

## **Sanpete County Planning Commission Meeting**

May 4, 2011, 6:30 P.M.

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Planning Commission Chair Gene Jacobson, Thell Stewart, Steve Anderson, Garth Sorenson, and Joseph Scholes. Sanpete County Zoning Administrator Scott Olsen, Sanpete County Clerk Sandy Neill, and Commissioner Steve Frischknecht. (Mary Anderson, Dale Lewis, and Bart Nelson are excused.) Also present is Jay Clayton from the media.

Meeting is called to order by Chair Gene Jacobson.

### **AT&T MOBILITY REQUEST FOR A CONDITIONAL USE PERMIT FOR A 195 FT. TELECOMMUNICATIONS TOWER LOCATED ON STATE TRUST LANDS, EAST OF GUNNISON, SOUTH OF HWY 89, ON CHALK HILL**

Kelsey Olsen is present representing AT&T Mobility. She is requesting a conditional use permit for a 195 ft. tall telecommunications tower located on State Trust Lands, east of Gunnison, south of Highway 89 on Chalk Hill. A conditional use permit was issued for another tower very near to this location. Scott Olsen contacted State Trust Lands, and they stated that AT&T was the first to ask for access across their property. Concerns are expressed about having two towers clustered together. Access to the towers is discussed. The owners of the towers are responsible to obtain access to the tower, but this does not need to be done before a conditional use permit is issued.

Jerome Gourley, representing Atlas Tower is present in opposition of this tower. Atlas Tower has already been granted a conditional use permit for a tower, and are in the process of obtaining a building permit to install it. They have expended approximately \$40,000.00 on this project. They are pursuing a prescriptive easement. If that is not granted, they will cut a road through Paul Frischknecht's property. They have commitments from several cell phone companies for use of this tower. The tower is designed to support 5cell carriers. He feels that residents of Sanpete County will benefit more from their tower because it is being placed on private property, not government owned land. He requests that Sanpete County deny this conditional use permit. The Planning Commission ask if these two towers were installed, would they interfere with each other? Mr. Gourley responds that there would be no interference, they operate on different band widths. His opposition is based on unnecessary visual impact of 2 towers and the redundancy of having 2 towers so close together. Mr. Gourley asks that if this is not denied tonight, that it be tabled for further discussion. The Planning Commission does not feel it is their responsibility to monitor free enterprise.

Paul Frischknecht asks what is relevant as the Planning Commission considers this request. Mr. Scholes responds that what is within the law is relevant. Mr. Frischknecht doesn't want to see 2 towers this close together. The Atlas Tower can accommodate up to 5 carriers, and have 3 committed to date. Steve Anderson asks if the Planning Commission denies this, do we become a government agency that is regulating private enterprise? Motion is made by Thell Stewart to approve the conditional use permit for AT&T with the condition that a 6' fence be installed. The motion is seconded by Joe Scholes. All members voted in favor, and the motion passes.

Kelsey Olsen states that as far as she knows, there was never a definitive commitment for AT&T to locate on Atlas' tower. The Commission ask if there are many other locations with more than one tower. The response is there are many all over the state.

Mr Gourley states that most municipalities are now requiring that the providers try to locate towers on property owned by the municipalities, because the cities have discovered there is good money to be made for the taxpayers. It's hard to know how many towers will be coming in the future. When calls are dropped, the public complains, and when there are enough complaints in an area, new towers are placed.

**JOSEPH K. GEE REQUEST FOR APPROVAL FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT ON HIS 1-LOT MINOR SUBDIVISION LOCATED SOUTH OF SPRING CITY ON S 61411**

Joseph Gee is present. He is requesting a conditional use permit for an accessory dwelling unit on his 1-lot minor subdivision located south of Spring City. The parcel is 6 acres. The accessory unit will be used as a guest house. It will not have a kitchen, but will have a bedroom and bathroom. It will be used by the family, and will not be rented out. Motion is made by Joseph Scholes to approve the conditional use permit for an accessory dwelling unit on S 61411, with the condition that the unit is not rented out. The motion is seconded by Garth Sorenson, and the motion passes.

**ROBERT SHELLEY REQUEST FOR APPROVAL OF A 1-LOT MINOR SUBDIVISION. LOCATED ON SHELLEYVILLE ROAD, NORTH OF MT. PLEASANT ON S22157**

Robert and Candice Shelley are present. They are requesting approval of a 1-lot minor subdivision located on the Shelleyville Road, north of Mt. Pleasant. Scott Olsen advises that the requirements have been met for this subdivision. The land will need to be in their name before a building permit will be issued. Motion is made by Garth Sorenson to approve the 1-lot minor subdivision on S 22157. The motion is seconded by Thell Stewart, and the motion passes. This will be heard by the Sanpete County Commission on May 17, 2011 @ 3:00 PM.

**THOMAS AND JERRI FUHRIMAN REQUEST FOR APPROVAL FOR A LOT LINE ADJUSTMENT IN THE HAWK MEADOWS SUBDIVISION, LOCATED SOUTH OF MILBURN IN THE A ZONE**

Thomas and Jerri Fuhriman are present. They are requesting approval for a lot line adjustment in the Hawk Meadows Subdivision, located south of Milburn in the A Zone. This adjustment vacates part of the property from the existing subdivision. All the owners in the subdivision will need to sign a letter of approval before this can move to the commissioners for approval. A letter was received protesting this lot line adjustment. The concern was about too many wells, and sanitation problems because too many houses are being built in the Milburn area. The subdivision has already been approved, and these issues were reviewed at that time. Motion is made by Joseph Scholes to approve the lot line adjustment in the Hawk Meadows Subdivision, which reduces lot 4 to 41 acres. The motion is seconded by Garth Sorenson, and the motion passes.

**BLUE MOON DEVELOPMENT AND JOHN LEE REQUEST FOR APPROVAL FOR A CONDITIONAL USE PERMIT TO START AN RV, ATV, MOTORCYCLE REPAIR, MAINTENANCE AND STORAGE BUSINESS ON HIS PROPERTY LOCATED SOUTH OF FAIRVIEW IN THE A ZONE WITH 9.8 ACRES**

John Lee is present representing Blue Moon Development. Mr. Lee is requesting approval for a conditional use permit. He will be applying next month for a zone change to the BC zone. He would like to build rental storage units, and put the equipment behind them instead of building a fence. Motion is made by Garth Sorenson to grant a conditional use permit for an RV, ATV, motorcycle repair, maintenance and storage business on S 22039 & 22039X, with the following conditions: storage building or a privacy fence needs to be installed so that the inoperable vehicles can be stored behind it, the "boneyard" needs to be fenced, inoperable vehicles must be stored out of view. The motion is seconded by Thell Stewart, and the motion passes.

**ASPEN GROVE ASSETS REQUEST FOR APPROVAL TO AMEND THE PINE CREEK RANCHOS SUBDIVISION BY CHANGING THE NAME TO TWIN OAKS SUBDIVISION AND AMENDING LOT LINES TO LOTS 43-45 AND 53-59. THE SUBDIVISION IS LOCATED SOUTH EAST OF MT PLEASANT**

David Asay is present, representing Aspen Grove Assets. Robert Ault is also present. Mr. Asay is requesting approval to amend the Pine Creek Ranchos Subdivision by changing the name to Twin Oaks Subdivision and amending lot lines to lots 43-45 and 53-59. The subdivision is located southeast of Mt. Pleasant. A fence-line agreement was reached with the neighboring property owners. Motion is made by Joseph Scholes to approve the name change to Twin Oaks Subdivision, and to approve the lot line adjustments. The motion is seconded by Steve Anderson, and the motion passes.

**ASPEN GROVE ASSETS REQUEST FOR APPROVAL TO AMEND THE LAND USE ORDINANCE BY ADDING A DEFINITION FOR PORTABLE SLEEPING UNITS.**

David Asay is present, representing Aspen Grove Assets. Mr and Mrs Daniel Thompson are also present. Mr. Asay is requesting approval to amend the land use ordinance by adding a definition for portable sleeping units. Discussion is held as to safety issues and requirements that should be required. Sleeping units would only be allowed in RV Park Campgrounds. If this definition is added to the land use ordinance, a conditional use permit would need to be granted. Motion is made by Garth Sorenson to table this matter to allow the Planning Commission time to review the definition. The motion is seconded by Thell Stewart, and the motion passes. It will be placed on the agenda for the June meeting. Daniel Thompson states he is fine with this as long as it stays in the campground area.

**DISCUSSION FROM JAY OLSEN ABOUT A VOLUNTEER TO SERVE ON THE SANPITCH RIVER WATERSHED BOARD**

Jay Olsen requested that a Planning Commission member volunteer to serve on the Sanpitch River Watershed Board. The board meets the first Thursday of every other month, with the next meeting in June. The board is responsible to allocate money to help the watershed in our area. Thell Stewart volunteers to serve on the board.

**APPROVAL OF MINUTES OF THE MARCH 9, 2011 MEETING**

Motion is made by Joseph Scholes to approve the minutes of March 9, 2011 with no corrections. The motion is seconded by Steve Anderson, and the motion passes.

With no further business before the Planning Commission, motion to adjourn is made by Garth Sorenson. The motion is seconded by Steve Anderson, and the motion passes.

The meeting is adjourned at 8:40 P.M.