

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

Minutes

Date: Tuesday, September 9, 2025

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

Time: 6:00 P.M.

Minutes By: Recorder: Stephanie Shelley

Call to Order

1) Roll Call

Commissioner Taylor opened the meeting at 6:00 pm

David Riet, Wayne Taylor, Kyler Fisher, Jami Mascaro, Kelton Butterfield

Staff Present:

Recorder: Stephanie Shelley, Mayor: Hollie McKinney, Treasurer: Codi Butterfield, Attorney: Todd Sheeran (via Zoom).

Others Present: Michael Weber, Tyler Thomas, Iyar Kore (Eagle Mountain), Sylvia Lawerence, Tal Adair (Kamas), RL Panek, Alina Pringle, Mark Pringle, Mathew Kolm (Eagle Mountain), Greg Pringle (Sandy), Todd Hoopes (SLC), Slade McLair (Saratoga Springs), Cherie Anderson (IRL), Neil Schwendian (North Point), Brent Dahl (Draper), Ross Klvacek (Saratoga Springs)

Via- Zoom: Matthew, Amy Walker, BriansiPhoneBrian, Steves phone, Colby Webb, Brenda Tanner, Scott Hazard.

Call to Order

1) Roll Call

Public Hearing

The Planning Commission will accept public comment and may make a recommendation to the Town Council for the following items: (No more than 2 minutes per person, with a 14-minute limit for each item.)

1) Presentation on the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road.

Tal Adair presented on the Fairfield Industrial Park Development Agreement, focusing on two primary elements for the Commissioners' consideration.

First, he addressed the authorization for crane use. Tal recommended adding cranes to the chart of permissible uses within the development area. He explained that cranes are necessary for well-drilling operations and may also be needed for certain construction activities. He noted that

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

he had consulted with the airpark and received no opposition to including cranes as an authorized use.

Next, Tal discussed proposed water management initiatives. He outlined a program that would link water usage records to property titles, allowing the town to better monitor and manage water consumption. Under this system, property owners who exceed their designated water allocations could be required to provide additional water. Tal emphasized that this approach would help the town gather comprehensive data to support long-term water management planning.

a) Public Comment on the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road.

No public comments were made.

b) Commissioner Discussion on the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road.

The Commissioners reviewed the proposal to include cranes in the chart of uses.

Commissioner Taylor noted that excluding cranes would significantly hinder well-drilling operations. Following discussion on whether cranes should be listed as a permitted use or a special use, the Commissioners determined that cranes would be designated as a special use.

The Commissioners also considered water management proposals. Specifically, they discussed requiring 0.9 acre-feet of water per lot for Phase 1 of the development. They further examined the possibility of adjusting the water requirements for Phase 2 based on the actual usage data collected during Phase 1. This approach is intended to improve the accuracy of water requirement assessments for future phases of development.

c) Motion to send the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road, to the Town Council for approval.

Commissioner Riet motioned to send the Fairfield Industrial Park Development Agreement, approximately located at 400 S Allens Ranch Road, to the Town Council for approval. With the addition that cranes be permitted as a special use, and making the water requirement phase 2 negotiable, depending on actual water uses in phase one. Commissioner Masacro seconded the motion. The motion was unanimously approved.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Masacro - Yes

Commissioner Butterfield - Yes

2) Presentation on the Revisions to the Town's Water Regulations (Ordinance) § 6.1

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

Tyler Thomas, the Water Director, presented proposed revisions to the town's water regulations. He explained that the town had hired Bowen Collins, an engineering firm, to assist in developing updated guidelines. His presentation centered on the water quantities required for different property types, supported by data.

In 2024, the town's 30 water connections collectively used 5,400,394 gallons. The average household consumed 163,648 gallons, with the highest user approaching 800,000 gallons and the lowest full-time resident using just 5,000 gallons. Tyler highlighted the sharp seasonal contrast: approximately 911,000 gallons were used during the six winter months, compared to 4,489,000 gallons in the summer, demonstrating that outdoor irrigation accounts for the majority of consumption.

To illustrate usage patterns, he provided examples. His own household of five people, along with two horses, a dog, and a garden, consumed 167,000 gallons. By contrast, a home with lawns and a sprinkler system used 633,960 gallons. Tyler expressed concern that the numbers recommended by Bowen Collins—1.8 acre-feet per residential lot, with additional requirements for larger lots—were much higher than both the current requirements and the historical data. He stated his view that the town's existing standards—1 acre-foot for a one-acre residential lot and 1.25 acre-feet for larger lots—are more consistent with actual usage.

He also shared data on commercial water consumption. A gas station without a car wash used 1.7368 acre-feet annually; a restaurant, 5.837 acre-feet; a used car lot, 0.02 acre-feet; a credit union, 0.054 acre-feet; an industrial auto repair shop, 1.144 acre-feet; and a car wash, 19 acre-feet.

Finally, Tyler addressed the question of when property owners should be required to connect to the town water system versus being allowed to drill private wells. The current ordinance requires a connection if a property is within 1,000 feet of a main line. He suggested revisiting this threshold, explaining that current cost comparisons indicate 600 feet is a more reasonable distance at which extending the water line equals the cost of drilling a well.

a) Public Comment on the Revisions to the Town's Water Regulations (Ordinance) § 6.1

Amy Walker, the attorney for West Desert Airpark. I have a general question after a quick review of the document. In Section 6.10.15(b), I'm curious how that provision interacts with private wells and non-culinary uses. It appears under Fundamental Policies.

Commissioner Taylor informed them, There are both irrigation shares and culinary shares within the water system. The Town will not allow an irrigation share to be moved into the culinary system.

If a property owner has an irrigation share and the state or the originating entity deems it acceptable to convert that share to culinary use, the owner may do so. However, the

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

Town will not accept it into the system until it has been officially converted to a culinary share, as irrigation water is not suitable for drinking purposes.

Tyler Thomas, this requirement follows Fairfield Irrigation Company rules, which the Town is obligated to adhere to. Mayor McKinney stated that there is a 1965 Court decree that the Town has to follow.

Commissioner Taylor stated If someone purchases culinary or irrigation water shares elsewhere in the valley and wants to transfer them to Fairfield, they must first obtain state approval for those shares to be designated as drinking water before the transfer can occur.

This area is classified as Area 54 for water use, and the state does not typically allow water to be moved into the area. Additionally, an irrigation share is not equivalent to a full water share. A transfer process must occur to convert irrigation shares into water shares.

As an example, it was noted that when Micron was built, water was transferred from Payson to Lehi through a similar state-approved process. The State is trying to keep everything in the same aquifer.

The Town's water system was established in 1939, upgraded in 1996, and involved in a court case in 1965. The Town purchased the infrastructure from the Fairfield Irrigation Company and currently leases the water rights from them.

The water company holds the state water rights for all associated sources. If a person were to transfer a share of culinary water into the system, it would be designated as a point of diversion at the Town's water source. The share would then be turned over to the Town, which would deliver the water to the residence.

Alina Pringle, regarding commercial and industrial lots, storage units or containers could be considered as one lot with one water connection. The current water use requirement seems quite high for clean, self-storage containers.

It was stated that the fairest approach for commercial and industrial water allocation is to base it on fixed accounts and demonstrable water demands. These demands can be calculated by the Town's engineer using standardized tables.

For example, a textile business located in a light industrial zone could quickly exhaust the town's water supply. It was noted that producing a single pair of denim jeans requires approximately 2,806 gallons of water.

The opinion was expressed that for commercial and industrial uses, the only fair and practical method is to base water allocation on actual, measurable demand.

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

b) Commissioner Discussion on the Town's Water Regulations (Ordinance) § 6.1

The Commissioners considered several key elements of the proposed water ordinance.

On the issue of existing resident water connections, the Commissioners discussed whether impact fees should be waived for current residents who wish to connect to the system. Commissioner Mascaro initially supported a waiver but, after Town Attorney Todd advised that such a waiver could create legal liability, suggested that a reduction might be a more appropriate option. Following this discussion, the Commissioners agreed to remove the waiver provision.

The Commissioners then examined water requirements for commercial and light industrial uses. Concerns were raised that the proposed 1.9 acre-feet requirement might be too high for certain businesses and too low for high-demand users such as restaurants or car washes. After weighing these considerations, the Commissioners decided to retain the proposed requirement, while allowing the Town Council discretion to adjust it on a case-by-case basis based on engineering assessments of actual water needs.

Water banking for new developments was also reviewed. The Commissioners clarified that banked water rights must be held by the town, not by developers, ensuring municipal oversight. This system will allow developers to manage resources for phased projects while maintaining centralized town control.

In addition, the Commissioners addressed well requirements, agreeing that 600 feet is an appropriate threshold for determining whether properties must connect to the town's water system or may drill private wells, based on current cost comparisons.

Finally, the Commissioners reviewed proposed language regarding water source protection zones and expressed support for the wording as presented.

c) Motion to send the Revisions to the Town's Water Regulations (Ordinance) § 6.1 to the Town Council for approval.

Commissioner Fisher motioned to send the Revisions to the Town's Water Regulations (Ordinance) § 6.1 to the Town Council for approval. Commissioner Riet seconded the motion. The motion was unanimously approved.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Mascaro - Yes

Commissioner Butterfield - Yes

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

3) Presentation on the Revisions to the Airport Zone found in Town Code § 10.11.260.

7:39 Wayne presentation Todd 7:39-7:40

Commissioner Taylor gave a brief overview of the Airport Zone revisions, explaining that the town is working to create an ordinance that will serve both the airport and the town, establishing common ground where all parties can be reasonably satisfied.

Town Attorney Todd Sheeran added that deficiencies in the current airpark zone had been identified, prompting the issuance of a notice of pending ordinance. Among the issues were the absence of definitions for specific uses and unclear standards for setbacks and other requirements. He explained that the purpose of the revision is to conduct a comprehensive overhaul of the ordinance, preserving similar permitted uses while providing clearer regulations.

a) Public Comment on the Revisions to the Airport Zone found in Town Code § 10.11.260.

Amy Walker, attorney for West Desert Airpark, expressed concerns about compliance issues, particularly regarding FAA regulations being incorporated into the town code. She noted the potential confusion about enforcement jurisdiction between the town and the FAA, as federal law gives the federal government exclusive sovereignty over U.S. airspace. She also expressed concerns about the obligation easements section in 10.11.260.14, which she believed may conflict with state code.

Matthew Kolm, owner of West Desert Flight and president of the flying club, at the Air Park. I want to thank everyone for the time and effort put into this process. I appreciate the work that has been done to help move things in the right direction.

In reviewing the draft, on page 28, Section B, under "Private Air School Special Uses," there are references to operations under Parts 61 and 141. However, the language limits activity to day VFR only. Both Parts 61 and 141 include IFR operations, although IFR approaches cannot be performed at this airport since no IFR system exists. The current wording appears to prevent taking a student to another airport to complete IFR training, which raises concerns.

Additionally, the section references contracting or leasing to another program. I am currently semi-contracted with a company based in Hays, Kansas, to assist their customers with flight training, and I am unsure how this provision would apply under the proposed language.

Another concern is that the draft specifies a flight school must be owned by the airport entity. I do not own any part of the airport—only the flight school—so as written, this provision would completely restrict my ability to operate.

Bryson Masacro asked a question regarding flight school operations: if his flight school is limited in the number of students or aircraft allowed at the Air Park, would he still be

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

permitted to conduct training elsewhere, or would the same restrictions apply? Mayor McKinney asked if the people he had trained were online or if they were flying in.

Matthew stated that it was explained that flight training is conducted through a combination of local and out-of-state students. Some students from Utah come to train locally, while others fly in from other states to receive instruction either in their own aircraft or in the instructor's aircraft.

Bryson asked a question, which was then raised about whether training could also take place at other locations or if it was limited solely to the Air Park.

Mayor McKinney informed those present that the Church felt it was not notified correctly and had not had time to review the ordinance. They have asked for additional time.

Cheri Anderson, with IRL, requested more time to review the document thoroughly.

Brent Dahl turned his time over to Amy Walker there attorney.

Amy Walker regarding the ownership requirement for flight schools. It was noted that this provision may raise potential privileges and immunities concerns under the Constitution, as it could be interpreted as a restriction on operating a lawful business. The speaker stated an intention to coordinate with Todd to further review and discuss the issue, acknowledging that it is a complex matter for a small town to address.

It was emphasized that it is important for flight schools to be able to operate their lawful businesses.

Reference was also made to Section 2.60.12 on page 7, which mentions an FAA plan requiring compliance for small airports. The speaker noted that such a plan does not appear to be something the FAA necessarily provides, making it difficult to navigate when the Town's requirement references FAA compliance that may not exist. Additional mention was made of related provisions on page 17 concerning the small airport section.

The Commission thanked Amy for her comments and input.

Alina Pringle thanked the Commission for the time and effort spent drafting and reviewing the ordinance. They expressed concern that portions of the ordinance reference obligations under federal guidelines, noting that the airport does not accept any federal grant funding. It was explained that many FAA advisory circulars are intended as recommendations rather than requirements, and that the Utah Planning Guide is designed to serve as guidance, not as a regulatory document. The speaker stated that using such documents as binding regulation may be an overreach.

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

They expressed appreciation for Fairfield's efforts to protect the airspace around the Air Park but noted that some portions of the ordinance seem to characterize the Air Park as a regional airport rather than a small, community-focused airfield. The speaker suggested reviewing those sections further and acknowledged the ongoing work being done on the ordinance.

It was also noted that safety considerations had been discussed previously during Town Council meetings, including the topic of bird hazards prior to the original adoption of the airport burdens. The speaker emphasized that safety remains the foremost concern—for both Fairfield residents and pilots—and that the Air Park is committed to maintaining that standard.

They stated that the Air Park continues to work collaboratively with surrounding landowners, the church, and others affected by the overlay. The goal is not to restrict or negatively impact anyone's property but to foster cooperation and mutual benefit. The speaker expressed their belief that the Air Park is a valuable asset to Fairfield and will continue to be so.

A final comment was made regarding storage in hangars. The speaker explained that, unlike many other airports, the Air Park allows limited storage of items such as motorhomes or cars in hangars, which adds flexibility and value while still maintaining compliance with safety standards.

Commissioner Taylor asked Todd if it was appropriate for Jami Mascaro to make a public comment. Todd said it was okay to comment.

Commissioner Mascaro stated that their home is located within the flyover area and that they were never informed about being included in it. They expressed concern that aircraft fly over their property frequently.

Mascaro commented that their own occupation and activities do not affect the airport or other neighbors, noting that other nearby uses—such as large gatherings on neighboring properties—do not impact them. However, the airport's operations, including significant aircraft activity, do affect both their property and the Town. The resident stated that this situation feels very unfair.

b) Commissioner Discussion on the Airport Zone found in Town Code § 10.11.260.

Commissioner Taylor observed that the Commissioners had not yet reviewed the shortened document produced from the recent legal review. He stated that he was not comfortable proceeding without first examining the revised draft. To allow adequate time for review, he proposed tabling the item and scheduling another meeting the following week to continue the discussion.

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

c) **Motion to send the Revisions to the Airport Zone found in Town Code § 10.11.260. to the Town Council for approval.**

This item was tabled. No motion was made.

4) Presentation on the Revisions to the Airport Overlay found in Town Code § 10.11.275.

Commissioner Taylor gave a brief overview of the Airport Overlay, noting that it had not yet been updated to reflect the full length of the runway. He explained that the overlay requires residents to file with the FAA before constructing any structure of significant height. The FAA then determines whether the proposed construction is safe. If deemed unsafe, the airpark would be required to purchase the property or obtain a navigational easement.

a) Public Comment on the Revisions to the Airport Overlay found in Town Code § 10.11.275

Amy Walker stated that their comments on this item were similar to previous concerns, particularly regarding jurisdictional issues.

They referenced language in the draft stating that all land within the runway protection zone must be owned by West Desert Airpark or encumbered by a restrictive easement approved by the Town. The speaker expressed confusion about how this requirement would be implemented, noting that the runway and airport have existed for a long time and are recognized as lawful uses under Utah Code §72-10-403, which affirms that flight over the lands and waters of the state is lawful.

They indicated that they would discuss this further with Todd to clarify how such easements would function. The speaker noted that the runway protection zone is distinct from the overlay zone, encompassing only the two ends of the runway, and expressed concern about how the language might be applied.

Additional concern was raised regarding the enforcement provisions, which classify failure to comply as a zoning violation. The speaker emphasized the importance of maintaining a clear distinction between FAA jurisdiction and Town authority to ensure proper enforcement boundaries.

Several residents expressed concerns about the runway extension and the impact of increased air traffic. Michael Weber noted that while he knew planes were in the area when he moved in, the problems didn't start until the runway was lengthened.

Sylvia Lawerence commented that while airplanes occasionally fly over their property, they have generally had positive experiences with the Air Park. She noted that during horse shows held on their property, the Air Park has been cooperative, asking pilots to avoid the area whenever possible.

Todd Hoops club member asked for clarification regarding the overlay area, noting their understanding that the hovering or flight path area does not cover the entire zone but

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

extends from the Runway. They inquired whether structures or activities could exist within that area.

It was explained that property owners within the overlay must acknowledge the proximity of the airport and potential impacts such as aircraft noise. Building is restricted above certain height limits, and the Town mandates the overlay requirement in accordance with state regulations.

Michael Weber expressed concern that the Town Council has stated certain airport regulations are not enforceable by the Town and instead fall under the jurisdiction of the FAA. He questioned how effectively the FAA could or would respond to issues in a small town like Fairfield.

He noted that while complaints can be submitted—such as reporting aircraft flying below 500 feet over homes—these reports often result in no action being taken. He asked who is ultimately responsible for enforcement and accountability when issues arise in Fairfield.

Michael stated that aircraft frequently fly over their home on weekends while he is outside with his family. While he clarified that they do not object to airplanes in general, they expressed concern about the construction of a longer runway, which they were not previously aware of, noting that it has already increased—and will likely continue to increase—air traffic over residential areas.

Robert discusses the importance of improving communication between the Town and residents who live near the airport. The speaker noted that greater understanding and collaboration could help reduce tension and animosity that has developed between the Town and some community members.

He expressed the belief that working together more constructively would help everyone move forward and create a more positive environment.

Todd Sheeran explained that the Airpark Overlay involves some overlap between FAA jurisdiction and the Town's authority. The Utah Code requires the establishment of an overlay for airports, which must include, at a minimum, the standards outlined in Part 77 of federal law.

He stated that the Town is drafting the ordinance as carefully as possible to ensure compliance with jurisdictional requirements while also addressing safety concerns and potential impacts on neighboring properties.

Neil Schwendiman stated that an approved plan for the project is already in place. They expressed concern that the proposed overlay zone and height restrictions could interfere with their existing plan.

Approved Meeting Minutes

Fairfield Planning Commission

Public Hearing Meeting

September 9, 2025

He added that if the FAA were to impose additional restrictions as a result of the overlay, it could negatively affect their operations. They emphasized that the company's airspace rights hold significant value and asked that the overlay not infringe upon them.

Commissioner Taylor reminded those present that the State of Utah mandates the overlay requirement and that the Town is working to implement it thoughtfully and responsibly. The speaker invited anyone with additional questions or concerns to reach out to the Mayor or themselves to discuss the matter further, acknowledging and appreciating the concerns that were raised.

Mayor McKinney addressed Amy specifically regarding the runway protection zone, noting that the runway extension has existed for just over a year, with the grand opening held in October. The resident stated that the extension has created significant issues for the Town, as the runway protection zone now extends onto other people's property.

She expressed concern that there is no legal authority permitting the runway protection zone to encroach on privately owned land and asked for an explanation as to how this could be allowed. Amy stated that she would be happy to look into the matter further and would coordinate with Todd to obtain clarification regarding the runway protection zone issue.

Alina Pringle expressed appreciation to the Commission and acknowledged the impact that air traffic has on residents within Fairfield and surrounding areas.

Regarding the overlay, Ms. Pringle clarified that GSBS is not the aviation engineer for the project. She stated that Lochner Engineering previously presented a Part 77 surfaces diagram, which has not been accurately reflected in the current overlay. She noted that the proposed overlay appears significantly larger than what Part 77 surfaces require and suggested using the Lochner Engineering document—or a similar one from another aviation firm—to properly illustrate the Part 77 standards.

Alina stated that while increased airspace protection is beneficial, it is not acceptable for the overlay to extend onto or restrict the use of private property. She explained that Utah state requirements under Part 77 only mandate notifying the FAA if a structure penetrates a defined surface, so the FAA can address it through lighting or charting on sectional maps.

She emphasized that nothing in the regulation prohibits construction within the defined surfaces. For example, if a church chose to construct a building within the Runway Protection Zone, it would have the right to do so, provided the FAA is notified. Ms. Pringle added that any agreements to prevent such construction would be a matter between private property owners and not a government mandate.

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

She also noted that when the runway and Air Park development were discussed previously, Former Mayor Brad Gruney and Mayor Hollie McKinney reviewed potential impacts on North Pointe, which helped inform the conditions of its Conditional Use Permit. Ms. Pringle stated that the runway at its current length was approved under the previous airport zoning ordinance following public hearings and Council review.

Cheri Anderson IRL stating that the primary concern with the proposed overlays or related regulations arises only when they begin to inhibit the Town's own operations or create conflicts with existing activities. The speaker emphasized that while cooperation is important, limitations that interfere with the Town's ability to function or develop would be problematic.

Cheri added a general question for consideration, noting that the airport had previously approached the Town to request permission to lengthen the runway.

Commissioner Taylor stated he was going to ask a question and did not need a response. Taylors questioned what would prevent Mr. Schwinnman from returning in the future to request an increase in his approved trash levels. He asked whether limiting such a request would unfairly restrict his ability to operate in the same manner as the other landfill in town, simply because of his location.

Commissioner Taylor noted that there are many factors to consider and stated that the purpose of the discussion is to work through those complex issues collaboratively.

- b) Commissioner Discussion on the Airport Overlay found in Town Code § 10.11.275**
Similar to the Airport Zone discussion, Commissioner Taylor observed that the Commissioners had not yet reviewed the revised document. He recommended tabling the item until the Commissioners had an opportunity to examine the updated draft.
- c) Motion to send the Revisions to the Airport Overlay found in Town Code § 10.11.275. to the Town Council for approval.**
This agenda item was tabled pending further review.

Commissioner Taylor motioned to have a meeting on September 16th at 6 pm to discuss the airpark zone and airpark overlay. Commissioner Riet seconded the motion. The motion was unanimously approved.

*Commissioner Taylor - Yes
Commissioner Riet - Yes
Commissioner Fisher - Yes
Commissioner Mascaro - Yes
Commissioner Butterfield - Yes*

Approved Meeting Minutes
Fairfield Planning Commission
Public Hearing Meeting
September 9, 2025

Adjournment

Motion made by Commissioner Mascaro to end the meeting. Commissioner Fisher seconded the motion—the meeting ended at 8:20 pm.

November 5, 2025

Stephanie Shelley

Minutes Approval Date

Stephanie Shelley Recorder/Clerk