WILLARD CITY

Planning Commission Meeting – Regular Meeting
Thursday, October 15, 2026 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a regular meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at City Hall, on the State of Utah Public Meeting Notice website, on the Willard City website, and sent to the *Box Elder News Journal*.

The following members were in attendance:

Chandler Bingham, Chairman	Jeremy Kimpton, City Manager
Sid Bodily	Amy Hugie, City Attorney
Alex Dubovik	Madison Brown, City Planner
Ken Ormond	Michelle Drago, Deputy City Recorder

Excused: Brian Gilbert, Jay Thackeray, and Diana Baker

Others in attendance were Ruth Ormond, Doug Younger; Doug Thompson; Virginia Thompson; Steve Anderson; Chad Buck; Lacy Richards; Jeff Forsgren; Brandon Jacobson; Larry Holmes; and Debbie Barker.

Chairman Bingham called the meeting to order at 6:30 p.m.

1. PRAYER: Sid Bodily

2. PLEDGE OF ALLEGIANCE: Alex Dubovik

3. GENERAL PUBLIC COMMENTS

No public comments were made.

4. CITY COUNCIL REPORT

Time Stamp – 02:10 - 10/15/2026

Jeremy Kimpton, City Manager, reported that during its October 8th meeting, the City Council accepted a resolution to proceed with an annexation petition for property located at approximately 8300 South 950 West, discussed improvements and expansion of the Fire Department, and the Trunk or Treat.

5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PRELIMINARY PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 02-038-0073, 02-040-0210, AND 02-043-0048) (CONTINUED FROM OCTOBER 1, 2026)

Time Stamp – 03:22 - 10/15/2026

Chairman Bingham stated that Nilson Homes had submitted a new preliminary plan for the Willow Creek Estates Subdivision, which the staff had not had time to review. Nilson Homes asked that the public hearing be held to allow public comments. However, no comments could be made regarding the latest plan. Another public hearing would be required to allow comments regarding the newest plan.

Commissioner Bodily moved to open the public hearing at 6:34 p.m. Commissioner Dubovik seconded the motion. All voted "aye." The motion carried.

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Chairman Bingham explained the Willard City Planning Commission's rules of order.

Madison Brown, City Planner, stated public notice had been given for the public hearing that included all four parcels. Nilson Homes submitted a preliminary subdivision application for 48 half-acre lots located at approximately 1561 Hargis Hill Road. The staff had completed its initial review. Most of the staff's comments had been addressed. The plan included in the Planning Commission packet included a half-road on the south side of the property.

Lacey Richards, Nilson Homes, stated that they were proposing a subdivision that complied with Willard's R ½ Zone. From the initial comments made in the staff report and comments made during the brief discussion with the Planning Commission two weeks ago, they received the message that Willard would prefer not to have a half road. They had provided a new preliminary plan that addressed that concern. She realized it would probably require another public hearing.

Chairman Bingham opened the floor for public comments.

Larry Holmes, 1561 Hargis Hill Road, stated that he had reached an agreement with Nilson Homes for a 10-foot easement along the north side of his property to protect himself, so he had a way to get to the bottom of his property. The first 220 to 240 feet of that lane included a sewer line. He was concerned that Nilson Homes' fence line would be within two to three feet of the sewer line itself. He asked if he had to allow an additional 25 feet on his property for the sewer line. The sewer line was designed to serve the residents on the east side of Hargis Hill Road. He didn't feel it could be changed.

Commissioner Bodily stated that if there was a sewer line, there had to be a right-of-way. Everyone should know how wide the right-of-way was and where it was located.

Larry Holmes said the sewer line was in the 20-foot lane that had been split between himself and Nilson Homes. However, he felt their fence line would be located almost on top of the sewer line.

Commissioner Bodily said a building could not be placed on the easement/right-of-way; he wasn't sure about a fence.

Chairman Bingham said a fence line did not alter a right-of-way.

Larry Holmes stated that the lane in which the sewer was located was designed to be 20 feet wide, with 10 feet located on each property. In 1904, his property was 8.94 acres in size. Today it is only 6.5 acres. He felt the 20 feet needed for the sewer line came from his property. Nilson Homes said they purchased the 20-foot lane, but Kunzler's never owned it. When he researched ownership of the lane, Box Elder County told him it was a right-of-way owned by Willard City that was used by surrounding property owners to access their properties. It was also used by the railroad. No one paid taxes on it. Originally the right-of-way belonged to Box Elder County. When Willard City was incorporated, the County turned the right-of-way over to Willard City.

Jeremy Kimpton felt there was a prescriptive easement for the sewer line, whether it was recorded or not, because it was a city utility. The easement would take precedence. He wasn't concerned about the fence. If needed, the city could tear down a fence and put it back, depending on the language of the easement.

Commissioner Dubovik didn't feel the location of the easement would move. The question was whether a fence line would violate the right-of-way. It sounded like it could.

Amy Hugie, City Attorney, stated that the sewer line would stay exactly where it was regardless of what access agreement Larry Holmes had with Nilson Homes.

Larry Holmes was concerned about the proposed half street. Willard had had problems with unusual streets in Granite Ridge. Chairman Bingham said Nilson Homes had submitted a new plan to address the half street issue. There would probably be another public hearing to allow comments on the new plan.

Commissioner Dubovik asked if the Planning Commission could make a decision regarding the newest preliminary plan. Ms. Hugie said it could not.

There were no further comments.

Commissioner Dubovik moved to close the public hearing at 6:47 p.m. Commissioner Ormond seconded the motion. All voted "aye." The motion carried.

Time Stamp – 35:42 – 10/15/26

Later in the meeting, Chairman Bingham commented that Nilson Homes changed the subdivision design to eliminate the half road. Wouldn't it be better to keep the original design and work with the adjoining property owner to build road? Then the sewer easement would be in a road right-of-way. Amy Hugie said that was a design issue that only Nilson Homes could decide.

Time Stamp – 44:06 – 10/15/26

Commissioner Ormond asked about the right-of-way mentioned in Page 24 of the packet, or Sheet C3.0 of the improvement plans. Madison Brown said it was an old sewer easement that had been vacated, except for Lot 14.

5B. REVIEW AND CONSIDERATION OF SUBDIVISION IMPROVEMENT PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 02-038-0073, 02-040-0210, AND 02-043-0048 (CONTINUED FROM OCTOBER 1, 2026)

Time Stamp – 18:05 - 10/15/2026

Chairman Bingham suggested that Items 5B and 5C be tabled.

Commissioner Dubovik moved to table consideration of the subdivision improvement plan for the Willow Creek Estates Subdivision submitted by Nilson Homes located at approximately 1561 North Hargis Hill Road (Parcel Nos. 02-038-0072, 02-038-0073, 02-040-0210, and 02-043-0048). Commissioner Bodily seconded the motion. The motion carried.

5C. REVIEW AND CONSIDERATION OF A PRELIMINARY PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 0- 038-0073, 02-040-0210, AND 02-043-0048) (CONTINUED FROM OCTOBER 1, 2026)

Time Stamp – 18:58 - 10/15/2026

Commissioner Bodily moved table consideration of a preliminary plan for the Willow Creek Estates Subdivision submitted by Nilson Homes located at approximately 1561 North Hargis Hill Road (Parcel Nos. 02-038-0072, 02-038-0073, 02-040-0210, and 02-043-0048). Commissioner Ormond seconded the motion. All voted "aye." The motion carried.

5D. REVIEW AND CONSIDERATION OF A REQUEST FROM ROMERO CONSTRUCTION FOR A CONDITIONAL USE PERMIT TO BUILDING A CONSTRUCTION SHOP LOCATED AT APPROXIMATELY 105 WEST 750 NORTH (02-046-0094)

Time Stamp – 19:47 - 10/15/2026

Madison Brown stated that in November 2025, Romero Construction applied for a building permit to build a construction office at 105 West 750 North. The property was currently zoned Commercial General. A construction office was considered light manufacturing in that zone, which was a conditional use. The Conditional Use Permit Review Committee met with Romero's representative last April to review a proposed site plan. Corrections were made, and the CUP Committee reviewed the revised site plan on September 23rd. The issues discussed by the Committee in April were addressed. The Committee asked that a few remaining items be fixed. Those changes have been made. A draft conditional use permit has been prepared for the Planning Commission to consider.

Ms. Brown introduced Jeff Forsgren, who was representing Romero Construction. Mr. Forsgren stated that Romero Construction did concrete work. They wanted to build an office/shop and a site where they could store their equipment. Actual on-site activities would consist of a couple of office staff and mechanics. Equipment would be picked up at the beginning of the day and dropped off at night. They would not conduct any active work at this location, except for maintenance of equipment. Romero's was a local company. They had outgrown their facility in Perry.

Commissioner Bodily could not think of any issues that had not been addressed by the proposed conditions.

Commissioner Dubovik was not concerned about the activity. He was concerned about the appearance. He felt the Romero's Perry facility was pretty disheveled. What would prevent the Willard site from having the same appearance? Did the fence have a required height? Jeremy Kimpton said the fence was required to be six feet in height.

Commissioner Bodily asked why screen fencing was only required on the south side of the site. Madison Brown said the entire site would be fenced, but only the south side would have slats because of the adjoining residential use.

Jeff Forsgren stated that the Police Department wanted to be able to see into the storage yard at night. They wanted to make sure it would be well lit and could be seen from the road.

Commissioner Bodily moved to approve a conditional use permit for Romero Construction to build a construction shop located at approximately 105 West 750 North subject to the conditions proposed in the draft conditional use permit. Commissioner Ormond seconded the motion. All voted "aye." The motion carried.

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5E. REVIEW AND CONSIDERATION OF A REQUEST FROM ERIC LEBARON FOR A CONDITIONAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL LOCATED AT APPROXIMATELY 329 EAST SADDLEBACK ROAD (02-092-0051)

Time Stamp – 26:15 - 10/15/2026

Madison Brown stated that Eric LeBaron had applied for a conditional use permit to operate a short-term rental in the basement of his home located at 329 East Saddleback Road. The Conditional Use Permit Review Committee reviewed his application on September 23rd. It was treated similarly to the short-term rental approved on 500 West last year. The entrance was to be clearly marked for emergency personnel, and instructions were to be posted inside the rental directing guests to specify they were in the rental if they called 911. Ms. Brown reviewed the proposed conditions with the Planning Commission. Additional parking was provided on the site. A draft conditional use permit has been prepared for the Planning Commission to consider.

Eric LeBaron did not have anything to add.

Commissioner Ormond asked if the LeBaron home was in an HOA. If it was, did the HOA allow short-term rentals? Mr. LeBaron said his home was in an HOA. There wasn't anything in his HOA regulations to prohibit a short-term rental.

Commissioner Bodily stated that the conditions for Romero's specified working hours as 6:00 a.m. to 10:00 p.m. Yet, the quiet hours for short-term rentals were 11:00 p.m. to 7:00 a.m. Why weren't they the same? Madison Brown said the short-term rental ordinance specifically defined quiet hours as 11:00 p.m. to 7:00 a.m.

Jeremy Kimpson said Romero's site was in a commercial zone. Short-term rentals were in residential areas.

Commissioner Bodily felt working hours and quiet hours were the same thing, and that they should be consistent throughout Willard.

Commissioner Bodily moved to approve a conditional use permit for a short-term rental located at approximately 329 East Saddleback Road subject to the conditions proposed in the draft conditional use permit. Commissioner Dubovik seconded the motion. All voted "aye." The motion carried.

5F. DISCUSSION REGARDING OPEN MEETINGS COMPLIANCE

Time Stamp – 31:59 - 10/15/2026

Amy Hugie suggested that this item be tabled because Commissioner Gilbert, who had questions about the issue, was not in attendance. She planned to respond to Commissioner Gilbert's questions in an email. If he had further questions, they could be addressed during a Planning Commission meeting.

Commissioner Bodily moved to table discussion of the open meetings compliance. Commissioner Ormond seconded the motion. All voted "aye." The motion carried.

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6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR OCTOBER 1, 2026

Commissioner Dubovik moved to approve the regular minutes for October 1, 2026, as corrected. Commissioner Bodily seconded the motion. All voted "aye." The motion passed unanimously.

7. ITEMS FOR THE NOVEMBER 5, 2026, PLANNING COMMISSION AGENDA

Time Stamp: 34:48 – 10/15/2026 – Part 2

The Planning Commission discussed agenda items for the November 5, 2026, meeting – public hearing for Willow Creek and consideration of its subdivision improvement and preliminary plans; ordinances tabled during the September 17th meeting, the open meetings discussion, review a conditional use permit, and possibly the deferral agreement for Braegger's subdivision.

Chairman Bingham asked if Canyon Bay would be ready. Amy Hugie provided a brief update. There was a short discussion regarding the proposed agricultural building on the agricultural easement.

Madison Brown reminded the Planning Commission about the HOP Trail open house on October 29th at 6:00 p.m.

8. ADJOURN

Commissioner Dubovik moved to adjourn at 7:16 p.m. Commissioner Ormond seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

_____ _____
Planning Commission, Chairman Planning Commission Secretary
Chandler Bingham Michelle Drago

dc:PC 10-15-2026

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