

Newton Planning Commission Meeting
March 10, 2016, 7:00 P.M.
Newton Town Hall

Minutes

Agenda

1. Opening ceremony
2. Approval of February 2016 minutes
3. Dog kennel conditional use permit application for Joel & Patricia Hudson, 142 South 400 West, for 3 dogs
4. Dog kennel conditional use permit application for Kevin & Kim Parkinson, 80 West 300 South, for 3 dogs
5. Review conceptual plan for two lot subdivision at 475 West 300 South by Doug & DeeDee Anderson
6. Review plan for two lot subdivision at 275 West Main by Reid Smith
7. Review of Foundation Requirements

Members present: Bob Bartlett, Ken Jensen, Dale Mohlman, Kevin Parkinson, and Travis Wilhelm.
Karla Ferguson (Recorder)

Visitors: Jed Woodward, Reid Smith, Ilda Berge, Heidi Hodgson, Dave Jones, Flo Jones, Larry Brooks, Barbara Brooks, and DeeDee Anderson.

1. Opening ceremony.

2. The minutes for February 2016 were approved.

3. Dog kennel conditional use permit application for Joel & Patricia Hudson, 142 South 400 West, for three dogs. Travis Wilhelm reviewed responses from neighbors notified of application. Dave and Flo Jones asked to speak that they felt the dogs seem vicious and bark continuously. Dave Jones said they worry for their safety with the dogs baring teeth and barking whenever they (Dave and Flo) are in their own back yard. They said the dog "Alice" has tried to bite at them and has bit the neighbor that helped feed the dogs and the previous owner of the house when he was moving out. Travis Wilhelm read through the ordinance for dog kennels. Travis Wilhelm asked if the dogs are kept in a kennel or just the fenced back yard. Dave Jones replied that the dogs are kept in the house and in the back yard which is fenced and they do not have a kennel. Dave Jones asked that if the kennel is issued he would like to go on record that the dogs are vicious and feels it is a liability to the town. Travis Wilhelm said they will refer to the animal control officer to investigate and will hold off on approving the permit until it is reviewed. Kevin Parkinson asked if the dogs are always outside and Flo Jones responded the dogs are in the house and also placed outside. Travis Wilhelm said he feels they will need to put a kennel in place and have the animal control officer investigate before a permit is issued.

4. Dog kennel conditional use permit application for Kevin & Kim Parkinson, 80 West 300 South, for 3 dogs. Travis Wilhelm reviewed that they had received 5 of 9 neighbor responses back and the one comment received was to control dogs barking especially in the evening. Kevin Parkinson responded that the dogs are kept in the house. Kevin also said that they currently do not have an aggressive dog but they use to and they took it to obedience school and he suggests the Hudsons do that with their dog. Dave Jones talked about vicious dogs. There was also a discussion about if a house constitutes a kennel. Kevin Parkinson declared his house a kennel. Bob Bartlett made a motion to approve the kennel conditional use permit with the condition to restrict barking in the evening and the kennel is declared the house. Ken Jensen seconds the motion and all approved. Kevin Parkinson abstained from the vote.

5. Review conceptual plan for two lot subdivision at 475 West 300 South by Doug & DeeDee Anderson. DeeDee Anderson gave the planning commission an aerial photo of her lot to look at. She discussed the property and when the house was built and the plan for Terry Griffin (subdivision developer) to put in a road. DeeDee discussed with the Planning Commission how she would like to subdivide the parcel to be able to build a new home for themselves on the lot next to the highway and sell their current home. Karla Ferguson read the minutes from the Planning Commission in April 2003 and October 2003 when the current home's building permit was issued. Jed Woodward discussed the history of the annexation request as he remembered it. The current property lines were discussed as well as road requirements using Cache County specs. It was discussed that the agreements for the annexation completed in 2000 for the property should be reviewed. It was discussed that the main water line will need to be extended because they are putting in an additional house. The code requires an 8 inch water line. The current water line runs through the property they would like to build on. The gas line would also need to be extended. They reviewed the need to provide a public utility easement for all utilities. The requirements the Planning Commission would require for this subdivision is to extend utilities along 300 South and install hard surface road 20 feet wide in meeting with county standards and put in a utility easement. Dee Dee asked what an estimate of the road cost would be. Jed Woodward gave her construction company names to contact for estimates.

Heidi Hodgson asked if it the Daughter of Utah Pioneers historic cabin, they would like to place on town property, is a monument. They discussed monuments. Heidi Hodgson asked for confirmation that if it was an accessory building what the setbacks would be. It was discussed that if property was donated to the town with a boundary line adjustment to currently owned town property then it would be an accessory building and the setbacks for it.

6. Review plan for two lot subdivision at 275 West Main by Reid Smith. Reid Smith reviewed the subdivision plan with the comments from the town engineer, Matt Phillips. Newton subdivision code along with the findings was reviewed. Reid Smith plans on requesting variances to some of the findings. Reid reviewed what will be changing with the new request to change it from a three lot subdivision to a two lot subdivision. Bob Bartlett asked Reid to move the propane tank for the existing home onto its lot. Reid Smith discussed where the secondary water line is located on the property. Reid explained that he will sell the lot with the existing house to LaMar Clements. Public utility easements were discussed. Other items to discuss with the town engineer, Matt Phillips were determined. Jed Woodward said that the subdivision ordinance has not been tested before and we should determine if there are changes that need to be made to it. Bob Bartlett will speak with former Planning Commission members to see if they remember what was agreed upon with extending 300 South road. Travis Wilhelm and Reid Smith will talk to the town engineer about the items reviewed. Reid Smith will find out where the septic tank is located and get a new survey completed. He plans to come to planning meeting next month. Travis Wilhelm said that a member of the planning commission needs to attend Town Council each month to give an update. DeeDee Anderson asked how she builds a road on Terry Griffin's property. It was determined that research needs to be done to determine what was required for this annexation and subdivision of the property. DeeDee Anderson plans to come back next month. Meeting adjourned.

Minutes prepared by:

Karla R. Ferguson, Newton Town Clerk

Approval Date