

From: CarterFamily <carterzbr@gmail.com>
Sent: Tuesday, October 15, 2024 6:15 AM
To: Plan
Subject: Board of County Commissioners - Greenbar Comprehensive Plan Amendment - Hearing
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Dear Crook County Commissioners,

With respect to the Greenbar application, Comprehensive Plan Amendment (217-24-000070-PLNG), I would like to ask that the County Commission reject this application for the following reasons.

1. The planning commission mostly ignored the neighborhood's concerns about possible water contamination and/or damage to our private wells due to blasting and mining operations. There are 39 properties affected by the 1500 foot boundary and we would ask if water testing can be done before approving this application. The original rock pit only had only a few neighbors, now there are many neighbors that this is affecting. This expansion is encroaching into our neighborhood. Our wells could be damaged and water contaminated. As you know, now the Oregon DEQ has halted permits for the Knife River plant in Prineville due to neighborhood water contamination. Please don't make the same mistake on this application as well.

2. The applicant knowingly provided false or misleading information in the application, stating that the lot was "landlocked, not buildable" and that all the neighbors signed a "letter of remonstrance". The staff report shows that the applicant did, in fact, provide false or misleading information, at least three times, and the county staff

confirmed the information was false. This is a clear attempt to fast track this application for approval.

Staff Report, Comprehensive Plan Amendment (217-24-000070-PLNG)

“The subject parcel is landlocked, and the active mine and 30’ cut wall in the Bartels mining pit prevent the applicant from taking residential access across that parcel to Juniper Canyon Road. Therefore, there is no feasible access to the parcel. Without access is not suitable for housing and is not “buildable land”.

Staff’s research found recorded access and public utility easements to the subject property, lot 15 of Cimmaron Hills phase 2. As recorded on the phase 2 subdivision plat (MF2007-219604), a 50-foot access and public utility easement to lot 15 is shown and further recorded on a written easement (MF2007-219777). Staff finds lot 15 to be a residential, potentially buildable lot. The Planning Commission will need to weigh this evidence to determine conflicts with Goal 10.

“The Court found that there is no evidence to support a conclusion that there will be a negative effect upon the residential properties within the Impact Area in terms of property values, in part because the waiver of remonstrance that all of the properties within the Bartels prior ownership have agreed to be bound by.”

Staff has not been able to confirm recorded waivers of remonstrance as noted by the Applicant for ‘all of

the properties within the Bartels prior ownership have agreed to be bound by.' Waiver of Remonstrance was located (MF2005-203625) for phase 1 of Cimmaron hills, however no subsequent recorded documentation has been provided by Applicant or identified by staff.

Crook County code:

- **18.144.070 Enforcement procedures.**
- **(3) Any permit issued under this title may be revoked by the planning commission after hearing if the planning commission finds that:**
- **(a) The permittee provided false or misleading material information, or omitted disclosure of a material fact, in the permit application or materials submitted in support of the application;**

3. Another issue during the application process that was overlooked: The applicant is asking for a 50 foot setback, but according to DOGAMI and Crook County code, setbacks for mining should be 100 feet from property lines. This would reduce the amount of aggregate calculated and would not meet the minimum 500,000 tons of material recommended for making this a 1-C site, which means it does not meet the definition of a significant resource site.

- **18.144.060 Development standards.**
- Upon approval of a conditional mining use application, all the following standards apply:

- (1) Mining activities shall be located and conducted at least:
- (a) **One hundred feet from an existing noise or dust sensitive use**, unless the owner of the residence or use signs and files an agreement which authorizes the mining to be conducted closer than 100 feet.

My outdoor and recreation spaces are near the property line nearest the proposed rock pit, Lot 15, so I would consider all of my property (outside areas where we enjoy family time) a noise and dust sensitive use. I'm a USMC combat veteran that has been diagnosed with PTSD, so loud explosions, loud noises and constant high pitched beeping from heavy equipment are very sensitive to me.

On another note, we feel the planning commission did not do "due diligence" when approving this application. I was actually embarrassed during the planning meetings for the commissioners due to the lack of knowledge they displayed. Please watch the video of the planning commission meetings, as you can see for yourselves. Laquita Stec was completely clueless on most of the facts of this application. One of her comments was, "Who was there first?" Commissioner Calvin Walter was the only one that seemed to be informed about the application, facts and complaints by the neighbors. Other commissioners seemed willing to expedite this application through the process without much concern for members of this community. When we complained about excessive dust and noise from the pit, some of the members laughed at our concerns. One of them stated, "there is dust when the wind blows." I find it completely disgusting to hear the commission downplay the neighborhood's concerns. Living near the pit, we have seen the lack of dust mitigation, as the wind is not capable of this much dust.