

Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
September 3, 2025

Minutes

Date: Wednesday, September 3, 2025

Location: Fairfield Town Office 121 West Main Street Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Recorder: Stephanie Shelley

Call to Order

1) Roll Call

Commissioner Taylor opened the meeting at 7:01 pm

David Riet, Wayne Taylor, Jami Mascaro, Kelton Butterfield, Kyler Fisher (arrived at 7:19 pm)

Staff Present:

Recorder: Stephanie Shelley, Mayor: Hollie McKinney (Via-Zoom), Treasurer: Codi Butterfield, Sergeant Dutson, Attorney: Todd Sheeran (Via-Zoom).

Others Present: Tal Adair, Michael Weber, Vern Carson, Ross Klvacek, Matthew Kolm, Alina Pringle, Mark Pringle, Brandon Phelps.

Via-Zoom:

Brenda, Tyler's iPhone,

Public Hearing

1) Postponed until Sept 9, 2025, at 6 pm

Business Items

The Commissioners will discuss (without public comment) and may approve the following items:

1) Vote for a Chair and Co-Chair for the Planning Commission.

Commissioner Mascaro nominated Wayne Taylor for Chairman and David Riet as co-chairs. Commissioner Butterfield seconded the nomination. It passed unanimously.

Wayne Taylor - Yes

Jami Mascaro - Yes

David Riet - Yes

Kelton Butterfield - Yes

2) Public Comment: 2 minutes each person, up to 20 minutes.

Vern Carson: wanted to make sure the water ordinance would be discussed during the meeting.

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Mathew Kolm, owner of West Desert flight school and as the president of the Aviators for the Airpark, I want to express my concern with the draft ordinances currently under review. As written, I believe the ordinances are problematic.

They contain provisions that not only conflict with FAA regulations but also contradict established aviation laws. They also overreach in ways that infringe on freedoms and go against the spirit of life, liberty, and the pursuit of happiness.

Before moving forward, I strongly recommend that the Council and Commission either engage an aviation expert to review the ordinances or work directly with the Air Park on any revisions to ensure that what is adopted is both sound and practical.

The goal should be cooperation, not conflict, between the two parties. By involving experts or the Air Park community, the Town can create ordinances that truly protect residents' rights while also supporting the Air Park as a valuable part of our community. That approach will ensure that both the Town and the Air Park can coexist and thrive.

Alina Pringle just want to say thank you so much for the time you've put into this. Your time is valuable. I understand how much work goes into reviewing and revising these materials.

When I went through it, I didn't have much time to read everything that had been updated or adjusted since last week, but there is a lot of inaccurate information included. As Matthew mentioned, working collaboratively with the Air Park, engineers, and aviation professionals will help create a legal document that is understandable and practical.

Regarding the Unified Airport Land Use Guide, I shared that with the landfills as an example of what the Air Park is not, and what the overlay didn't need to be. The guide is being promoted as what should be law, but I presented it to show that it should not be used that way. Utilizing it as a guide is fine, but using it as a regulatory document is not appropriate. For example, the reference to 10,000 operations at a small airport is a description, not a regulation or rule.

Using the guide as a regulation could result in creating a larger airport than what Fairfield envisions for the future. Airspace control and local zoning ordinances cannot be used to restrict aircraft operations at the airport—state and local governments are preempted from enforcing laws that restrict aviation activities.

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The rule suggesting 10,000 operations or flights over houses raises questions. For instance, Breeze Airways flies over many homes regularly—so how would it make sense to say that the Air Park or the pilot should be cited?

The Air Park will continue to work with residents, and we hope to form something that benefits the entire community. Thank you.

Mark Pringle stated that numerous lies have been circulated, particularly by the chair. I can prove that every single one of those lies is untrue—absolutely, one hundred percent. Let's move forward, work together, and make this the best it can be for the community.

Michael Weber responded he thinks referencing Breeze Airways is a bit disingenuous. Breeze Airways operates at around 30,000 feet, while small airplanes fly at approximately 500 feet overhead. The townspeople deserve to be heard, represented, and taken into account during these discussions.

I believe the majority of residents have expressed opposition to the issues we've been facing, and it's important to recognize that these are not lies being discussed—they are real and significant concerns to the townspeople and should not be dismissed.

3) Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road.

Commissioner Taylor highlighted the extensive revisions made to the development agreement following numerous discussions between the Town's attorney and the industrial park's attorney, which were described as cordial and professional.

Commissioner Riet expressed concerns regarding the well development, focusing particularly on the setbacks. He cautioned that inadequate space around the well house might impede maintenance activities, especially when cranes are needed to service or replace the pump or motor.

Tal responded, noting that Lot 11 is situated next to a road, thereby ensuring maintenance access without rendering an entire acre unusable, aligning with their commitment that all lots measure at least one acre. He confirmed that the well location near the road provided sufficient access.

The Commission deliberated on the 85-decibel noise limit applied to property lines. Tal elaborated that enclosures would be installed around generators and other equipment to

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reduce noise, and the agreement mandates that property owners rectify noise levels exceeding the 85-decibel threshold, with potential code enforcement if necessary.

Discussions further included aspects such as water banking, timing for park and walkway construction correlating with 75% project completion, setback norms revised from 20 feet to 10 feet, setback determinations for well lots relying on actual building lines instead of property lines, defining the "owner's lot" (specified as the 10-acre area under current construction), and stipulated measures for water protection around well sites.

Tal also assured compliance with state regulations on well protection zones, highlighting that an HOA would oversee fencing requirements across all lots, which would aid noise control and improve overall aesthetics.

4) **Rewrites to the Town's water regulations.**

The Commission conducted a review of proposed amendments to the water regulations. Mayor McKinney introduced several new definitions, including "Fairfield Irrigation Company," "Fairfield Irrigation Culinary Share," and "Secondary Use." A significant discussion arose regarding the proposed section on existing residential water connections. Mayor McKinney posited that current town residents should not be subject to impact fees for connecting to the waterline, emphasizing that many of these residents contributed to the installation of the waterline and have been supporting it indirectly through general fund allocations for approximately 10 years, amounting to \$190,000 (at approximately \$19,000 annually). She argued that with an impact fee set at \$16,000, residents would be unlikely to abandon their wells in favor of connecting to the municipal water system.

However, Tyler, the water director, staunchly disagreed, asserting that development is required to finance itself, emphasizing that the impact fee pertains explicitly to the new well and water tank rather than the original waterline. He questioned the rationale for exempting residents from impact fees when new developments are mandated to pay, highlighting the identical impact on the system regardless of whether individuals are current residents or part of new development. Chairman Wayne proposed tabling this topic for further examination in a subsequent meeting, recognizing that a decision was necessary but the matter could not be resolved in one session.

The Commission further discussed water rights requirements. Tyler detailed that the standing ordinance mandates 1 acre foot of water for a 1-acre lot and 1.25 acre feet for lots exceeding 1 acre. He presented data indicating the average consumption per connection in 2024 was 163,648 gallons (around half an acre foot), with the highest

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residential consumption reaching 797,575 gallons (slightly more than 2 acre feet). He expressed concern that the figures proposed by Bowen Collins were excessively high and unjustifiable according to historical consumption records.

Commercial water requirements were also debated. Tyler highlighted that commercial enterprises such as cabinet shops with under 10 employees might only necessitate half an acre foot of water, in contrast to an establishment like a Maverick gas station that might require 2.5 acre feet.

Consideration was given to the parameters for obligating connection to the town's water system versus permitting property owners the option to drill wells. The existing criterion, which mandates connection if within 1,000 feet of a water line, was acknowledged as outdated owing to escalated costs. Discussion entailed revising the mandate to a range between 300 and 800 feet, given current cost assessments: approximately \$95,000 for 1,000 feet of 8-inch waterline compared to \$75,000 for a 500-foot well.

Tyler explained the water source protection plan, which is updated every six years by Rural Water and requires state approval. The plan imposes specific restrictions, including prohibitions on pesticide application or the installation of septic systems within certain proximities to water sources.

5) Revisions to the Airport Zone found in Town Code § 10.11.260.

Todd Sheeran, legal counsel, provided an update on the extensive work undertaken to define key terms in the airpark zone code, addressing omissions in the previous ordinance.

The Commission examined provisions classifying the airport as a “small airport” (runway less than 5,000 feet, fewer than 10,000 operations, visual approaches devoid of instruments), as outlined in the land use guide tailored for rural communities.

Deliberation followed regarding the appropriateness of a road passing through the runway protection zone. Chairman Wayne cited that the road was part of the original development plan, with Tal planning to construct his portion. The Commission considered safety implications, drawing parallels to Salt Lake International Airport, where aircraft fly over I-80 within 100 feet of the ground.

In reviewing permitted uses, Todd proposed revising the language to require all uses to have an aviation-specific purpose, citing that specific uses, such as cafes, are suitable for a mixed-use development but are not exclusively aviation-related.

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A thorough discussion ensued centered on crew rest facilities within hangars. Mayor McKinney raised concerns about the potential for illegal activities at the airport due to insufficient regulations and inspections.

Todd recognized the enforcement difficulties, highlighting that similar challenges persist across private properties like storage units, and emphasized due process rights in inspections.

The Commission deliberated on restaurant and café designs, resolving to merge these categories and classify them under conditional uses to facilitate appropriate regulatory measures concerning operating hours.

6) Revisions to the Airport Overlay found in Town Code § 10.11.275.

The Commission engaged in a succinct review of the airport overlay draft, identifying discrepancies between the 5,000-foot perimeter surrounding the runway and the 10,000-foot control development area as detailed in the GSBS map.

Todd Sheeran, committed to scrutinizing noise abatement measures to verify alignment with municipal jurisdiction, while acknowledging that the FAA retains authority over airborne aircraft.

Commissioner Mascarocro noted that Alina had proposed alternative flight paths, which could be submitted to the FAA with the aim of minimizing overflights above residential zones.

Adjournment

Motion made by Commissioner Mascarocro to end the meeting. Commissioner Fisher seconded the motion. Meeting end time 9:53 pm.

November 5, 2025

Stephanie Shelley

Minutes Approval Date

Stephanie Shelley Recorder/Clerk