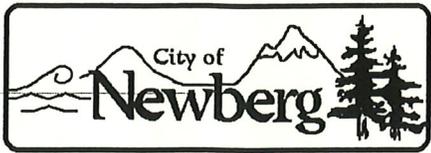


8/20/97 Nuamc mtg



**CITY OF NEWBERG / YAMHILL COUNTY  
NEWBERG URBAN AREA MANAGEMENT COMMISSION MINUTES  
NEWBERG PUBLIC LIBRARY - 503 E. HANCOCK STREET - NEWBERG  
THURSDAY, MARCH 20, 1997  
7:00 PM**

**APPROVED AT THE APRIL 24, 1997 NUAMC MEETING**

**I. Convene NUAMC**

**Roll Call:**

Ted Lopuszynski                      Ken Hughes  
Roger Currier                         Jeff Klohk  
Jack Kriz                                Leslie Lewis

ABSENT: Bill Jackson, Alan Halstead

**Staff Present:**

John Knight, City of Newberg Planning Manager  
Ken Friday, Yamhill County Planning Department  
Janet Yarbrough, Recording Secretary

**II. Minutes from January 16, 1997 NUAMC MEETING**

Committee member Roger Currier said that Mr. Martin's testimony on page 3 of the minutes needed to include that Mr. Martin stated that neither the board nor the superintendent had authorized any placement of water on the the property.

<b>Motion #1:</b>	Committee members Hughes/Halstead moved to approve the January 16, 1997, meeting minutes with the insertion of the statement regarding Mr. Martin's testimony.
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<b>Vote on Motion #1:</b>	The motion carried unanimously (5-0) (ABSENT: Halstead, Lewis).
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Committee member Jeff Klohk arrived at 7:15 p.m.. John Knight, City of Newberg Planning Manager, introduced Jeff as the newly appointed member, however, his

appointment will not be ratified until the next City of Newberg Council meeting so he would not be voting this evening.

### **III. Old Business**

#### **Update on the Urban Reserve Area Project.**

John Knight, City of Newberg Planning Manager, reviewed the history of the project. He distributed a summary of the responses to the Urban Reserve questionnaire. He summarized the results of the survey. Al Benkendorf, Land Use Consultant, reviewed the results of a traffic study done by Lancaster Consulting. He concluded that the area could accommodate 6,000-10,000 people. This assumes the proposed improvements in the existing transportation plan would be in place. Chair Kriz asked if the Kittleson & Associates assumptions were reviewed. Mr. Benkendorf replied they had just built upon them. Committee member Lopuszynski asked if anything was proposed for the downtown area. John Knight said the only proposal was to try to move some traffic on to Second Street from First Street. He emphasized the need for a South Bypass. Chair Kriz and Committee member Ken Hughes asked if they had looked at the impacts of increased growth on Villa Road. Roger Currier said it was one of the City Council's projects. He also said that NUAMC needed to address some of the traffic areas that need to be cleaned up, such as N. College Street.

Mr. Benkendorf distributed a memo regarding the infrastructure needs of the City. He reviewed the contents of the memo. Ken Hughes asked if the improvements would be sufficient to accommodate growth out Benjamin and Springbrook roads. John Knight said they weren't anticipating providing services to those areas since they weren't in the Urban Growth Boundary or the Urban Reserve Area. Roger Currier reviewed the City charter for providing services.

Mr. Benkendorf distributed the evaluation criteria to the committee. He reviewed the criteria with the committee. Ken Hughes asked if the school district owned property in this area. Staff replied no, to the best of their knowledge.

Mr. Benkendorf distributed the proposed procedure for updating the Newberg Urban Area Growth Management Agreement. He asked for volunteers to be the County and City representatives. Ken Hughes and Jeff Klohk volunteered. Ted Lopuszynski asked about the future of NUAMC. Mr. Benkendorf said NUAMC would continue to be needed in the future. Roger Currier said he felt it was very confusing for the City Council to have both NUAMC and the Planning Commission. There was some discussion of the history of this body. Ken Friday, Yamhill County Planning, said that this body had been formed in 1979 to deal with issues in the Urban Reserve Area and to give the City and the County a say in the fringe developments around the City.

The committee took a break at 7:50 p.m. Chair Kriz called the meeting back to order at 8 p.m.

### **IV. New Business**

none

## V. Public Hearing

Chair Kriz reviewed the procedure for public hearing. Citizens who wish to speak must fill out a comment card.

DOCKET: PA-02-96  
REQUEST: Plan amendment from VLDR Very Low Density Residential to I Industrial and a zone change from VLDR-2.5 Very Low Density Residential to HI Heavy Industrial. The request is to allow eventual establishment of a Refuse Derived Fuel Facility.  
LOCATION: 2808 S. Wyooski Road (Tax Lot 3228-1800)  
APPLICANT: Marvin Schneider  
CRITERIA: Sections 502, 801 and 1208 of the Yamhill County Zoning Ordinance; Statewide Planning Goals. The application will be processed using the Newberg Urban Area Management Agreement.  
PLAN DESIG.: VLDR Very Low Density Residential

**Abstentions/Ex-parte contact:** Ken Hughes said he knew the applicant, but that there would be no financial gain for him and he would not be unduly influenced. Roger Currier declared that he had voted on this at the City Council and his contact was on record there. Ted Lopuszynski said he attended an advisory board meeting regarding this issue but had not received any information that would influence his decision to participate. Chair Kriz stated that he also had been a member of an advisory board that discussed the issue.

Committee member Leslie Lewis arrived at 8:10 p.m.. She had no abstentions or ex-parte contact.

**Staff Report:** John Knight reviewed the criteria for testimony and read the "raise it or waive it" clause. Ken Friday reviewed the Yamhill County staff report and the history of the application. John Knight reviewed the City of Newberg staff report.

**Questions to Staff:** none

### Public Testimony

**Proponent:**  
Sharon Mitchell  
1930 Carol Avenue  
Newberg, OR 97132

Ms. Mitchell, representing Marvin Schneider, felt the Heavy Industrial zoning would be consistent with the surrounding land use. Ms. Mitchell did not think the land was suitable for residential use. She indicated that the proposed use would be a waste reduction facility, which she said was necessary to reduce the consequences of

population growth. She also thought it would prevent people from having to transport waste to McMinnville. She addressed the issue of compliance with ordinance 563, saying that there is a demand for the product due to the population growth. She asked the committee to work together to find a workable design.

**Proponent:**

Marvin Schneider  
1159 N. Main Street  
Newberg, OR 97132

Mr. Schneider represented American Waste Management. He reiterated that all of the land use in the surrounding area was industrial. He pointed out the area on a map and submitted it as evidence. He felt that waste reduction and landfill avoidance was the growing trend. He noted that Salem, Portland, Sherwood and 17 other Portland areas had waste reduction facilities. He was concerned that Newberg would have to haul their waste to Arlington, Oregon if they didn't get a waste reduction facility. He also said that this type of facility would be cheaper than a landfill so Newberg Garbage should be willing to dump there. Mr. Schneider said the market for this particular facility was clear out to the Umatilla area.

**Questions of Proponents:**

Ken Hughes asked if refuse disposal would be a separate entity from Newberg Garbage. Mr. Schneider replied yes. Ken Hughes also asked about the electrical plant that would be built in Umatilla and how that project was related to the proposed facility. Mr. Schneider said the Umatilla plant would buy his product to fuel the plant. The waste would be shipped by train or truck. Ted Lopuszynski asked how many tons per week Newberg Garbage received. Mr. Schneider could not remember the exact number. He thought that 25 trucks could be coming in to his proposed facility per week in addition to the waste received from Newberg Garbage. He expected 600 tons per day. Leslie Lewis asked what kind of waste would be used in this plant. Mr. Schneider noted it would be the same as the Salem plant except this facility would have an additional process to make the waste cleaner. Ms. Lewis asked if there would be garbage left over. Mr. Schneider replied that the bulky and unusable parts would be pulled out. She asked how many people would be employed. Mr. Schneider said 12-25 people. Ms. Lewis referred to the letter from Newberg Garbage Service, asking if the two parties had resolved their differences. Mr. Schneider said they would not be able to reach an agreement until he knew he had the plant. She asked about DEQ permits. Mr. Schneider said he would have to get a groundwater permit and meet the contamination requirements. He noted that nothing would be stored for more than a day and a half. Ken Hughes asked what would happen to the byproduct. Mr. Schneider said it would be shipped out at a cheaper rate to McMinnville. Ted Lopuszynski asked for clarification of the disposal process. Mr. Schneider said it would take place inside a closed building. Chair Kriz asked if this was the same proposal that was submitted to the Planning Commission in the past, especially regarding operations. Mr. Schneider replied yes.

**Staff Comment:**

Ken Friday said the DEQ asked to be kept up to date on this issue. He noted the other responses in the staff reports. Referrals had been sent to all public agencies and no additional comments were received.

**Close of public hearing.**

**Committee deliberation:**

Roger Currier said he was not sure type of waste reduction was tried and true. He was concerned with experimental waste use. He agreed there was a need for something of this sort, but he didn't think it was feasible with just Newberg's waste and he didn't like the idea of bringing in waste from other counties or competing with other county's waste reduction facilities. He also said that the waste product would have to be trucked out to Umatilla because it could not be sold to facilities in Newberg. He didn't feel there was any way to guarantee low prices. He felt that if this plant were really useful the investors would have built more of them. Ken Hughes said he felt the applicant demonstrated a market with the Umatilla contracts. He felt the land use was appropriate. He felt there should be negotiations between American Waste Management and Newberg Garbage if this were approved to keep the rates down. He was in favor of approval. Leslie Lewis said she was in favor of the application. She said the state has a goal of reaching 50% recycling by the year 2000 and this could contribute to that. She wanted ongoing negotiations between Newberg Garbage and this facility as well. She felt the area was appropriate for industrial use. Ted Lopuszynski said he agreed with the zone change. He likes the idea of Refuse Derived Fuel. His main concerns were with the organization of the proposal and the number of the trucks coming into the area. Ken Hughes said the committee needed to remember that the infrastructure was sufficient to support the weight of the trucks. Chair Kriz said he still felt this was an urban use that would require the infrastructure support of the City. Ken Hughes said he didn't find any proposed conditions for approval in the staff report. Ken Friday said this would be taken care of during the Site Design Review process, in which the DEQ would be involved. He also said that a limited use overlay zone would be applied to this use so they would have to come back for another exception if the use of the site changed. There was some discussion about adding a condition of limited use overlay to the resolution.

<b>Motion #2:</b>	Hughes/Lopuszynski to recommend a zone change to industrial and a plan amendment without the limited use overlay.
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**Discussion on the motion:** Roger Currier did not think they could do this because they would be separating the application. Ken Friday said the limited use overlay was a request by staff and that approval would only grant a zone change and plan amendment. Approval does not approve the facility design. Leslie Lewis said the zone change was appropriate even if the facility were not approved.





## chehalem park and recreation district

---

1802 haworth ave. newberg, oregon 97132

(503)-538-7454

To: Newberg Urban Area Management Commission

From: Mark Martin, Recreation Supervisor  
Chehalem Park and Recreation District

Date: April 24, 1997

Subject: Minutes from March 20, 1997 meeting

The Draft of the minutes sent out for approval Section II Minutes from January 16, 1997 NUAMC MEETING stated:

Committee member Roger Currier said that Mr. Martin's testimony on page 3 of the minutes needed to include that Mr. Martin stated that neither Don Clements nor the Park Board knew anything about the hookups on the property.

My statement as I recall was:

Neither the Board nor the superintendent had authorized any placement of water on the property.

I proceeded to explain about the benefits of the fields. There was no authorization from the Board or Superintendent for any Park and Recreation District employee to place water on the fields.

I hope this clarifies my testimony.

**Darla Baldoni**

---

**To:** Ken Friday; Linda Lowe; Dawn Wilson  
**Subject:** NUAMC MINUTES

Attached are the adopted NUAMC minutes for March 20, 1997. Hard copies that are signed are in the mail to you.  
<<File Attachment: NU-0397.MIN>>

**NUAMC MEETING  
FOURTH THURSDAY OF MONTH**

**TIME:** 7:00 p.m.  
**LOCATION:** Newberg Public Library

**DATE:** April 24, 1997  
*Thursday*

✓	ATTENDANCE	<i>minutes</i> MOTION					
A	CURRIER	A.					
✓	HALSTEAD	X					
✓	HUGHES	Y					
✓	KLOHK	Y					
A	KRIZ	A					
✓	LEWIS	Y					
✓	LOPUSZYNSKI	Y					
<b>RESOLUTION #:</b>							
<b>COMMISSIONERS - MOTIONED:</b>							
<b>VOTE ON MOTION:</b>							
<b>CONDITIONS:</b>							
<b>VOTE ON AMENDED MOTION:</b>							

**STAFF PRESENT:**  
CITY OF NEWBERG:  
*John Knight*

YAMHILL COUNTY:  
*Martin Chroust-Masin*

# ATTENDANCE SHEET

## NEWBERG URBAN AREA MANAGEMENT COMMISSION (NUAMC)

MEETING DATE: April 24, 1997

<u>COMMISSION MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
CURRIER, Roger	[]	[X]
HALSTEAD, Alan	[X]	[]
HUGHES, Ken	[X]	[]
KLOHK, Jeff	[X]	[]
KRIZ, Jack	[]	[X]
LEWIS, Leslie	[X]	[]
LOPUSZYNSKI, Ted (Yamhill County)	[X]	[]

**OTHERS PRESENT:**

John Knight, City of Newberg Planning Manager  
Martin Christ-Mason, Yamhill County Planning Dept.  
Al Benkendorf, Land Use Consultant  
Janet Yarbrough, Recording Secretary

Submitted By: Janet C. Yarbrough

**NOTE:** Please complete an attendance sheet for all meetings involving City Council members and return it to the Legal Department with the **original minutes**. If the regularly scheduled meeting is canceled for any reason, it should be noted on an attendance sheet and sent to the Legal Department.

**Original minutes, signed by the secretary or chairman, should be prepared and sent to the Legal Department for filing as the official record of the meeting.**



**chehalem park and recreation district**

1802 haworth ave. newberg, oregon 97132

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March 19, 1997

**Newberg Urban Reserve Area Priorities**

**Evaluation Criteria**

1. Orderly and economic provision for public facilities and services:
  - o Sanitary Sewer
  - o Water
  - o Transportation
  - o Schools
2. Maximum efficiency of land uses within and on the fringe of the existing urban area.
3. Environmental consequences, especially Goal 5 resources.
4. Retention of agricultural land.
5. Compatibility of the proposed urban uses with nearby agricultural activities.
6. Demonstrated need for the land use.

Utilizing the research conducted to date including the transportation impact analysis, an assessment of utility needs, existing land characteristics and existing plan and zoning regulations, the six areas will be evaluated utilizing a simple scoring procedure.

3/20/97  
draft minutes

Logo March  
20 mtg

from Linda  
Original  
Draft

**SUBJECT TO APPROVAL AT THE NEXT NUAMC MEETING ON APRIL 24, 1997.**

**I. Convene NUAMC.**

**Roll Call:**

Ted Lopuszynski  
Roger Currier  
Jack Kriz

Ken Hughes  
Jeff Klohk

ABSENT: Leslie Lewis, Bill Jackson

**Staff Present:**

John Knight, City of Newberg Planning Manager  
Ken Friday, Yamhill County Planning Department  
Janet Yarbrough, Recording Secretary

Save until  
adopted  
at 4/24/97  
mtg

**II. Minutes from January 16, 1997 (attached).**

Committee member Roger Currier said that Mr. Martin's testimony on page 3 of the minutes needed to include that Mr. Martin Stated that neither Don Clements nor the Park Board knew anything about the hookups on the property.

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**Vote on Motion #1:** The motion carried unanimously (5-0)(ABSENT: Halstead, Lewis).

Committee member Jeff Klohk arrived at the is time (7:15 p.m.). John Knight, City of Newberg Planning Manager, introduced him. Jeff Klohk is the newly appointed member, however, his appointment will not be ratified until the next City Council meeting so he would not be voting this evening.

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I revised  
this  
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reg.  
format  
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The committee took a break at 7:50 p.m. Chair Kriz called the meeting back to order at 8 p.m.

#### **IV. New Business**

none

#### **V. Public Hearing**

Chair Kriz reviewed the procedure for public hearing. Citizens who wish to speak must fill out a comment card.

DOCKET: PA-02-96

REQUEST: Plan amendment from VLDR Very Low Density Residential to I Industrial and a zone change from VLDR-2.5 Very Low Density Residential to HI Heavy Industrial. The request is to allow eventual establishment of a Refuse Derived Fuel Facility.

LOCATION: 2808 S. Wyooski Road (Tax Lot 3228-1800)

APPLICANT: Marvin Schneider

CRITERIA: Sections 502, 801 and 1208 of the Yamhill County Zoning Ordinance; Statewide Planning Goals. The application will be processed using the Newberg Urban Area Management Agreement.

PLAN DESIG.: VLDR Very Low Density Residential

**Abstentions/Ex-parte contact:** Committee member Ken Hughes said he knew the applicant, but that there would be no financial gain for him and he would not be unduly influenced. Committee member Roger Currier declared that he had voted on this at the City Council and his contact was on record there. Committee member Ted Lopuszynski said he attended an advisory board meeting regarding this issue but had not received any information that would influence his decision to participate. Chair Kriz he also had been a member of an advisory board that discussed this issue.

Committee member Leslie Lewis arrived at this time (8:10 p.m.). She had no abstentions or ex-parte contact.

**Staff Report:** John Knight, City of Newberg Planning Manager, reviewed the criteria for testimony and read the "raise it or waive it" clause. Ken Friday, Yamhill County Planning Department, reviewed the Yamhill County staff report and the history of the application. John Knight, City of Newberg Planning Manager, reviewed the Newberg staff report.

**Questions to Staff:** none

#### **Public Testimony**

##### **Proponent:**

Sharon Mitchell

Ms. Mitchell is representing Marvin Schneider. She said she felt the Heavy Industrial zoning would be consistent with the surrounding land use. Ms. Mitchell does not think the land is suitable

for residential use. She indicated that the proposed use would be a waste reduction facility, which she said was necessary to reduce the consequences of population growth. She also thought this would prevent people from having to transport waste to McMinnville. She addressed the issue of compliance with ordinance 563, saying that there is a demand for the product due to the population growth. She asked the committee to work together to find a workable design.

**Proponent:**

Marvin Schneider

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**Questions of Proponents:** Committee member Ken Hughes asked if refuse disposal would be a separate entity from Newberg Garbage. Mr. Schneider said yes. Committee member Ken Hughes also asked about the electrical plant that would be built in Umatilla and how that project was related to this proposed facility. Mr. Schneider said the Umatilla plant would be used to fuel the plant. The waste would be shipped by train or truck. Committee member Ted Lopuszynski asked how many tons per week Newberg Garbage received. Mr. Schneider could not remember the exact number. He thought that 25 trucks could be coming in to his proposed facility per week in addition to the waste received from Newberg Garbage. He expected 600 tons per day. Committee member Leslie Lewis asked what kind of waste would be used in this plant. Schneider said it would be the same as the Salem plant except this facility would have an additional process to make the waste cleaner. Committee member Lewis asked if there would be garbage left over. Mr. Schneider said the bulky and unusable parts would be pulled out. She asked how many people would be employed. Mr. Schneider said 12-25 people. Committee member Lewis referred to the letter from Newberg Garbage Service, asking if the two parties had resolved their differences. Mr. Schneider said they would not be able to reach an agreement until he knew he had the plant. She asked about DEQ permits. Mr. Schneider said he would have to get a groundwater permit and meet the contamination requirements. He noted that nothing would be stored for more than a day and a half. Committee member Ken Hughes asked what would happen to the byproduct. Mr. Schneider said it would be shipped out at a cheaper rate to McMinnville. Committee member Ted Lopuszynski asked for clarification of the disposal process. Mr. Schneider said it would take place inside a closed building. Chair Kriz asked if this was the same proposal that was submitted to the Planning Commission in the past, especially regarding operations. Mr. Schneider said yes.

**Staff Comment:** Ken Friday, Yamhill County Planning Department, said the DEQ asked to be kept up to date on this issue. Referrals had been sent to all public agencies and no comments were received.

**Close of public hearing.**

**Committee deliberation:** Committee member Roger Currier said he was not sure type of waste reduction was tried and true. He was concerned with experimental waste use. He agreed there was a need for something of this sort, but he didn't think it was feasible with just Newberg's waste and he didn't like the idea of bringing in waste from other counties or competing with other county's waste reduction facilities. He also said that the waste product would have to be trucked out to Umatilla because it could not be sold to facilities in Newberg. He didn't feel there was any way to guarantee low prices. He felt that if this plant were really useful the investors would have built more of them. Committee member Ken Hughes said he felt the applicant demonstrated a market with the Umatilla contracts. He felt the land use was appropriate. He felt there should be negotiations between American Waste Management and Newberg Garbage if this were approved to keep the rates down. He was in favor of approval. Committee member Leslie Lewis said she

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**Motion #2:** Committee member Hughes/Lopuszynski to recommend a zone change to industrial and a plan amendment without the limited use overlay.

**Discussion on the motion:** Committee member Roger Currier did not think they could do this because they would be separating the application. Ken Friday, Yamhill County Planning Department, said the limited use overlay was a request by staff and that approval would only grant a zone change and plan amendment. Approval does not approve the facility. Committee member Leslie Lewis said the zone change was appropriate even if the facility were not approved.

**Vote on Motion #2:** The motion carried (3-2);(NAY: Currier, Kriz);(ABSTAIN: Klohk).

#### **VI. Other Business**

1. Set next meeting date. The committee discussed possible meeting dates. They agreed that the fourth Tuesday of every month could be a regular meeting date. The next meeting was tentatively set for April 24, 1997 or May 22, 1997.

#### **VII. Adjournment**

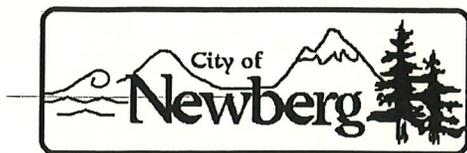
The meeting was adjourned at approximately 9:50 p.m.

*Signature line*

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Darla - this draft has the changes

JY



**CITY OF NEWBERG / YAMHILL COUNTY**  
**NEWBERG URBAN AREA MANAGEMENT COMMISSION MINUTES**  
**NEWBERG PUBLIC LIBRARY - 503 E. HANCOCK STREET - NEWBERG**  
THURSDAY, MARCH 20, 1997  
**7:00 PM**

**SUBJECT TO APPROVAL AT THE NEXT NUAMC MEETING ON APRIL 24, 1997**

**I. Convene NUAMC**

**Roll Call:**

Ted Lopuszynski  
Roger Currier  
Jack Kriz

Ken Hughes  
Jeff Klohk  
*Leslie Lewis*

**DRAFT**  
SUBJECT TO REVISION

ABSENT: ~~Leslie Lewis~~, Bill Jackson  
*Alan Halstead*

**Staff Present:**

John Knight, City of Newberg Planning Manager  
Ken Friday, Yamhill County Planning Department  
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*authorization of*

<b>Motion #1:</b>	Committee members Hughes/ <del>Halstead</del> <sup>7</sup> moved to approve the January 16, 1997, meeting minutes with the insertion of the statement regarding Mr. Martin's testimony.
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Mr. Benkendorf distributed a memo regarding the infrastructure needs of the City. He reviewed the contents of the memo. Ken Hughes asked if the improvements would be sufficient to accommodate growth out Benjamin and Springbrook roads. John Knight said they weren't anticipating providing services to those areas since they weren't in the Urban Growth Boundary or the Urban Reserve Area. Roger Currier reviewed the City charter for providing services.

Mr. Benkendorf distributed the evaluation criteria to the committee. He reviewed the criteria with the committee. Ken Hughes asked if the school district owned property in this area. Staff replied no, to the best of their knowledge.

Mr. Benkendorf distributed the proposed procedure for updating the Newberg Urban Area Growth Management Agreement. He asked for volunteers to be the County and City representatives. Ken Hughes and Jeff Klohk volunteered. Ted Lopuszynski asked about the future of NUAMC. Mr. Benkendorf said NUAMC would continue to be needed in the future. Roger Currier said he felt it was very confusing for the City Council to have both NUAMC and the Planning Commission. There was some discussion of the history of this body. Ken Friday, Yamhill County Planning, said that this body had been formed in 1979 to deal with issues in the Urban Reserve Area and to give the City and the County a say in the fringe developments around the City.

The committee took a break at 7:50 p.m. Chair Kriz called the meeting back to order at 8 p.m.

### **IV. New Business**

none

## V. Public Hearing

Chair Kriz reviewed the procedure for public hearing. Citizens who wish to speak must fill out a comment card.

DOCKET: PA-02-96  
REQUEST: Plan amendment from VLDR Very Low Density Residential to I Industrial and a zone change from VLDR-2.5 Very Low Density Residential to HI Heavy Industrial. The request is to allow eventual establishment of a Refuse Derived Fuel Facility.  
LOCATION: 2808 S. Wynooski Road (Tax Lot 3228-1800)  
APPLICANT: Marvin Schneider  
CRITERIA: Sections 502, 801 and 1208 of the Yamhill County Zoning Ordinance; Statewide Planning Goals. The application will be processed using the Newberg Urban Area Management Agreement.  
PLAN DESIG.: VLDR Very Low Density Residential

**Abstentions/Ex-parte contact:** Ken Hughes said he knew the applicant, but that there would be no financial gain for him and he would not be unduly influenced. Roger Currier declared that he had voted on this at the City Council and his contact was on record there. Ted Lopuszynski said he attended an advisory board meeting regarding this issue but had not received any information that would influence his decision to participate. Chair Kriz stated that he also had been a member of an advisory board that discussed the issue.

Committee member Leslie Lewis arrived at 8:10 p.m.. She had no abstentions or ex-parte contact.

**Staff Report:** John Knight reviewed the criteria for testimony and read the "raise it or waive it" clause. Ken Friday reviewed the Yamhill County staff report and the history of the application. John Knight reviewed the City of Newberg staff report.

**Questions to Staff:** none

### Public Testimony

**Proponent:**

Sharon Mitchell  
1930 Carol Avenue  
Newberg, OR 97132

Ms. Mitchell, representing Marvin Schneider, felt the Heavy Industrial zoning would be consistent with the surrounding land use. Ms. Mitchell did not think the land was suitable for residential use. She indicated that the proposed use would be a waste reduction facility, which she said was necessary to reduce the consequences of

population growth. She also thought it would prevent people from having to transport waste to McMinnville. She addressed the issue of compliance with ordinance 563, saying that there is a demand for the product due to the population growth. She asked the committee to work together to find a workable design.

**Proponent:**

Marvin Schneider  
1159 N. Main Street  
Newberg, OR 97132

Mr. Schneider represented American Waste Management. He reiterated that all of the land use in the surrounding area was industrial. He pointed out the area on a map and submitted it as evidence. He felt that waste reduction and landfill avoidance was the growing trend. He noted that Salem, Portland, Sherwood and 17 other Portland areas had waste reduction facilities. He was concerned that Newberg would have to haul their waste to Arlington, Oregon if they didn't get a waste reduction facility. He also said that this type of facility would be cheaper than a landfill so Newberg Garbage should be willing to dump there. Mr. Schneider said the market for this particular facility was clear out to the Umatilla area.

**Questions of Proponents:**

Ken Hughes asked if refuse disposal would be a separate entity from Newberg Garbage. Mr. Schneider replied yes. Ken Hughes also asked about the electrical plant that would be built in Umatilla and how that project was related to the proposed facility. Mr. Schneider said the Umatilla plant would buy his product to fuel the plant. The waste would be shipped by train or truck. Ted Lopuszynski asked how many tons per week Newberg Garbage received. Mr. Schneider could not remember the exact number. He thought that 25 trucks could be coming in to his proposed facility per week in addition to the waste received from Newberg Garbage. He expected 600 tons per day. Leslie Lewis asked what kind of waste would be used in this plant. Mr. Schneider noted it would be the same as the Salem plant except this facility would have an additional process to make the waste cleaner. Ms. Lewis asked if there would be garbage left over. Mr. Schneider replied that the bulky and unusable parts would be pulled out. She asked how many people would be employed. Mr. Schneider said 12-25 people. Ms. Lewis referred to the letter from Newberg Garbage Service, asking if the two parties had resolved their differences. Mr. Schneider said they would not be able to reach an agreement until he knew he had the plant. She asked about DEQ permits. Mr. Schneider said he would have to get a groundwater permit and meet the contamination requirements. He noted that nothing would be stored for more than a day and a half. Ken Hughes asked what would happen to the byproduct. Mr. Schneider said it would be shipped out at a cheaper rate to McMinnville. Ted Lopuszynski asked for clarification of the disposal process. Mr. Schneider said it would take place inside a closed building. Chair Kriz asked if this was the same proposal that was submitted to the Planning Commission in the past, especially regarding operations. Mr. Schneider replied yes.

**Staff Comment:**

Ken Friday said the DEQ asked to be kept up to date on this issue. He noted the other responses in the staff reports. Referrals had been sent to all public agencies and no additional comments were received.

**Close of public hearing.**

**Committee deliberation:**

Roger Currier said he was not sure type of waste reduction was tried and true. He was concerned with experimental waste use. He agreed there was a need for something of this sort, but he didn't think it was feasible with just Newberg's waste and he didn't like the idea of bringing in waste from other counties or competing with other county's waste reduction facilities. He also said that the waste product would have to be trucked out to Umatilla because it could not be sold to facilities in Newberg. He didn't feel there was any way to guarantee low prices. He felt that if this plant were really useful the investors would have built more of them. Ken Hughes said he felt the applicant demonstrated a market with the Umatilla contracts. He felt the land use was appropriate. He felt there should be negotiations between American Waste Management and Newberg Garbage if this were approved to keep the rates down. He was in favor of approval. Leslie Lewis said she was in favor of the application. She said the state has a goal of reaching 50% recycling by the year 2000 and this could contribute to that. She wanted ongoing negotiations between Newberg Garbage and this facility as well. She felt the area was appropriate for industrial use. Ted Lopuszynski said he agreed with the zone change. He likes the idea of Refuse Derived Fuel. His main concerns were with the organization of the proposal and the weight of the trucks coming into the area. Ken Hughes said the committee needed to remember that the infrastructure was sufficient to support the weight of the trucks. Chair Kriz said he still felt this was an urban use that would require the infrastructure support of the City. Ken Hughes said he didn't find any proposed conditions for approval in the staff report. Ken Friday said this would be taken care of during the Site Design Review process, in which the DEQ would be involved. He also said that a limited use overlay zone would be applied to this use so they would have to come back for another exception if the use of the site changed. There was some discussion about adding a condition of limited use overlay to the resolution.

<b>Motion #2:</b>	Hughes/Lopuszynski to recommend a zone change to industrial and a plan amendment without the limited use overlay.
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**Discussion on the motion:** Roger Currier did not think they could do this because they would be separating the application. Ken Friday said the limited use overlay was a request by staff and that approval would only grant a zone change and plan amendment. Approval does not approve the facility design. Leslie Lewis said the zone change was appropriate even if the facility were not approved.

