



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)

December 21, 2020

MINUTES

1. CALL TO ORDER AND ROLL CALL

Aaron Cleveland, Planning Advisory Commission Chair called the meeting to order at 6:01 p.m. The following commissioners were in attendance:

Aaron Cleveland

Brian Smith

Timothy Opiela

Mac McLean

Joseph Myers

Excused: Isaiah Johnston

Staff: Kell Rowen – Planning Manager

Mariah Frazier – Clerical

2. REGULAR BUSINESS

A. APPROVAL OF MEETING MINUTES

Commissioner McLean mentioned a typo on page 3 where “no” should have been “now”. He then made a motion to approve the November 16, 2020 minutes with the minor fix. Motion was seconded by Commissioner Cleveland.

Vote:

4 in favor

0 opposed

1 abstention

Motion passed

B. CHANGES TO THE AGENDA

None.

C. CONFLICT OF INTEREST

None.

D. NEXT REGULAR MEETING(S)

January 25, 2021 – This is the fourth Monday due to Martin Luther King Jr Day.

E. COMMITTEE/STAFF UPDATES

Kell mentioned that a joint meeting with the BOCC will most likely not occur in 2021 due to COVID-19 and SMP updates.

F. OTHER BUSINESS

None.

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.

3. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

4. PUBLIC HEARINGS- 6:08 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) – 6:08 p.m.

As this was a continuation, Commissioner Cleveland began by asking the other commissioners if they felt public comment needed to be reopened. Commissioner Smith stated as a letter had been sent out after the last meeting and another had come in earlier that day that the public had not had a chance to review, the public should have a chance to respond. Commissioner Cleveland agreed to open public comment at the appropriate time.

Moving on, Kell then reiterated staff recommendation for approval of the rezone with the new proposed buffers. She also echoed the fact from the last meeting that the information we have today regarding the mineral resources in the area was not available when originally zoned in the 90's.

Jared Kadoun was then given a chance to comment. He stated he didn't really have anything more to add outside the letter he had written after the last meeting that had been sent to all the neighbors. He gave a brief recap of the letter, emphasizing the amount of lost minable material in the newly proposed buffers.

The Commissioners then asked Mr. Kadoun to read the letter from Jason Hicks, the engineer for the project that was received earlier that same day. Erick Staley, the project geologist stepped in for Jared and read Jason's letter. Erick also expanded on some of Jason's main points, emphasizing the importance of the resource and its economic value to the community.

Commissioner Smith then asked for Kell's take on Jason's letter, specifically in regards to the availability of resources at the site, and throughout Mason County. Kell reiterated that the Comprehensive Plan on Mineral Resource Lands hadn't been updated since 1996. She mentioned Thurston County was in the process of updating their map, and with this rezone and another gravel issue on North Shore, had been thinking a lot about what an updated Mason County map would look like. She stated she was positive the properties in question would be on any update to the Mineral Resource Lands Map. With the multiple issues regarding gravel in the past year and the many conversations she's had regarding gravel, Kell stated she has been led to understand that there is a shortage.

Public Comment Re-Opened – 6:23p.m.

- Richard Guilford – Mr. Guilford started by saying her hadn't received the mailed letter but had had the opportunity to read it before the meeting thanks to a neighbor. He expressed concern over Mr. Kadoun's comments regarding potentially losing money in extending the buffer around Treemont as it implies he was planning on mining there in

the first place. He continued to express concern about the 100-foot buffer not being enough to protect their peaceful neighborhood and the effect it will have on property values.

- Paul Aungst – Mr. Aungst agreed with Mr. Guilford’s comments and emphasized that if approved, the mine expansion would lead to a mine surrounding their neighborhood on three sides.
- Warren Toby – Mr. Toby, representative of the Rainbow Lake Community Club, reiterated what had already been said, and emphasized the potential effect on property values. He also mentioned there being other mines in the area and stated his opinion that Mason County needs more housing, not more gravel mines.

Public Comment Closed – 6.32 p.m.

Commissioner McLean started commissioner deliberation stating besides the fact that this rezone really should have been done with a comprehensive plan update rather than as a spot rezone, the current owners have made as good an attempt as possible to reach a compromise with the neighbors. While not perfect, the increased proposed buffers and the ground water monitoring plan are an adequate compromise between private property owners and necessary resource development in his opinion.

Commissioner Smith asked for a review of the current buffers being proposed for consideration. Kell answered that the proposed buffer to the north end of the Treemont neighborhood is 100ft and the Rainbow Lake setback would follow the powerline and is 650ft at its furthest projection, and at it’s closest 200ft. Kell also reiterated that the code only requires the buffer to be 50ft.

Commissioner Smith then inquired about what, if any, additional review would be done in future to ensure these proposed buffers are enforced in 50 years when the mining begins expanding to the parcels in question. Kell responded that when they do go through with expanding the mine, the DNR permit will require the county to sign an SM6 form stating the property is appropriately zoned for mining.

Commissioner Smith expanded his question to ask if signing the SM6 form is strictly administrative to check the zoning or if a deeper review is done to confirm compliance with previous regulations like those that may be recommended in this meeting. Kell stated the county would confirm the zoning was correct or that a legal non-conforming use was established prior to signing the SM6 at time of expansion. She continued that DNR may have a more thorough review but that she is unaware of their full process.

Commissioner Meyers stated his understanding of the DNR process is that it’s fairly complex and would most likely require some review of regulations. He also stated that as the expansion wouldn’t happen for many years, the impact to the current private property owners is minimal and that it would most likely be all new people living there when expansion begins.

Commissioner Cleveland stated he agreed with what the other commissioners had to say and believes the new proposed buffers are a generous compromise; then asked for a motion. Commissioner Smith made a motion to recommend approval to the BOCC with the newest proposed buffers and the groundwater monitoring plan previously discussed. Commissioner McLean seconded the motion.

Vote:

5 in favor

0 opposed

Motion passed

Following up, Kell explained the process moving forward to the BOCC letting the neighbors in attendance know how to be notified of the next meeting.

Mr. Guilford asked to make a final comment and stated he didn't believe the commissioners were able to fully understand the impact this rezone and expansion would have on the community as they don't live there.

Commissioner Smith then asked for future meetings if an effort could be made to have video on in virtual meetings. Everyone agreed but as bandwidth can be an issue with too many people on video, could turn off their camera if not speaking.

5. ADJOURN

Commissioner Cleveland called the meeting adjourned at 6:59p.m.