

**Rivergrove Planning Commission Minutes
January 7, 2019**

CALL TO ORDER AND ROLL CALL The meeting was called to order at River Grove Elementary School library at 7:02 p.m.

Present: Commissioners Jacob McKay, Kellen Russell, Jonathan Sweet, and Jeff Williams. City Recorder Leanne Moll declared a quorum. Mayor Heather Kibbey and City Planner Matt Straite were also present.

Mayor Kibbey swore in Toby LaVigne, who then joined the Commissioners' table.

Mayor Kibbey left the meeting and thank the Planning Commission and City Planner for their volunteer services.

CONSENT AGENDA

1. Minutes from the December 3, 2018 meeting.

Motion: Commissioner Sweet **moved** to approve the Minutes from the December 3, 2018 meeting as presented. **Seconded** by Commissioner J. Williams. The motion **passed 3-0**. Commissioner LaVigne and Commissioner Russell abstained.

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. Elect Chair and Vice Chair

Motion: Commissioner McKay nominated Commissioner Sweet to be Planning Commission Chair. **Seconded** by Commissioner J. Williams. The motions **passed 5-0**.

Motion: Commissioner McKay also nominated Commissioner Russell to serve as Vice Chair of the Planning Commission. **Seconded** by Commissioner Sweet. The motion **passed 5-0**.

2. Type II review for an accessory building at 5465 Childs Road, submitted by Toby and Shelly LaVigne.

Commissioner LaVigne left the Commissioner's table.

City Planner Matt Straite presented the staff report, highlighting that the proposed accessory use is permitted in the zone. The accessory building is not near the floodplain and meets all of the setbacks and elevation restrictions. No trees will be impacted by the development.

Chair Sweet opened the public hearing.

In favor:

None

Neutral:

Pablo Merlo Flores, 5435 Childs Road, Rivergrove, Oregon.
Mr. Merlo Flores explained that he lives immediately behind the LaVignes. He expressed concerns about the setbacks of such a larger accessory building that will be adjacent to almost his entire property line. He requested to view the development permit application documents and also requested the Commission postpone their decision.

Mr. Straite explained that if a resident requests a continuation, the Planning Commission must honor that request.

Commissioner McKay explained that in this case, he would prefer to keep the record open to allow Mr. Merlo Flores a chance to comment.

Resident Michael Salch noted that there could be a fire code issue in the closeness to the property line because he was required to construct with fireproof materials when he built so close to his property line.

Opposed:
None

Motion: Commissioner McKay **moved** to continue the item to the February 11, 2019 meeting, leaving the public record open. **Seconded** by Commissioner Sweet. **Motion passed 4-0.**

Commissioner LaVigne returned to the Commissioners' table.

3. Completeness review for an accessory building at 19150 Pilkington Road, submitted by Marta Lansing.

Motion: Commissioner Sweet **moved** to deem the application complete. **Seconded** by Commissioner McKay. **Motion passed 5-0.**

4. Type II review for an accessory building at 19150 Pilkington Road, submitted by Marta Lansing.

City Planner Matt Straite presented the staff report and explained that Ms. Lansing's proposed shed meets zoning and setback requirements and is not located in a flood zone. He also explained that no trees are impacted. Staff recommended approval.

Chair Sweet opened the public hearing:

Proponent:
None.

Neutral:
None.

Opposed:
None.

Chair Sweet closed the public hearing.

Commissioner McKay noted that the property is very wooded and asked City staff if we are sure that trees are not impacted by the request. Mr. Straite noted that he viewed an aerial map of the property and in the case of development applications, it is best practice to believe the application, unless otherwise indicated.

Motion: Commissioner McKay **moved** to approve the accessory structure. **Seconded** by Commissioner Russell. **Motion passed 5-0.**

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Merlo Flores, 5435 Childs Road, Rivergrove, Oregon, asked about a tree that recently fell on his property. City Planner Matt Straite commented that even with the new Tree Ordinance property owners may act to remove or clear a tree that is dangerous due to an emergency and that property owner does not need to submit a formal tree removal permit with the Planning Commission.

CORRESPONDENCE & REPORTS

City Planner Matt Straite noted that he will give a training for Planning Commissioners and the public at the February 11, 2019 Planning Commission meeting.

COMMISSIONERS' REPORTS

ADJOURNMENT

Motion: A motion to adjourn was made by Commissioner McKay.

Seconded by: Commissioner Russell.

Motion passed 5-0.

The meeting was adjourned at 7:31 p.m.

Respectfully submitted,

Leanne Moll, City Manager/ City Recorder