

**Rockville Planning Commission  
SPECIAL MEETING  
February 25, 2016  
Rockville Community Center**

1. **CALL TO ORDER AND ROLL** – Chair Robert Ford called the meeting to order at 7:30 p.m. The following members of the Rockville Planning Commission were present: Karen Lodinger, Linda Brinkley, and Jane Brennan. Cheryl McGovern was excused. Deputy Town Clerk, Vicki S. Bell, recorded the meeting.
2. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM** – No declaration of conflict declared.
3. **DISCUSSION AND ACTION ON GRADING/EXCAVATION PERMIT APPLICATION FROM DAVID C. AND JANE ELLIS FOR 59 SOUTH HIRSCHI LANE** – Chair Ford invited Mr. Ellis to speak on the excavation permit but Mr. Ellis asked his contractor, Andy Monks, to address the Planning Commission.

Andy explained that the project is for agricultural purposes. The intent is too basically have a garden. They are creating a fruit and nut tree orchard and are utilizing their irrigation resources for that purpose. The ponds will be used for irrigation between regularly scheduled irrigation times.

Chair Ford asked if they are also planning on having a well dug on the property. Andy explained that they are intending on having a well dug and that the well has been permitted by the Division of Water Rights. Mr. Ellis added that the well will be used for culinary water should they ever decide to build a house. The well permit came with the purchase of the property. There are no plans to build a house right now, but wanted to get the well put in at this time.

Karen asked if there was a house on the parcel now. Andy responded that the parcel where the ponds are being dug is an empty vacant parcel. Chair Ford added that the house sits on the adjacent parcel. Mr. Ellis owns two adjacent parcels.

Karen asked if these were swalls with mulch like he had done on his own property. Chair Ford stated that they are using permaculture techniques. Andy explained they are creating terraces, long and contoured, on the topo line, so that they are level terraces and they have spillways using a soil stabilization technique. It prevents flash flooding and erosion events.

Karen asked where the flood plain line was on the plans that were provided. Andy explained it is not included on the map but that the parcel is well above the rip rap. Chair Ford added that the flood line is down along the rip rap because the property is so high. Andy explained that they are at least 10 – 15 feet above the rip rap. Chair Ford explained that the property is essentially a flat parcel except for where it dips down to the rip rap. He took the liberty to tell them that it would not be necessary to go to the expense of putting in contour lines.

Karen asked about the distance of the swalls from the rip rap. In referencing the plan, Andy guessed the distance to be 15 – 20 feet. They are not on the rip rap but near it.

Karen asked if there were any concerns with setbacks. Chair Ford stated that there were none that could be identified. The ponds are being placed on an internal property line. Jane clarified that it is not a problem now because it is an internal property line and Mr. Ellis owns both properties. She asked if setbacks will become a problem should he decide to build a house and sell the property. Chair Ford stated that it would be to Mr. Ellis' benefit to look at his future building plans and take these setbacks into consideration. Especially if there are ever plans to divide the property. Jane pointed out that in the grading chapter of the Land Use Code it requires 10 feet from any point of patio, driveway, walkway or pool. Because the Town doesn't have an irrigation pond setback, and the ponds are setback 20 feet; if we call this a pool, then we are well over the setback limits. It looks like they are okay.

In referring to the swalls down by the river, Andy stated there was actually a bit of gullying by the irrigation. When the field was flooded, the water would gather in that corner and was eroding the corner away. This project will help to stabilize that soil.

Chair Ford clarified that the soil that they are removing is being moved to where the old pole barn was located. Andy stated that it was a low spot and so the dirt is being used to level it off.

Chair Ford asked for questions from neighbors that were in the audience. Barry Sochat asked where the wash was in relation to that garden. Andy, in referring to the plans, pointed out that the wash runs down the west side of the parcel. Chair Ford stated that the wash is beyond the Ellis property. It is actually on the other side of Hirschi Lane.

Lori Sherbeck asked about the willows that had been planted along the river bank by the Corp of Engineers. Mr. Ellis stated that he was not aware of why they were there. The willows were not uprooted they were just trimmed down to the rock level and they will be back up in a few months. Mr. Ellis explained that they were just trying to get in there to clean up the rubbish. Lori asked if there had been willows on the terraced area above the rip rap. Mr. Ellis clarified that the only willows that were cut were the ones coming up through the rocks. Chair Ford explained that the willows help to stabilize the bank and slow the water down in a flood event. Andy stated that they will be encouraging the re-growth of the willows. Chair Ford explained that the willows will also be of benefit to the neighbors across the river by creating more privacy.

Lori Sherbeck asked if another structure is being planned on the property across from her, where the structure would be positioned. She asked if the structure would be towards the front of the property and if there would be any height restrictions. Chair Ford responded that the building of another structure is all just speculation at this point. This should not be addressed until such time as Mr. Ellis applies for a building permit. Mr. Ellis explained that he bought the lot to prevent someone from building there and our current thinking is we want to keep it as a park. If at some time down the road we decide to build, it will be done with the help of an architect.

Chair Ford stated that Andy understands that when these kinds of projects happen, that it is important to check with the Town and ask if there are any requirements. For the record, Andy did pay the double fee required when applying for a permit after-the-fact. He also paid to hold the special meeting. Jane added that she appreciated their attitude when the Planning Commission members visited the property and the fact they stopped work immediately and found out what was needed.

Andy thanked the Planning Commission for taking time to make this meeting possible.

**Whereas** the application by David Ellis for an excavation permit for irrigation pond on 59 South Hirschi Lane complies with the Land Use Code Chapter 16; and **whereas** the application is consistent with and does not compromise the General Plan and the irrigation pond is compatible with the residential and agricultural character of the neighborhood and the Town; Jane **MOVED** to approve the application. Linda **SECONDED** the motion.

**VOTE on motion:**

**Karen Lodinger – Aye**  
**Linda Brinkley - Aye**  
**Jane Brennan – Aye**  
**Bob Ford – Aye**

**The motion passed unanimously.**

**7. ADJOURNMENT – Linda MOVED** that the meeting be adjourned. Jane **SECONDED** the motion.

**VOTE on motion:**

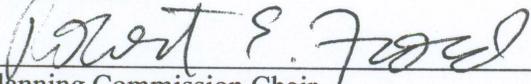
**Karen Lodinger – Aye**  
**Linda Brinkley - Aye**  
**Jane Brennan – Aye**  
**Bob Ford – Aye**

**The motion passed unanimously.**

The Planning Commission Meeting adjourned at 7:48 p.m.

Minutes Prepared by: Vicki S. Bell  
Deputy Town Clerk

APPROVED:

  
\_\_\_\_\_  
Planning Commission Chair



**Rockville Planning Commission  
Special Meeting  
February 25, 2016 7:30 p.m.  
Rockville Community Center  
43 E. Main Rockville, UT 84763**

**PLEASE SIGN YOUR NAME AND PLACE OF RESIDENCE FOR THE RECORD**

**NAME**

**ADDRESS**

David Ellis

Andy Monks

Barry Sochat

Joe Motter

Joyce Hartless

Laurie Scherbeck

Tydon Olur

Megan Honer-Orton

Original list misplaced; this

list is the name of attendees to the

best of my memory. Wicks Bell