

**Rockville Planning Commission
Regular Meeting
Rockville Community Center, Town Hall
September 10, 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: Cheryl McGovern, Jane Brennan, and Linda Brinkley. Bergen Meyer was excused. 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:** No public comment was made.
4. **CONSIDERATION AND POSSIBLE APPROVAL OF AN APPLICATION FOR A TEMPORARY USE/SPECIAL EVENT PERMIT FOR THE GRAND CIRCLE TRAILFEST SPONSORED BY VACATION RACES BY TANA MCTEER:** Tana said this will be Vacation Races fourth year. In past years they ran on Gooseberry Mesa, but they've determined that Wire Mesa may be a better view for the runners and better logistically for the organizers. It will be held on October 4th. There will be 650 participants. They will run in different waves. The parking area will be on private land in Apple Valley. That will be the location of the start and finish line. There will be an aid station on Wire Mesa. There is cell reception on Wire Mesa. There will be EMT and Search & Rescue staff on site. And there will be medical volunteers as well. The Washington County permits have been obtained. It's a three-day event: the first day in Bryce; the second on Wire Mesa and the third will be in Page, near Horseshoe Bend, about 14-16 miles per day. Vacation Races has their own trash containment system: recycle, compost and everything else down to 1%. It's a cup-less event. The toilets are composting toilets. There are flags and small signs saying Aid Station about every mile along the way. But there are sweepers who come along behind the last runners to pick up all the flags and signage. They will be running on the road and the single track. Search & rescue has an ATV for emergency, but otherwise, no motorized vehicles. The first year there were 400 runners, the second year there were 800, and the third year was 1,000, so they cut it back to 600-650. Jane asked Clerk Bell if the insurance was in order and Tana said she would make Rockville an additional insured and get a copy to the Town right away.

Jane Brennan **MOVED** that since the application for a temporary/special use event permit submitted by Vacation Races for a foot race near Wire Mesa on Friday, October 4, 2019 is complete, and since the race does not conflict with the Town of Rockville's Land Use Code Chapter 7.25, nor does it conflict with the Rockville General Plan, and since Vacation Races have been held within and through the Town of Rockville in the past without creating a nuisance, hazard, or interfering with the neighboring properties and since Vacation Races have shown in past events to leave no trash, no signs or debris, Jane **MOVED** to approve this application. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

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

The motion passed unanimously.

5. **CONSIDERATION AND POSSIBLE APPROVAL OF AN APPLICATION FOR A COMMERCIAL FILM PRODUCTION PERMIT FOR FILMING AT GRAFTON BY KENNY MCCORMICK:** Kenny Holland is his musician name. He's been working on a new music project and he thought the perfect place to shoot one of these music videos would be a ghost town. So, he's been scouring his hometown in Arizona and different places in Utah and he stumbled across Grafton and was blown away. It would be so perfect. It would be him and a cameraman and perhaps a third person. Kenny said they would be respectful of the history of Grafton and will keep it as safe as possible. They would like to use the inside of one of the buildings for a few shots, but most of what they desire to capture could be obtained from the strip between the buildings. He said they've scaled back the idea quite a bit. They need one day, so they would ask for September 28, Saturday to shoot that. They will not be setting anything on fire.

Linda Brinkley asked about insurance. Kenny asked what kind of insurance. Clerk Bell clarified we're looking for liability insurance should something go wrong. Kenny said he could look into it. Jane said it's on the second page that he signed; the bond and insurance requirements are for \$300,000 coverage. Kenny said he is personally insured.

Jane asked if he knew about the Grafton Heritage Partnership. Kenny responded he did not. Jane asked if Kenny asked the County about shooting his project. Kenny responded no; he just called the Town to inquire about the professional way to go about this. Chair Hamilton said we appreciate that. She went on to say that September 28th will also be the day of the Grafton Family Reunion.

Jane said the Grafton Heritage Partnership is more in control of the Grafton townsite, even though it is in the Town of Rockville, it is somebody else's property. The President, Jane Whalen, has written a letter and she does not believe this is a good use of that property. The partnership does not wish to see a commercial use of that property. Jane does not feel the Town is able to override that choice. Chair Hamilton agreed. Cheryl said we okay other things out there without their permission and she's curious how that works. Chair Hamilton responded that the Reunion is something they setup and they execute. They don't even come to us for a special event or temporary use permit because it's their private property. Jane said the Butch Cassidy race is such a long-standing thing. Cheryl stated it's still a commercial entity. Chair Hamilton responded the Town of Springdale donates all that money to charity. It is not for profit, and therefore, not commercial.

Jane read the letter from Jane Whalen, which is attached to and made a part of these minutes.

Kenny asked how his commercial film production was different from visitors filming. Jane responded if we find that those people are shooting video for a commercial purpose, then there is a violation. In our Code, it can be stopped and cited. Kenny asked if he should speak to Jane Whalen; Jane and Cheryl responded yes. Chair Hamilton apologized and Linda wished him luck. Kenny asked about the fees he paid, and Jane responded the daily fees could be reimbursed, but not the application fee. There was discussion of where to send the check. Kenny asked about the \$150 application fee and Clerk Bell said that would not be refundable. Kenny said he wished he had known the Grafton Heritage Partnership was the place to go.

Jane said according to Ms. Whalen, she had already told the County no to this project.

Chair Hamilton **MOVED** that whereas the application for a commercial film permit by Kenny McCormick for the music video filming in Grafton around the end of September has been opposed by the Grafton Heritage Partnership, I hereby **MOVE** to deny the application for the commercial film production. Jane asked to amend the motion to include that the application is incomplete as to bond and insurance requirements. Clerk Bell asked to amend the motion to refund the daily fee.

Cheryl McGovern **SECONDED** the amended motion.

VOTE on motion:

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

The amended motion passed unanimously.

6. **CONSIDERATION AND POSSIBLE APPROVAL OF A FENCE INSTALLED AT THE JENNINGS RESIDENCE LOCATED AT 210 EAST MAIN STREET BY TRISH JENNINGS:** Chair Hamilton explained that Trish installed a fence in her front yard. Trish says she came into the office and discussed the fence with Vicki, but Vicki does not remember the conversation. Jane thought it was going to be an open fence. Jane clarified not wire, but not entirely solid. So, the fence is 15' from the road and 6' tall. The lot is bordered by Hirschi Lane and Bridge Road, it is supposed to be 3' tall and 30' from the road. Officer Matt Hansen went out and looked at the view obstructions and it was his opinion that a motorist could safely check for pedestrians and oncoming traffic from either direction. It was his opinion that the fence did not obstruct a motorist's visibility any more than the trees or parked vehicles on the shoulder of Main Street. Linda drove down and out of Hirschi Lane and had no problem. Chair Hamilton said she

experienced the same. Jane said she expected Chair Hamilton in her big Suburban to be able to see. But Linda being short in a small car, that makes a difference.

Jane said she spoke with Trish before she started the remodel. Jane said the tree on the northeast corner of Trish's property is large and blocks more visibility than the fence blocks. Those trees were planted before the Code was written. The trees make Rockville special, so we need to keep the trees. Chair Hamilton pointed out that Hirschi Lane is a dead-end road that serves three or four homes. Jane asked if the tree falls and Hirschi Lane becomes a major intersection, can we call Trish back to reevaluate? Trish said, and that is why she does not have a fence on the Bridge Road side of the front yard. But she said she did come in and asked if it could be 6' tall and solid. Clerk Bell said she is not saying Trish didn't come in; she's saying she has a lot of people come through the office. Trish said this office visit was after the remodel. She talked to Jane about the remodel three years ago. Jane said she thought they decided that if the fence were 30' from the road, that would make the fence really close to her house.

Cheryl said she thinks it's fine, but are we setting a precedent? She asked if we needed to change the Code. And Jane said yes, the Code is not keeping up with the growth of the trees. Trish has two corners. It's 1/3 of an acre in a half acre zone. Chair Hamilton said the precedent we're setting is there needs to be visibility. Cheryl said the Code says the fence has to be 30' from the road. Jane said the purpose of the visibility triangle as shown in Chapter 7.8b is to "not obstruct a driver's clear view of intersections or pedestal style identification signs. Linda suggested this should be on a case by case basis.

Jane said she's received comments about the shine and the glare. Trish said they're going to take the shine down. It's not galvanized, so it will not rust, but it will dull.

Cheryl does not have a problem with leaving the fence. She's concerned about precedent. Our police department thinks it's okay. Trish says the noise from the cars has decreased by 50% since she put up the fence. And Jane said the increase in cars traveling through has changed since the Code was written.

Chair Hamilton called for a consensus vote and said she will contact Mike Hansen about changing the Code. Cheryl said since the police are cool with it, she thinks it is alright. She said Linda suggested case by case basis or should we actually change the code or at least update it so it discusses trees and change it to be more "line of sight" as opposed to you can't do this and you can't do that. Cheryl said she agrees. Jane has no problem with leaving it. Linda is good with leaving it. Chair Hamilton said, "Me as well."

7. **APPROVAL OF THE MINUTES FOR THE AUGUST 13, 2019 PUBLIC HEARING AND REGULAR MEETING:** Jane Brennan **MOVED** to approve the minutes for the August 13, 2019 public hearing and regular meeting. Linda Brinkley **SECONDED** the motion.

VOTE on motion:

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

The motion passed unanimously.

Information/Discussion/Non-action Items

8. Town Office Report – No activity to report.
9. Planning Commission Administrative Business
 - a. Public Forum to reveal survey results will be held Thursday, September 19, 2019 at 6:00 p.m. in the Rockville Community Center.
 - b. Next Planning Commission meeting will be October 8th. Hopefully Bergen will be back because Linda will be gone.
 - c. Jane recognized the loss of Roger Fuller recently. She said it was a terrible loss to our community and he will be terribly missed. And Cheryl will be putting up information about a service. Cheryl said it will be September 22nd.

10. **ADJOURN:** Linda Brinkley **MOVED** to adjourn. Cheryl McGovern **SECONDED** the motion.

VOTE on motion:

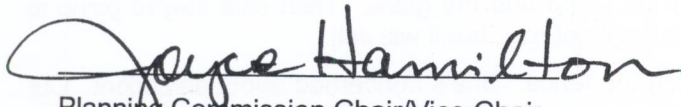
Cheryl McGovern – Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye

The motion passed unanimously.

The Planning Commission meeting adjourned at 6:40 p.m.

Minutes Prepared by:
Joyce Hamilton, 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 11:00 AM/PM on 9 Oct 2019, on Rockville's Website and the Utah Public Notice Website. Posted to Spectrum Events N/A.

Jack S. Bell

