



CHELAN COUNTY HEARING EXAMINER

Chelan County Administration Building, Room 1,
400 Douglas Street, Wenatchee, WA 98801

February 19, 2020, 1:00 pm

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Director – Dave Kuhl, Planning Manager – Kirsten Larsen, Planner II – Emily Morgan, Code Enforcement – Dave Rinehart, Permit Clerk – Wendy Lane

Public/Agencies: Laura Cordell, George Reinhart, Ernie and Loretta Garrett, Rick and Claudia Etzkorn, Joe C. Grentz, Sr., Doug Flick, Lindsey Weidenbach, Susan Flick, Clayton Johnson, Joe Grentz, Jr.

AGENDA:

I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order at 1:30 pm. No objections were given to Mr. Kottkamp running today's hearing. Instruction was given to attendees on how the hearing is conducted and how to participate, testify, and appeal a decision.

II. PUBLIC HEARINGS

SDP 2019-029/SCUP 2019-019: Applications for a shoreline substantial development permit and a shoreline conditional use permit were submitted by Chelan County PUD (agent) on behalf of the City of Cashmere (owner) for the relocation of large scale utilities within shoreline jurisdiction of the Wenatchee River. The applications were submitted October 22, 2019 and deemed complete to process on December 10, 2019. The project proposes to relocate an existing distribution line by underbuilding on an existing transmission line. The new lines will be strung on new, taller poles in order to accommodate the additions; the existing poles are approximately 80 ft. tall and the proposed are to be 90 ft. tall. Upon completion of the new lines, there will be only one line crossing the Wenatchee River and one utility pole located with 200 ft. of the Wenatchee River; this reach of the Wenatchee River holds an 'urban' shoreline environmental designation. The subject property is located within the Public (P) zoning district of the Cashmere Urban Growth Area. The subject property is identified by Assessor's Parcel No.: 24-19-32-430-250 and is located at NNA Evergreen Dr., Cashmere, WA 98815. The application includes a JARPA and SEPA Checklist. **PLANNER: EMILY MORGAN**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Emily Morgan explained the application. Ms. Morgan pointed out an error on page 6 in the Staff Report. Staff

recommends approval with conditions. The Agent was unable to attend today's meeting, but did receive the Staff Report and have no objections with the conditions of approval.

With no members of the public present, Mr. Kottkamp closed the public portion of the record on the matter.

CUP 2018-069/VAR 2017-352: Application for a Conditional Use Permit and Variance was submitted on February 27, 2018 and November 1, 2017 (respectively) and deemed complete on May 2, 2018, to conduct a tier one cannabis production/processing for an indoor facility and a variance to reduce buffer from 100 feet to 41 feet to the northeast corner and from 100 feet to 90 feet to the southeast corner of the proposed building. The subject property is located within the Commercial Agricultural Lands (AC) zoning district. The application is exempt from SEPA (state environmental) review. Project Location: 3650 Fairview Canyon Road, Monitor, WA 98836; and identified by Assessor's Parcel No.: 23-19-14-430-150. **PLANNER: KIRSTEN LARSEN**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planning Manager Kirsten Larsen explained the application. Staff recommends approval with conditions.

Mr. Kottkamp asked about odor control and Planning Manager Kirsten Larsen answered his questions.

Mr. Kottkamp asked if the existing structure was considered for this Conditional Use Permit and Ms. Larson answered that it was not. Only the new structure was considered.

Lindsey Weidenbach wanted to make comments with regard to the conditions of approval #6 and #4 in the Staff Report.

Clayton Johnson was sworn in to testify on behalf of the applicant. Mr. Kottkamp asked how long it would take for the construction time frame and Mr. Jonson answered about 6 months. Mr. Kottkamp asked if Mr. Johnson if he was aware that the current facility would not house any of the operations connected with this Conditional Use Permit and Variance. Mr. Johnson stated he understood. Mr. Kottkamp asked if Clayton Johnson had any objections to the other conditions of approval, Mr. Johnson did not. Mr. Kottkamp asked if any of the buildings were going to be removed, and Mr. Johnson answered no.

Laura Cordell was sworn in to testify. She is pleased that there will be an odor reducing fan, but she is concerned about the project for health reasons. She wants to make sure that the fan will always be work when the product is being processed to control the smell.

Loretta Garrett was sworn in to testify. She is concerned about the odor that the cannabis operation might generate.

Joe Grentz was sworn in to testify. He is a neighboring property owner. He voiced his concerns with regard to cannabis smells in the past and how it affected his family. He would like the cannabis operation moved to another location.

Joe Grentz, Jr., was sworn in to testify. He is against the variance to build the new building. He also has concerns about future traffic and odor from the operation. He would also like the operation moved to another area.

George Reinhart was sworn in to testify. He lives in close proximity to the operation and the smell has been bothersome in the past.

Claudia Etkorn was sworn in to testify. She is concerned about compliance and whether or not the operation will be monitored. She stated that the odor is constant and has a hard time believing that a future operation will be kept in compliance.

Planning Manager Kirsten submitted an Affidavit of Posting the Notice of Hearing, for the application, as part of the record. She also referred to Condition 4, in the Staff Report, and wanted the language to be left as proposed.

Mr. Kottkamp had questions for the applicant. He asked about the odor control and how it would operate in the new building. Clayton Johnson answered his questions. Mr. Kottkamp asked how the new system was different with the system currently in use. Clayton Johnson answered his concerns. Mr. Johnson talked about the other cannabis operation in the area (Evergreen) and he believes that the odor the residents were complaining about was coming from that operation.

Lindsey Weidenbach was sworn in to testify on behalf of the applicant. She spoke on the variance and how it was allowed in Chelan County Code. She also spoke on the odor problem and she agrees with Clayton Johnson that the odor the public was complaining about was coming from Evergreen's cannabis operation.

Mr. Kottkamp closed the public portion of the record on the matter.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the February 19, 2020, meeting.