



**NOTICE OF PUBLIC MEETING
CITY OF MILLERSBURG
PLANNING COMMISSION**

Tuesday, March 20, 2018
6:00 p.m.

Approved 4/17/18

Minutes

- A. CALL TO ORDER: Commission President, Jimmy Kirkendall, called the meeting to order at 6:00pm.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL:
Members Present: Ryan Penning, John Sullivan, Anne Peltier, Steve Vogler, Scott Stimpson, Denis Gunner, Connie Lepin, Jimmy Kirkendall, and Ed Perlenfein.
Members Absent: None
Staff Present: Kevin Kreitman, City Manager; Jake Gabell, Deputy City Recorder; Janelle Booth, City Engineer; and Matt Straite, City Planner.
- D. MEETING MINUTE APPROVAL
 - 1) Planning Commission Work Session Summary, 1-16-2018
 - 2) Planning Commission Work Shop Summary, 2-27-2018

Motion made by Commissioner Perlenfein to approve prior meeting minutes; seconded by Commissioner Peltier. Motion passed 7 to zero.

E. QUASI-JUDICIAL PUBLIC HEARINGS

Commissioner Ed Perlenfein recused himself from the decision on the Mike and Ed Perlenfein "Westwood Estates Subdivision" Planning Commission decision.

Public Hearing opened by Commission President Kirkendall.

- 1) Land Use File SD18-01 Westwood Estates Subdivision. The applicant proposes to subdivide 11.49 gross acres into 35 residential single family lots ranging from 10,001 sq. ft. to 13,843 sq. ft. with one tract (tract A) for water detention.

- i. Presentation by City Planner Matt Straite on the Westwood Estates Subdivision, including notification of a correction to the staff report, statement of lots 15-19 should be read 10-15.
- ii. Statement from applicant: Ed Perlenfein made a statement about the project. He disagreed with the requirement of the wall between the west properties and the railroad tracks. He requests that the City consider improving the road, curb, and sidewalks from the south corner of his project to Conser Road at the same time he improves Woods Road.
- iii. City Manager, Kevin Kreitman, addressed questions of commission members regarding the requirement for a temporary emergency vehicle road.
- iv. Assistant City Manager/City Engineer, Janelle Booth, spoke with the Commission about the stormwater basin after questions from Commissioners about the stormwater runoff and proposed detention basin. Following this discussion, the idea of a Homeowners' Association (HOA) was brought up. Mr. Kreitman noted that the City has, in the past, assumed responsibility for the basins, but does not want to assume ownership or liability now or in the future.

Action: Motion made by Commissioner Stimpson to approve the application and remove the requirements of the sound wall and the HOA; seconded by Commissioner Vogler.

- 1. Commissioner Lepin disagreed with the removal of the HOA, and that there should be a different solution. Commissioner Peltier also disagreed on the removal of the sound wall. Mr. Kreitman reminded the Commission that the City does not want ownership of the water detention pond and that this was discussed at several City Council meetings.
- 2. Ms. Booth shared more information about the ownership of a stormwater basin and the stormwater system.

Motion to approve application passed with 5 in favor, 3 opposed, and 1 abstained.

- 2) Millersburg Subdivision. *The applicant is requesting approval to subdivide 39.07 acres into a 78 residential lots ranging in size from 10,000 sq. ft. to 26,988 sq. ft. (13,320 sq. ft. average) featuring a lake, one natural open space tract and public streets.*
 - i. Presentation made by Matt Straite on the Millersburg Drive Subdivision, including noting a correction to the staff report that the statement of lots 15-19 should be read as 10-15. **Amended at 4-17-18 Planning Commission Meeting.**
 - ii. Presentation by the applicant's engineer, Jeremy Grenz, with discussion about storm drainage and other factors of the plan.
 - iii. Public comment by Linda Westbrook, 3057 Millersburg Drive, about the effect the new subdivision could make on the flooding on her property and surrounding properties. She explained the history of the area and the historic flooding problems. Ms. Westbrook

- requested that the approval of the application be postponed until after the City's stormwater master plan is completed and current flooding problems are solved. Ms. Westbrook, with approval of the Commission president, also provided an overview of Boyd and Edward Wright's letter included in the memo given to the Commission. The letter by the Wrights also highlighted the historic flooding problems in the area. The Wrights believe that the new subdivision would have a negative impact on their property.
- iv. Public comment by Bob Wrightman, 3170 Millersburg Drive, about the loss of farmland in Oregon. He also stated the flooding on his property has worsened since Millersburg Drive was improved.
 - v. Public comment by Lisa Hollifield, 3268 Millersburg Drive, noting she has worries about the effect the new subdivision will have on Crook's Creek. Ms. Hollifield subdivided her property within the past two years, and there are dedicated road easements that would, or could, connect from her property to the Millersburg Subdivision. She is requesting that access to her property be aligned with the current easements approved on her property. She requests that no access be further allowed into her property, aside from the already given road easements.
 - vi. Edward Ebbs, 3161 Millersburg Drive, gave a statement about the flooding problems on his property noting that the roads are acting as dams and that drainage is not sufficient.
 - vii. Rebuttal was provided by the applicant's engineer, Jeremy Grenz. He believes the stormwater plan is sufficient to meet standards set forth by the City. He is willing to work the neighbors to lineup roads, if needed.

Public hearing on the application closed by the President.

- viii. Assistant City Manager/City Engineer, Janelle Booth, provided the following:
 - 1. Regarding stormwater: there is no requirement for a developer to improve or fix a past stormwater issue. The development, as presented to the Commission, should have a net natural effect on the stormwater in the area of the subdivision. She gave an update on the stormwater master plan project along with information about the upcoming open house. Additional stormwater standards were discussed, which will be within the stormwater master plan.
 - 2. Regarding the speed limit on Millersburg Drive: There is a lengthy process to change a speed limit. A solar speed sign will be added within the near future.
 - 3. Regarding a 2017 sewer problem: the Morningstar lift station has now been upgraded and is ready to meet 10-year build out demand.
- ix. Discussion between commission members and Matt Straite.

Action: Motion made by Commissioner Sullivan to approve the applications with all proposed conditions of approval; seconded by Commissioner Perlenfein.

1. Commissioner Stimpson commented that the Planning Commission denied several flag lots in the past several years.

Motion to approve application passed with 7 in favor and 2 opposed.

F. Feedback from the Commission on the staff report format.

- 1) The Commission requested full size exhibits be provided to members in the future.
- 2) The Commission requested that separated cases be stapled to keep them separated during the meeting.

G. ADJOURNMENT: Adjourned at 8:30 pm by President Kirkendall.

Respectfully submitted:



Jake Gabell
Deputy City Recorder

Reviewed by:



Kimberly Wollenburg
City Recorder

Upcoming Meetings:

May 10, 2018 @ 6:30 p.m. – City Council Meeting

May 15, 2018 @ 6 p.m. – Commission Meeting and Public Hearing