

Town of Independence
Planning Commission Meeting
08/21/2023 6:00 p.m.

In attendance: Commissioners Jerry Hunsaker, Maverick Bolger, Kurt Hoffman, and Kim Tolbert. Jim Pennington was excused.

Staff attendance: Jodi Hoffman and Cathy Bingham.

Other in attendance: Cal Johnson—Legend Engineering, Russ Witt, and Cathy Witt.

1. Call to Order. Chairman Bolger called the meeting to order at 6:03 p.m.
2. Pledge of Allegiance led by Chairman Bolger.
3. Consideration and possible adoption of draft minutes from August 9, 2022.
 - Commissioner Hoffman moved to approve the draft minutes for August 9, 2022.
 - Commissioner Hunsaker seconded the motion.
 - The motion passed unanimously.
4. Discussion and possible approval of a Conditional use Permit for a Gravel Pit on Parcels 20-8079, 20-8085, 20-8089, and 20-8094.
 - Commissioner Hunsaker made a motion to discuss and possibly approve a Conditional Use Permit for a Gravel Pit.
 - Commissioner Tolbert seconded the motion.
 - The motion passed unanimously.
 - Ms. Hoffman explained the items in the Staff Report and the permit application and went over the eight (8) Criteria for Approval found in section 16.05.15 of the Town of Independence Development Code. Ms. Hoffman also explained the Conditions of Approval for the Conditional Use Permit. The Applicant owns an 80-acre parcel that he would like to use as a gravel pit. This application is to mine up to ten (10) acres, five (5) acres at a time, and would require reclaiming the first five (5) acres before the next five (5) could be mined. Access to these ten (10) acres will be across other properties owned by Mr. Witt coming off of Highway 40. This request is consistent with the state requirements for gravel pits.
 - Mr. Witt's long-term vision is to mine all 80 acres.
 - Ms. Hoffman reported that the Town Council is in the process of restricting gravel pits. This application to mine this parcel was submitted before the Council determined new restrictions should be put in place. The opportunity to expand the gravel operation on this parcel can be reevaluated after regulations are adopted. The application for this parcel will not include the area of the access driveway.
 - Applicant has submitted an application to UDOT for a commercial driveway.

- Applicant is in the process of getting approval from the State for a permit for a gravel pit.
 - Applicant has 1 acre foot of Daniel Irrigation water available for the operation.
 - Applicant has agreed to source sales tax point of sale to the Town.
 - Commissioner Hunsaker asked that hours of operation be more defined. Hours of operation will be Monday through Saturday, 7 a.m. to 7 p.m. Since Mr. Witt is not proposing lighting for the site, the hours of operation during the late fall, winter, and early spring will be restrained to conform to daylight hours.
 - A 200 foot minimum access road will be paved from Highway 40. This road will follow Town engineering standards.
 - The Town will require mud rakes if UDOT doesn't.
 - Commissioner Hunsaker asked if the Town would require financial protection for the project. Ms. Hoffman will look into the obligation the applicant will have to provide the State and if the bank and/or the State will let the Town use the same security. If not, a letter of credit or cash deposit will be required.
 - Commissioner Hunsaker wanted clarification on reclaiming the first five (5) acres before the next five (5) acres was allowed to be mined. Ms. Hoffman reported that there would be no more than 5 "active" acres being mined at any time.
 - Commissioner Hunsaker asked about the requirement of controlling dust when wind speeds exceed 10 mph. Mr. Witt reported that the law requires all dust to stay on site and that the State Division of Air Quality will monitor this law. Ms. Hoffman stated that the Town can and will separately regulate dust from the site in addition to the state requirements.
 - Commissioner Hunsaker inquired about the noxious weed requirement. Ms. Hoffman stated this is a remnant from the Wasatch County Code and is a County wide requirement.
- The Commission heard from the Applicant, Mr. Witt:
- The lanes required by UDOT will allow for about a ½ mile visual from both lanes of traffic on Highway 40.
 - The limestone/quartz rock found in this property is great for gravel.
 - The gravel pit is located in the Town but will not impact any of the Town's roads.
 - Mr. Witt bought the parcels from different owners and is considering trading/adding additional property. He would like to hold off and not combine parcels until all properties have been purchased.

- The parcels where the access road will be located will eventually be combined into one parcel and in the meantime will have access easements recorded on them.
 - There will be no retail sales at the site so the only traffic will be truck traffic.
 - Commissioner Hoffman moved to approve the Conditional Use Permit for a Gravel Pit on Parcels 20-8079, 20-8085, 20-8089, and 20-8094 with additions and changes as discussed.
 - Commissioner Hunsaker seconded the motion.
 - The motion passed unanimously.
5. General Public Comment.
- No general public comment.
6. Adjourn.
- Chairman Bolger adjourned the meeting at 7:23 p.m.

Dated this 15th day of November, 2023

Maverick Bolger, Chairman

Cathy Bingham, Town Clerk