

MINUTES
CANBY PLANNING COMMISSION

APPROVED

Regular Meeting
November 28, 1994
7:30 p.m.

I. ROLL CALL

Present: Chairman Schrader, Vice-Chair Mihata, Commissioners Elliot, Ewert, Gustafson and Maher.

Staff Present: Robert Hoffman, Planning Director; James Wheeler, Assistant Planner; John Kelley, City Attorney; Steve Hanson, WWTP Supervisor; and Joyce Faltus, Secretary.

Others Present: John M. Calloway, Michelle Calloway, James A. Bergen, Jr., Dessie M. Bergen, James A. Bergen, Sr., Gertrude Thompson, Steve Sather, Fred Kahut, Andy Kahut, Bud and Lucy Bergman, Gerald H. Tharp, Leon Sampsel, Beuford W. Todd, Katie Kahut, Edgar R. Miller, Derek and Pat Hills, David Fisher, Adrian Fisher, Chris Kelleher, Earl D. Tackett, Belva R. Clark, Cliff Brace, Gordon Ross, Doug and Jan Hanson, Don Hopkins, Jim Kriegshauser, Roger Reif, Jerry Smith, Leland Sherman, Dwayne Jane, Jim McKibbin, Ken Hostetler, Howard and Loydalice Lowrie, Carlin and Karen Jackson, Walter and Jean Martin, Bob Johnson, Dick Brown, Alan Peterson, Steve Jessop, Myra Weston, John A. Munce, Wayne Wortil, Herb Carter, Kevin Lewis, Troy Nelson, Paul C. Bell, DonnaJean McManamon, Kent Kahut, Bob Tackett, Maryann Maples, Tim Maples, Jeff and Deanna O'Neil, Bob Guttridge, Charles Ernst, Chuck and Pam Walker, Nancy Kahut, Susan Potter, Joe Tackett, Andy DiTommaso, David Anderson, Jan W. O'Connor, Don Smeback, Ron Tatone, Bruce Wadleigh, Duane Kloser, Phillip Seale, Genevieve Hoffman, Doris Becker, Mary Chearoni, Herbert Kluth, Lawrence Fitzgerald, Joan Jones, Christine Kloser, Greg Eiche, Kory MacGregor, Pam Thompson

II. MINUTES

The minutes of November 14, 1994 were held over to December 12, 1994.

III. CITIZEN INPUT ON NON-AGENDA ITEMS

David Nelson, Village on the Lochs Manufactured Home Park, requested a clarification from the Commission regarding the current method of determining compliance with condition #38(c) [CUP 90-06], which requires that the balance of the lot *shall* consist of seventy (70%) percent *green vegetation* and the remaining thirty (30%) percent *may* be in barkdust. Mr. Nelson explained that he interprets that to mean that it would be acceptable if 100% of the lot was grass or ground cover, and that the intent was that vegetation should be included in the bark dust areas. If a resident elects not to have all grass or ground cover, or is allergic to bark dust, he proposed that areas of bark or stone include either 2 large shrubs/trees (including street trees), 5 medium shrubs, or 10 small shrubs, per 1000 square feet of bark or stone. When working with the above options, a plan would be submitted. Mr. Nelson's letter questioned why a recently approved manufactured home park does not have the same landscape requirements. He asked the Commissioners to visit the site, especially lots #329 and 510, before responding. The Commission agreed to respond to Mr. Nelson at the December 12, 1994 meeting.

IV. COMMUNICATIONS

None

V. FINDINGS

MLP 94-08 [OTTA]

The Commission discussed the birch tree on the site. Although the applicant intended to retain it, it was not mentioned in Condition #12 as a tree to be retained. Commissioner Elliot moved to approve the Final Order for *MLP 94-08 [Otta]*, amending Condition #12 to include the retention of the birch tree on the site. Commissioner Ewert seconded the motion and it carried unanimously.

SUB 94-04 [TOWNSHIP VILLAGE 7]

Commissioner Maher moved to approve the Final Order for *SUB 94-04 [Township Village, Phase 7]*, as submitted. Commissioner Gustafson seconded the motion and it carried unanimously.

VI. NEW BUSINESS

None

VII. PUBLIC HEARINGS

CUP 94-05/DR 94-14/LLA 94-08, an application by Fred A. Kahut [owner/applicant] for approval to develop a portion of a 14.4 acre parcel of land, within the confines of the Logging Road Industrial Park, and operate a Solid Waste Transfer Station and Recycling Processing Center. The site is located in the southeast portion of the industrial park and is bounded on the south by Township Road; on the north by an easement for Fourth Avenue; on the east by the Logging Road; and on the west, by Redwood Street (Tax Lots 1804 and 1805 of Tax Map 3-1E-34C). *Continued from November 14, 1994.*

Chairman Schrader explained the hearing process and procedures. He asked whether any Commissioner had ex-parte contact or conflict of interest. None was indicated. He then directed the audience's attention to the applicable criteria posted on the wall. Due to the fact that two property owners were notified of the hearing at a later date than other adjacent property owners, the public portion of the hearing shall be continued on December 12, 1994.

Mr. Hoffman explained that the applicant, by letter, proposed a change to the initial proposal, which have now been incorporated into a revised staff report dated November 18, 1994. The site lies in the northeastern corner of the intersection of S. Redwood and S.E. Township. The applicant is also requesting approval to include storage of partially filled storage containers of recyclables in the outdoor yard space. Aside from the partially filled containers, there would be no outdoor storage of solid waste or recyclables -- all processing would take place inside the building.

The applicant is proposing to combine the two tax lots and move the lot line between the parcels 86 feet to the east, to form an approximate 9.5 acre, rectangular lot, which would house the Transfer Station. The remainder of the site would be a triangular shaped 5-acre parcel. Both parcels would retain access to the new S.E. 4th Avenue. Land to the east, north, and west, is zoned M-1. In the Comprehensive Plan, land to the south of the property, once annexed, would be zoned R-1, Single Family Residential. Most of the surrounding property is vacant and is zoned Light Industrial and is being implemented through the Logging Road Industrial Project. New industry is being constructed to the west. The new Trost Elementary School building is located in excess of 1,000 feet to the south of Township Road, which is

at the southern boundary of the subject site. Truck access to the property will be entirely from 99-E, via Pine, S.E. 3rd, Redwood, and the new S.E. 4th Avenue, which is on the northern boundary of the subject site.

The applicant is proposing a heavily landscaped, 6-foot high berm along Redwood, Township, partially along the eastern edge of the property and partially along the new 4th Avenue where the entrance to the Processing Center will be located. Truck parking, truck washing, empty bin storage, and partially filled storage containers with recyclables are the only uses proposed for the outdoor storage yard. No grounding of recyclables whatsoever, is proposed in the outside yard. The proposed center will operate between 6:00 a.m. and 6:00 p.m., Monday through Friday.

On-site disposal or treatment of storm water will need to be required. State and local Code requirements exist, which require air, water, and noise pollution to be controlled, for which regulations exist. City Council is considering a new Noise Ordinance which may apply, depending on when action is finally taken. Curt McLeod, the City's contract engineer, has requested some changes to the applicant's stormwater proposal, adding capacity for disposal of the stormwater at the end of the biofiltration area, with a drywell, which Mr. McLeod believes would provide adequate capacity to handle such water. Where parking and maneuvering is to take place, the area should be hard-surfaced. Additionally, application for State DEQ approval will take place after City approval is obtained, and there will be numerous conditions attached to such approval, which would also include the City-approved conditions. The City has an approved garbage collection contract with the applicant which includes a provision that could amend it to include a fairly good mechanism for performance enforcement. Regular site inspection is included as a recommended condition of approval.

A traffic analysis of the site has been done, which includes any impacts which the proposal would have on the surrounding area. Concerns are expressed in the report, many of which would no longer exist if the proposed traffic signal at the intersection of Highway 99-E and Pine Street was installed. As of this date, it is the City's best estimate that the State will install the traffic signal in the spring of 1995. The route the applicant is proposing for large trucks to access the site would come from 99-E, to Pine, 3rd, Redwood and the new 4th Avenue. No large trucks would access the site from Township directly, or Redwood, south of Township.

All utility and service providers have been notified of the proposal. The school district was concerned, earlier, about large truck traffic going past the Trost Elementary School building on Redwood, south of Township. Since the applicant has rerouted large truck traffic specifically away from the school building, the district has not expressed concern with the present proposal. The Fire Marshal has

requested details, when the actual engineering drawings are prepared, pinpointing where the fire hydrants are and how fire suppression would take place within the building. Recommended conditions submitted by the Public Works Supervisor and the utility board, have all been incorporated in the proposed conditions of approval. Steve Hanson, the Waste Water Treatment Plant supervisor, has requested special care be taken because of the potential for on-site spills and contamination of ground water from washing trucks in the yard and possible leakage from recyclable storage containers, and has recommended a number of conditions of approval which have been incorporated into the staff report. Clackamas County's earlier concerns were also incorporated into the proposed conditions of approval. Just prior to the beginning of this meeting, Mr. Hoffman explained, he received a copy of a letter from the Senior Environmental Specialist at the Clackamas County Department of Transportation and Development, Ken Spiegle, who stated that he believed that staff's proposed condition #16 is excessive, given the nature of the commodities that will be stored in the outside containers, which are the same commodities that are stored curbside via Canby's Curbside Recycling Program. The containers citizens use to store their recyclables are designed with holes in the bottom, to allow for the drainage of rain water. Because the applicant is providing a stormwater management program for the site, Mr. Spiegle wrote, requiring the applicant to cover and store post-processed recyclables in leakproof containers is not cost effective and does not achieve any significant water quality benefits. According to Mr. Spiegle, the open metal containers are considered appropriate, especially as they would only contain glass and/or metal. Mr. Hoffman stated that he was not under the impression that it was limited to glass and/or metal being stored outside, and that the applicant would have to address that issue. Further, Mr. Hoffman added that, just as Mr. Spiegle stated, he did not believe DEQ required leakproof containers either.

The Logging Road Industrial Project was conceived as a place for industries which would not be appropriately located elsewhere in the City. The applicant has talked with many property owners and owners of local businesses in his undertaking to locate in this general vicinity. Initial concerns have been dealt with through significant changes to the original proposal: traffic routing, landscaped berm, and operating limitation characteristics. In terms of energy conservation, waste transfer and recycling is a major part of this proposal which results in energy savings.

Although the Site and Design Review criteria requires 15% of the site is required to be landscaped, the applicant is proposing 38% landscaping, and the rest in paving. Twenty-four parking spaces are proposed. To apply all the parking requirements, 50 spaces would be required, leaving a deficiency of 26 spaces. The applicant has supplied a letter justifying his logic in proposing 24 spaces. The transfer building will be located in the southeastern corner of the site behind a heavily landscaped berm, and is proposed to be 120 x 300 (36,000 square feet). The 50 x 80 office

building (4,000 square feet) is proposed to be located in the northwestern portion of the site. The main access to both buildings will be from S.E. 4th Avenue. Once the proposed complex is completed, Canby Disposal Company will vacate the existing location on Berg Parkway.

Regarding the pollution aspects, Mr. Hoffman stated that the Wastewater Treatment Plant Manager is has a permitting process and is responsible for monitoring it. The Building Official enforces the building codes, and the planning aspects are the Planning Department's responsibility. The City also has a full time Code Enforcement Officer who could be involved. One of the proposed conditions of approval states that during the first year of operation, the Building Official and Planning Director would visit the site quarterly, as a minimum, to see that the conditions were followed. After the first year, the site would be inspected semi-annually.

Mr. Hoffman explained that only two letters have been received opposing the project, and many have been received supporting it. Staff recommends approval, with conditions.

The Commission asked whether yard debris will be handled at the facility. Mr. Hoffman said he did not believe it would be and suggested the applicant respond to this question. He added that there was a condition of approval whereby the applicant would have to return before the Commission if any additional commodities were added.

Applicant

Steve Donovan, Donovan Enterprises, 8625 SW Cascade Avenue, Suite 220, Beaverton, OR 97005, planner for the project, reviewed the background of the application with regard to the site. He explained that the project started in February, 1994, with community meetings and input from various subdivision residents, PTA members, school officials, etc. People were taken on a tour of the existing site and afterwards, on a bus ride for a tour of an existing transfer station facility in St. Helens, which services all of Columbia County. [He pointed out that the amount of solid waste generated in Canby is roughly equivalent to all of the waste that is generated in Columbia County.] Much of the design of the project took neighborhood input into consideration. The original plan has been changed whereby access will be from 4th Avenue, there will be full street improvements instead of half-street improvements on 4th Avenue, and a 6-8 foot site obscuring berm with a 40 foot base, rather than just a fence. Due to the berm change, the lot line adjustment became a necessity as the applicant ran out of usable space. The key issues that came from the public outreach were incorporated into the design of the

facility. Mr. Donovan referred to an aerial photograph of the site, which depicts the heavy truck traffic route to the site. He explained that there would be two transfer trailers a day, at current capacity, leaving the site. The applicant is routing traffic from the site to the north on Redwood, Pine and 3rd Avenue. Collection vehicles will continue using their present routes to collect the waste and recyclables, and then route to the north and back to the south, to the site.

Regarding the issue of fencing, Mr. Donovan explained that a security fence will be located behind the berm because several million dollars worth of vehicles and equipment will be on-site. No self-haulers will be permitted to bring solid waste onto the site. As the DEQ permit requires that citizens be permitted to recycle at the site, the public can only bring recyclables, which area will be located near the entrance to the site off S.E. 4th Avenue. An attendant will be on-site when the facility is open to the public, otherwise the gate will be locked.

With regard to the Conditional Use criteria, Mr. Donovan explained that the Comprehensive Plan, on page 102, states that recycling is the likely course of action, given that Canby cannot site a landfill. Under State law [ORS 459(A) - Opportunity to Recycle Act] Clackamas County must meet a goal of 40% of waste recovery by 1995, and the State as a whole, 50%, by the year 2000. This facility will help Clackamas County and the State of Oregon achieve those goals, he added. This facility will also help meet subtitle 'D' of the Federal Resource Conservation and Recovery Act, which relates to solid wastes and landfills. The waste collected at this site will be sent to McMinnville which is a sub D classified and sub D approved site. Under Economic Analysis, Mr. Donovan explained that it is anticipated that approximately 70% of the post collection vehicle miles traveled by the fleet will be saved, which amounts to 88,270 road miles on the collection fleet, which also amounts to 17,659 gallons of diesel fuel. Under current planning at the State level, the Oregon Transportation Guidelines, Clackamas County is required to reduce the number of VMT [vehicle miles traveled]. At the present time, waste is collected throughout the City in a myriad of vehicles: compactor trucks, drop boxes, and front loader trucks, which go to a number of locations for disposal. Now they will just go to this site, be consolidated, and sent to McMinnville. As the population of Canby is about 10,000 now and is anticipated to double by the year 2010. Under the current configuration of the way waste is collected and disposed of now, it is not likely the existing plant could handle the doubling of the waste generation characteristics of the City.

Mr. Donovan explained that the design of the project meets the requirements of the M-1 zone. The characteristics of the site are suitable for the proposed use considering the 9.38 acres, which is large enough to support the development and

the berm. The shape allows enough elbow room to accomplish the goals of the project, with the least cost and in the most efficient manner. He addressed the topography of the site, which is almost flat, with a very slight drain to the northwest.

Prior to coming up with the current project design, the applicant sought input from all service providers, and got the laboratory test results from the wastewaters collected at METRO Central in northwest Portland for the last 5 years, and the wastewater treatment testing results from the USA [United Sewage Agency] facility in Washington County, taken from their facility in Forest Grove. All of this information was given to Steve Hanson. Furthermore, the applicant proposes to become a zero discharge facility with regard to the compacting process. The sewage generated from the office and the sinks would be separately pumped as domestic sewage. Any sewage coming from the transfer building would be separately pumped and would be separately sampled. No discharges would be made into the City sewer system without prior approval of the Waste Water Treatment Plant supervisor. Mr. Donovan further explained that very little water comes from the transfer station activity floor, where all the solid waste is handled and the recyclables are processed, and what little there is would be taken out through a septic hauler, and later hauled to Troutdale where it would be incinerated, and the residue taken to Arlington. No handling of solid waste or processing of recyclables would be done outdoors.

Regarding the berm, Mr. Donovan explained that it will be approximately 40 feet wide and 6-8 feet in height, heavily planted with various species of trees and fast growing shrubs, irrigated, and maintained.

The traffic study submitted with the application was done in 1992 and was mistakenly based on the assumption that self-haulers would be coming to the site. In the accompanying letter of transmittal dated June 27, 1994, Mr. Keach states that the number of trips would be reduced by more than 50%.

In response to a question from the Commission:

1. Mr. Donovan explained what happens once recyclables are brought to the site. He explained that there will be a series of bins in order to source-separate the recyclables. When the bins are full, they will be taken into the transfer building by fork lift, where they get consolidated and baled.
2. The partially filled bins will remain outdoors until they are full. All of the fiber-based and plastic bales will be stored inside.

3. The metals usually arrive made up of many materials. The load is brought inside the building where it is magnetically or manually separated into constituent materials in partially loaded boxes, which will be stored outside until they are full and can be loaded on a truck and taken to market.
4. Regarding a query about leakproof containers, Mr. Donovan directed the Commission's attention to the DEQ Condition of Approval, Section D of their staff report, about the Elkton Transfer Station. Condition 5 of that section specifically addresses outside storage, he added. Leakproof containers do exist, he stated, but to replace the standard ones with them and then add leakproof liners and containment systems as if they were hazardous waste containers, would cost thousands of dollars and the cost would have to be passed on to customers. The same materials are left at the curb for recycling, he added.
5. The attendant on duty will route people and check boxes of materials to make sure boxes are emptied and new ones are available for the users.
6. At the present time, yard debris will not be handled at this site. Under ORS 459A, there are 8 items that must be done to improve recycling. Currently, Mr. Donovan explained, Clackamas County is doing 5 of the 8 items. The remedy for not meeting the recycling goal is to meet two more menu items from the list. The three remaining menu items Canby could potentially implement are an effective yard debris program and enhance commercial recycling programs where every business with 10 employees per 1,000 square feet of floor space is given an enhanced opportunity to recycle, or an enhanced multi-family recycling program where, instead of each apartment dweller getting a curbside container, a shelter would be provided within the complex for recycling. The two enhanced programs would not recover as much as the tonnage of recovery from yard debris. There will be tremendous pressure by the DEQ by July 1, 1996 for Clackamas County to implement a yard debris program, and the City would have to direct Mr. Kahut to do something about it.
7. Regarding the number of large truck trips per day, Mr. Donovan explained that the applicant anticipates 1 collection vehicle per day. After processing, 3 or 4 recyclable flatbed trailers per day, and 2 solid waste trucks per day.
8. Mr. Donovan was unsure whether or not any recyclable material would be coming from other cities for processing at this plant. It would be a function of economics and competition within the industry, he stated.

9. Mr. Donovan assured the Commission that tires would not be acceptable on the site, per the DEQ permit.
10. There was not enough dirt at the site from the Redwood Street construction to complete the berm entirely around the site, Mr. Donovan stated. The lack of the berm on part of 4th Avenue would expand vision clearance when the trucks enter and leave the site. Emergency access could be added, he stated, but was not requested by the Fire Marshal. A single ingress/egress point would control security on the site.
11. As to whether the pavement is asphalt or concrete, Mr. Donovan explained that it was asphalt without an impervious layer below it.
12. There will be no truck traffic on Township Road, or affecting the Trost Elementary School, other than the regular trash pick-up.
13. The applicant will provide, either through subcontractors or staff, clean up on the site and on the truck route to ensure the area is policed. The drivers, at safety meetings, are taught how to handle waste in the closed containers so there is no spillage. Mr. Donovan added that there is a 24-hour rule during the week, and the applicant would like a 72-hour rule on weekends, whereby the solid waste would be moved to the landfill in McMinnville within that timeframe. Over the weekends, it is stored inside.
14. The collected water from the parking lot will be directed through the landscaped area. The plants within the bioswale are designed to live in a wet habitat. Although no toxics are present, many of the plants are designed to take up heavy metals and can be sampled on a regular basis by a laboratory. The advantage over a drywell is that the water would then go directly into the soil with no treatment at all.
15. Mr. Donovan explained that the applicant has provided more landscaping than is required and could reduce the landscaping if more than the 24 spaces the applicant provided become necessary. He added that truck and vehicle parking are separate.
16. Mr. Donovan stated that the traffic study, written in 1992, was based on the assumption that there would be a lot of self-hauling to the site, and was modeled after a site that functioned that way. He added that there will be no Saturday traffic, which is why Mr. Keach's letter states there will be 50% less traffic than anticipated.

Chairman Schrader advised Mr. Bergen that, due to the lateness of the hour, his application [MLP 94-09] would be continued to December 12, 1994.

Proponents

Ron Tatone, 1122 N.W. 12th Avenue stated that the new transfer station will enhance solid waste disposal in Canby. He encouraged the Commission to approve the application, adding that it is a very well run company that offers excellent service to the community. The proposal offers an efficient means toward saving fuel, which will reflect in the monthly rates that customers are charged. He further stated that the City has a 'Yard Waste Clean-up Program' that takes place each spring.

Dave Anderson, 641 N. Baker Drive stated that the biggest controversy to the proposal will come from the immediate neighbors, although Wright Nursery wrote a letter supporting the project. He explained that, in his opinion, Township Village is distant enough from the site, not to be adversely affected in any way. He further stated that he owns property adjacent to the Logging Road Industrial Park and sees no obstacles that will affect his property. Mr. Anderson added that worse industrial projects could be proposed for this site. He encouraged the Commission to approve the application.

Ed Miller, 750 NE 22nd Avenue explained that he was an administrator for the school district for 10 years and, during that time, Canby Disposal was always concerned with the district's financial needs relative to expenditures and always provided appropriate equipment to take care of those needs. Furthermore, Mr. Miller explained that he has been working with a group that has been studying the urban growth boundary and Canby zoning districts. He believes this project fits in with the plans for Canby's growth and meets all the requirements. The rural atmosphere is maintained and protected by the project's proposed berm and trees, which will look very attractive. The proposal is well planned and should take care of the next twenty years of growth in Canby. Mr. Miller stated that he supports the proposal and encouraged the Commission to approve the application.

Kory MacGregor, 593 SE 1st Avenue stated that he is speaking as President of the Canby Chamber of Commerce. Mr. MacGregor explained that the Chamber's Economic Development Committee originally issued a letter of recommendation supporting the proposal with certain conditions. After reviewing the proposal as presented, and researching the issues, the Board met and decided to fully support the proposal with no conditions attached.

Dick Brown, 829 N. Holly emphasized that during the time he taught school and was an administrator in the Canby School District, Mr. Kahut always strove to find ways to help the district to save money. He added that Mr. Kahut always supported community interests. With this proposal, especially the more modern facility, Canby Disposal will have the opportunity to be more effective and more efficient. He encouraged the Commission to approve the application.

Andy DiTommaso, 775 NE 31st Place stated that he favors the project which will be a great improvement over the existing facility.

Gordon Ross, 489 SW 1st stated that he is a past Planning Commissioner and past Planning Commission Chairman, and that this is the finest, best-prepared, proposal he has seen. He commended the applicant for holding community meetings and gathering input from residents. Mr. Ross stated that he favors the proposal as presented, with staff's recommended conditions. He stated that he does not know of a better site in Canby for Canby's own waste and that it would be much more expensive to have it hauled a long distance away. He encouraged the Commission to make a planning decision which is not based strictly on emotion.

Dave Fisher, 610 S. Douglas, manager of CTA Communications, stated he is highly in favor of this application. He urged the Commission to approve the proposal.

Chris Kelleher, 2583 Allen Avenue, Hubbard, employee of Canby Disposal, said the company is badly in need of an adequate facility, that the old facility has run out of room, especially due to Canby's growth.

Adrian Fisher, Fisher Supply, 659 SW 1st stated that he is in favor of the proposal.

Rob Guttridge, 815 Washington Street, Oregon City explained that his home looks down on the METRO South Transfer Station in Oregon City, which serves the Portland metropolitan area. Further, he added that he has been involved with recycling for the last 10 years, and that the process has changed and grown very much. Mr. Kahut, he explained, has helped the growth process due to his visioning toward more effective and efficient recycling and the proposed facility will surely take us into the next century. He stated that he strongly supports the proposal and urged the Commission to approve the application.

Opposition

Carlin Jackson, 510 SE 7th Place stated that a garbage transfer station is a special situation and should not be placed in an industrial park. Alternatives in the Canby

area need to be sought for this transfer station, he added, because it is too close to subdivisions and schools. If the Commission decides it is appropriate for the site, strong enforcement provisions must be attached to the approval, particularly with regard to the size and possible expansion due to the size of the parcel. Further, strict enforcement regarding the use of Township Road for truck traffic must be adhered to. Mr. Jackson added that he was still confused about exactly what would be stored outside the building.

Joan Jones, 2554 N.W. Overton, Portland 97210 stated that she owns 45 acres directly across from the site and that she sold the 20 acres to the school district, where the Trost Elementary School is now situated. Further, Mrs. Joans stated that the first notice of this application that she received was dated November 15th, even though she is the closest property owner. Mrs. Jones' concerns included the issue of runoff water. She explained that the present Canby Disposal location needs to be vacated because runoff water seeps into the Canby Community Park. The site behind the Post Office was once considered for this Transfer Station, but there was concern about runoff water into the river. Neighbors of this site, on Redwood Street, are all on wells and are very concerned about runoff water seeping into the wells. Since the runoff water would drain to the trees, which would be planted on a 6' berm, Mrs. Jones felt the wells would be affected by runoff water first because they are downstream. She questioned how often regular site inspections would take place, especially in light of the fact that the present location is in terrible condition. The recycling center in Lake Oswego is also in bad condition, she pointed out, but it is situated away from schools and homes. Additionally, Mrs. Jones is concerned that there are a lot of garbage trucks on Township Road now, and that traffic on Township Road will increase adversely, and could interfere with the school buses and with children walking to and from school. With the new large machines, Ms. Jones expressed concern about the noise level. Recycling is necessary, but siting a plant near schools and residences is a mistake, she added. The Canby Comprehensive Plan for the 45 acres directly across the street and the rest of the area up to 13th Avenue is zoned for single family residences. Most of the letters supporting the application are from business people in Canby and from residents who live on the north side of Canby. Ms. Jones asked the Commission to take into account the ways nearby residents would be personally affected, along with the Comprehensive Plan zoning for the area. The Recycling Center should be directly off Highway 99-E, away from schools and residences, she added.

Chuck Walker, 517 SE 7th Avenue concurred with Mrs. Jones. He stated that he has worked in Canby for 18 years and lived here for 4 years. If an aerial view of

the City was taken, this site would stick out as being the center of the City. Most of the people who testified in favor of the application live in the north side of Canby, he added, and are not directly affected if this is approved. Additionally, they do not want it situated in the north part of town either.

Bud Bergman, 466 SE 7th concurred with all previous testimony in opposition of the application. He questioned whether, in the long run, less garbage would be hauled off the site and, instead, pellets or fuel would be made from the garbage. Since the garbage would probably eventually be compacted, he questioned whether a light industrial area was really suitable for the operation; maybe a heavy industrial area would be better. Mr. Bergman suggested that a regional facility in an area like Molalla might be better than a local Canby facility.

Derek Hills, 563 S.E. 9th Avenue stated that he is a new resident of Canby and sought a rural area to both live in and retire in. Although he favors recycling, he pointed out that the prevailing winds are normally from the north, he stated, which means that the smells from this facility will blow over Township Village and Valley Farms. He agreed that a facility such as this is necessary, but questioned locating it so close to residential areas. Further, he stated that such a facility in a residential area will not enhance the property values. Having visited the recycling center in Oregon City, he is very aware of the noise and smells that emanate from such a facility. He pointed out that most of the people testifying in favor of the application live on the north side of Highway 99-E and would hardly be impacted by this facility. Additionally, Mr. Hills questioned why improvements were being made to Township Road and asked if it was due to the future hauling of garbage to and from this site. He also questioned if Township would be a future entranceway to this facility. Another concern is that people will dump garbage around the site and on the berm when the facility is closed.

Paul Bell, 687 S. Redwood stated that he opposes this proposal. He lives three houses off the corner of the Township and Redwood intersection. Mr. Bell explained that he has a well for his domestic water supply. He is extremely concerned that the runoff water from the drywell collections will contaminate the subsurface and impact the wells. Further, he is concerned about the noise that will be generated from the site, the increased traffic generated from the site, and future alterations to the site. He questioned whether this is a suitable site for the project. The public outreach program was not held as depicted by the applicant as adjacent neighbors, like himself, were not contacted. Lastly, Mr. Bell asked who would be monitoring the water and plants prior to the runoff impacting his family.

Christine Closure, 544 S. Pine concurred with all testimony in opposition to this proposal.

Pam Walker, 517 SE 7th stated that she opposes this project and the entire light industrial area so close to a residential area. Ms. Walker stated that the odors will be overwhelming, and that she concurs with all previous testimony in opposition to the project.

Tim Maples, 1418 SE 11 Loop stated that he just found out about this proposal at 7:25 p.m. this evening. He questioned whether most of the residents of Valley Farms were aware of the proposal.

Due to the lateness of the hour, Chairman Schrader announced that the hearing would be continued to December 12, 1994, and would open with the public testimony portion of the public hearing.

MLP 94-09, an application by James A. Bergen for approval to partition an approximate 1.86 acre parcel into three parcels, 9,790 square feet; 9,843 square feet, and 61,340 square feet, respectively. The parcel is located on the east side of N. Pine Street [640 N. Pine Street] (Tax Lot 1700 of Tax Map 3-1E-34BC). *Continued to December 12, 1994.*

IX. DIRECTOR'S REPORT

The meeting regarding the METRO project, held at the Elm Street Inn was summarized briefly by Commissioner Ewert.

IX. ADJOURNMENT

The meeting was adjourned at 10:55 p.m.

Respectfully submitted,


Joyce A. Faltus