

TOOELE COUNTY PLANNING COMMISSION
47 SOUTH MAIN STREET, TOOELE, UTAH 84074
(435) 843-3160

PUBLIC MEETING

May 7, 2008

The Tooele County Planning Commission Meeting was called to order at 7:06 p.m. by Chairman Doug Atkin.

Roll Call / Members in attendance:

Doug Atkin Joy Clegg William Hogan Bill Bergener

Staff:

Vern Loveless Kent Page Matt Hilderman Cindy Coombs

1. Approval of meeting minutes from April 16, 2008:

Joy Clegg made a motion to table the minutes until changes had been made. Motion seconded by Bill Hogan. All concurred.

2. PUD #07-02200012 Stansbury Place PUD Phase 3 – Update:

Matt stated that the applicant is here to give a progress report meeting the requirements of Tooele County Code 13-2-1 Diligence which states: “An application shall be null and void and all vested rights waived by the subdivider for that development if they do not complete a stage or they fail to make a progress report to the planning commission within 180 days.” Patrick Moffat, Boyer Company, stated that the market has slowed down and so this phase has not been progressing as quickly. He said that the company foresees that this will be happening soon.

Joy Clegg made a motion to open a public hearing. Motion seconded by Bill Hogan. The public hearing was opened at 7:17 p.m.

3. CUP #08-00100008 Joe & Marilyn Roundy – Stansbury Veterinary Hospital:

Kent showed where the applicant is planning to build this veterinary hospital. It will be located near the University of Utah Medical Center, Tooele Federal Credit Union, and a daycare facility in Stansbury Park. He added that the current proposal shows plenty of parking stalls but more could be added; if needed. There will be an enclosed yard for the animals to run located next to the facility. Marilyn Roundy stated that the enclosed yard would be to walk the dogs only. There will be no time that the dogs would be without supervision while outside. Special considerations will be given regarding the trash and odors. Vern added that the plan includes solid fences where the dogs will not be able to see other dogs within the kennel area. This should keep the animals much quieter.

Joy Clegg made a motion to adjourn public hearing and reopen the public meeting at 7:30 p.m.

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Joy Clegg made a motion to approve CUP #08-00100008 Joe & Marilyn Roundy- Stansbury Veterinary Hospital with conditions stated. Bill Hogan seconded motion.

Verbal Roll Call:

William - yes Bill - yes Joy - yes Doug – yes

Joy Clegg made a motion to adjourn the public meeting and reopen the public hearing at 7:32 p.m.

4. CUP #08-00100009 James McConnell – 7263 Adobe Lane:

Matt stated that the applicant is looking for an approval to place a residential wind turbine that will generate power on his own property. He added that the Dept of Energy has done a study and the study shows this area is very good for producing energy.

The specifications presented are:

- Monopole design, 170 lbs
- All electrical and control equipment will be placed underground except at disconnect switch and junction box
- Access only available by jin-pole
- No interference of radio or television transmissions should occur

Noise:

- Typical winds traveling between 13-15 mph produce 43-48 dB is equivalent to a normal, human conversation
- Maximum wind speed was measured at 42 mph producing 60 dB which is equivalent to a passenger vehicle or TV set at home listening levels

The current land use ordinance only allows for 35' in height. The applicant is requesting a conditional use permit to allow for 45' in height. Matt stated that staff has proposed the following conditions for approval:

- Total height, meaning the vertical distance from ground level to the tip of the wind tower blade to its highest point, shall not exceed forty-five feet (45').
- The wind tower shall remain the same painted surface color or finish that was originally applied by the manufacturer.
- The wind tower shall comply with all Tooele County building codes and regulations.
- If the tower is deemed out-of-service for a continuous 12-month period, the tower shall be deemed abandoned. At, which point, the owner(s) shall remove the wind tower and all applicable components, at the owner(s) expense within 3 months of notification.
- If the owner(s) fail to remove the wind tower and all applicable components, the County may pursue legal action to have the wind tower and all applicable components removed at the owner(s) expense.
- The employees of the Department of Engineering, Tooele County Health Department, and the Tooele County Sheriff's Department shall be open to inspection.

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Joy made a motion to close the public hearing and reopen the public meeting at 7:39 p.m.

Joy made a motion to approve CUP #08-00100009 James McConnell 7263 Adobe Lane with proposed conditions. William seconded motion.

Verbal Roll Call

Joy - yes William - yes Bill - yes Doug - yes

5. PUD #07-02200016 Stansbury Village Shopping Center – Reconsideration:

This current item is to subdivide one lot into three lots.

Doug restated the conditions that the planning commission required at the last meeting. Vern addressed the concerns about water retention. He showed the water flow channels, before any development came to the area, were traveling towards the north and west. When this flow is changed because of development, it is required of the developer to handle natural flows on their own property and consider natural flows not on their property. Vern added that after trips to the site along with some calculations, he has determined that the Stansbury Village Shopping Center is not causing water damage to properties located behind the facility. He stated that there is only one place that he feels could be a possibility where ponding might occur. The next condition that was addressed was regarding the current lighting ordinance. Matt read the lighting ordinance to the planning commission and the audience. Tooele County Land Use Ordinance Chapter 8 Nuisances Section 13 On-site lighting: All outdoor lighting devices or fixtures shall be shielded in such a manner that light rays emitted by the device or fixture, whether directly from the lamp or indirectly from the fixture, are restricted to regions below an angle 15 degrees beneath the horizontal plane. If a light is determined to be in violation, the owner shall take appropriate corrective action to assure compliance. All outdoor light fixtures maintained on public or private property shall be turned off between 11:00 PM local time and sunrise EXCEPT when used for:

- (a) commercial and industrial uses such as sales, assembly and repair areas where business is conducted after 11:00 PM, but only while the business is open to the public;
- (c) lighting necessary for security purposes or to illuminate walkways or roadways.

Matt added that he has visited the site at night and during the day. He believes that the lighting issues have been addressed. A current resident located next to the lights brought a picture taken last night showing a very bright light shining onto their home. This is after the new cones were added to the light fixtures. They believe that the lights still are a problem. The third condition had to do with noise. Doug stated that this nuisance was regarding the garbage and when it would be picked up in the morning. The noise ordinance states that it needs to be picked up after 7:00 a.m. The planning commission was fine with that. The fourth condition imposed had to do with mitigating damages to

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adjoining property owners. In particular, that there will be a fence located around the commercial development that is 6' higher than the curb currently located behind the commercial buildinThe planning commission feels that these conditions are not unreasonable.

Joy made a motion to deny the request to reconsider the division of these lots and that the prior vote stands regarding the conditions for this development. Motion seconded by Bill.

Verbal roll call:

Bill – yes, William – yes, Joy – yes, Doug – yes

6. CUP #08-00100001 UNEV Pipeline:

Vern showed the UNEV proposed route and the alternative proposed route that was put together by the BLM and Tooele County. The alternative route avoids water sources and the ground water aquifers. This new route will bring the pipeline west across Lake Point and then turn south along the west side of Hwy 36. It would then veer slightly west and follow the Hwy 138 route for a short way. It then heads south along Sheep Lane until it meets up with Hwy 112 where it follows the current railroad corridor. It then exits this valley to the south. Vern added that the CUP is addressing any pipeline that will be following within 300' of the railroad corridor. Any concerns regarding other property that the pipeline would flow through needs to be brought before the BLM. Vern stated that the Ensign Group called today and expressed concern about the alternative route. That Group has requested that this item be tabled for two weeks. Doug questioned why this was being addressed before an environmental assessment, etc had been completed. Vern stated that the applicant is the one who is asking for this to be taken care of at this time. Doug felt that if this CUP were approved tonight it would be on the condition that if an unfavorable record of decision were received, then the approval would be reversed.

Joy made a motion to approve CUP #08-00100001 UNEV Pipeline with the condition imposed by Doug. William seconded motion.

Verbal Roll Call:

Bill - yes William - yes Joy - yes Doug - yes

Adjournment:

William made a motion to adjourn. Joy seconded motion. All concurred. The meeting adjourned at 8:50 p.m.

APPROVAL:

Chairperson, Tooele County Planning Commission