

**Rockville Planning Commission
Regular Meeting Minutes
Rockville Community Center - Town Hall
November 13, 2018 – 4:00 p.m.**

1. **CALL TO ORDER – ROLL CALL** – Planning Commission Chair Jane Brennan called the meeting to order at 6:00 p.m. The following members of the Rockville Planning Commission were present: Bergen Meyer, Cheryl McGovern, Joyce Hartless, Linda Brinkley and Jane Brennan. Town Clerk, Vicki S. Bell, recorded the meeting.
2. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM** – Chair Brennan asked if anyone had a conflict of interest with any agenda item; none were declared.
3. **PUBLIC COMMENTS** – No public comments were received.
4. **DISCUSSION AND ACTION ON AN APPLICATION FOR A TEMPORARY USE/SPECIAL EVENT PERMIT FOR THE TRI-STATE ATV CLUB JAMBOREE BEING HELD MARCH 14, 15 AND 16, 2019 BY GLEN ZUMWALT** – Glen introduced Jubal McNaught, who has been a guide on the Apple Valley to Grafton ride. Glen recalls it was important to the Town that once the ride enters the Town, the guides should control the speed of the tour. All the rides have a 30 mph maximum, but in Grafton, they agreed to keep the speed at 15 mph to control dust and reduce noise. The route will go to the cemetery and the historic site of Grafton; it will not turn right toward the bridge.

Joyce thanked Glen and the Club for cutting their ride short last year because of wet conditions and for contributing towards Rockville road maintenance. Glen explained the club is a 501(c) 3, so if there are funds available, they like to contribute to those who helped with the Jamboree or use the funds to preserve routes on public lands. The club does trail maintenance, clean-up work, puts in kiosks with cooperation of the BLM and Forest Service.

Cheryl was unaware of the contribution to Rockville roads and Glen responded they donated \$200 last year. Cheryl is concerned about the road. It has not been graded and it's in terrible shape. The neighbors affected by this find the dust and noise unacceptable. The people living in that area are going to request there be no more special event permits allowed for any vehicular activity until the road to Grafton is upgraded.

Glen responded they are all low-pressure tire vehicles, having a vast difference on road surfaces than cars, jeeps, pick-ups, or anything else. This is a traditional ride the club has done for years. The club members understand the Town's ordinances and no ATVs will be allowed on this ride unless they are street legal. The club respects the dust and noise concerns and that's why they reduce their speed. Last year people made comments about how pleased they were and how little impact the ride had. They are permitted to go through the Town of Toquerville and the Town of Leeds, and have permission to park in Leeds in an unpaved area. Those municipalities do not require a formal submission, but a verbal request is acceptable. Theirs is not a competitive organization and they do not promote wild riding.

Cheryl responded that 23 ATVs going down the road is quite loud and dust is pretty heavy. And while you cannot control this at all, the people who are in the Jamboree, who arrive early are flying up and down that road all week long until the weekend of the Jamboree. It is in excess of what is normal for that area.

Chair Brennan asked if they were on licensed ATVs. Cheryl responded "unlicensed". So Chair Brennan suggested we need to get some police patrols out there prior to the event.

Cheryl said the real issue is the road is in really bad shape and she does not want to allow any activity that would further erode the condition of the road. There is absolutely no plan to fix the road any time in the future and it's just getting worse. The more cars and ATVs and shuttle buses that go down that road, the worse it gets. There are four families that live out there and

if it was just those four families driving down that road, we wouldn't have to worry about a fire truck being able to get to our homes, or ambulance. But now, with one rain, none of those things can come to us.

Chair Brennan responded the only way the road could be exclusive to those four families is if the road were private, which it is not. Chair Brennan asked if there were any complaints last year or in years past. Clerk Bell responded she did not recall any comments, good or bad. Chair Brennan said she did not receive any complaints regarding traffic or problems with ATVs.

Joyce informed everyone that tomorrow night the Town Council will be discussing acquiring some road millings from the passing lanes project. Cheryl objects that none of that would go there; it was all going to resurface the existing roads.

Cheryl said she complained to Chair Brennan last year because the ATV traffic went on all day long. Chair Brennan asked what time the Jamboree expected to be in Rockville. Jubal responded they normally get down to Grafton around 9:30 and they leave in 45 minutes. Chair Brennan asked and Jubal confirmed they arrived and left in a group. Jubal says they all know they must follow behind the lead guide.

Glen said all the rides are led by trained guides. They are single file. They have sanitary equipment and trash bags. Last year the club did some preliminary training rides and Glen picked up quite a bit of trash around the cemetery. The club requires participants to pack out everything they bring in and to pick up anything they see while stopped.

Glen has 25 permitted rides and he's working on two additional ones. They are from Arizona to Kane County. Participants sign up online. They pick the rides they want to go on. Chair Brennan asked if there were any organized rides prior to March 15th and Glen responded no. There are 1,000 members in the club.

Chair Brennan recognized M. Honer-Orton, who gave her annual objection to using Rockville as a recreational venue because she does not believe our General Plan supports such activity. Chair Brennan believes our General Plan does allow for such activity, and especially as the club is a non-profit.

Joyce made the following motion:

WHEREAS, The Tri-State ATV Club has a history of use of Rockville Roads during their annual Tri-State Jamboree without significant damage to the Grafton area, and,

WHEREAS, The Tri-State ATV Club acknowledges the Town of Rockville has in July of 2016 passed an ordinance prohibiting the use of off-highway vehicles (OHV) within the boundaries of the Town (Ordinance 16-0713-03) and the Tri-State ATV Club agrees to notify the Jamboree participants and also the club members that the operation of non-licensed ATV's is prohibited on Rockville roads, except by Special Permit, and,

WHEREAS, The Tri-State ATV Club agrees to follow the requirements of a Special Event Permit as to speed, noise, litter (including human waste) and has agreed to signify to onlookers (by vests, flag, or obvious insignia on the guide ATV's or riders) that this is a Permitted Special Event and not a normally allowed activity, and,

WHEREAS, THE Tri-State ATV Club has agreed to consider limiting the ride to the Grafton Cemetery in the event of exceptionally muddy road conditions, and,

WHEREAS, The Tri-State ATV Club has explained this tour will originate in Apple Valley, follow Smithsonian Butte Road (aka Big Plains Road), continue into the Town of Rockville,

stopping at Historic sites of the Grafton cemetery and the Grafton town site, they will travel in a group of all participants and guides the entire time they are on Rockville's roads with the designated leader and the following sweeper, keeping the group together, and,

WHEREAS, The Tri-State ATV Club has agreed to provide the Town of Rockville with a copy of their liability insurance certificate prior to the ride, and,

WHEREAS, The Tri-State ATV Club has agreed to not allow their tour to ride eastbound on Grafton Road from Smithsonian Butte Road and to only proceed to the Grafton Town site and back.

WHEREAS, the application for a Temporary Use/Special Event Permit submitted by Glen Zumwalt for the Tri-State ATV Club for an organized, guide led ATV tour with no more than 23 ATVs once a day for three days, March 14, 15 & 16, 2019, is complete and fulfills the requirements of the Rockville Land Use Code Chapter 7.25, and in as such, does not violate the General Plan, I **MOVE** to approve this application for a Special Event Permit. Linda Brinkley **SECONDED**.

VOTE on motion:

Bergen Meyer – Aye
Cheryl McGovern – Nay
Joyce Hartless – Aye
Linda Brinkley – Aye
Chair Jane Brennan – Aye

Four ayes, one no, motion passes 4-1.

Because the Tri-State ATV Club is a 501(c)3, Joyce recommended that the \$50 application fee be waived. Chair Brennan concurred and asked if anyone objected. The fee was waived.

Glen thanked the Planning Commission and assured the members that the Club would be very cognizant of the Town's concerns. Chair Brennan thanked Glen for educating the club members about our Town ordinances and our sensitive lands.

5. **DISCUSSION AND ACTION ON AN APPLICATION FOR A HOME OCCUPATION FOR MOUNTAIN SAILOR NATURAL PRODUCTS, LLC BY SHERRI RYBKIEWICZ**– Sherri makes and sells natural skin care and body products. She sells them wholesale to businesses. She showed samples of lip balm, toner, and face creams. Chair Brennan asked if there would be any employees and Sherri responded no. Chair Brennan asked if there would be any additional parking needed to accommodate the home occupation and Sherri responded no. Chair Brennan asked if she would be shipping the product out through UPS, FedEx or the Postal Service. Sherri responded possibly; she would drive the product to the businesses in Colorado. Linda Brinkley asked about the name of the product. Sherri explained she may get a DBA with a name more appropriate for the area. Chair Brennan asked if Sherri owned the home and Sherri responded yes. Chair Brennan asked if she was on septic or sewer and Sherri responded septic. Sherri does not make soap.

Joyce made the following motion:

WHEREAS, Sherri Rybkiewicz's application for a home occupation for Mountain Sailor complies with the Rockville Land Use Code in that the use is consistent with and does not

compromise the General Plan and is compatible with the residential character of the neighborhood,

I therefore **MOVE** to approve Sherri's home occupation application. Cheryl McGovern **SECONDED** the motion.

VOTE on motion:

Bergen Meyer – Aye
Cheryl McGovern – Aye
Joyce Hartless – Aye
Linda Brinkley - Aye
Chair Jane Brennan – Aye

The motion passed unanimously.

Clerk Bell explained that the business license would be issued in the town office.

6. **DISCUSSION AND ACTION ON A BUILDING PERMIT APPLICATION FOR AN EQUIPMENT GARAGE AT TWO FEATHERS SERIES, LLC BY JEFF BRANTLEY** – Eric Brantley represented Two Feathers Series, LLC. Two Feathers would like to build an equipment storage facility to house tractors and farm equipment. They produce over 1,000 bales of hay each year and the equipment is taking a beating being exposed to the elements. Chair Brennan acknowledged and thanked Two Feathers for taking the extra effort to get the elevation certificate and Floodplain Development Permit. Eric Brantley said they were here in 2010 and explained that the river "sheet floods" in that area. Joyce explained that the Land Use Code states there cannot be more than 25% of the property covered by buildings. It appears that the buildings would not take up more than 25% of the land. Eric assured Joyce that the buildings do not cover more than 25% of the land. Chair Brennan clarified the lot size is 6.97 Acres. She asked if the Two Feathers buildings covered more than 76,000 square feet. Eric responded he did not think so. Clerk Bell asked if the family would take the extra steps to resolve any drainage. Eric responded that the building pad is already higher and set up to drain properly because of irrigation. Chair Brennan asked and Eric agreed to provide the square footages of all the buildings on the Two Feathers Ranch property. Cheryl asked and Eric confirmed there will be no plumbing in this building. Chair Brennan asked and Eric confirmed no one would live in the building.

Joyce made the following motion:

WHEREAS, the Building Permit Application, Site Plan, and Building Plans are all completed and in compliance with the Land Use Code and do not compromise the General Plan and is compatible with the residential character of the neighborhood, and

WHEREAS, this is an accessory structure with no running water that will only be used for equipment storage and not for living space, and

WHEREAS, the applicant has provided the necessary Elevation Certificate and obtained the necessary Floodplain Development Permit, and,

WHEREAS, he has agreed to provide the square footage of all buildings on his property,

NOW THEREFORE, I hereby **MOVE** to approve the Building Permit Application of Steve Brantley on the Two Features Series Property located at 617 West Main Street. Bergen Meyer **SECONDED** the motion.

9. **ADJOURN**– Joyce Hartless **MOVED** to adjourn. Cheryl McGovern **SECONDED**.

VOTE on motion:

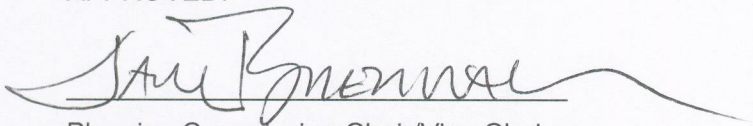
Bergen Meyer – Aye
Cheryl McGovern – Aye
Joyce Hartless – Aye
Linda Brinkley - Aye
Jane Brennan – Aye

The motion passed unanimously.

The Planning Commission Meeting adjourned at 4:50 p.m.

Minutes Prepared by:
Joyce Hartless, Deputy Town Clerk
Town of Rockville

APPROVED:


Planning Commission Chair/Vice Chair

The foregoing was posted in the foyer cabinet of the Rockville Town Office by Jack S Bell at approximately 10:00 AM/PM on 9 January 2019, on Rockville's Website and the Utah Public Notice Website. Posted to Spectrum Events NA.

Jack S Bell

VOTE on motion:

**Bergen Meyer – Aye
Cheryl McGovern – Aye
Joyce Hartless – Aye
Linda Brinkley - Aye
Chair Jane Brennan – Aye**

The motion passed unanimously.

Eric asked if there was a deadline to turn in the square footage of all the structures and Chair Brennan indicated “no time soon”. Eric said they have no plans to break ground right away. Clerk Bell explained the plans will still need approval by the Building Inspector and the Fire Marshal.

7. **APPROVAL OF THE MINUTES OF THE OCTOBER 9, 2018 REGULAR MEETING** – Chair Brennan **MOVED** to approve the minutes. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

**Bergen Meyer – Aye
Cheryl McGovern – Aye
Joyce Hartless – Aye
Linda Brinkley - Aye
Chair Jane Brennan – Aye**

The motion passed unanimously.

8. **PLANNING COMMISSION ADMINISTRATIVE BUSINESS** – Chair Brennan thanked Joyce for preparing the motions for this meeting, as Chair Brennan did not know if she would be back in Town in time. She then thanked Vicki for all her work as well. Chair Brennan stated that this month a simple building permit was approved for David Ellis to install a pre-fabricated barn.

Chair Brennan then asked for a report from the survey committee chair, Joyce Hartless. Joyce stated she's still looking for input from the planning commission. She would like to have this completed by the 15th of December. Cheryl asked if Joyce received her email and Joyce replied yes and asked if Cheryl would be formulating questions for the issues mentioned in the email. Linda Brinkley said she believes the survey is one of the best drafts she's ever seen: very comprehensive, with good flow, and plenty of possible answers. Joyce reported that Shirley would like to remove the question about reducing the speed limit because she does not believe we will ever get that approved now that we have four lanes coming down into town, with 65 mph traffic just west of town. Joyce said that Shirley believes Springdale obtained the speed reduction because they have pedestrians and commercial activity. Chair Brennan asked about the first box and Joyce explained the survey committee suggests the Planning Commission hold a public hearing 10 days after the surveys arrive and 20 days before they're due to be returned to discuss any questions the community may have about the survey. Chair Brennan asked if anyone had provided any input. Joyce responded Joe Harper indicated an interest in giving input, but he has not provided any. Megan asked about commercial use in Rockville. Joyce quoted the survey questions pertaining to commercial use in the survey. Chair Brennan explained because sandwich shops were allowed, the Town of Springdale had to allow the Subway, but not an adult book store.

Chair Brennan said a new chair would be chosen in January. Joyce reminded everyone the planning commission has two openings coming up for renewal at the end of the year. Chair Brennan reminded everyone the Commission is still seeking alternate members.



**Rockville Planning Commission
Regular Meeting
November 13, 2018 4:00 p.m.
Rockville Community Center
43 E. Main Rockville, UT 84763**

PLEASE SIGN YOUR NAME AND PLACE OF RESIDENCE FOR THE RECORD

NAME

ADDRESS

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