Minutes

Elwood Town Planning Commission

Tuesday, March 7, 2023

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall, 5235 West 8800 North, Elwood, Utah, at 7:00 P.M. on Tuesday, March 7, 2023.

The following members were present constituting a quorum: William Call, Quinn Hamson, Curtis Crouch, Phil Shimek, Dakota Nelson

OTHERS PRESENT: Samuel Heiner(Zoning Administrator), Scott Goodliffe(Town Council Rep), Karolina Munns(Planning Commission Secretary), Mark Lambourne, Cohen Zaugg, Phillip Firth, Jim Thomas, DeVere E. Hansen, Clayton Sherman, Stevi Sherman, Britton Hayden, Jeff Spenst

**Welcome**

The meeting started at 7 pm. Commissioner Hamson offered a prayer and Commissioner Nelson led with the pledge.

**Minutes**

* February 7, 2023 - Commissioner Crouch made a motion to accept minutes, Commissioner Hamson seconded, all in favor, motion passed.
* February 21, 2023 - Commissioner Shimek made a motion to accept minutes, Commissioner Nelson seconded, all in favor, motion passed.

**Town Council Update - Scott Goodliffe**

* The last town council meeting was combined with the planning commission meeting. The roles and responsibilities of professional contractors were discussed. Some individuals are selected to provide continuity between groups. Samuel Heiner is the professional opinion that works with both. Secondary water system. Building Inspector, Stewart Murray, has an application in, and the county has proposed.

**Zoning Administrator Update – Samuel Heiner**

* Zoning Analysis will be presented at the next meeting. The General Plan Committee is coming along. A draft should be ready for the planning commission to review at the next meeting. There are some lot line adjustment subdivisions that will be coming. Fairview Estates Subdivision Phase 1 is still waiting for application completion.

**Commission Business**

* Action Item A: Mark Lambourne, Top Shed – Conditional Use Permit – 9555 North Powerline Road. Mark Lambourne, Taylorsville Utah is the owner of the lot and plans to sell it to Top Shed this coming August. Top Shed is using the lot as a display lot for their sheds manufactured in Hyrum, Utah. Cohen Zaugg, owner of Top Shed, addressed the commission. He told us about his business, and he has many display lots around the area in Farr West, Smithfield, Preston, Idaho They would probably eventually set up a sales office with staff here. But the intent is the display lot would meet a potential client. Commissioner Call asked if there was curb and gutter required there? Shane Taggart, Town Engineer, commented about a ditch across the frontage and providing difficulty getting into the lot. A second comment is the dirt tracking out of the lot from trailers moving display shed in and out. Cohen Zaugg and his worker explained that there won’t be a lot of traffic moving display sheds in and out, and the lot is graveled so it is not just dirt. Samuel Heiner, Zoning Administrator, suggested a solution would be a permanent trackpad at the entrance. Certain BMPs are set up to prevent this. The worker stated that there would be a main area where customers would park and then they can get out and walk. Shane Taggart, Town Engineer, commented that he did not know from the site plan submitted what improvements. Commissioner Call is concerned with the possibility that if it gets real wet the 1 ½ to 2 inch gravel can give way and mud break through, causing a problem. He would like to see that addressed. Mark Lambourne, current acre parcel has already been covered with 1 ½ gravel. Owner said they can look into it. Commissioner Hamson would like to see the Town Engineer has reviewed it and has returned comments. Cohan Zaugg wants to eventually has an office there and at that point they would want to have a nice looking lot with asphalt. Samuel Heiner, Zoning Administrator, commented that they may need to pipe the ditch at the entrance, and there were comments added that questioned whether the ditch had already been filled in. Commissioner Call requested that Shane Taggart, Town Engineer, and Steve Woerner, Public Works, coordinate on this lot review to approve the current land conditions and give the planning commission information in order to move forward. Mark Lambourne wants the planning commission to ok Top Shed continuing to display as the planning commission is getting accurate and complete information. Commissioner Hamson motioned to table the Conditional Use Permit action item until more complete information is available to the planning commission, Commissioner Nelson seconded it, all in favor, motion carried.
* Action Item B: Jim Thomas/Jeff Spenst Minor Subdivision Amendment – Boundary Lot Line Adjustment – 5077 West 10400 North. Commissioner Call stated an apology for not being able to address this action item tonight because Amy Hugie, Town Attorney stated that a public hearing is required for this action item. Jeff Spenst addressed the commission with the intent of getting everyone on the same page, stating that when he submitted this to the town three weeks ago and up until a day or two ago, all was moving forward and in order. Jeff Spenst reviewed the new timeline. He requested that the town get the plans to Amy so these surprises can be minimal, because the plans had passed with Shane Taggart, Town Engineer. Jeff Spenst reviewed his timeline, three weeks ago he come in with a lot line adjustment for the minor subdivision. There was discussion on what the process needed to be. Elwood Town had to get a lot line adjustment application in place so that this process could complete and be approved with the planning commission. Over the weeks, there were discussions with Chad Montgomery, County Recorder, and discussion of administrative action only, and finally the need for public notice. Jeff Spenst’s complaint is that if we are all working together as a town, these issues could be less. The next step is to get a public hearing for March 21, or the next meeting so it can then be recommended to town council for the April 11th meeting. Karolina Munns, secretary will check in with Gina Marble, town recorder and notify Jeff Spenst and Jim Thomas. Commissioner Shimek motioned to table the Jeff Spenst/Jim Thomas Minor subdivision amendment, Commissioner Crouch seconded the motion, all in favor, motion carried.
* Action Item C: Ryan Bevan, Bear River Animal Hospital – Conditional Use Permit – 9880 North 5200 West. Commissioner Call stepped out of the action item because he is related to the property. Commissioner Nelson, vice chair, took charge of this item and invited Phillip Firth to explain the site plan. The building will stay the same with added improvements, and there will be an additional building where the greenhouses currently are. The building in the back will be an equine and cattle facility, and the hospital will be mostly large animals. Samuel Heiner, Zoning Administrator, commented that it fits within the current zoning, and no issues. There will be a fence around it and eventually some outside stalls. Commissioner Crouch asked if the lot needs to be zoned agricultural. Samuel Heiner, stated that it is commercial zoned, and the conditional use is needed according to the schedule of uses for the commission to permit this kind of business here. A question of the difference between Elwood Equine that is zoned Agricultural and this Bear River Animal Hospital was asked by Karolina Munns, secretary. The comments were that that facility is a breeding facility, and the lot was previously zoned residential. Phillip Firth commented that he is a veterinarian also, but he doesn’t want to speak for him, but he is primarily involved in breeding/seasonal, but not the traditional veterinary work with is doctoring and emergency work, which is what we are, not specialized. The public comment from DeVere Hansen was to question whether this would replace Call’s Nursery, and asked if there would be animals housed outside of the facility and contribute to smell. Phillip Firth, commented that most animals would not stay there long term, just in and out, and that the small animal procedures would stay at their Tremonton location. Commissioner Crouch motioned to accept the Conditional Use Permit for Bear River Animal Hospital, Commissioner Shimek seconded, all in favor, motion passed.

**Work Meeting**

* Discuss General Plan Committee in the works. Stevi Sherman commented that it was going well, and they are on schedule. Britton Hayden commented that they also have alot of opinions on how to solve Elwood’s issues. The committee members have a 16 page draft that they are going through.
* Karolina Munns commented that the secretary is working to get the agenda items to the commissioners a week ahead of time. Commissioner Call commented that there has been some miscommunication and assuming going on, and suggested to Samuel Heiner, Zoning Administrator, to get a clear direction with other town staff of who would take care and take part of specific items. Subdivision is a Land Use item so would be handled by Jones and Associates. Samuel Heiner added that for a change in plat, the town attorney must sign off on it. The discussion of timing on the Jeff Spenst amendment led to discussion of setting up a flowchart for the various members involved and timing of involvement to help the town manage each situation that comes to the town. Scott Goodliffe, town council rep, inquired of Samuel Heiner that Jones and Associates stated that they had flowcharts to assist the town. Samuel Heiner was not aware, but concluded that this could be put in order administratively as discussed. Commissioner Call ended the discussion by requesting that Samuel Heiner be on the look out for items that need to go to specific members of the town and get this accomplished.

# **Adjourn Meeting**

Commissioner Hamson motioned to adjourn the meeting at 7:58 pm, and Commissioner Shimek seconded, all in favor, motion passed.