

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

PLANNING COMMISSION MEETING MINUTES: Thursday, April 26th, 2018 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

Planning Commissioners:

Carmen Kulp	Chair
Bill Blank	Commissioner
Bruce Shoemaker	Commissioner
Rita Bernhard	Commissioner
Tim Connell	Commissioner

Excused:

Scott Jensen	Vice Chair
Jim Dahla	Commissioner
Elizabeth Happala	Office Administrator III

Staff:

Laurie Oliver	City Planner
Susan M. Reeves	City Recorder
Dave Sukau	Public Works Director
Alex Rains	Assistant to the City Manager

City's Forester:

Barry Sims	Trout Mountain Forestry
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3.0 APPROVAL OF MINUTES

3.1 March 22nd, 2018 meeting minutes

Commissioner Shoemaker moved, and Commissioner Bernhard seconded the motion to approve the Planning Commission minutes from March 22, 2018.

Motion Passed 5-0. AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Bernhard, and Commissioner Connell.

4.0 CITIZEN INPUT

None.

5.0 NEW BUSINESS

5.1 DOCKET # PTR2-18

The City of Scappoose is requesting approval of a permit to remove trees on public lands located on Columbia County Assessor Map No. 3211-00-00100. The site is located between NW Bella Vista Drive and Luma Vista Drive, on a City owned 76.61 acre parcel of land. The tree removal permit would allow for the removal of down trees and would allow the City to selectively thin trees throughout the parcel to promote healthy growth, to reduce wildfire risks, and to improve safety and access for firefighting personnel.

Chair Kulp read the docket and the order of the hearing, then asked for any ex-parte contact.

Commissioner Blank explained he does live close to this site.

City Planner Oliver went over the staff report and the submitted comments.

Chair Kulp stated that she has two main questions on why the City wants to do this; ~ the first is to protect the land due to fire danger and that some of the down trees caused damaged to the fencing around the City's water tanks.

Public Works Director Dave Sukau replied there have been some blowdowns that caused fence damage and there are

some concerns about the trees near the tanks although none have hit the tanks as of now.

Chair Kulp explained to the audience that those two reasons are why we are here tonight adding that we are not here to address a future park, as that is not on the agenda tonight, stating that the park is projected to happen in the future sometime. She also mentioned that they have no control over the county roads. Then asked the City's Forester to step forward.

City's Forester Barry Sims explained they started working with the City in 2014. At that time the city had already started on a timber sale which they were able to assist with then began working with the City's staff on updating the City's Forest Management Plan which was from 2001. He explained they looked at Gourlay Creek and the watershed property and the Vista Tract. Adding that they did quite a bit of mapping and found that the Vista Tract is primarily a 55-year-old forest that regenerated naturally after being logged and mostly has Douglas fir, Maple and Cedar. He explained over the last couple of years there have been a couple of large blowdown events which occurs mostly in the western portion of the Vista Tract which is the biggest concern for forest health. He explained the concern is with all the bedded down material there is and increased fire risk with our drier summers adding that the roads are dirt trails, and currently if there was a fire on this property it would be difficult to get firefighting apparatus on this property. He spoke briefly about the scale of the property. He explained that clear cutting is very common in our area, but this project is on the end of the spectrum as they are only removing 10-30% in a half-acre of property on the tract, explaining that this is a small project. Adding that the total volume of wood is probably on 5-10% from the total property.

Commissioner Blank asked how many truckloads there would be for this project.

City's Forester Barry Sims replied they are projecting about 25 truckloads.

Commissioner Blank asked about how the truck loads would be spaced out.

City's Forester Barry Sims replied that spacing would depend on the loggers. Adding as a forester he packages this project up for bid to get it out to the logging contractors. Stating they would consider any time constraints put on the project.

Commissioner Blank stated that this was brought to them before and wanted to know why they are looking at it again.

Chair Kulp explained that it was never approved last time since the logger withdrew.

City Planner Oliver explained that we then decided to have a full forest management plan developed before coming back.

Commissioner Blank stated that he lives near there and asked about the clean up around the powerlines.

City Planner Oliver explained that our previous RARE Participant contacted Bonneville Power Administration and they did their own clean up.

Public Works Director Dave Sukau explained Bonneville Power has come in a couple of times to clear some brush and today they fell a few trees, but they are still laying within the easement waiting to be removed. And they would work with the BPA.

Commissioner Blank stated he is all for the removal of the trees to avoid any fire dangers as there are many homes in the area.

Commissioner Connell asked if the length of time to complete the project would be months or days.

City's Forester Barry Sims replied that they are anticipating three to four weeks from starting the cutting to the last log truck out; explaining that normally it's a week of cutting then once the logs start accumulating then they'll bring in

the trucks, which then depends on availability of trucks as they are mostly independent contractors.

Commissioner Blank asked if this occurs can the trucks make it up EJ Smith Road without any problems.

City's Forester Barry Sims explained that they are leaving the Luma Vista option on the table in case the Bella Vista route is a problem.

Commissioner Blank stated that he knows how difficult it is for the school busses to maneuver the sharp turns, he was wondering how the log trucks would do it.

Public Works Director Dave Sukau explained that the trailers are loaded on board the trucks when they going to the site so their wheel base is shorter than a school bus, then when the trucks are loaded they will have the extended length but will only need to make that left hand turn down Smith Road.

Commissioner Blank asked why the City decided to use NW Bella Vista instead of Luma Vista.

Public Works Director Dave Sukau replied that after walking the site with the City Forester, there was already an established pathway with minimum tree removal to use the Bella Vista route which should be an easier route.

Chair Kulp asked if the commissioners had any further questions, as there were none she thanked the City Forester for his time then asked for any audience members that would like to come forward.

Local resident/Bella Vista neighbor Georgia David, read her fax statement which did not come through the city's fax legibly. She gave a hard copy to City Planner Oliver to be added as an exhibit including a list of signatures from people that oppose the use of Luma Vista and Bella Vista roadways.

Chair Kulp asked about her comments regarding the BPA clearing on City property.

City Planner Oliver replied that they have their own easement around their utilities.

Public Works Director Dave Sukau replied that they have some main transmission lines that run through the City's property and they were just clearing some hazard trees within their easement.

Local resident Georgia David explained the dates that she noticed the BPA there clearing the trees & shrubs.

Commissioner Bernhard asked if she was saying that they were not within their easements, but Local resident Georgia David say they were in their easements. Then she asked staff if they looked into the possibility using existing logging roads.

City's Forester Barry Sims responded to the questions about the other roadways, stating that when he met with staff they weren't aware of any adjacent properties owners that would be open to a temporary easement to be used as a route so they did not pursue it. He did speak with the last City Forester, Jay Worley, who mentioned a property owner to the north that might be interested; adding that he has left them a message but hasn't heard back. Stating that there are two public roads that go right to the site so to ask property owners to give the city temporary access to their property when two public roadways exist does not make sense to pursue.

And to answer some of the other questions; City's Forester Barry Sims talked about BPA clearing some of the trails which they do for safety and access which is very common. He explained there also needs to be adequate clearance for firefighting safety which there is not now so there would need to be additional work to clear those trails. He explained all the standing live trees to be cut will be marked but the dead and down trees where the salvage will take place will be marked by flagging. He explained the map is fairly accurate as they GPS'd the trails.

City Planner Laurie Oliver asked City's Forester Barry Sims to speak to the State guidelines.

City's Forester Barry Sims replied he is the City's Forester therefore he will ensure all the laws are being met and ensuring that only the marked trees are taken as well as tracking the loads and doing log counts. In addition, he is subject to the rules and regulations from the Oregon Department of Forestry which are more broad to include replanting after harvest and stream protection. Adding that he will ensure that they also adhere to the Fire Season restrictions.

Chair Kulp asked if we are setting this up for firefighters to get into this site then will there be a gate set up to keep the kids out of the site.

Public Works Director Dave Sukau replied there is currently a gate on the property, but it will be open during the operations and closed in the evenings.

Chair Kulp asked if there will be a gate at both the main access roads, Luma Vista and Bella Vista.

Public Works Director Dave Sukau replied that it would only be on Bella Vista as that will be the only access at this time.

Chair Kulp stated that there really isn't any way for them to prevent kids from getting into the area and the more serious issue is the fact that if we leave the down trees & shrubs it will only make a fire worse and clearing it will make it more controllable.

Commissioner Bernhard talked about the issue of people climbing over the fence to cause damage to the water tanks.

Public Works Director Dave Sukau stated that he is not aware of that being an issue but sees how it could happen.

City Planner Oliver stated that some of the money would likely go to the Water Dept. to help fund a new fence for better security of the water tank.

Commissioner Blank asked how wide of an area would need to be cleared around the tanks?

Public Works Director Dave Sukau replied that would still need to be determined by the Forester to access the health of the trees.

Commissioner Connell asked about how many trees have the potential of falling onto the tanks.

Public Works Director Dave Sukau replied about thirty to forty; City Forester Barry Sims agreed. Adding that they would be removing the at-risk trees, not all of the trees.

Commissioner Blank asked about the road limits.

Public Works Director Dave Sukau replied that all the city and county roads are up to standard, adding that as long as the trucks met ODOT weight limits there are not limitations. Otherwise, the only limitations are usually in the winter.

Commissioner Blank talked about school bus timing with the logging trucks.

Public Works Director Dave Sukau and City's Forester Barry Sims replied that they could work around that.

Chair Kulp asked if they still needed to take this out to bid; which they agreed.

City Planner Oliver replied this could potentially take place in the summer when schools are out.

Chair Kulp thanked City Forester Barry Sims.

Local resident/Bella Vista neighbor Dennis Stevens explained he worked for Bonneville Power for 37 years but is

now retired and in no way is he speaking in an official manner on their behalf; stating that the BPA has a fairly narrow right of way just enough to keep the trees away from the power lines. He added that they run a 3-D lidar survey of trees against their computer programs to decide which ones are the danger trees; and if it is outside of their right-of-way then they would contact the property owners to cut those trees and discuss the disposition of those trees. If there are concerns about trees that the BPA has cut down outside of their easement, which he thinks they are, the City should contact the property owner to negotiate together. His second comment is the fact that he doesn't want 25 logging trucks coming down their road, he appreciates that the City has engaged the services of a professional forester, and the purpose of the permit seems reasonable as he has walked the site. He is assuming that if he has a concern of logging trucks coming down too fast he can contact the City and hopefully the city can run some extra patrols in the area when the log trucks start coming and assumes the issues can be mitigated.

He thanked the Chair for explaining that this is only about the permit for the trees but he is concerned that this is part one of developing that area for other purposes such as a park. Adding that if he came to the city for a permit to build a footing without any long-term plans then came for a separate permit for septic system and then other individual permits; we would eventually want to know what his long-term plan was. Stating that he just wants to note his objection that this does not show what the long-term development plan that is associated with this tree removal permit. He also mentioned that he can deal with the 25 log trucks but not if the long term plan is to bring more traffic onto Bella Vista Drive as it is a quiet dead-end neighborhood street with many kids and bicycle riders. He does not want to see any other uses that would bring more traffic to the street that would endanger the kids. Stating that he was disappointed that he found out about Bella Vista Park from an off-road bicycling group in Portland. But as a citizen of Scappoose, he is not interested in developing any recreational opportunities that would attract people from outside the City while bringing increased traffic on the street he lives on. He is more in favor of developing parks for just our city and community. Adding that he wants his objection noted and that he feels this is being piecemealed and that this tree removal is a part of a larger development plan of a park that is not being discussed.

Chair Kulp replied she appreciates his comments but the Planning Commission's job is pretty limited. Adding that this a quasi-judicial hearing and they are just looking at what was presented to them. Stating that there probably are future plans for the site. She explained he still has the City Council that is open to hearing from the citizens. Adding that the City also has a Park & Rec Committee that he could speak to as they would be the ones putting the plan together for a park and then presenting those plans to the Planning Commission, but she does not know the total development timing of the park. And stating that in this country they cannot regulate who goes to the parks as they are public parks, but she does appreciate his comments.

Commissioner Blank asked Mr. Stevens if he thinks contacting private property owners to see if they would be willing to allow the City to access private logging roads would be a viable thing to do.

Local resident/Bella Vista neighbor Dennis Stevens replied that he can't really answer that; he has walked that road and does not know how long ago it was used for logging purposes or what it would take to make that road suitable for the logging trucks even if the property owners were amenable to it. Adding that as much as we dislike it; like the City Forester pointed out, there are two public roads that would withstand the logging trucks.

Commissioner Shoemaker asked if he knew if Bonneville was using those roads since they already have easement to go through several other properties, whereas the city already has two public routes.

Local resident/Bella Vista neighbor Dennis Stevens replied that the Bonneville easement will allow them to clear the trees and bush under the line plus a right-of-way access road that would only be wide enough for the trucks and equipment.

Commissioner Shoemaker wasn't aware of the other accessways that Bonneville uses and asked if the tree removal site was all City property; which staff agreed.

Chair Kulp asked if any he had any other questions or comments; he did not and they thanked him for his time.

Local resident/Bella Vista neighbor, Ruth Ross asked if the log trucks were to use Bella Vista Drive would they block

access for the Fire Department to the water tower.

City's Forester Barry Sims replied that he doesn't believe it would pose a problem, and the Fire Marshal has submitted his comments. Adding that there will be space for the log trucks to turn around in the property and enough room for the Fire Dept. trucks if needed.

Chair Kulp stated as a clarification that the log trucks would not stop on the roadways; they would stop within the city's property.

City's Forester Barry Sims agreed.

Commissioner Bernhard replied she is looking at the information submitted by the Fire Marshal and it says they would be coordinating their efforts with the logging company, so it does state they will be working together to ensure access.

Local resident/Bella Vista neighbor Georgia David asked about the bridge on Smith Road as there used to be weight limit signs, but they are not there anymore. She also asked if they are going to create new trails/roads, or are they going to use the existing trail that is there to access only the down trees.

Chair Kulp replied she believes the only roads that will be implemented are for emergency vehicles and they are not planning a park.

City's Forester Barry Sims agreed to Chair Kulp's response, adding that the road system shown on the map is already existing with old road grades while some are foot trails that will need to be upgraded to accommodate the trucks but that would only be some minor grading and they do not anticipate it needing any gravel, culverts or ditch lines. He explained that after the project, and if the city chooses, they could reseed those areas and over time it will resume the look it has now. Adding that it would make it more passible by emergency vehicles in the event of an emergency.

Commissioner Shoemaker asked if they were creating new trails.

City's Forester Barry Sims replied that they would need to create some sort of temporary trails on the far western portion to access the blow down patch since the machine will need to get out to reach the logs; adding that it could be roughed back in when the project is wrapped up.

Commissioner Blank explained he was looking at Lonny Welters note from the County Road Dept; it states that Luma Vista Road is a county dedicated public road not maintained by the county built to county standards without any legal road restriction and that it would be the responsibility of the logging operations to repair any damages to the road resulting from the use; if that was also the same for the City Road that it would be the logging company to repair any damages to a City Road.

Public Works Director Dave Sukau replied it would probably be on the City to repair the damages.

Commissioner Blank asked if there is some flexibility on the two routes in the decision that they make tonight; if the logging operations wanted to use one of the other public routes.

City Planner Oliver replied that it might not be in our best interest to specify which road to use so that there is flexibility in the chosen routes.

Commissioner Blank asked if there is some flexibility in the chosen routes.

City Planner Oliver explained that they could add that into the conditions of approval tonight. Adding that in the packet it states that if the Bella Vista access poses a problem then Luma Vista is an access option.

Commissioner Bernhard feels the logging company should be responsible for any road damage regardless of if it's a

city road vs. a county road.

City's Forester Barry Sims replied there is a difference between damaging the road by misusing the roadway vs. using the road as it was intended to be used; any damages caused by normal use would mean that the road was not built to standard.

Chair Kulp replied it was brought up at the last meeting that the loggers have their own insurance and if they misused the roadway then they would be responsible for the damages caused by misuse.

City Planner Laurie Oliver replied that the insurance agent did reply that the coverage runs through the trucker as primary and the logger as a secondary insurance carrier; adding that this is not for normal wear and tear. Stating that this is why she sent a notice to the County Road Dept. and they didn't have any concerns about logging trucks on the road.

City's Forester Barry Sims added a comment for Commissioner Blank explaining that if a logger comes in and says this neighboring land owner is my uncle and said we can use his property to access it, then we will use it unless the Commission decides they are constrained with access options.

Local resident/Bella Vista neighbor Laurie Holdner Wilson stated she was a teacher in the community for 36 years and expressed her opposition with log trucks coming up and down their quiet neighborhood; they have many families that walk and bike on the streets. Adding that she is also concerned about the integrity of the roadway up along the side of her home as she sees there is some asphalt, gravel and cracks in the street from the underlying water; adding that if they do make that area worse then who would be responsible and if there is a weight limit on Bella Vista Road.

Public Works Director Dave Sukau replied that it is based on axles, spread length and ODOT has those restrictions on ground pressure and bridging laws which they follow; and city roads are built to their standards. Adding that it is no different than a garbage truck, the ground pressure is the same and the weight is distributed. And all trucks have to meet a certain criterion as far as what their actual ground pressure per tire load is.

City Planner Oliver added that we are only talking about maybe 10 days of logging trucks so it's not going to be for months.

Local resident/Bella Vista neighbor Laurie Holdner Wilson replied that she is all in favor of making sure their homes are protected from any fires but she is concerned about the steep Bella Vista Road as parts of it are loose gravel with shallow asphalt; adding that she questions its integrity and is wondering if anyone inspected it.

Commissioner Blank asked if there are going to be any inspections of the roadway before they start the operation.

Public Works Director Dave Sukau replied they can and they will be monitoring the site daily.

Commissioner Blank stated that there is some underground water and springs that drain down Bella Vista and over to Smith Road.

Commissioner Shoemaker talked about all the fires in California and living on the same hill he has concerns about the fires since every one that lives on that hillside would lose their homes adding that his number one concern is the public's safety; he asked how doing this will help with safety, if it was going to have an extreme improvement, or very little.

City's Forester Barry Sims replied that they have designed the treatment to address the issue of fuel loading and the prospect of continued mortality cycles in the Douglas Fir trees; they have found in other public watersheds where dead and downed trees can lead to an increase of bark beetles that normally attack dead trees will then start attacking healthy trees and overwhelm the defenses of healthy trees. They are taking a mitigation measure here that is a pretty modest step but they could be preventing a snow ball effect if they don't do this treatment adding that there are so many variables in wildfires; stating that the stand has quite a bit of maple trees which is very fire resistant although

they don't have much value like the more flammable conifers have. Adding that if there was a fire in the adjacent property with the right winds and conditions it could still burn that area but maybe it won't burn as much and the site would have better access to fight it.

Chair Kulp closed the public hearing at 8:18 p.m. for deliberation; then asked the Commissioners for any comments.

Commissioner Blank stated that he also lives off Bella Vista and the one concern he has is traffic; stating that they are looking at ten plus days and on the average, it is two or three loads a day. And stated it will be up to the loggers to choose the best route and he feels the City will look at the roads to see what condition they are in now. And explained the California fires were a big concern for him as he had family lose their homes and he would not want to see that happen here. He also explained the water tank damage is another concern for him and just wants to make sure all precautions are taken.

Commissioner Shoemaker wants to add a 4th condition to the three that are listed; that the city check on all the other access options, he understands one property owner was contacted but they have not returned the call. He just wants to make sure all the other options are explored.

Commissioner Bernhard asked about Weyerhaeuser property or if their site was an option.

City's Forester Barry Sims explained Weyerhaeuser owns property to the west but there is no access on their property that reaches the City property; adding that they cable logged that property from up above.

Commissioner Bernhard stated that this is not permanent, and it is only temporary.

Commissioner Shoemaker is not concerned about the traffic as he lives on the corner of Smith and can see all the trucks; but the safety and security of our water tanks and property is his main concern.

Commissioner Connell stated that by looking at the maps it all looks very steep without any vehicle access anywhere with a stream running through it and looks steeper than Bella Vista Road.

Chair Kulp asked Commissioner Blank if he wanted an additional comment added to look at the roads.

Commissioner Blank replied yes, he would like them to add that review.

City Planner Oliver explained that they would be doing that anyway and it's on the record. She then asked Commissioner Shoemaker if he wants staff to look into other private access options; since the City Forester already looked into that but has not heard back from them.

Commissioner Shoemaker replied that he was good if it was explored but it sounded like he didn't have a chance to hear back from them.

Chair Kulp stated they are now back to the three conditions of approval and read those conditions.

Commissioner Blank asked if on condition number two, if there are intersections that would be more feasible.

Public Works Director Dave Sukau replied that he was not aware of any since there are only three intersections to the highway.

Commissioner Blank asked if there would be any signage warning drivers that there are logging trucks coming.

Public Works Director Dave Sukau replied that there would be signs as that is common practice, but they could write in a condition in the contract for a flagger.

Commissioner Bernard asked if they were adding condition number 4 about checking the roads.

Commissioner Shoemaker stated that they would inspect the roads ahead of time and compare them.

Public Works Director Dave Sukau agreed, they would be checking the roads and doing their own inspections.

Commissioner Blank asked City's Forester Barry Sims to comment on whether they should have a flagger or not.

City's Forester Barry Sims replied that he is glad he asked the question since he is looking at condition number 2 that states any work in the right-of-way shall require traffic control; he defines work as tree removal or logging type work not trucks driving the streets.

City Planner Oliver replied condition number 2 is standard language for removing a tree in the right-of-way since many are in the street right-of-way. But he could address the types of signs that might be posted.

City's Forester Barry Sims explained typically the caution signs are diamond shape and state something about log trucks entering the road.

City Planner Oliver stated that they could also post it on the city website once there is a contract in place.

Chair Kulp also asked if they could put it in the water bill newsletter which staff agreed depending on the date.

Chair Kulp went back to reading the conditions of approval and asked if they should alter it.

City Planner Oliver stated she tries to stick to the standard criteria and it is on the record what we discussed so they could stick to the original conditions if the commissioners are comfortable with them.

Commissioner Shoemaker stated that this should be approved for all the safety issues with the fencing, protecting the water tanks, fire access and can't say that they shouldn't do it just because of 25 possible truck loads nor is he concerned about the truck traffic or damage to the roads. His is extremely concerned about the potential fire dangers if it was left overgrown and a fire did happen because they didn't approve it and they could be held liable.

Commissioner Connell moved, and Commissioner Bernhard seconded the motion to approve DOCKET #PTR2-18 with the three conditions of approval.

Motion Passed 5-0. AYES: Chair Kulp, Commissioner Blank, Commissioner Shoemaker, Commissioner Bernhard, and Commissioner Connell.

Chair Kulp thanked the audience for their comments and also thanked the City's Forester for coming tonight. And it seems like they really need to get the message out there about our parks adding that the city website has all the info.

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Laurie Oliver went over the calendar.

Chair Kulp will not be at the May 24 meeting.

Commissioner Blank talked about party in the park on June 16.

6.2 Commissioner Comments

Commissioner Blank stated this is a tough one especially for all of them that live nearby, and he thinks they did everything they could.

Commissioner Bernhard stated it does complicate it that there will be a park, but we don't know the timelines.

Commissioner Shoemaker stated that he did have friends that lost their homes in the California fires and in good

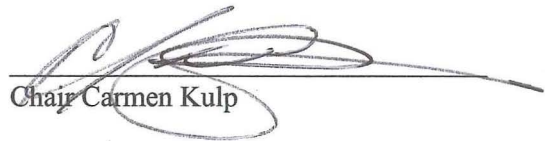
conscience he could not do anything else but approve the request.

6.3 Staff Comments

Public Works Director Dave Sukau would be worried about all the houses that could have a lot of water come through them if there were any damages to the water towers. And he wants to clarify that Public Work will be monitoring the operation and if there is a pot hole that develops then they will take care of it right away.


7.0 ADJOURNMENT

Chair Kulp adjourned the meeting at 8:40 p.m.



Chair Carmen Kulp

Attest:



Susan M. Reeves, MMC
City Recorder