicants Exhibit 1" that he submitted this afternoon. The plan to reforest will be in the winter of 2024 if timber harvest takes place late in 2023. Mr. Demers stated they will follow the debris and slash per 5.16.070.B.

Mr. Demers then continued to respond to the list of conditions as stated in submitted Applicants Exhibit 1 and stated his surveyor and son are in the audience. Mr. Demers asked that the commission waive condition number 4 and 5. Commissioner Banducci asked if they opened up roads, Mr. Demers responded that they have not built any new roads, just opened up the existing roads. Commissioner Banducci then asked about the surveying and any trees cut as stated at the June 20, 2023 hearing. Mr. Demers informed the commission that the surveyor and Dick Titus went up on the subject property to speak to adjacent property owners, they have not cut anyone's trees or merchantable timber and the plan is still to develop the property.

Robert Williams Jr., Venita, licensed surveyor, came up to the podium. Commissioner Banducci asked Mr. Williams, "when you did the surveys/lines did you find them? Mr. Williams responded that hardly any occupied lines were located. No further questions were heard for Mr. Williams.

Mrs. Fugate responded to Mr. Demers Applicants Exhibit 1, clarifying that within the staff report a reciprocal easement was mentioned, but not carried forward to the conditions of approval. Mrs. Fugate went on to say that per the Sutherlin Development Code, a Geotech Report is required within the Residential Hillside zone and also on slopes of 12% or greater.

TESTIMONY IN FAVOR - No testimony in favor.

TESTIMONY IN OPPOSITION –

Mark Anderson 635 Sherwood, Sutherlin, stated he has lived in his house for 45 years, was there prior to a previous subdivision proposal and even road a dirt bike on the roads located on the hill. Mr. Anderson stated his main concern is drainage as there is an existing 30” culvert that is full in the winters and this will only get worse after the logging occurs. Mr. Anderson would like a catch basin or something planned ahead of time to help and would prefer they cut the fir and pine trees, that there are not any healthy pines trees and this poses a fire hazard. Mr. Anderson finds it a stretch to develop this property due to it being full of slate rocks and is not meant to build homes on. He encourages that a Geotech report be done.

RECEIVE NEUTRAL - No neutral testimony.

APPLICANT’S REBUTTAL

Greg Demers, representative for the property owner/applicant came back to the podium and stated these conditions (Geotech and Engineer Letter) are for development, not logging. Mr. Demers stated that obviously they will leave the pine trees and remove any dead ones for aesthetics.

Closed public portion of the Hearing

DISCUSSION – Commissioner Sarnoski stated that he agrees with the requirement of a Geotech Report given the Residential Hillside (RH) zone and the drainage.

A motion was made by Commissioner Hogsett to recommend to approval per staff recommendation of Action Alternative No. 1 and the listed conditions; Commissioner Woods seconds the motion.

In favor: Commissioners Banducci, Sarnoski, Hogsett, Woods and Chair Davidson

Opposed: None

Excused: None

Motion carried unanimously

MONTHLY ACTIVITY REPORT – No questions or comments.

PUBLIC COMMENT –

John Lahley, 2070 Culver Loop, Sutherlin, came up to the podium and asked why items weren’t on the activity report. Mrs. Fugate responded that the activity report is completed a week prior to a hearing to be included in the required mailout and posting on the city website, only items that are deemed complete or approved are listed on the activity report.

Lynn Wilcox, 1789 Culver Loop, Sutherlin, came up to the podium and stated the development across from her house is not following dust abatement, that dust and rocks are hitting the windows when they work. Mrs. Wilcox stated she submitted a report and would like to know what can she do. Commissioner Sarnoski asked staff, isn’t dust abatement through the code enforcement/police department. **Kristi Gilbert, Community Development Director**, stated that we will look into it and get back to her.

COMMISSION COMMENTS – None

ADJOURNMENT - With no further business the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Jamie Fugate

Jamie Fugate, City Planner

APPROVED BY COMMISSION ON THE 15th DAY OF August, 2023.

Alan Woods for

Norman Davidson, Commission Chair