

Minutes of the Regular Trenton Town Planning and Zoning Meeting held on Tuesday July 18, 2023, at 7 p.m., in the Trenton Town Hall, 17 East Main, Trenton, Utah.

Present:	Chairperson	Meghan Downs
	Commissioners:	Anne Spackman
		Darris Page
		Pauline Udy
	Clerk:	Macall Smith
	Councilmember:	Kyle Kingston

Guests: Daniel Swett, Janet Cottle, Katie Bell, Ed Cottle.

Chairperson Downs called the meeting to order at 7:02 p.m.

Approval of Agenda

COMMISSIONER SPACKMAN MOVED TO APPROVE THE JULY 18, 2023, MEETING AGENDA AS PRINTED WITH COMMISSIONER UDY SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.

Approval of Minutes

It was pointed out that Erick Simmonds was not in attendance at the June meeting and needs to have his name taken off the list of those present. COMMISSIONER PAGE MOVED TO APPROVE THE June 20, 2023, MEETING MINUTES INCLUDING THE NOTED CHANGES WITH COMMISSIONER SPACKMAN SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.

Public Comment

There was no public comment at this time.

Agritourism Event-Daniel Swett

Daniel Swett was in attendance to ask for a conditional use permit for an Agriculture Education Event. He shared that he has a homeschool group that would like to come to his event. He shared that his plans include grinding meat for hamburgers, driving tractors and play in the sprinklers. The Commission reviewed the Ordinance and stated that they didn't feel that this type of Agritourism event was a permitted use in the A-5 Zone. Commissioner Spackman shared that in her opinion Mr. Swett's event was classified as an agritourism event. Commissioner Udy asked if Mr. Swett were to get a business license, would he qualify, she noted that Tom Griffin was able to justify his manure digester as an agricultural business and wondered if this was the same thing. Mr. Swett reviewed the Conditional Uses listed in the A-5 zone. Commissioner Spackman said that getting a conditional use takes time, that it is unreasonable to expect to come and get a Conditional use one day and have the event scheduled the next day. She stated that there are requirements that are addressed in a conditional use permit that would need to be provided, including liability insurance, parking etc. Mr. Swett shared that he has liability insurance, he is planning on maxing the event out at 125 and the parking would be in the grass. Commissioner Spackman asked where the event would be held. Mr. Swett stated that it would be west of the rental at 1317 South 40 East. Councilmember Kingston stated that he signed the letter that was sent to the Cottle's from the town. He stated that Mr. Ludwinski asked him to sign the letter at 9:30 at night, stating that Clerk Smith wrote the letter, and it was approved by the town Attorney. Commissioner Spackman stated that if the town attorney said they couldn't hold the event, then the Commission shouldn't give approval. Councilmember Kingston stated that he wasn't sure if the town attorney approved it, but that is what he was told. Commissioner Spackman asked who owned the property, Janet Cottle stated that she owned it. Commissioner Spackman stated that she was told the property was being sold. Janet Cottle stated that ultimately, she would be responsible because she was the property owner. Commissioner Spackman read Cache County policies regarding agritourism. Councilmember Kingston questioned if the town should add something to the ordinance to deal with agritourism. Mr. Swett encouraged the Commission to give him permission and let him move forward with the event. Councilmember Kingston stated that the issue is that it isn't listed as a listed permitted or conditional use and the Ordinance clearly says if not listed then prohibited. Commissioner Page stated that he felt like it was a good idea but that he didn't want to break the law. Chairperson Downs shared that she felt the same way. Mr. Swett stated that he felt he could qualify as an Agriculture Experiment Station. The Commission discussed falling back on

the County rules. They asked him when the event was going to take place. The Commission stated that a change to the ordinance could be made but it wouldn't solve Mr. Swett's problem right now. Katie Bell asked what the purpose of a Conditional Use was and felt that Mr. Swett's event qualified for a Conditional Use. She stated that she felt that the commission had the right to rewrite the Ordinance to change things. The Commission discussed the fact that to change anything with the ordinance requires a public hearing with noticing. Mr. Swett stated that in his mind it isn't an agritourism event it is an ag education event and change the definition in their mind and classify it as an ag experiment station. The Commission stated that they aren't trying to go against Mr. Swett but that they are still trying to figure out what to do that would be legal. Mr. Swett stated that the Commission is caught in the middle of a deeply felt family feud. Katie Bell stated that in her position on the Smithfield Planning Commission she has sat through many trainings that stated that their job is to help people do what they want on their land legally, not to stop them doing things on their land. She stated that she felt that this was a result of someone trying to stop them from doing something on their land. Commissioner Spackman stated that according to the town policy this isn't a legal use, clarifying that this is not in our ordinance. Ms. Bell stated that she didn't think the line that states "If use not listed then prohibited" was legal. The Commission stated that they need more time to study the issue and talk with the town attorney. Mr. Swett asked if changing the event to August 26th would give them time to change the ordinance and allow him to hold the event. Commissioner Spackman stated that if he could change the date, it would give the Commission time to do research and find out if a Conditional Use permit could be issued and talk with the County to get more information. Councilmember Spackman read the definition of Agriculture experiment station, emphasizing that it was a station. The Commission discussed the letter that was delivered to the Cottle's. Commissioner Spackman stated that she would like to see it done the right way, which in her opinion would allow them to do some research. COMMISSIONER PAGE MOTIONED TO POSTPONE THE DECISION TO ALLOW THE COMMISSION TO RESEARCH THE ISSUE WITH COMMISSIONER SPACKMAN SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE. Commissioner Spackman stated that she will research the issue for next month along with calling the County. Commissioner Spackman shared that she feels that if people are being charged for the event, then it qualifies as an agritourism event and is different from a class of school kids visiting a dairy. The Commission discussed that they would like to see agritourism as a permitted use with an event permit that would go along with it.

Katie Bell asked what the route was to discuss a Councilmember who she feels is using her position to enforce her own personal views. Councilmember Kingston stated that there is a procedure, but it is too close to the election to do anything about it. Daniel Swett asked if there are set widths for easements. The Commission stated for driveways and side yards, back and front yards, yes but easements no.

Commissioner Spackman stated that when all is said and done what matters most is your family not the other stuff.

The Commission discussed creating a special event permit at next month's meeting along with adding an Agritourism definition. They discussed needing a special event permit for over 50 people that charges admission and involves a food handlers permit, parking etc. They discussed having this as part of every Zone within the town. The Commission discussed drafting a Special Event Permit, they determined to work on that as next month's Commission meeting. The Commission determined to bring sample Special Event Permit's to be able to put together a permit for future use.

Update of Zoning Ordinance

Chairperson Downs stated that she has contacted Lewiston and received a copy of their ordinance regarding trailer houses. The commission discussed having mobile homes its own chapter. They discussed using parts of Lewiston's code regarding trailers. The Commission also discussed the State code for interior accessory dwelling units. Commissioner Spackman stated that she didn't want to make any laws that the town was unwilling to enforce. The Commission discussed adding language to the Zoning Ordinance regarding using a camper as a temporary residence.

The Commission discussed requesting an official document clarifying the reason for the delay.

Adjournment

There being no further business to come before the Commission, COMMISSIONER SPACKMAN MOVED TO ADJOURN THE MEETING AT 8:37 PM WITH COMMISSIONER PAGE SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.