

**Rockville Planning Commission
Regular Meeting
Rockville Community Center, Town Hall
August 13, 2019 – 6:00 pm**

1. **CALL TO ORDER – ROLL CALL:** Planning Commission Chair Joyce Hamilton called the meeting to order at 6:00 p.m. The following members of the Rockville Planning Commission were present: Bergen Meyer, Cheryl McGovern, Jane Brennan, and Linda Brinkley. Town Clerk, Vicki S. Bell, recorded the meeting.
2. **DECLARATION OF A CONFLICT OF INTEREST:** Chair Hamilton inquired if anyone had a conflict of interest with any agenda item; none were declared.
3. **PUBLIC COMMENT:** Tydon Oler read a letter that has been attached to these minutes.
4. **CONSIDERATION AND POSSIBLE APPROVAL OF AN APPLICATION FOR A TEMPORARY USE/SPECIAL USE EVENT PERMIT FOR THE BUTCH CASSIDY 10K/5K FUN RUN BY RYAN GUBLER:** Mr. Gubler thanked the Town of Rockville for the support offered in years past for this event. The race date will be Saturday, November 9, 2019, beginning at 9 a.m. As in years past, the race will start at the Driftwood and end at Grafton. There will be a maximum of 450 runners. Portable toilets will be provided at three different locations. The Springdale Police Department will oversee traffic control as in years past.

Chair Hamilton said in years past there have been issues with the shuttles and asked who would be driving this year. Ryan responded that some of the local businesses with large passenger vans drove last year and they were planning to use them again. Chair Hamilton asked Ryan to remind the drivers of the speed limit on Grafton Road being 25 mph.

Jane Brennan asked if anything was different from last year, and Ryan responded no, everything is the same as last year.

Cheryl McGovern suggested if no rain falls shortly before the race, the organizers should have the road sprayed down for dust control. Ryan responded there was a water truck sent out a few days prior. Cheryl responded the application of water to the road really needs to be that day. It will dry up by noon. Cheryl said the shuttle drivers are not adhering to the speed limit. And she said 25 mph was too fast for the dirt/gravel portion of the road. Ryan agreed and said they would be sure to reiterate that when they receive their shuttle packets.

Jane Brennan **MOVED** that whereas the application for a temporary use/special event permit for the Butch Cassidy race on November 9, 2019, is complete and the event complies with the Rockville Land Use Code Chapter 7.25, and with the Rockville General Plan. The Butch Cassidy race has a long-standing history of leaving little impact on the environment and has been both a community fundraiser and a welcomed community activity, therefore, Jane **MOVED** to approve this permit. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

**Bergen Meyer – Aye
Cheryl McGovern – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye**

The motion passed unanimously.

5. **CONSIDERATION AND POSSIBLE APPROVAL OF A BUILDING PERMIT APPLICATION FOR A HOME REMODEL AT 760 E. RIVER ROAD IN ROCKVILLE FOR ERIC BRANTLEY:** Chair Hamilton said Clerk Bell and she were able to visit the site and asked Eric to explain to the others on the Commission what he's doing. Mr. Brantley said he started with an electrical permit and as the job progressed, the problem with the house was that it had a stucco roof, and it ate a lot of the lumber. We kept removing a stud here or there and pick at it, but it needed more and more pieces of lumber. The original water tower is 90% the same. The footprint is exactly the same. The plumbing has not been moved. Electrical had to be replaced completely. It's the same home, just rebuilt so it's a safe home.

Jane Brennan asked him to confirm he is not increasing the footprint of an existing residence. Eric responded no, not at all.

Linda Brinkley said she saw a picture of the electrical hanging and Eric responded there was an octopus in there. There were black wires in all the boxes. Stuff was burnt.

Chair Hamilton said the Town has talked to Deputy Fire Chief Kevin Gildea twice and it is his opinion that this is a remodel. It is not new construction and, therefore, road improvements and sprinkler systems would not be required. She asked if he would be willing to put in a water tank and train the occupants on how to suppress a fire should one occur. Eric responded that it might be a good idea. He feels the house will be a lot safer than it was before. He asked what size water tank. Cheryl said it would be 10,000 gallons. Chair Hamilton said she believed it was based upon the size of the house. She suggested he speak to Hurricane Fire Department.

Jane said that would be important to her because she does not believe Eric intends to occupy the house. Jane said whoever it is rented or sold to is not in this meeting. Even though it is an older, pre-existing, grandfathered home, it would be really scary to buy or rent and then find out it's not up to today's standards.

Chair Hamilton asked what the source of culinary water is, and Eric responded the Rockville Pipeline. Eric said, "so fire suppression is one of your concerns." And Chair Hamilton responded yes.

Cheryl asked about the right of way issue. She did not know if that was a civil matter or a planning commission matter. Jane responded that our legal advisors have said easements are not our concern. Tydon said the Town held him to an agreement with Jordan. Chair Hamilton responded "no, we stepped out and said you and Jordan need to work this out." Jane asked Eric if he could work out the easement if it becomes a civil matter. Eric responded that was yet to be determined. Eric went on to say "that one area that Tydon read said that the easement holders agree if major work is done to bring it into prior serviceable condition. That doesn't mean I'm required to build a road so he can build his house. I've offered to help him with the road, but now that he saw me building, now he would like me to build the road minus a little work Allen Lee will give us." Jane Brennan said this does not fall under new construction, according to the Deputy Fire Chief.

Linda Brinkley asked for clarification of the road we're discussing. Eric responded there are six people on that easement. Cheryl McGovern asked if the present house has an occupancy license and Eric responded yes. Jane Brennan said she believed the building inspector would give a certificate of occupancy for a major remodel. Clerk Bell stated that is correct; the building inspector will issue a new certificate of occupancy. Eric inquired if he could still stay in the home during the remodel and Jane agreed he could live there now. Eric said he understood there would be a final inspection, with which he was happy to comply.

Jane said it's because it is a remodel, though a major remodel, and the footprint is not increasing, and it is an existing residence and that is why the Fire Department said they don't need to be involved. Eric clarified the Fire Department did not request the fire suppression system; that's something the Town would like to see. Jane said that's something she would personally like for Eric to consider because of where it is. Eric said the Rockville/Springdale Fire Department told him they will not come up that road. Eric agreed to look into a fire suppression system.

Cheryl asked if he was okay with the house not being safe from fire. Eric said its been insured all this time; it's never been an issue before. The house he has on Grafton Road, he used the pool as a water pump system, but again, when the driveway gets so long, I feel like we're on our own. But you do what you can by keeping the bushes cut back and doing what you can. I'm going to wrap the house in adobe. Cheryl said they told her they (Fire Department) wouldn't come to her house either. So she put in 20,000 gallons of water.

Eric didn't know if they (Fire Department) would come and use that or if he was expected to know how to put his house out. Chair Hamilton said the occupants should know how to put the pump in and use the hose. Jane asked if there was defensible space and Eric responded yes. Eric said he could cut it back further. There used to be grass there, but it required too much water.

Chair Hamilton asked about what would be done to mitigate visual impacts. Eric said he would use cedar planks; he's going to try to make it look sort of like an old water tower. It will have metal rings around it and the stick (2x4) structure will be wrapped in adobe from dirt right on site, so it should blend in. Eric said they reduced the windows on the side and front. Jane Brennan asked about outdoor lighting and Eric said they would meet the dark sky ordinance. He said he appreciates the night sky here.

Jane said she appreciated what he did design-wise with his home (on Grafton Road). It blends in, it's not bright. I have to look for it. Eric said people had a lot of reservations about that lot being developed. The round house will also have a berm with plants because Eric doesn't want to see the road and figures if he can't see the road, then the road won't see him.

Chair Hamilton **MOVED** that whereas the application for the remodeling of the home at 700 East 230 South in Rockville submitted by Luci Francis and Eric Brantley is complete and does not conflict with the General Plan, does not conflict with the Land Use Code, and Mr. Brantley has agreed to install a water tank for fire mitigation efforts and train occupants on the use thereof, and the square footage will remain unchanged, now therefore, I **MOVE** to approve the building permit application.

Clerk Bell corrected Chair Hamilton by clarifying that Mr. Brantley did not agree to put it in, but he only agreed to consider it. Eric said he would look at both options; perhaps sprinklers are a better option.

Jane Brennan **SECONDED** the amended motion.

VOTE on motion:

Bergen Meyer – Aye
Cheryl McGovern – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye

The amended motion passed unanimously.

6. **APPROVAL OF THE MINUTES FOR THE JUNE 11, 2019 PUBLIC HEARING AND REGULAR MEETING:** Chair Hamilton **MOVED** to approve the minutes for the June 11, 2019 public hearing and regular meeting. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

Bergen Meyer – Aye
Cheryl McGovern – Aye
Jane Brennan – Aye
Linda Brinkley – Abstain
Joyce Hamilton – Aye

The motion passed with four ayes and one abstaining.

Information/Discussion/Non-action Items

7. Town Office Report

- a. Approval of a Simple Permit for Eric Brantley – Electrical Upgrade – Chair Hamilton reported the simple permit was issued for Eric Brantley's electrical upgrade. But it was brought to the Town's attention that there was a lot more going on up there than just a few boards being replaced. He was asked to come back for a remodel permit, which we approved tonight.
- b. Approval of an after-the-fact Simple Permit for Vicki Parkinson – Running Electrical to Shed
- c. Approval of a Temporary Event Permit for Roger Fuller
- d. Building Permit Issued for Vicki Parkinson Home
- e. Building Permit Issued for Chance and Brooke Wright Home
- f. Donation from Tri-State ATV Club for Grafton Road Maintenance – Chair Hamilton reported the Tri-State ATV Club donated \$200 for Grafton Road maintenance.

8. Planning Commission Administrative Business

- a. Update on Status of Town Survey – Chair Hamilton said the surveys should be in. We asked Five Counties questions like how can we be certain there's no duplicates and they have a very clear process on that and they're going to make sure it's a fair vote. The other issue that came up was the idea of sending out a survey to every Rockville registered voter. If you own multiple properties, you still only get the one vote. Cheryl likes the idea of a survey per voter. Clerk Bell said the problem would be property owners that live outside. Chair Hamilton said yes, property owners need to be included, even if they're not Rockville residents. Jane Brennan asked if Chair Hamilton had discussed their presentation of the information with them. They should not claim the number of surveys sent out as the number of respondents. Linda Brinkley said a residence that is rented gets two votes now: one for the tenant and one for the owner. Linda would like to see renters and owners separated. Jane responded that was done in the past. Cheryl asked if there were 89 surveys sent out. Clerk Bell responded it was between 110 and 120. Linda asked how many renters out of that? And Chair Hamilton responded less than 30.
- b. Disclosure Statements – Now that Chair Hamilton is a notary, all the disclosure statements are completed. Jane Brennan thanked Chair Hamilton for becoming a notary. Bergen didn't know she was a notary. Linda said Joyce just got it.
- c. Next Planning Commission meeting will be September 10, 2019 – Cheryl may not be here. Jane and Linda are planning to be here. Bergen may miss the next meeting. Linda will not be here on October 8th.

Linda Brinkley asked if Greer got a response. Jane and Clerk Bell said since it's not on the agenda, we cannot discuss. Linda thought that was town business. Jane agreed it is town business, but if Greer did not receive notice through the agenda, so she could be here, then it's not okay. Clerk Bell said our lawyer responded to Greer's letter.

9. **ADJOURN:** Jane **MOVED** to adjourn. Linda **SECONDED** the motion.

VOTE on motion:

Bergen Meyer – Aye
Cheryl McGovern – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye

The motion passed unanimously.

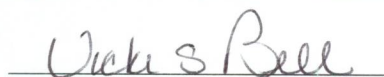
The Planning Commission Meeting adjourned at 6:35 p.m.

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

APPROVED:


Joyce Hamilton
Planning Commission Chair/Vice Chair

The foregoing minutes were posted in the cabinet of the Rockville Town office by Vicki S. Bell at approximately 9:32 AM/PM on 11 September 2019 and on the Rockville Website.


Vicki S. Bell

