



MASON COUNTY

PLANNING ADVISORY COMMISSION

MASON COUNTY COMMUNITY SERVICES

615 W. ALDER STREET, SHELTON, WA 98584

Meetings held at: Commissioners' Chambers

411 N. 5th Street Shelton, WA 98584

REGULAR MEETING (4th Monday via Zoom)

June 22, 2020

MINUTES

1. CALL TO ORDER AND ROLL CALL

At 6:01 p.m. prior to calling the meeting to order, Kell gave a brief introduction of four new members to the commission. Aaron Cleveland, Planning Advisory Commission Vice Chair, called the meeting to order at 6:04 p.m. The following commissioners were in attendance:

Aaron Cleveland

Isaiah Johnston

Brian Smith

Joseph Myers

Mac McLean

Timothy Opiela

Darin Holland

Staff: Kell Rowen – Planning Manager

Mariah Frazier – Clerical

2. REGULAR BUSINESS

A. APPROVAL OF MEETING MINUTES

Commissioner Smith made a motion to approve the January 27, 2020 minutes as presented.

Motion was seconded by Commissioner Holland

Vote:

7 in favor

0 opposed

Motion passed

Commissioner Cleveland made a motion to approve the February 24, 2020 minutes as presented. Motion was seconded by Commissioner McLean. Commissioner Smith stated he would abstain as he was not present for that meeting, as did Commissioner Myers-

Vote:

56 in favor

0 opposed

21 Abstention

Motion passed

B. CHANGES TO THE AGENDA

This is a short summary of the action that took place during the meeting. The audio recording of the meeting can be found on the Planning Advisory Commission page of the Mason County website.

Kell stated she would like to switch the order of the rezones from how they were presented on the agenda putting the Belfair rezone first, and Bayshore second. Commissioner Cleveland asked to table the SMP Periodic Update until July ~~due~~. With everyone in agreement a vote for approval was called.

Vote:

7 in favor

0 opposed

Motion passed

C. CONFLICT OF INTEREST

None

D. NEXT REGULAR MEETING(S)

July 27, 2020 – Will be held on the 4th Monday of July

E. COMMITTEE/STAFF UPDATES

None.

F. OTHER BUSINESS

None.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

4. PUBLIC HEARINGS - 6:15 p.m.

Rezone approximately 0.82 acres of a 1.52 acre parcel from Residential 5 (R-5) to Mixed Use (MU) in the Belfair Urban Growth Area. Parcel 12329-43-00060 is split zoned. This would make the entire parcel MU. – 6:15 p.m.

Kell began by giving a brief overview of the rezone and recommending approval. The parcel is currently split zoned as residential and mixed use and would become entirely mixed use if approved.

Before getting into questions about the rezone, Commissioner Myers brought up the small size of notice required to be posted in Mason County. From previous experience, he is used to much more vibrant and obvious public posting of sites. Kell explained the issue gets brought up often and that she has been wanting to get the code changed to require larger, more noticeable posting as well as the ability to put the responsibility of posting, along with the cost, on the applicant. Commissioner Myers offered to bring forward a copy of the requirements in Pierce County to review.

Moving conversation back to the rezone, Commissioner Cleveland asked the other commissioners if there were any questions for Kell. With no response, Commissioner Cleveland opened public comment.

Public Comment Opened – 6:22 p.m.

- **Andy Mitchell** (Applicant) – Mr. Mitchell kept it brief, stating they bought the property with hopes to expand their lumber yard and that it makes more sense for the zoning to

be the same for the entire property. Commissioner Cleveland explained for the new members of PAC that typically the proposed use is not given too much consideration in their decision, but rather the potential uses of the new proposed zoning.

Commissioner Opiela confirmed the size of the parcel and Commissioner Myers had some clarifying questions regarding the SEPA before Commissioner Cleveland closed public comment

Public Comment Closed – 6:26 p.m.

Commissioner Smith made a motion to recommend approval to the BOCC. Motion was seconded by Commissioner Johnston.

Vote:

7 in favor

0 opposed

Motion passed

Rezone 56 acres from Rural Residential 5 (RR5) to Rural Natural Resource (RNR) for expansion of the Johns Creek sand and gravel mine in Bayshore (parcels: 32003-20-00030 and 32134-30-00000-6:28 p.m.

Kell gave a quick introduction of the rezone stating it was two parcels equaling a total 97 acres, the majority of which is currently zoned as RR5, with a portion as RR10. She explained that while there is no ~~proposal in immediate~~ increase in production of mining, ~~but the rezone would~~ would expand the source for the mine. She then passed it off to the applicant and representatives.

Jared Kadoun, one of the owners then spoke, stating his family has owned the mine for the last twenty years and that the pit has been there since 1926 and was expanded in 2006. The rezone would allow for an expansion of their mining permit allowing them to better serve the community in the future as they are one of two mines in Mason County that currently provide ready-mix.

Jason Hicks, a consultant for the Kadoun family expanded on the need for expansion. He helped the applicants put together strategy to which to best use and maximize their current operations which reiterated the importance of their production of ready-mix and need for expansion.

Commissioner Cleveland wondered who the closest producer of ready-mix outside of Shelton would be, to which Jason responded most likely Cal Portland located out of Tumwater. Commissioner Smith then asked about the timeline for expansion. Jason estimated it would be several decades before they would need to mine into the new area.

Commissioner Myers expressed concern about the reclamation in the future and wanted to make sure it could be handled. Eric Staley, a second consultant to the Kadoun family explained that DNR is extremely good at keeping an eye on mining and holds them to a bond for being able to reclaim the site over time.

Commissioner Opiela asked about insurance that the product produced from the mine would stay in Mason County, rather than be shipped out to the highest bidder. Jared stated it would be impossible to prove that, but explained with regards to Manke who ships their product, their permitting doesn't allow for them to truck their product from the mine on the road so they barge it out. Jared state that was put in place with the permitting of Manke mining and is a unique situation.

Public Comment Opened – 6:46 p.m.

- **Warren Toby** – Mr. Toby, President of the Rainbow Lake Homeowners Association expressed his opposition to the rezone, stating while the Homeowners Association has been unable to hold a meeting this year due to COVID-19, the neighbors he has spoken with are also opposed. He stated his main concerns were the added noise, dust, and trucks that would come with an expansion of the mine.
- **Allison Cook**– Allison Cook from WDFW expressed concern about a tributary stream that appears to be located on the property and wanted to know what the applicants planned to do in regards to buffers and enhancements. Eric Staley stated they would be including a 200ft buffer.
- **Erica Marbet** – Erica Marbet, Hydrologist for Squaxin Island Tribe expressed concern with the lack of detail in the SEPA Checklist and DNS and stated the Tribe would like Mason County to withdraw the determination until they have the chance to meet with Bayshore Sand and Gravel and Kadoun's. She also stated that with a previous expansion in 2006 the owners seemed to have a pretty good ~~rapport~~report with the Tribe and there were conditions put into place. Since then staff has changed and she would like to know if those conditions are still being met.
- **Adam Brennan** – Mr. Brennan stated his opposition as a neighbor and asked about the proximity of mining to the residential areas and road.
 - Eric Staley, applicant representative, responded first to Erica's statements stating they had done a hydrogeologic summary which was compared to the one done in 2006 to make sure their findings were the same. He said with that summary they had mapped some high groundwater. He then moved on to respond to Mr. Brennan stating that yes, there would be mining in close proximity to the residential parcels, but there is a buffer of at least 50ft from the property line in which no digging would be done. He also stated DNR requires a 2:1 cut slope for sand and gravel mining.
 - Commissioner Smith stated he had also noticed a lack of references to fishery resources in the SEPA Checklist and asked Kell about the review process for the Planning department. Kell stated that is something Planning staff usually raises but is also why there is a comment period. Planning staff rely on the reviewing agencies to catch what they may miss
- **Paul Aungst** – Mr. Aungst, neighbors, stated their concerns, particularly about the groundwater. He also asked about general operational procedures such as noise, dust, and screening. Jared Kadoun answered the questions to the best of his ability to assure the neighbors that things will be remaining same as usual.

- **Erica Marbet** – Erica noted she had reviewed hydrogeological report Eric Staley had mentioned but would like to have multiple opinions prior to backing the expansion.
- **Theresa Shoemaker** – Mrs. Shoemaker, neighbor, expressed her opposition stating the expansion due to wanting to keep it a residential area. She also expressed concern over the 50ft buffer, feeling it should be bigger. Eric Staley responded saying they felt it is more important to have screening rather than distance in stopping noise and dust.
- **Paul Brennan** – Mr. Brennan asked what size a berm for screening would be. Eric stated it would at least be an 8ft tall berm with trees on top of that.

Public Comment Closed – 7:24 p.m.

Commissioner Smith stated he did not see the need to take action on this rezone right away and would like to have the SEPA and DNS refined. Commissioner Holland agreed and stated his biggest concern was the impact on house values for those neighboring the mine.

Commissioner McLean expressed his concern with the lack of community outreach prior to this meeting and didn't feel comfortable making a recommendation until that has been done.

As a final note, Commissioner Smith mentioned that in his experience a tree buffer for sound is not sufficient as other measures in blocking noise and should be considered by the applicants. He then made a motion to table the September 21st meeting to provide time for the applicant to address questions and concerns raised at this meeting. Motion was seconded by Commissioner McLean.

Prior to voting, Kell confirmed with Jared that the September meeting would work. Jared stated he would be out of town and upon discussion August seemed to be the better option. Commissioner Smith amended his motion to table until the August 17th meeting.

Vote:

7 in favor

0 opposed

Motion passed

5. ELECTION OF CHAIR AND VICE CHAIR – 7:38 p.m.

Commissioner Cleveland opened the discussion and Commissioner Smith made a motion to nominate Commissioner Cleveland for Chair. Motion was seconded by Commissioner McLean. Commissioner Cleveland accepted the nomination, and rather than putting to a vote, Commissioner Smith recommended approval by acclamation-acclamation to which everyone was agreeable.

Commissioner Smith volunteered for Vice Chair, with approval by acclamation.

6. ADJOURN

Commissioner Cleveland called the meeting adjourned at 7:42p.m.