

Newton Planning Commission Meeting
June 8, 2023, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Call to Order/Roll Call
2. Opening Ceremony Barry Myers
3. Welcome of new planning commission member, Cass Bleazard
4. Approval of May 2023, minutes
5. Dog kennel conditional use permit, Camille Godfrey, 45 West 200 North, 3 dogs
6. Josh May, Parcel 13-0023-0035, 22 East Main, lot line adjustment.
7. Craig Rigby, Brad Phillips, parcel 13-034-0057 and 13-034-0042, 112 East 200 South, lot line adjustment
8. Draft water exaction code review
9. Draft animal code review
10. Adjournment

1. Roll Call

Members present: Cass Bleazard, Justin Cooley, Martin Empey, Barry Myers and Rich Olsen
Karla Ferguson – Recorder.

Others present: Josh May, Brett Petersen, Craig Rigby, Kathy Rigby, Brad Phillips and Brandie Phillips

2. Opening Ceremony – by Justin Cooley

3. Welcome of new planning commission member, Cass Bleazard – Rich Olsen
welcomed new planning commission member Cass Bleazard. Cass will replace Reid Smith as a commission member.

4. Minutes for May 2023, approved.

5. Dog kennel conditional use permit, Camille Godfrey, 45 West 200 North, 3 dogs –
Rich Olsen reviewed the application for a kennel conditional use permit for 3 dogs. Notifications were mailed to property owners within 300 feet of the address. Eight responses were received. Two respondents were ok with the kennel, two want mitigation measures and four respondents did not want the kennel. A few respondents wrote letters of complaint against this dog kennel. The letters were reviewed. A report from Cache County Animal Control of complaint history lodged and calls regarding this dog kennel was reviewed. Citations for dogs running at large have been issued prior to and since the application was filed for this homeowner. The animal control officer also confirmed that at least five dogs are living at the residence since the application was filed. Rich Olsen stated for the record that he is a neighbor who has complained about the dogs at this address. Due to the complaint history and inaccuracies with the application for the number of dogs all Planning Commission members voiced concerns regarding the dog kennel.

Barry Myers made a motion to approve the application for a dog kennel conditional use permit. Roll call vote:

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Cass Bleazard		X		
Justin Cooley		X		
Martin Empey		X		
Barry Myers		X		
Rich Olsen			X	

The dog kennel conditional use permit application for Camille Godfrey was denied. A letter stating the denial will be mailed.

6. Josh May, Parcel 13-0023-0035, 22 East Main, lot line adjustment – Josh May reviewed last month's discussion regarding his lots along Main Street. Josh has applied for a building permit for a new addition being added to the home. The addition side yard setback is 4 feet. The lots are zoned commercial. The building inspector will require the house to have a firewall the entire length of the addition if it is under 5 feet for the side yard setback. The lot lines for lots 2 and 3 are not recorded by Cache County until lot 3 is sold to a separate owner and then it will be recorded with a separate parcel #. Josh May asked if the lot line could be moved one foot to have a side yard setback of 5 feet and not require the firewall. The subdivision was completed in 2009. Lot dimensions were discussed. It appears that lot 3 has 148.5 feet of street frontage. But the line is not straight, and the lot is wider the further back on the lot. It was discussed that a variance would need to be issued to adjust the lot line because there is not enough street frontage to adjust it one foot. It was discussed to determine if a variance is needed at this time or when the lot is sold, and a separate parcel is applied for. The planning commission decided to research the item and variances and place it on next month's agenda.

7. Craig Rigby, Brad Phillips, parcel 13-034-0057 and 13-034-0042, 112 East 200 South, lot line adjustment – Craig and Kathy reviewed that they are the owners of parcel 13-034-0057. Brad and Brandie Phillips own parcel 13-034-0042 at 112 East 200 South. The Rigby's parcel surrounds the Phillips parcel that is on the corner. The Rigby's and Phillips would like to adjust lot lines between their parcels by adjusting the Phillips long skinny lot into a wider lot for them to be able to build a garage in the future. The existing lot dimensions and proposed lot dimensions were reviewed. The adjusted lot dimensions would meet minimum Newton lot standards. The proposed lot dimensions for the Phillips lot would be 145' x 165' and .55 of an acre. It was also discussed that the remaining 20' of the lot will be adjusted and added to Ferguson's lot, 13-034-0058 at 130 East Main 200 South so that there would not be any remaining unconforming lot between the properties. **Justin Cooley made a motion to accept the proposed lot line adjustments between the three parcels. Roll call vote:**

<u>Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Cass Bleazard	X			
Justin Cooley	X			
Martin Empey	X			
Barry Myers	X			
Rich Olsen	X			

8, Draft water exaction code review – Brett Petersen answered questions regarding distinguishing between outdoor use or inside culinary water. It was determined that the language in the proposed draft should be kept in anticipation of future growth. The Utah code changes regarding water exaction were reviewed. Brett Petersen will submit the draft code to the town attorney for review. It was discussed to possibly have the new countywide planner review the draft code also.

9. Draft animal code review- Martin Empey suggested having the new countywide planner get involved in reviewing and meeting with the Planning Commission in regard to the draft animal code. Martin Empey asked that the amount of time without animals be increased to three years. Ideas for a point system were discussed. Planning Commission members were asked to review the various drafts of the animal code and send any suggestions to Rich Olsen to compile for review. A meeting with a new county planner will also be set up to review the draft.

10. The meeting adjourned.

Minutes prepared by: _____
Karla R. Ferguson, Newton Town Clerk Approval Date