

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD  
12/10/2015.**

The meeting was held in the Grantsville City Council Chambers at 429 E. Main Street in Grantsville, Utah. Those present were Commission Chairman Colleen Brunson, Commission Members Gary Pinkham, Erik Stromberg, Drew Allen, and Robbie Palmer, Council Liaison Member Neil Critchlow, Attorney Joel K. Linares, Mayor Brent K. Marshall, and Zoning Administrator Jennifer Williams. Also present was Laurie Hurst, Brad Hurst, Shelby Moore, Maria Noble, Wayne Morris, Mike Johnson, Terry Thompson, Tom Tripp, Jay Weyland, Eric Johnsen, Susan Johnsen, Reuben Romney, Jessica Romney, Jewel Allen, Jennifer Castagno, Kolton Kinsman, Lauren Hutchins, Cari Watson, Barry Bunderson, Reyanna Durfee, Doug Kinsman, and Kent Liddiard with the Grantsville Fire Department.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**7:00 P.M. PUBLIC HEARINGS:**

- a. **Proposed conditional use permit application for Shelby Moore at 307 West Vine Street for a home occupation consisting of a vehicle inspection business.** The public hearing was opened by Chairman Brunson at 7:02 p.m. and she called for comments. Colleen Brunson stated for the record that three letters in opposition to the application were received by the Commission. With no comments being offered, Chairman Brunson closed the public hearing at 7:03 p.m.
- b. **Proposed conditional use permit application for Civil Proj-Ex Inc. (Barry Bunderson) at 96 South Quirk Street for a home occupation consisting of an engineering firm.** The public hearing was opened by Chairman Brunson at 7:03 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:03 p.m.
- c. **Proposed conditional use permit application for Reyanna Durfee at 372 Angus Cove for a home occupation consisting of a daycare business.** The public hearing was opened by Chairman Brunson at 7:03 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:04 p.m.
- d. **Proposed conditional use permit application for Lauren Hutchins at 420 West Apple Street for a home occupation consisting of a nail salon.** The public hearing was opened by Chairman Brunson at 7:04 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:04 p.m.
- e. **Proposed conditional use permit for Jennifer Castagno to open and operate a Citywide Home Loans in the strip mall located at 822 East Main**

**Street, Suite G, which is located in a CD zone.** The public hearing was opened by Chairman Brunson at 7:04 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:04 p.m.

- f. Proposed minor subdivision for Kolton and Lindy Kinsman dividing 13.35 acres of land from one (1) lot into three (3) lots at 664 South Quirk Street in the RR-1 zone.** The public hearing was opened by Chairman Brunson at 7:05 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:05 p.m.
- g. Proposed conditional use permit application for Grantsville City to place a cemetery on 10.3 acres located at approximately 370 West Clark Street in an R-1-21 zone.** The public hearing was opened by Chairman Brunson at 7:05 p.m. and she called for comments.

Susan Johnsen stated that one of the conditions of approving this conditional use permit is the notification to everyone who owns property adjacent to the land in question about this public hearing. They are adjacent land owners and did not receive that notification. They became aware of it through talking with neighbors who have received notification. Her next door neighbor showed them their letter which said the C.U.P. was for 10.3 acres of the Clark Farm property. However, during the recent City Council meeting, 10.3 acres was not rezoned but approximately 5 acres of the alfalfa field was rezoned. Should there be a reworded application submitted to them with all adjacent property owners then being notified of a hearing about that parcel? If that is not a legal requirement, then she has the following to say. At the last planning and zoning meeting public hearing, they were informed that their input was too late and not applicable. She has never stood up before to speak about the rezoning of land because this is the first one that involves land adjacent to their property. She is also reluctant to tell a private property owner what they should or shouldn't do with their own land. This parcel is adjacent to their property and is public land which is adjacent to and associated with land which is on the National Register of Historic Places. So she feels like she has a right to an opinion and a say in this matter. They were also asked where they were when public input was requested for a master plan. She cannot speak for anyone else but they did not live in Grantsville then. So they were not here to give any input. If they would have lived here, they would certainly have spoken up. They live here now, so they are speaking up now. She says this here because according to a City ordinance, members of the public are not suppose to approach members of the Planning and Zoning Commission individually to discuss matters like this in private. So this is the only forum available where she can say this to them. She means no disrespect in any way to any of them. They as a body have the power to grant this C.U.P. But just because they have power, does not mean they should always exercise it. Wisdom dictates that you should use the power you have circumspectly and for the greater good. At

the last meeting, some of them cautioned against rushing through an irreversible decision like turning historically valuable land into a cemetery. She knows public input does not have to be a factor in their decision but she would urge them to think about what this really means in terms of the good of their community decades into the future. Historically valuable land is not something that can be replaced or relocated. They can put a cemetery in another location or at least think through the ramifications of it more clearly than she believes has been done to this point. Please delay this decision pending further thought and discussion. Please be the cool heads that help us decide our future.

Jay Weyland stated he did receive a letter concerning the C.U.P. On the outside, granting a C.U.P. for the cemetery looks very simple. To him, there is much more at stake and it is worth consideration and that is why he came to express his opinions. Several years ago, he jokingly talked with his children and told them that when he passes he wants them to cremate him and make him into a diamond. That way they will always keep him close to them. They told him absolutely not. That someone would end up stealing him or they would lose him. So he decided that he would have to accept that and be buried like anybody else. When the land next to him came forward for consideration for a cemetery, he was excited. He wanted to purchase a lot right next to his property. He thought it would be nice and very easy for his children. When his oldest son passed away in 2012, many of his hopes and dreams and passions for earthly interment went away. His only desire at that time was to find three plots right next to each other where he and his wife could be buried next to their son. Grantsville City was very helpful in finding those plots. He is very happy with the ones they were able to purchase for that reason. Because of these experiences, he has opened his eyes to the way things occur at other cemeteries in Utah. His parents are buried in Tooele. They have a no flowers rule. The only time you can put flowers on graves in Tooele is Memorial Day. A few years ago, people were placing wreaths on their loved ones graves and they were being taken off the same day and thrown in a pile. The cemetery located at 65<sup>th</sup> South and Redwood Road is privately owned. This cemetery does not allow any upright headstones or flowers on days other than Memorial Day. When you drive by on Redwood Road it looks like a park with grass and trees. It is beautiful. But there are no headstones that you can see without walking into it. They have options for cemeteries in Grantsville, many places do not. They have land available that can be developed as cemeteries. They can go out and ask private companies to establish a cemetery and then the City could basically forget about doing new cemeteries. Whichever path they choose for the future, he is glad that he has made his choice and that he has a plot in the existing cemetery. Looking around the room at the people who are here, these are the people that are going to be looking for plots in a cemetery at about the time that they could complete the cemetery on the 6 acres. Looking at that piece from an agricultural point of view, it has been farmed in alfalfa for many years. And the production of that property is in decline. The field that is

immediately to his north is part of City property, and was also a beautiful alfalfa field at one time. Since it has no longer been farmed, it is just a giant weed patch that is a fire hazard. On the 4<sup>th</sup> and 24<sup>th</sup> of July he does a fire watch until all the fireworks are done around the houses down below him. If that field were to catch on fire, it is coming right for his house. Even within the last month, he has watched youth in this weed patch light firecrackers and throw them. After they were done, he sat another half an hour to see if there was any chance a fire would start. So what he is trying to express is, if the land that is being considered for a cemetery, is not turned into a cemetery and it is not actively farmed, then it is something that is dangerous. There are also the occurrences of large trash fires around that area that occur multiple times per year. So that adds into the danger of fires if that farm is not taken care of. Encouraging someone to come in and farm that land, it takes a lot of time to get the land into production. Usually you have to plant it. And the first year you may or may not get a crop. The next year your crop is fair. But by the third year you are getting a good crop. He cannot see that a farmer would want to come in and farm that for such a short period of time. He would say a person would want at least a 10 year lease and therefore development of cemeteries for our future and putting it out as farm land do not mix. 15 years ago he could see the future of his property and those surrounding him. So he started planting trees around his property. On the north side alone, he has twenty pine trees that are now in the 20 – 30 foot range in height. They have a replacement cost of over \$100,000.00. This is one of the reasons why he watches the fireworks; so he is given the opportunity to put the fire out before it should get to his property. He continues to plant trees around his property. So far this winter, he has planted three. He still has several on order. He is going to continue to plant trees. He likes the seclusion and the character it gives to his property. One of the experiences he had this summer is encouraging him to continue to plant trees. During the play practices this summer, a young girl took the name of the Lord in vain three times during one of the rehearsals. About five minutes later, he heard a young man do the same thing. This is not something he wants his grandchildren to hear so he will keep planting trees and isolating himself. The friends of the Clark Farm have some very talented individuals. They can draw from that experience and talent. He thinks they should consider putting trees and bushes around the property. They could enclose themselves and make themselves an island, where they can operate and not be impacted by the events going on at the cemeteries adjacent to their property. Cemeteries such as Brigham City or Mount Olivet in Salt Lake, have large shrubs and bushes around the perimeter. The purpose of the shrubs and bushes is to isolate them from lives daily noises. So he can see them doing some bushes and strategically locating them so they work well for the plays and other activities. Even with the issue of a C.U.P. tonight, does not mean the City is going to immediately start to build a cemetery. What it means is, come next spring when they do the budgeting process, it allows them to bring it into the budget and compare it to all the other projects and decide if this is something they want to spend their money on this

year or do they have higher priorities. The whole situation is a long term plan. An area with weeds is not a solution. Having the land operated as a farm could only be a solution if someone wants to operate it at a loss. A cemetery is a long range solution for the property and is a good one.

Erik Johnsen stated his property is adjacent to a portion of the land in discussion. In the last zoning meeting, he commented on the foresight and the action of the Mayor and the City Council in purchasing the Wootton property. He applauds them for developing a portion of that and getting it ready for plots and sells. He sees that as a very good thing to buy some more time. It has been said by some that it is a 10 year window. Others have countered that it is far less than that. It might only be a 2, or 3, or 5 year window. It depends on how many people want to buy plots. But even if it is only two years, that is a two year opportunity for this City to come up with a comprehensive plan on what to do with the historic and oldest region of Grantsville. He sees that as a great opportunity for everybody to come together and take advantage of the unique things they have in Grantsville, such as the Clark Historic Farm. The Wootton property is a buffer, allowing a little bit of time, so that proper plans can be put together. Concerning the piece of land that is considered in the C.U.P. today, it was commented last time, where were they when it came time to oppose other pieces of A-10 zoning into R-1-21. This is the first time that it is a public piece of land. We all own it. And it is also adjacent to and associated with the National Register of Historic Places. It is critical that we look at that from the historic value. We can come together and make a comprehensive historic plan for this City that will benefit everyone.

Laurie Hurst states that they appreciate Jay's participation over at the Clark Farm. He is a member of the Son's of the Utah Pioneers. She apologizes for the information about the play and will make sure that they hear about it. It is something that they don't agree with either and they will pass that along to them. In preparation for tonight's meeting, she wanted to understand what the Commission's perspective was. This is an emotional issue and she feels for them, having to sit through all of this. So rather than continue with the emotional issues, she wanted to look at what they have to look at in order to make this decision. One thing is, they cannot consider public clamor for a basis of their decision. So she referred to Chapter 7 of the Conditional Uses of the City's Land Management and Development Code. She understands they will stick to these guidelines. She speaks as representation of the organization that will soon own an adjacent parcel. In order to submit an application and get it to this point tonight, there are very specific items that she reads must be included. So she guesses, tonight in their packet, they have received a complete description of the proposed conditional use, which would include the change in zoning from the 10 to 5 acres, plans or drawings that include driveways, parking spaces, safety curbs, proposed structures, drainage features, and environmental features. For example, what is the soil like? Does it have a high water table? Have those tests been done? It would not be wise to issue a

conditional use for a cemetery on a piece of flood prone property. You have probably received a traffic impact analysis as part of your packet. This will not only be important to us, as the adjacent property owner, but it is a concern to those who will now have traffic behind their houses. This lot, they now have, is a flag lot. They have a long driveway that expands out into the back. So there are certain ramifications that that has. So a traffic analysis would be essential for proper ingress and egress and for the number of people that could travel down that. The conditional uses also says, that they can only issue a conditional use permit if the evidence establishes that certain conditions are present or taken care of. Item B states, "The use will not be detrimental to the comfort, order, or general welfare of persons in the vicinity." Item L states, "Appropriate buffering is provided to protect adjacent land uses from light, noise, and visual impacts." Buffering is a good idea. The Clark Farm activities are going to be effected by having a cemetery next to it. Erik, your comment last month, about already having a cemetery across from it, is very valid. It is exactly what they are talking about. They had an activity where they were not allowed to use the back lawn, so the performers were out on the front lawn. Against their directions, they turned up their music in the middle of a grave side ceremony. It was extremely disruptive and disrespectful. They do not want this to happen again. A sound buffer, of homes on Clark Street and the outbuildings, provides a zone where it does not affect the sound between the back lawn and the cemetery. The sound tends to travel to the North of the alfalfa field. The buffer of the houses is a good thing. However, with the cemetery being placed even closer to the Farm's activities, it will be a problem and the sound will continue to go down that direction. People, who have planned and prepared for months to perform at one of their events or those who attend an event at the cemetery, have every right to do so. Her 5 year old son overheard a conversation about a cemetery going on the Clark Farm. He said, "Don't put a cemetery on the Clark Farm because cemeteries are scary." It is a concern that they had not considered. It is a valid concern, as kids are afraid of cemeteries. If they chose to issue a C.U.P., she would ask as a condition, they be required to put in a sound buffer of trees, shrubs, and a fence, to be installed before any plots are sold, so it won't take away from the activities at the farm or from theirs. Item O states, "Architectural and building materials are consisting with the development and compatible." They wish to be a party to the decision on the materials for the fence that they would provide, as it would affect the way a historic farm would look. Item J states, "The internal circulation system of the proposed development is properly designed." They are concerned that traffic will travel down that east side road and try to exit through the middle of the barns because it is an established dirt road. They are also concerned about the dust that will be raised. They would request that as a condition, before the cemetery is developed, an improved road be completed from Clark Street to Wrathall Lane. Item P, "Operating and delivery hours are compatible with adjacent land uses." They are concerned if people are allowed in the cemetery at all hours of the day and night; it will put the historic farm at risk for problems, as well as, for the adjoining homes.

People creeping around in that cemetery at night are disruptive to peace of mind, if nothing else. It is a safety concern. Placing a cemetery in that location causes a real problem for the historic farm. Right now there is a continuous fence line across the front of that. It controls traffic in and out. With a road going down the east side and accessibility, they will have no way to control entrance fees or foot traffic. This affects them adversely because it is their whole income. But it is non consequential to the City. They would ask that a condition be that they fence off their property on all adjacent sides, including the north end as well. As they consider passing this conditional use permit, she would ask them, is there a complete plan in place right now today that they are looking at. Or is there some work that needs to be done in order to get it to the point where they could consider it? Of course, their first choice would be to keep this as an alfalfa field. A farmer, who cares about history and cares about the historical significance of alfalfa, and who wants to integrate it into a historic farm idea, would not be operating at a loss because it would be part of the whole circulation. They understand they need to work with the City on this. They feel there is ample room right now to take a step back, get a solid plan in place, and make sure the conditions are good for both adjacent land owners and that there will be no taking from the experience of a heritage farm by having a cemetery there.

Tom Tripp stated he lives in Grantsville City. This has been an issue for a number of years. Finding consensus on any topic is sometimes quite hard to achieve. The Clark Farm was proposed as a cemetery and approved as a cemetery in 2010. So that was five years ago. Any opposition came years after. The City has offered to sell that ground and it looks apparent that it will occur in the very near future. He has heard comments that they have property at the Wootton ground that is being made into a cemetery. He thought, interestingly enough, all the issues recently raised by Laurie Hurst, were never raised and had equal applicability on the Wootton property. In every single regard, every one of those things, were at the Wootton property, but no one complained. He does not see much of a conflict between what happens in the activities of the Clark Farm and the cemetery. Very few burials happen at night. The City could adjust rules so the burials wouldn't happen during the day when activities have been previously planned. The property was originally acquired in thinking to expand the cemetery. Mayor Marshall showed him City Council minutes of 2005 that specifically identified the purchase of 3.7 acres for cemetery expansion. So this has been a long time proposal to do that. As you develop a cemetery, it is a sequential thing. He grew up next to the Bountiful cemetery. They had ball fields and lawn on the cemetery for years. As the cemetery grew, those things transitioned. Adding lawn to the area down there will be a positive thing. It gives people a choice. They are basically out of burial plots in the main part of the old cemetery. There will be ground on the Wootton property that will be ready to sell in the very near future. The people should have a choice. This is public ground. People have access to public ground. They don't want to cut that off. They don't cut it off from the

neighbors. They are not going to cut it off at the Wootton property. Cemeteries get developed. Specific plans will change from time to time. But there is plenty of acreage there for all sorts of things. If someone wants to come in and farm hay, there is 20 acres directly behind the 2.2 acres the Clark Farm is planning to use. There are lots of opportunities. He has personally had people tell him, in the last two weeks, they are anxious to buy plots on the Clark Farm. They say it has a different character than the rest of the cemetery. It is quiet. It can be a place to go to contemplate. People deserve to have access to every cemetery, all the time, especially, if it is a public cemetery. It is a good plan. It has been well thought out. Yes, the Wootton property is available but why would you constrain people there when you have to expand anyway, which they do. So he would urge them to go ahead and approve this and move forward.

With no further comments being offered, Chairman Brunson closed the public hearing at 7:39 p.m.

**THE MEETING WAS OFFICIALLY CALLED TO ORDER BY CHAIRMAN, COLLEEN BRUNSON, AT 7:39 P.M.**

**1. Election of a chairman to serve for one year starting January, 2016.**

Gary Pinkham moved to elect Robbie Palmer as Commission Chairman to serve for one year starting January 2016. Erik Stromberg seconded the motion. All voted in favor and the motion carried.

**2. Election of a vice chairman to serve for one year starting in January, 2016.**

Drew Allen moved to elect Erik Stromberg as Commission Vice Chairman to serve for one year and then take over the chairman duties January 2017. Colleen Brunson seconded the motion. All voted in favor and the motion carried.

**3. Consideration of a C.U.P. for Shelby Moore at 307 West Vine Street for a home occupation consisting of a vehicle inspection business.** Shelby Moore represented this item for herself and she stated to the Commission:

She wants to do vehicle inspections only. She is not doing a mechanic shop. She has plenty of parking. Her driveway is bigger than this building. She figures no more than 5 to 10 cars a day in an eight hour period is very minimal. When you have to go to Jiffy Lube and other places, they harass you to buy air filters and other things. She is not doing a mechanic shop. She is only jacking up the car and making sure it is safe and legal. She feels like this should be approved.

Gary Pinkham asked if any repairs that might be necessary will be done off site.

Shelby Moore stated they will be done off site as she does not do that at all.

Drew Allen asked if the actual work for the inspection would be done in the garage or outside.

Shelby Moore stated it will be done in the garage.

Robbie Palmer asked if she has anything in her business plan as far as hours of operation and how many customers she will let compile or wait in line.

Shelby Moore stated it will be done by appointment only so she does not have cars piled up. She does not want people leaving their cars there. It takes 20 minutes to do a proper inspection. So every 20 minutes a car can come.

Robbie Palmer stated he has to have inspections done on commercial vehicles constantly. A lot of people can't make appointments. So they will want to bring it by the night before. There are a lot of local shops that have a hard time keeping their parking lots accessible because they are full constantly.

Shelby Moore stated she does not want people to have to drive to Tooele for their inspections then have to sit at the DMV for the stickers. She would like to reduce the fullness and bring the business to her house. She will be bringing traffic to her house but there will be no excessive parking on the side of the road.

Robbie Palmer asked if she was aware that one of the Legislators is trying to get rid of safety inspections.

Shelby Moore stated she was not aware.

Erik Stromberg asked if her intent is for the customer to wait the 20 minutes while she does the inspection. There is the question about dropping off over night but what about the issue of the customer wanting to drop off their car in the morning and pick it up after work. He asked if she is going to turn that down.

Shelby stated she would turn it down. She does not want the traffic sitting in her driveway.

Robbie Palmer stated this is the most opposition they have received from neighbors. Last year they got one or two letters opposing C.U.P.'s. She has three on this incident alone. They want to make sure they take the input of it. He has ran businesses as a conditional use permit on his property and he thought he'd only have one there at a time but you always have the ones that want to pile them up. So it is hard and it is something she will have to work out.

Shelby stated reading the comments she felt like it was misrepresented. She is not doing a mechanic shop. She does not want to be doing that. She has a waiting area. If she allows two vehicles to come in an hour then they can sit there. It is not going

to take her an hour. It will take her 40 minutes to do both. They can also pick up their stickers, their registration, or a temporary tag from her.

Drew Allen stated the concerns are if she will truly stick to the no drop off, no waiting, and no other repairs rules. There is the concern whether there will be a mission creep. You have the issue of someone wanting you to change a headlight. So then you do that and it doesn't have any impact on the neighbors. But then will it creep from there. These are concerns he would have if he was a neighbor. He asked what the business hours will be.

Shelby Moore stated her business hours will be from nine to five. No weekends.

Gary Pinkham moved to approve the conditional use permit for Shelby Moore at 307 West Vine Street for a home occupation consisting of a vehicle inspection business with the conditions that it be limited to the hours of 9:00 a.m. to 5:00 p.m. Monday through Friday, no onsite repairs or servicing, work to be scheduled by appointments only to avoid stacking up of cars on the property, and no night storage of cars, and that it come back for a review in one year. Drew Allen seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**4. Consideration of a C.U.P. for Civil Proj-Ex Inc. (Barry Bunderson) at 96 South Quirk Street for a home occupation consisting of an engineering firm.** Barry Bunderson represented this item for himself and he stated to the Commission:

He will answer any questions they have. He asked if they had received his write up and the graphics he provided.

Erick Stromberg asked if this is Leah Jones' home as he drove by and could not find 96 South Quirk Street.

Barry Bunderson stated it was. The certified address is 96 on the east side of the road. He inherited the problem. There is already built in visitor parking and some in the back that is asphalt.

Robbie Palmer stated the property is very mature and secluded. It is a really nice property.

Barry Bunderson stated it is very rare that he gets people coming in off the street that he doesn't know about. He has been in Grantsville for 3 ½ years and that has happened five times or less. All his meetings with clients are by appointment or at their place. It will not generate a lot of traffic.

Erik Stromberg moved to approve the conditional use permit for Civil Proj-Ex Inc. (Barry Bunderson) at 96 South Quirk Street for a home occupation consisting of an engineering firm. Robbie Palmer seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**5. Consideration of a C.U.P. for Reyanna Durfee at 372 Angus Cove for a home occupation consisting of a daycare business.** Reyanna Durfee represented this item for herself and she stated to the Commission:

She is trying to open up a licensed child care business out of her home.

Drew Allen asked how many kids she expects at a time and how many vehicles will be there picking up and dropping of kids.

Reyanna Durfee stated she is asking for up to eight children. Families have more than one kid so she is expecting two to three cars a day. She is currently babysitting for a family right now with three kids. She has parking for five vehicles at a time in her driveway. People come at different hours with different hours for their work schedules and different days of the week.

Drew Allen stated he drove by to look at it and his biggest hesitation is all the parking and turning around is pulling in and backing out of the driveway. It is a safety concern if she has a couple of vehicles there at the same time. He asked if she has any thoughts on how to address this.

Reyanna Durfee stated she has told families that they can't park on the road as it will block view of the traffic. This helps with being able to view what is coming and going. There are only four or five houses pass hers in the whole cul-de-sac. There is not a lot of traffic as it is. As far as the safety of the children, it is like any type of business, where parents need to be controlling their kids and not let them run around. She will make sure people have control of their children as they are leaving.

Drew Allen stated in some ways it might be safer for people to park on the streets.

Reyanna Durfee stated they have a lot of neighbors that park on the road and it causes more trouble. It is actually a condition of their neighborhood that they can't park on the road. It makes it very narrow if you have two cars parked on opposite sides. It makes more sense for them to pull in and back out because her driveway is so wide.

Robbie Palmer stated it is a fenced in yard. If she gets state licensed they will require certain things from her. They look at the site for traffic flow and parking. He has no concerns.

Erick Stromberg stated in the past they have made it a condition that they have to come back and show proof that they are state licensed, so they know they weren't operating without it. He would suggest they do that with this one.

Reyanna Durfee stated she contacted the State and they will do an onsite inspection once she has obtained the conditional use permit. They then will give her a State License. Then she can get her Business License.

Attorney Linares stated they can enforce it on the Business License end also.

Erik Stromberg moved to approve the conditional use permit for Reyanna Durfee at 372 Angus Cove for a home occupation consisting of daycare business contingent upon her receiving her licensing through the State and then obtaining a Business License through Grantsville City. Gary Pinkham seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**6. Consideration of a C.U.P. for Lauren Hutchins at 420 West Apple Street for a home occupation consisting of a nail salon.** Lauren Hutchins represented this item for herself and she stated to the Commission:

She wants to open a nail salon in her home. She would be the only one working so she would only have one customer at a time. There is plenty of parking.

Robbie Palmer stated their notes state she needs to install ventilation in the home.

Lauren Hutchins stated Kent Liddiard has requested she have a fire extinguisher. She will also get a ventilation system, if needed.

Robbie Palmer asked how long she has been a nail technician.

Lauren Hutchins stated about two years this summer.

Drew Allen stated Mike Haycock, the City inspector, is requesting an exhaust fan per the International Mechanical Code be installed. She will need to work with him to know what those standards are. Other than that, it is very straight forward in regards to impact on neighbors.

Drew Allen moved to approve the conditional use permit for Lauren Hutchins at 420 West Apple Street for a home occupation consisting of a nail salon conditioned upon meeting all required codes for exhaust and chemical storage and disposal. Robbie Palmer seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**7. Consideration of a C.U.P. for Jennifer Castagno to open and operate a Citywide Home Loans in the strip mall located at 822 East Main Street, Suite G, which is located in a CD zone.** Jennifer Castagno represented this item for herself and she stated to the Commission:

She is a principal lending manager with Citywide Home Loans. She is looking to open a local branch at 822 East Main Street in the strip mall. She has been originating mortgage loans for eight years. They do refinances, purchases, construction, and first and second mortgages.

Erik Stromberg moved to approve the conditional use permit for Jennifer Castagno to open and operate a Citywide Home Loans in the strip mall located at 822 East Main Street in Suite G. Gary Pinkham seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**8. Consideration of a minor subdivision for Kolton and Lindy Kinsman dividing 13.35 acres of land from one (1) lot into three (3) lots at 664 South Quirk Street in the RR-1 zone.** Kolton Kinsman represented this item for himself and Lindy Kinsman and he stated to the Commission:

He wants to subdivide this property so they can build a home. They do not live here yet but hope to.

Gary Pinkham asked what is the purpose of the triangular block out on lot 101.

Kolton Kinsman answered to minimize the frontage that is touching the road as they have to pay per linear foot for the recovery rights. He stated he thinks it expires in 3 years. They are not building on the other two lots yet.

Attorney Linares stated it expires in 2020 and it is \$64.25 per linear foot.

Drew Allen moved to approve the minor subdivision for Kolton and Lindy Kinsman dividing 13.35 acres of land from one (1) lot into three (3) lots at 664 South Quirk Street in the RR-1 zone contingent upon correction of addresses prior to the City Council meeting. Robbie Palmer seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**9. Consideration of a conditional use permit application for Grantsville City to place a cemetery on 10.3 acres located at approximately 370 West Clark Street in an R-1-21 zone.** Mayor Marshall represented this item for Grantsville City and he provided the Commission with handouts. He stated to the Commission:

They were here a month ago to rezone. In order to put a cemetery on the property, it needs to be in the R-1-21 zone. The intent was to move the cemetery, which was originally planned and laid on the 3.2 acres of ground, to the north and to sell the 2.2 acres to the Clark Farm, which includes the historical buildings. The historical is for the buildings, it does not include the ground to the north. This is an important deal. The cemetery is a history of all the people that have lived here. They have many people wanting to buy family plots. Currently they don't have any. The Wootton property is getting close. The Council met with the friends of the Clark Farm and the handout is their proposal, not the City's. At the last City Council meeting, the rezone for the 10.3 acres of ground was changed to approximately 5 acres of ground. The 5 acres of ground actually equals out to 6.8 acres because they followed the fence line on the west side of the Grantsville property on Lot 1, all the way to the north. The intent is to put the road to the north and put the cemetery on

the eastern side. They are basically following the friends of the Clark Farm's plan. If they want a barrier on the north, they are not opposed to planting trees and putting up a fence. If they are going to have to agree on the fence, then they should have to agree to pay for part of the fence as they would be joint neighbors. The driveway going in has already had trees planted as they are trying to already start the process of creating a cemetery that has a mature look to it with the vegetation. They are planning on planting more trees but there is an irrigation line that needs to be replaced before a cemetery can be placed there as it has the thin, shelled PVC pipe. They plan on doing the replacement of the pipe and other improvements. It is going to take a few years. They are not going to be burying anybody there next year. It will take some time to create. This does conform to everything and they are fully aware of the requirements and are willing to comply.

Robbie Palmer stated it has been brought up that the neighbors have not been notified.

Mayor Marshall stated the County provided them with the addresses for the notices. He apologizes if some did not get their notices.

Robbie Palmer stated he feels for Mr. Weyland because he himself had to listen to them getting ready for the production of the play for 6 months. If they are going to put stipulations on barriers, then trees or fencing should be half and half between them and the costs should be shared. As much as he wants to protect the Clark Farm from outside sources, he also wants to protect outside sources from the Clark Farm. If he was there to grieve over a grave, he may not want kids yelling in the back ground. He sat down at the cemetery for an hour after the last meeting and looked at the property as he was one that voted opposed last time. He wanted to see the whole property and see what was going on. He also went down around the Palamino area. They projected burial plots and they have run out. There are a lot of baby boomers and the cemeteries are going to fill up faster than they realize. He was thinking about where his parents are going to be buried. He started to look around Grantsville and was thinking, if a private company were to come in, where would they go. It will have to be a field somewhere. He loves fields and has expressed his concerns. He knows there has been a lot of debate and this is a very heated subject.

Gary Pinkham stated it shows the road will be paved so dust will not be a problem. He doesn't see any reason why coordination of schedules with the City and the Clark Farm would be an issue.

Mayor Marshall stated that dust will not be an issue or coordinating schedules. If there was to be a funeral during an event, and the family still wished to intern at that time, they would be told that an event was scheduled and they should be prepared to hear some noise. The current cemetery is a noisy cemetery with the road traffic.

Gary Pinkham stated with regard to a cemetery, fencing is a given anyway because

of liability. So, he does not see a problem with controlling time of access once the fencing is in place. It does not need to be open after dark. So if it was gated, it could be open in the morning and closed at night. Then the vandalism issue, that was raised earlier, goes away. He cannot think of anything that represents the history of a community more than a cemetery. It is something, once put into place that will be that way forever. Therefore, it is a compatible use, in the historic sense of things even though it is currently an alfalfa field. Fencing, paved road, and access control are all things that can be handled administratively very easily.

Drew Allen asked what is envisioned for the overall traffic flow after a funeral. A number of vehicles will pull down into the cemetery area. As it is drawn out now, he does not see a good turn around or other exit.

Mayor Marshall stated they would go over to the center road, which would take them down to Wrathall Lane. It would be paved all the way to Wrathall Lane. It has been discussed that the cemetery be a one way road, so that they didn't have people coming in at both ends and having a traffic jam.

Robbie Palmer asked how long the City has owned the parcels. In looking at the area, he wonders how there is not already a subdivision there.

Mayor Marshall stated that was the original intent. That was how the barns were actually saved. The City purchased the farm to keep the barns from being torn down by a developer as that was his plan, to tear the barns down and put a subdivision in there. The properties were bought in pieces. That is why, when you go through the records, there are some discrepancies on the exact amount of acreage. It fluctuates all over depending on who was writing the minutes at the time. He does have the minutes that contain the motion to purchase the property and at that point in time they called it 3.7 acres. That was on September 20, 2005. They have had many discussions regarding what they were going to put there, from rodeo grounds to a botanical park. The City has never said that they were going to tear down the barns.

Drew Allen asked if they are going to follow the same guidelines as in the current cemeteries, as far as having upright headstones and so forth.

Mayor Marshall stated there has been some discussion but nothing has been decided.

Colleen Brunson stated, when this first came forth in 2010, she was one that initially said, this is a great idea. She knows many people don't agree with her. She has sat here and listened to both sides. And she still feels this is a great idea. The reason she originally thought it was a great idea in the beginning was because there is nothing more historical than a cemetery. It is a very reverent place. It is a place for deep thought and reflection. She fails to see that J. Reuben Clark would disagree.

Mayor Marshall stated he has talked with members of his family that still resides here in the valley. They think that it would be one of the greatest honors, for J. Reuben Clark to have part of his farm turned into a cemetery.

Drew Allen stated he was here when the initial cemetery was approved. This is a case that, unfortunately, has caused some hard feelings and divisions. But the direction it is heading is better than where they were before. The cemetery on this part is an improvement from where they were five years ago. He did vote in favor of the initial proposal as well. He is much more comfortable with these 6 acres than the 10, with the angles it gives. It makes it so none of the cemetery is directly behind the lawn area that is currently used for performances and booths. It is a much better interface between the two land uses. There have been some compromises that have some good benefits to land use in that area.

Colleen Brunson stated some of the public was concerned in the last meeting about the Planning Commission not listening or caring about what the public has to say. She would like to address that. She does care. She is glad they come. She is glad they voice their opinion. They are not always going to see eye to eye but they can agree to disagree. She wants them to know that she does listen to everyone over the years, everywhere. She has written them all down and has them to this day. She reflects on her notes often. She takes what they do seriously. She would like to thank everyone for their input.

Drew Allen moved to approve the conditional use permit for Grantsville City to place a cemetery on 6.8 acres located at approximately 370 West Clark Street with the conditions to include proper fencing and buffering between neighboring properties, and a completed paved road through the entrance and exit for minimizing traffic control. Erik Stromberg seconded the motion. The voting was unanimous in the affirmative and the motion carried.

**10. Approval of minutes of the previous business meeting in November:** Erik Stromberg moved to approve the minutes of the November meeting. Robbie Palmer seconded the motion. All voted in favor and the minutes stood approved.

**11. Report from Council Liaison Member Neil Critchlow:** Councilman Critchlow thanked the Commission for their service. He thanked Drew Allen for his time of service on Planning and Zoning. He appreciates his point of view and the things he has offered. He wished everyone a Merry Christmas.

**12. Adjourn:** Gary Pinkham moved to adjourn the meeting at 8:27 p.m. Drew Allen seconded the motion. All voted in favor and the meeting adjourned.

Jennifer Williams  
Zoning Administrator