

**CITY OF SUTHERLIN  
PLANNING COMMISSION MEETING  
CIVIC AUDITORIUM – 7:00 PM  
TUESDAY, SEPTEMBER 19, 2023**

**COMMISSION MEMBERS PRESENT:** Michael Hogsett, John Banducci, Tom Schaub, Tom Maloney and Norman Davidson

**COMMISSION MEMBERS EXCUSED:** Alan Woods

**COMMISSION MEMBERS ABSENT:** Adam Sarnoski

**CITY STAFF:** Jamie Fugate, City Planner, Brandi Medeiros, Community Development Assistant and Kristi Gilbert, Community Development Director

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

**MEDIA PRESENT:** None

**WELCOME NEW PLANNING COMMISSION MEMBER:** Tom Schaub, Commissioner Schaub was introduced by Jamie Fugate, City Planner and then gave a brief background.

**AUDIENCE:** Keith McCracken, Lois Bunch, Royce Bunch, Jan Turkey, Bev Hathaway, Trish Hall, Aaron Bowman, Ken Grant, Carol Harding, Richard Hathaway, Ken and Shirley Smedley, Kristen Gordan, Veronica Eytalis, Roberta Town, Douglas Town, Anita Covington, Bruce Belfils, Ken Knowles, Valeria Knowles, Elaine Tlague, Arthur Covington, Thom Hoch, Jack Vance, Bob Grant, G.W. Booth Jr, Melinda Stanfield, Dick Rauscher, Dianne Good, Mary Dennis, Dian Cox, Jerry Tilley, Marcie Tilley, Kristine Godbeg, Bert and Tricia Nuckals, Brent and Anita Hunsaker, Paul Nelson, Jeannine Bartholomew, Russ Bartholomew, Mike Frost, Chris Owens, Jackie Deal and Steve Jones.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

A motion made by Commissioner Hogsett to approve the minutes of the August 15, 2023 Planning Commission meeting; second made by Commissioner Banducci.

In favor: Commissioners Banducci, Schaub, Hogsett, Maloney and Chair Davidson

Opposed: None

Excused: None

Motion carried unanimously

**QUASI-JUDICIAL PUBLIC HEARING(S)**

1. **FOREST EDGE INVESTMENTS, LLC**, request for a Conditional Use Permit and Tree Falling Permit (greater than 5 acres) on a 14.40± acre portion of the 240.24 acre subject property located south of S. State Street. 119.71± acres of the subject property are inside the City of Sutherlin, with the remaining located outside city limits. The subject property is

described as Tax Lot 800 in Section 21, T25S, R5W, W.M., Property I.D. No(s). R22984 & R22952 (CO portion). The portion inside the city limits is designated Forestry by Sutherlin Comprehensive Plan and zoned (FR-20) Forest Resource. **PLANNING DEPARTMENT FILE NO. 23-S011.**

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 and Sutherlin Municipal Code specify 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 the Staff Report.

**Jamie Fugate, City Planner**, identified Brandan McGarr, Battalion Chief, Sutherlin Fire Department and Aaron Swan, Sutherlin Public Works Director as having party status. Then proceeded to enter Staff Exhibits 1-9 listed within the staff report, including Staff Exhibit 10, an amended comment from Aaron Swan, Public Works Director. Mrs. Fugate then proceeded to summarize the Staff Report, with the recommendation of action alternative number 1.

**APPLICANT'S TESTIMONY – Keith McCracken, representative for the property owner/applicant** was asked to attend and is available to answer any questions that there might be.

**TESTIMONY IN FAVOR** - No testimony in favor.

**TESTIMONY IN OPPOSITION –**

**Doug Town, Timber Valley RV Park, Sutherlin**, stated he has three (3) main concerns – border is 10 – 30 yards, currently trees provide a filter and protect them from wind, without trees they will breath in dust and poison oak. Mr. Town asked for a 30 yard buffer to remain to filter air. Third when the piles are burned this will cause smoke and people will breath more poison oak, people in the park are older and susceptible.

**Richard Hathaway, 800 S. State Street (SKP Park), Sutherlin**, has questions regarding the existing 35' – 50' buffer, noted in staff exhibit #3, page 5 is vague. Mr. Hathaway stated it appears the harvest area is next to the property line. The area is identified as relatively flat, which is not the case. The runoff and drainage is also a concern, there are three (3) streams on the property that run into SKP Park's drainage.

**Jacqueline Deal, 800 S. State Street (SKP Park), Sutherlin**, not opposed to logging of forestry. Years ago, they logged the property above them (SKP Park), runoff made a big ditch and that was not nearly as close. Erosion is also a big concern.

**Ken Grant, 800 S. State Street (SKP Park), Sutherlin**, told the commission they should come look at the trees from the park, they need to leave a 30 yard buffer. This would also make the city look a lot better.

**Doug Town, Timber Valley RV Park, Sutherlin**, when logged, the wind and dirt will be stronger and greater.

**Steve Jones, 800 S. State Street (SKP Park), Sutherlin**, stated he has concerns with wind. Their trees are protecting the SKP trees, which will cause ours to come down, must leave a buffer.

**Bruce Belfils, 800 S. State Street (SKP Park), Sutherlin**, erosion and debris is a concern, they should leave a buffer. Stated the hillside was forested in 1995 and asked the question, "Why did they not take it to the property line then?"

**Dick Rauscher, 800 S. State Street (SKP Park), Sutherlin**, conversations are occurring in the park with the primary concern being water runoff, especially with heavy rains.

**Trish Hull, 800 S. State Street (SKP Park), Sutherlin**, come and look at the beautiful park and S. State Street. Lower hill top has lots nested next to the trees, flooding, wind and mud will be coming down onto the RV's and they will get all the runoff.

**Brent Hunsaker, Ridgeview Street, Sutherlin**, stated he used to live in the park. Floods existed without logging, can't imagine what it will look like after the harvest. The existing sewer system and dump station can have issues if the buffer is not left. The esthetics/view will be ruined.

**Beverly Hathaway, 800 S. State Street (SKP Park), Sutherlin**, stated she has health concerns and if they have to leave the park who will help them financially during this time and with medical bills that this will cause. This beautiful place that this is, but they will take the last remaining beautiful spot of hillside and it will be ugly for Sutherlin.

**RECEIVE NEUTRAL** - No neutral testimony.

## **APPLICANT'S REBUTTAL**

**Keith McCracken, representative for the property owner/applicant**, came back to the podium and stated there is an existing buffer of trees on SKP Park's property, it is the property owner's intent to harvest up to their existing property line. Mr. McCracken also stated that the trees being harvested are approximately 100 years old and are becoming a safety concern and losing value, if they don't remove the trees they may fall and cause more damage. As far as erosion and slope concerns, it is the full intent to comply with forest management and forest practices act, along with the city permitting to help eliminate concerns.

Chair Davidson allowed additional testimony from those in opposition.

## **TESTIMONY IN OPPOSITION –**

**Carol Harding, 800 S. State Street (SKP Park), Sutherlin**, RV's with propane tanks, Mrs. Harding stated she has three propane tanks and one spark will cause fire, make them build a wall.

**Thom Hoch, 800 S. State Street (SKP Park), Sutherlin**, stated a couple hundred feet that property line is a small buffer, he met with John (property owner/applicant) and asked him to leave a buffer. He stated John was undecided what he would do.

**Kent Grant, 800 S. State Street (SKP Park), Sutherlin,** has a drainage ditch behind his lot and asks for a 30 yard buffer.

**Bob Grant, 800 S. State Street (SKP Park), Sutherlin,** consider a select cut vs clear cut.

**Beverly Hathaway, 800 S. State Street (SKP Park), Sutherlin,** 0– 5% slope, has gone down an 8% grade and was scared, they need to put in a dam to stop everything.

#### **APPLICANT’S REBUTTAL -**

**Keith McCracken, representative for the property owner/applicant,** came back to the podium to clarify slopes in terms of harvesting operations, a 0-30% is gentle, 30-60% is intermediate and above 60% slopes cause concerns with drainage. In forest terms, 0-15% is considered flat.

#### **TESTIMONY IN OPPOSITION –**

**Steve Jones, 800 S. State Street (SKP Park), Sutherlin,** worried about the “slopes sagging” and tending to slide. What if the ground gets saturated and slides, then what?

**Dick Hathaway, 800 S. State Street (SKP Park), Sutherlin,** come walk the trail and you will get to see it visually, you will see that it will slide into the park.

**Ken Knowles, 800 S. State Street (SKP Park), Sutherlin,** has medical problems (heart problems), who’s responsible when it causes him more problems?

#### **RECEIVE NEUTRAL -** No neutral testimony

Closed public portion of the Hearing

**DISCUSSION** – Commissioner Schaub stressed the importance of safety and his concerns he has and doesn’t want a “domino effect”. If there is a risk, can an analysis be done. Commissioner Banducci asked staff for clarification of the geological impact report (Geotech Report). Commissioner Hogsett noted that logging has been done a lot of times, contractors (loggers) know what they should do. Commissioner Davidson noted that when trees are that old, its best to harvest them. The Planning Commission expressed the importance of a Geotech Report being completed with regards to the drainage concerns and requirements outlined in the Sutherlin Development Code. No other objections to the proposed request were stated.

A motion was made by Commissioner Hogsett to approve the request for a Conditional Use Permit and Tree Falling Permit (greater than 5 acres) on a 14.40± acre portion of the subject property. **PLANNING DEPARTMENT FILE NO. 23-S011.** Motion seconded by Commissioner Maloney.

In favor: Commissioners Hogsett, Maloney, Banducci, and Chair Davidson

Opposed: Schaub

Excused: None

Motion carried with a 4-1 vote

#### **MONTHLY ACTIVITY REPORT –** no questions asked.

**PUBLIC COMMENT –**

**Dick Rausher, 800 S. State Street (SKP Park), Sutherlin,** stated that an expert needs to go up and assess the situation for logging to reduce anxiety.

**COMMISSION COMMENTS** – Commissioner Banducci stated that we need to remember fire safety, there is a need to get ahead of the potential fire danger and it's not a bad idea to make it safer.

**ADJOURNMENT** - With no further business the meeting was adjourned at 8:02 p.m.

Respectfully submitted,

*Jamie Fugate*

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Jamie Fugate, City Planner

**APPROVED BY COMMISSION ON THE 17<sup>th</sup> DAY OF October, 2023.**

*Norman Davidson*

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Norman Davidson, Commission Chair