

**Minutes of the Veneta Planning Commission &
Joint Meeting with the Veneta City Council**
May 11, 2005

Council Present: Mayor Brooker, Fred Miller, Marion Esty, Thomas Cotter

Commission Present: Chairman Jim Bruvold, James Eagle-Eye, James Dean Len Goodwin, and Lily Rees

Absent: City Councilor Darrell Carman

Others: Ric Ingham, City Administrator; Sandra Belson, City Planner; Margaret Boutell, Community Services Director; Sheryl Hackett, City Recorder; Jerry Elliott, City Engineer; Denise Walters, LCOG; Lindsey Coffee; Tony Favreau, Mr. & Mrs. Spiros Coven; Kay Larson; Tom Poage; Joan Mariner; Zack Mittge; Mark Holman; Mona Linstromberg; Ron Faust, Carol & Norman Welch; Alisa Johnson; Anthony Clemons; and Craig Harbison

Chairman Jim Bruvold called the Veneta Planning Commission to order at 6:07 p.m.

I. REVIEW AGENDA

Sandra Belson reviewed the items on the agenda.

II. PUBLIC COMMENT:

Anthony R. Clemens; 25216 Cherry Lane; Veneta, OR

Mr. Clemens said the street sign at the corner of Oak Island and Cherry Lane is missing. He said the sign has been stolen before and he suggested that when it is replaced it be put on a higher pole.

Joan Mariner; 25712 Cochran Court; Veneta, OR

Ms. Mariner said she feels that the mitigation costs paid by developers when they destroy wetlands should be paid to the City because the City has so many wetland issues that need to be addressed.

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Ms. Linstromberg said at various times the Planning Commission has expressed concern about follow-up being done on the grading, fill, and elevations in approved subdivisions. She said that because of their concerns, the Planning Commission asked for an interim report on the Cottage Court grading plan.

Ms. Linstromberg said she reviewed the Hunter Heights Subdivision file and she is concerned that the fill placed on lots 21 & 23 and the grading of the lots has not been done as stipulated by the Planning Commission in the major amendment for Hunter Heights that was approved on May 12, 2004. She said she is especially concerned with lots 21 & 23 because they are directly adjacent to the wetlands with no setback because the Greenway is located on the other side of the wetlands, south of the drainage-way.

III. JOINT PUBLIC HEARING: Veneta City Council & Veneta Planning Commission

A. Call Veneta City Council to Order: Mayor Brooker called the City Council to order at 6:12 p.m.

B. COVEN ESTATES 2 (V-3-05) Variance to Veneta's Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10) to allow development within a delineated wetlands.

Assessors map 18-05-06-20, tax lot 420 Sandra Belson reviewed the agenda.

1. Open Public Hearing: Jim Bruvold opened the public hearing at 6:12 p.m.
2. Declaration of Conflict of Interest or Ex-Parte Contacts:
As an adjacent property owner, Lily Rees declared a conflict of interest and stepped down from the Planning Commission during the public hearing.

Len Goodwin said the Council and Planning Commission received new information from staff dated May 4, 2005 and although it will be an inconvenience, he suggest not taking testimony at this time and postponing the hearing until June 6, 2005 to allow people the opportunity to respond to the new information. He said he is concerned that it will be confusing and difficult to sort out later if people testify on an incomplete record.

Len said the letter from the applicant's engineer Tony Favreau, dated May 2, 2005, suggests that Measure 37 may have an impact on what decision the Planning Commission and Council make. He said it is up to the applicant to file a claim before the City can take any action on that issue.

MOTION: Len Goodwin made a motion to postpone the public hearing until June 6, 2005. James Dean seconded the motion.

Discussion: Thomas Cotter said he agreed they should postpone the hearing until June 6, 2005 because the Planning Commission and Council has not had the opportunity to review the new information they just received.

Sandra Belson said postponing the public hearing would result in less confusion; however, she said there may be testimony that raises new issues that staff and the applicant may want to respond to. She agreed with Len that the potential for a Measure 37 claim should not affect the decision.

In response, Len agreed that testimony may raise new issues; however, he anticipates there will be a request to hold the record open 7 days which will give them the opportunity to respond to any new information raised at the June meeting. He said the possibility of confusion outweighs the benefit of learning new information at this time.

Vote: The motion passed with a vote of 6-1 (Marion Esty voting no, Darrell Carman was not present, and Lily Rees did not participate in the Public Hearing).

) Mona Linstromberg said she feels the City is not following the proper procedures by not allowing the public the opportunity to comment at this time. Mayor Brooker said they are only delaying public comment because they feel everyone should have all of the information before they testify.

In response, Mona said she is not sure the new information is applicable to the wetland variance.

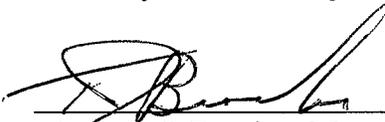
Denise Walters said staff has continued to work with the applicant who has furnished some additional information that was not in the public review packet. She said the public can contact City Hall before June 6, 2005 to review the new information.

In response to a question from Jim Bruvold regarding proper procedure, Community Services Director Margaret Boutell said the City's Public Hearing procedure states that the Planning Commission may continue a public hearing to a date certain if additional information is needed to make a decision.

In response to a question about the 120-day rule, Sandra said the City can continue the hearing on the wetland variance to June 6, 2005 and hold the record open for 7 days without exceeding the 120 days because the Council is the last review body. She said the Planing Commission will need to make a decision on the subdivision before that time because their decision can be appealed to the City Council.

Chairman Jim Bruvold closed the joint meeting and advised the public hearing has been postponed until June 6, 2005.

3. Adjourn the Veneta City Council: Mayor Brooker adjourned the City Council at 6:25 p.m.



Mayor T. J. Brooker, Mayor
(Joint meeting, pages 1-3)

ATTEST:



Sheryl Hackett, City Recorder