



Marion County

OREGON

PLANNING COMMISSION MINUTES

PLANNING COMMISSION

George Grabenhorst – Chair
Carla Mikkelsen – Vice Chair
Scott Anderson
Stanley Birch
Glenn Holum
Mike Long
Rick Massey
Gary Monders
Dennis Person

DATE: April 15, 2014
TIME: 6:30 p.m.
PLACE: Board of Commissioners' Hearing Room
1115 Commercial St. NE, Salem

Present: Gary Monders, Mike Long, Stanley Birch, George Grabenhorst, Dennis Person, Scott Anderson, and Rick Massey
Absent: Glenn Holum and Carla Mikkelsen

Chair Grabenhorst called the meeting to order.

1. Deliberations for SUB14-001, continued from April 1, 2014.

Chair Grabenhorst stated the PC had asked staff at the April 1, 2014 public hearing to obtain information on giving an easement to the adjacent property owner who testified at the hearing. Joe Fennimore, Principal Planner, indicated he contacted County Legal Counsel and staff indicated this type of action could not be implemented as a condition of approval. If the PC did, in fact, choose to implement this type of condition, Legal Counsel indicated there must be some type of nexus on why such a requirement would be imposed on the applicant. Mr. Fennimore then gave an example of a similar type of condition that has been imposed regarding fencing. He continued that he also looked at the deed for the property, as requested by the PC at the public hearing, and there is no mention of an easement for the adjacent property owner to use part of the applicant's property for access.

Mr. Person asked for clarification on the location of the well on the site plan? Mr. Fennimore explained the location of the well versus the utility head and that the well is between the two concrete strips that run next to the property line. The group briefly discussed.

The PC briefly discussed the need for a nexus with any type of requirement imposed. Mr. Person asked if the new subdivision, if approved, will create any difficulties with the adjacent property owner using the concrete strip area as access? Mr. Fennimore explained the difficulty in attempting to resolve this issue is that this property owner is using another person's property and gave an example of an apartment complex using a trail to Chemeketa Community College. The group briefly discussed these types of situations.

There being no further questions or comments, a motion was made and seconded to grant conceptual and detail approval for SUB14-001 subject to the ten conditions of approval, including the rezoning to RS. The motion passed, unanimously.

2. Adjournment.

There being no further business, the meeting was adjourned.