

MINUTES
PLANNING COMMISSION
EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
MAY 1, 2019
4:30 PM

Board Members Present: Chair Lisa Murray, Jan Jonson, Darren Glather, Craig Rasmussen, Alma Lund

Board Members Excused: Stephen Cornelsen, Rob Nielson, Dennis Nordfelt, Larry Griffeth

Staff Present: Community Development Director/City Engineer Bryan Kimball

Others Appearing: Richard Nielsen, Bonnie Nielsen, Brian Nielsen, Jason Stevens

CALL TO ORDER

The Ephraim Planning Commission convened on Wednesday, May 1, 2019, in the Ephraim City Hall Board Room. Planning Commission Chair Lisa Murray called the meeting to order at 4:30 p.m.

I. AGENDA

A. MAPLE LEAF SEED – APPLICANT JASON STEVENS; CONDITIONAL USE PERMIT FOR PROPOSED INFRASTRUCTURE EXPANSION LOCATED AT 334 W 100 S

Applicant Jason Stevens with Maple Leaf Seed currently has four existing silos located at 334 W 100 S, which is zoned Industrial, and would like to expand their operation by adding additional silos, a grain elevator, small outbuildings, and a warehouse. They would erect a 105-foot elevator that would feed and offload the silos. The building would be 70-feet tall in order to house the machinery, there would only be one floor.

The Planning Commission expressed concern over the noise that would be created by the machinery and that there would be the same problems with the noise, dust and general operation at this location as there has been with another seed operation in town, that is next to residential homes. Applicant stated that the elevator would be quiet, as it is all belt fed and that he was considering altering the plans in order to put in a dust collector that has a lower decibel rating to lower the noise.

Resident Bonnie Nielsen expressed concern with Industrial operations occurring close to residential zones and the noise and mess that it would create. The Planning Commission

acknowledged the concerns and stated that there have been efforts made to try and clean up some of the locations in that zone.

The height of the building is primarily there to enclose the equipment and the building would be set far back from the property line; both would help keep the noise down.

Applicant was asked what type of large truck traffic the operation would bring. The truck traffic is seasonal with the highest peaks being in the spring and fall with an average of two in and out in a day. Applicant stated that the truck routes would follow whatever roads the City requested they stay on. City Engineer Bryan Kimball stated that trucks need to stay on 600 W and 100 N as those roads have been built to handle the weight of the trucks.

A seed store is permitted in this zone but an agricultural related business and the height of the building and elevator are what required a conditional use permit.

The FAA requires that any tall structure within a five-mile radius of the airport go through an application process. The tower is well below any height threshold of the FAA, however there may be a requirement to place red lights on the tower. There is no initial concern that the FAA would have a problem with it from the feedback that they have given. The applicant has submitted that application with the FAA and are awaiting their response.

City Council would make the final decision to grant a height exemption. Staff is unable to find any reasonable concerns to deny the height waiver request.

Chair Lisa Murray reminded the Planning Commission that per State requirements a CUP has to be granted to an applicant if the applicant is able to meet all applicable provisions of City code, reasonably mitigating any concerns that are presented.

City services are already to the location. The proposed site plan would have a gravel-based road that would loop around the building so emergency vehicle access should not be an issue.

Staff requested that as a condition of approval any of the applicant's property that adjoins the sides and rear of any residential property be fenced with a six-foot sight obscuring fence.

Staff recommended approval based on the following conditions, City Council approval of the height on both the tower and building, approval from FAA, sight obscuring fence installed, downward cast exterior lighting, maintain a working dust collection system, all equipment and materials being kept in an enclose building or behind a sight obscuring fence, no dumping or disposal of industrial use or byproduct on the property, and signage will be in accordance with City ordinance.

Concern was raised again about the dust that this would create. Applicant explained that he is currently in business in town, inside the commercial zone, cleaning seed with no complaints about the dust. The dirtiest and dustiest portion of the seed cleaning would remain in the existing facility. The cleaning to be done in the new facility would be less dusty and have better dust collection equipment.

Chair Lisa Murray explained that it can be written in the conditions of approval that if dust control becomes a problem and complaints are received the permit could be reviewed.

Applicant stressed that it would not be his intent to make enemies of his neighbors and the dust collection system that he would be installing would be very effective. Staff pointed out that the only complaint the City has taken in regards to dust was not about Maple Leaf, it was about another seed cleaning business in town. Once the complaint was addressed with the business owner, the issue was resolved by the business.

Applicant requested that if the City Council approves everything but the tower due to not having the FAA approval back, that he obtain permission to start construction on everything but the tower until the approval comes back.

Board Member Craig Rasmussen moved to approve and recommend to City Council for final approval the Maple Leaf CUP based on staff recommendations and the following conditions, City Council approval of the height on both the tower and building, approval from FAA, sight obscuring fence installed, downward cast exterior lighting, maintain a working dust collection system, all equipment and materials being kept in an enclosed building or behind a sight obscuring fence, no dumping or disposal of industrial use or byproduct on the property, signage will be in accordance with City ordinance, and construction can start on the everything but the tower until FAA approval is received. The motion was seconded by Board Member Darren Glather. The motion carried.

ADJOURNMENT

There being no further business to come before the Planning Commission for consideration, Board Member Darren Glather moved the Regular Planning Commission Meeting adjourn at 5:30 p.m. The motion was seconded by Board Member Alma Lund. The motion carried.

The next regular Planning Commission meeting is scheduled to be held on May 22, 2019, starting at 6:00 p.m. in the Ephraim City board room.

MINUTES APPROVED:

Lisa Murray, Chair

Date

ATTEST:

Leah Romero, City Planner

Date