



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 (via Zoom)

November 16, 2020

MINUTES

1. CALL TO ORDER AND ROLL CALL

Aaron Cleveland, Planning Advisory Commission Chair called the meeting to order at 6:02 p.m. The following commissioners were in attendance:

Aaron Cleveland

Isaiah Johnston

Timothy Opiela

Mac McLean

Absent: Joseph Meyers, Brian Smith

Staff: Kell Rowen – Planning Manager

Mariah Frazier – Clerical

2. REGULAR BUSINESS

A. APPROVAL OF MEETING MINUTES

Commissioner McLean made a motion to approve the October 19, 2020 minutes as presented.

Motion was seconded by Commissioner Johnston

Vote:

4 in favor

0 opposed

Motion passed

B. CHANGES TO THE AGENDA

Kell asked to switch the order of the rezones on the agenda in order to hear the Golden Pheasant one before the continuation of the Bayshore Gravel Mine.

C. CONFLICT OF INTEREST

None.

D. NEXT REGULAR MEETING(S)

December 21, 2020 – Kell mentioned that she didn't have anything for the December agenda at this time and that there is a possibility it may be cancelled.

E. COMMITTEE/STAFF UPDATES

Kell introduced Marissa Watson, the newly promoted Long Range Planner for Mason County who will be taking over the SMP update bringing rezones to the PAC.

F. OTHER BUSINESS

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.

Commissioner McLean asked for an update on the Belfair EIS. Kell stated an online public meeting would be held on this coming Thursday, November 19 at 6pm and that all the Commissioners were welcome to attend.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

4. PUBLIC HEARINGS- 6:07 p.m.

Rezone (downsizing) a 0.57-acre parcel from Rural Commercial (RC3) to Rural Residential 2.5 (RR2.5) Parcel 31906-50-00019. – 6:07 p.m.

Kell gave an overview of the proposal, stating this is the site of the Golden Pheasant Tavern which has been closed for many years and the owner is requesting a downzone to residential. Kell mentioned most surrounding properties are zoned as residential and that she would recommend approval of this rezone.

The commissioners had no objections to the request and Commissioner Johnston made a motion to recommend approval to the BOOC. Commissioner McLean seconded the motion.

Vote:

4 in favor

0 opposed

Motion passed

Break – 6:10 p.m.

Continuation of Public Hearing to rezone 96 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) – 6:12 p.m.

Kell gave a brief overview, reminding everyone of the June meeting and what has been done since. She stated she had reissued SEPA with an amendment including a groundwater monitoring plan agreed upon by the applicant and tribe, which she was recommending as a condition to approval of the rezone. She also stated it was her understanding some outreach had been done by the applicant to the surrounding neighbors. Lastly, Kell mentioned a list of signatures that had been received in July in opposition to the rezone and expansion.

Jared Kadoun, applicant, was then given the opportunity to expand on what Kell had provided about what has taken place since the last meeting in June. He talked about an onsite meeting with their geologist Erick Staley, Erica Marbet, and Kell that addressed the water issues that were a concern previously, and that they had developed a groundwater monitoring plan. He also talked about meeting with Warren Toby, the head of the HOA at Rainbow Lake, and Doc Owens, a neighboring property owner on Treemont about their operating plans and how it would be a long time before any mining was ever done in the area of concern.

Erick Staley, geologist for the applicant, followed up Jared's comments. He explained that the current mining operation would remain where it is and that the proposed expansion is for

reserves. He also talked about the required setbacks from the stream, groundwater, and residential areas and how their proposal surpasses those requirements.

Prior to opening public comment, Commissioner Cleveland gave Erica Marbet with the Squaxin Tribe an opportunity to provide comment. Erica stated her appreciation for Jared and Erick being so open to working with her and creating a groundwater monitoring plan that she feels comfortable with as it's a fine line between access to a needed resource and protecting a salmon habitation stream.

Public Comment Opened– 6:24p.m.

- **Warren Toby** – Mr. Toby talked about the water fluctuation levels and expressed concern about noise. He stated he walked around to neighbors in a mile radius of the posted notice collecting signatures of opposition and in that process the main complaints were regarding noise.
- **Paul Aungst** – Mr. Aungst echoed many of Mr. Toby's comments, stating he is concerned about dust and noise and is opposed to rezoning.
- **Richard Guilford** – Mr. Guilford stated his opposition, citing the belief when purchasing his property on Treemont that the surrounding property would be residential. He also stated he hadn't been a part of or aware of any public outreach from the Kadouns since the previous meeting. He continued to state he felt the proposed 50' buffer was unreasonable and recommended a 200' buffer instead. His last note of concern was for noise, as he said he is already able to hear trucks throughout the night.
- **Jared Kadoun** – Mr. Kadoun was then given the opportunity to respond to the comments made. His main response was to Mr. Guilford, stating that any noise heard after 3pm would not be coming from his operation as it would be outside working hours. His guess was that noise during the night is coming from the pulp mill on Johns Prairie. Mr. Kadoun also responded to comments dust as inevitable, but containable through the use of water trucks.
- **Erick Staley** – Mr. Staley was also given a chance to respond to comments. He stated that from a geologist viewpoint, the material mined is fairly clean sand and gravel that would produce minimal dust compared to other mined materials.
- **Paul Aungst** – Mr. Aungst expressed his thanks to the applicants for being open to listening to the neighborhoods concerns.
- **Warren Toby** – Mr. Toby reiterated his concern about noise and expressed his opinion that a berm wouldn't be enough to keep down noise.
- **Richard Guilford** – Mr. Guilford repeated his request for a 200-foot buffer instead of the proposed 50-foot buffer.
- **Erick Staley** – Mr. Staley responded to Mr. Guilford stating that the 50-foot buffer proposal was worked on with DNR and is in compliance with regulations.

Public Comment Closed – 6:45p.m.

Moving on to PAC discussion, Commissioner McLean began by asking why the property was originally zoned as RR5 instead of RNR given the availability of outwash gravel which is limited

throughout the county. Kell responded that during Growth Management in the early 90's the technology available to Mason County would have been very poor compared to now, or even the early 2000's.

Commissioner McLean then asked about the triggering point for the proposed groundwater monitoring plan. Erick Staley jumped in to answer the question stating the trigger for monitoring to begin is when mining crosses the threshold of the western most parcel of the existing mine. He also mentioned that on the off chance they began mining in the expansion rather than making their way through the western most parcel, the plan requires two years of monitoring to be done before any mining can occur in the expansion.

Commissioner McLean then expressed his biggest concern is that if they were to approve the rezone and rectify that the parcels should have been zoned RNR in the first place, it still gave potential property owners the wrong idea about the nature of the neighborhood. He questioned if there was a way to approve the rezone with the condition of a larger buffer to make it more tolerable to the neighbors who felt like there had little outreach. Mr. Kadoun responded that as this area wouldn't be mined for many many years, he hasn't fully walked the area to know exactly what features are there. He stated it's entirely possible that a larger than proposed buffer is naturally occurring in the area in question and unable to be mined. He also expressed the inability of taking the time to talk to each and every neighbor within a mile radius. Notice requirements were met and he did reach out strategically to neighbors he knew to be a voice for their communities and able to pass along information.

Commissioner Opiela was in alignment with Commissioner McLean on concerns, but stated he also wanted to hear more about the economic impacts the expansion may have, not just the environmental. Commissioner Cleveland also approved of Commissioner McLean's questions and stated he felt Mr. Kadoun responded well considering the mining activity in question would be many years in the future.

Commissioner Opiela then made a motion to reject the rezone at this time, with the option to reconsider at a later date with more community outreach. Commissioner McLean seconded the motion.

Vote:

4 in favor

0 opposed

Motion passed

Following up, Kell stated she would need to talk with the applicants and confirmed that the commissioners would be willing to re-open the hearing as early as the December meeting.

5. ADJOURN

Commissioner Cleveland called the meeting adjourned at 7:07p.m.