



Planning Commission Minutes

3 June 2021

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Present: Angie Zetterquist, Brandon Spackman, Lane Parker, Jason Watterson, Brady Christensen, Melinda Lee, Phillip Olsen, Nolan Gunnell, Chris Sands (late), John Luthy, Matt Phillips, Megan Izatt

Start Time: 05:30:00

Spackman called the meeting to order and **Watterson** gave the opening remarks.

05:31:00

Agenda

Christensen motioned to accept the agenda with moving item #1 to the regular agenda from the consent agenda; *Watterson* seconded; **Passed 6, 0.**

05:32:00

Minutes

Lee motioned to approved the May 6, 2021 minutes; *Parker* seconded; **Passed 6, 0.**

5:33:00

Consent Item

#2 Lavender Farms

#3 Clint & Leslie Ward Homestead Subdivision 1st Amendment

Watterson motioned to approve the two consent agenda items; *Christensen* seconded; **Passed 6, 0.**

05:34:00

Regular Action Items

#1 Mountain View Subdivision

Zetterquist reviewed the staff report for the Mountain View Subdivision.

Steve Krambule commented they have no problem making the changes suggested by staff.

Spackman asked if the application can be approved tonight with the changes.

Zetterquist responded yes.

Mr. Krambule commented on the survey and need for an amended plat.

Zetterquist informed the Commission that the item could be continued while the amendment to the plat for the neighbor to the north, who wants to buy it, is completed.

Christensen asked about the right of way that must be shown on the plat.

Zetterquist responded that the right of way would not need to be recorded at the time of the plat.

Mr. Krambule commented that someone was interested in buying it.

Parker motioned to recommend approval to the County Council for the Mountain View Subdivision with conditions and conclusion to amend the plat; Watterson seconded; Passed 6, 0.

05:42:00

#4 Public Hearing (5:35 PM) – Thomas Ranch Rezone

Zetterquist reviewed the staff report for the Thomas Ranch Rezone.

Staff and Commissioners discussed fire coverage and rezoning to the A10.

05:51:00

Christensen motioned open the public hearing for the Thomas Ranch Rezone; Parker seconded; Passed 6, 0.

Lon Thomas commented he does not plan on selling lots but would like to build 1 house to live on the land.

Dan Thomas commented in support of the rezone to A10.

Watterson asked why all 5 parcels are being applied for instead of the 1 parcel that a home would be built on.

Mr. D. Thomas stated they are not sure where they are going to build on the land and rezoning all of the parcels will allow them to build wherever.

Gunnell asked about rezoning the 150 acres that are currently used for agriculture and how rezoning from FR40 to A10 works.

Mr. D. Thomas commented on their history and the reasoning for rezoning all 5 parcels.

Commissioners discussed the long term effects of rezoning all 5 parcels to A10 from the FR40.

Mr. D. Thomas commented on their plans, talks with Box Elder County, and working on roads with UDOT.

Seth Tait commented on behalf of Jeppeson Farms LC owners in opposition of rezoning from the FR40 to A10 due to changing the nature and use of the property.

Larie Jeppeson commented in opposition to the rezone due to water, fire and EMS, traffic, and wildlife concerns.

Brian Jeppeson commented in opposition to the rezone due to water,

Olsen asked if there was any A10 property up there currently.

Mr. Jeppeson stated from the State line north it is all FR40 and there were only 40 acres farmed in the past.

Tom Bailey commented as the mayor of Wellsville and is concerned about water and fire protection,

Jed Fabricius commented the Jeppeson family doesn't have an issue with one home but do with the possibility of 83 homes.

Mr. D. Thomas commented on the water concerns.

Mr. Brian Jeppeson commented on history of the property and water concerns again.

06:25:00

Parker** motioned to close the public hearing for the Thomas Ranch Rezone; **Olsen** seconded; **Passed 6, 0.

Commissioners discussed the reasons for a denial.

Parker** motioned to recommend denial to the County Council for the Thomas Ranch Rezone based on the findings of facts and conclusions as written; **Lee** seconded; **Passed 6, 0.

06:28:00

#5 Public Hearing (5:45 PM) – Christy Rezone

Zetterquist reviewed the staff report for the Christy Rezone.

06:33:00

Parker** motioned to open the public hearing for the Christy Rezone; **Watterson** seconded; **Passed 6, 0.

Sands arrived.

Aaron Christy commented on his plans for the property.

Olsen asked about access.

Mr. Christy commented the access would be between to the two homes that are currently there.

06:37:00

Watterson** motioned to close the public hearing for the Christy Rezone; **Lee** seconded; **Passed 7, 0.

Commissioners discussed the lack of response from Mendon.

Christensen** motioned to recommend approval to the County Council for the Christy Rezone with the findings of fact and conclusions as written; **Parker** seconded; **Passed 7, 0.

06:39:00

#6 The Cache Valley Straw Maze Conditional Use Permit

Zetterquist reviewed the staff report for the Cache Valley Straw Maze Conditional Use Permit (CUP).

Commissioners discussed the waste removal condition, the reason for listing all the activities, limiting access from 2000 north, EMS services, and parking.

Spencer Stoker asked what questions the Commission has.

Christensen asked if the applicant has talked with UDOT.

Mr. Stoker stated they have talked with UDOT and a turn lane will be needed.

Christensen asked the reason why behind this project.

Mr. Stoker stated he has a farm where he runs another operation similar to this in Burley and would like to expand down here. He commented on parking, the number of guests per day, and the value behind this type of activity for Cache Valley.

Parker commented on possibly impacts to the neighbors.

Mr. Stoker stated he understands that and wants to work to address any concerns.

Watterson asked about a plan for safety and fire.

Mr. Stoker commented on the construction and safety of the maze and the fire plan in place at his Burley location that would be replicated at this location.

Sands asked what his Burly parking lot is made of.

Mr. Stoker responded gravel.

Christensen asked about planting pumpkins and how many bales of straw.

Mr. Stoker responded no pumpkins have been planted down here as of now and it takes about 1,000 bales of straw.

Christensen asked what happens to the bales after.

Mr. Stoker responded that they either sale them or take them back to his dairy. The maze will be further back into the property and not next to neighbor's houses or the road.

Lee asked about fencing.

Mr. Stoker responded that a cattle fence will be put up to begin with.

Sands asked if the Burley maze is near houses.

Mr. Stoker stated yes, there are houses across the road. There were some parking issues for the Christmas maze last year and it was quickly addressed.

Sands asked about light and noise concerns.

Mr. Stoker responded light poles are positioned as best as possible to avoid neighbors' and noise does not leak out of the maze. If needed extra walls of straw bales can be constructed to help with noise.

Sands asked about access and construction of the road.

Mr. Stoker stated he is aware it's going to be a high number for the road.

Watterson asked about operating during the winter.

Mr. Stoker commented they are prepared for snow removal and things.

Traci Riesner commented she owns a house next to this and has concerns regarding light pollution, noise, traffic, current ownership of the property, using the property year round, and water and flooding.

Shay Merritt commented she owns a house next to this and has concerns regarding concerns with privacy, the water table, hay bales currently have to be located on wooden pallets so they don't sink, noise, safety and negative effects to her horses, light pollution, and impacts to her training horses.

Kellyn Merritt commented that the previous owner tried to sale a piece of the parcel and be rezoned to the RU2. He is concerned with what else could happen to the property after this type of use is done, and running a commercial business out of the agricultural zone.

Christensen asked if there was a house on the property.

Mr. Merritt stated that is the house for sale with the property.

Commissioners discussed condition #12 and possibly needing to change language to make it more specific on how to address those mitigating circumstances. Concerns with hours of operations and noise were discussed. How time constraints apply to CUPs was discussed.

Mr. Stoker asked if the time constraints apply to setup.

Zetterquist responded the 10 weeks in the application does include set up and take down time.

Mr. Stoker commented on neighbors and concerns, water, and no operations in the spring.

Spackman asked about take down for Christmas time.

Mr. Stoker commented yes take down happens in January, no generators planned, and he is already working with the power company. The land is under contractor to be sold to him.

Sands asked about hours of operation.

Mr. Stoker responded during the week operations are closed at 10 and on the weekend closed at midnight.

Sands asked about setup and take down time.

Mr. Stoker stated in the application it asked for hours of operation and the 10 weeks does not include setup and take down. Set up for the maze takes about 1 week and the other details take about 2 weeks. For Christmas, set up starts November 1 and the maze opens Thanksgiving weekend.

08:00:00

Sands motioned to extend the meeting up to 15 minutes; Watterson seconded; Passed 7, 0.

Commissioners discussed possible reasons for approval and possible reasons for denial.

08:15:00

Sands motioned to extend the meeting up to 15 minutes; Watterson seconded; Passed 7, 0.

Commissioners discussed how to mitigate sound and how to word the sound requirements in a condition.

Parker motioned to approve The Cache Valley Straw Maze Conditional Use Permit with the amendment to condition #12 regarding sound; Watterson seconded; Passed 6, 1 (Sands voted nay).

08:19:00

#7 Discussion: Amendment to Title 17 regarding Cannabis Production Establishments

Will be discussed at the next meeting.

08:22:00

Adjourned