

COUNTY OF SEVIER CITY OF RICHFIELD

At the Planning Commission

In and for said City

July 9, 2025

Minutes of the Richfield City Planning Commission meeting held on Wednesday, July 9, 2025, at 6:00 p.m., Chairman Josh Peterson, presiding.

1. Roll Call.

Present: Josh Peterson, Blaine Breinholt, Ray Terry, Roxanne Bobo, Wes Kirshner, May Anderson, Wayne Cowley.

2. Administrative actions –

a. Conditional Use Permit - Peterson Plumbing to request a conditional use recommendation for a building to be located at approximately 500 East and 100 South. A C2 use in an MD (Manufacturing and Distribution District) Zone

Don Peterson, representing the company, said one of his goals is to clean up a junk hole in the City. One of the challenges with the proposed piece of land is that it was part of the old Terry Oil bulk plant. It was also formally part of the rail depot and may have some soil contamination. If he were allowed to concrete the entire site, and cap it and seal it off, it won't cause any problem. Peterson said he has approval from the canal company to put his storm drainage into the canal. Can't contain all the water, it's a mess due to what was done years ago.

Chairman Peterson said state law requires developments to contain their own storm water, and the Planning Commission can't supersede state law.

Don Peterson said retaining the water on site would cause problems that wouldn't be able to be fixed without making the project prohibitively expensive. He said it wouldn't break state law, as it wouldn't increase the amount of water already going into the canal. He said common sense needs to prevail.

Chairman Peterson said Richfield City wants to make sure it is adhering to state law and not end up in a lawsuit. He said the City can't fix the mistakes of the past, but anything new the City has to abide by the law. All the developments done over the past several years have had to have detention basins.

Commissioner Breinholt said if the water were to be put into the ground at that location, it could cause problems.

Don Peterson said if it were capped, it would not cause any problems whatsoever.

1 Commissioner Anderson said she is worried about storm water draining into the canal -even
2 with permission, could it violate state code? She said while it may drainage may currently be
3 being put into the canal, that doesn't mean that future developments should continue to do so.

4 Don Peterson said if it were retained, it would have to be sealed off and then pumped out.

5 Chairman Peterson said he understands the problem, but even with permission, that doesn't
6 change the laws or policies the City is required to follow.

7 Commissioner Breinholt asked how the law is written.

8 Chairman Peterson asked Deputy Clerk Anderson so ask the City attorney and the City engineer
9 to see if Don's proposal could be done legally. He said he doesn't want to go by hearsay, but
10 would rather have some guidance before moving forward.

11 Don Peterson said his business purchased land that's a superfund site. He said the former
12 owners of the land spent at least \$10 million in mediation. It would be better to have this land
13 capped off as no one will spend that amount of money to rehab it at this point. He said if soil
14 tests were required, they would walk away from any new development.

15 Chairman Peterson said he doesn't feel good without the attorney's recommendations first. He
16 would like to check with the City's attorney and engineer and see what the options are.

17 Commissioner Breinholt said what Don is saying makes sense – one doesn't want to add water
18 that would push into the aquifer. That would aggravate the situation and affect a lot of wells.

19 Don said the amount of money being spent on the superfund site is beyond belief. However,
20 this would solve a huge problem without having to spend extreme amounts of money. It has to
21 be feasible to do.

22 Chairman Peterson said it is ok to go ahead and move forward with the concept, but the
23 commission can't make a recommendation until it has some answers on where the liability lies.

24 Deputy Clerk Anderson said he would talk with the engineer and the attorney and see what
25 options are for next month's meeting.

26 Commissioner Terry asked what exactly would be cemented as part of the project. Don said it
27 would be the entire site.2:42

28 **Motion:** Table until next month, **Action:** Table, **Moved by** May Anderson, **Seconded by** Blaine
29 Breinholt.

30 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

1 **Yes:** Blaine Breinholt, Josh Peterson, May Anderson, Ray Terry, Roxanne Bobo, Wayne Cowley,
2 Wes Kirshner.

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4 3. Minutes Approval **Motion:** Approve the minutes, **Action:** Approve, **Moved by** Blaine
5 Breinholt, **Seconded by** Roxanne Bobo.

6 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

7 **Yes:** Blaine Breinholt, Josh Peterson, May Anderson, Ray Terry, Roxanne Bobo, Wayne Cowley,
8 Wes Kirshner.

9 4. Other Business -

10 5. Adjournment **Motion:** Adjourn the meeting, **Action:** Adjourn, **Moved by** Wes Kirshner,
11 **Seconded by** Wayne Cowley.

12 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

13 **Yes:** Blaine Breinholt, Josh Peterson, May Anderson, Ray Terry, Roxanne Bobo, Wayne Cowley,
14 Wes Kirshner.

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