

Newton Planning Commission Meeting
June 11, 2020, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT

Minutes

Agenda

1. Opening Ceremony/Roll Call
2. Approval of May Minutes
3. Conditional Use Permit Application for accessory apartment, Brett & Chelsea Peterson, 159 North 200 East
4. Newton Hills preliminary subdivision review
5. Petition of Annexation, 200 North boundary line
6. Adjournment

NOTICE OF POSSIBLE ELECTRONIC PARTICIPATION. Members may participate in the meeting electronically pursuant to UCA 52-4-207. Pursuant to the duration of the Executive Order, Newton Town will hold an all-electronic participation meeting. Due to social distancing requirements public attendance at the Newton Town Hall may be limited.

Members present: Martin Empery, Barry Myers, Karla Ferguson (Recorder)

Members present electronically: Justin Cooley

Absent: Randy Christensen and Reid Smith

Others present: Clark Rigby

Others present electronically: Gordon Anderson

1. Roll Call/Opening Ceremony by Justin Cooley

2. Minutes for May 2020 approved.

3. Conditional Use Permit Application for accessory apartment, Brett & Chelsea Peterson, 159 North 200 East – Martin Empey discussed that he approved the setbacks for the building permit application for an accessory garage. However, the applicant, the Petersons, would also like to add an accessory apartment to the garage. Our current land use ordinance was reviewed. It was discussed that because the accessory building is not attached then it would become a second dwelling on the lot and would not be allowed. The setback from the house to the accessory building needs clarification. The setbacks required for accessory buildings were reviewed. Concerns for an adequate septic tank for an accessory use building were also discussed. Because second dwellings are not allowed by current ordinance the Planning Commission denied the application. Martin Empey will talk to the applicants about the decision and get clarification on the building setbacks.

4. Newton Hills preliminary subdivision review – Barry Myers discussed some concerns he had about the proposed subdivision. One of the concerns would be identification of wetlands in this area. Barry also proposed that because of concerns for storm water drainage an engineer review and a storm water management plan for this area is needed. Clark Rigby stated that he recognized the concerns and the FEMA flood plain maps do not identify this area as a flood zone and the slough area is identified as a stream. Barry Myers said usually a wet land study or delimitation should be done and then work with the Army Corp of Engineers for mitigation but with a town the area could be deemed unbuildable. Barry said he had spoken with the county planner, Tayler Jensen, and he recommends having the developer do a wetland delimitation study. Clark Rigby said he recognizes the concern for the area but doesn't think the property should be unbuildable because that is setting a precedent for many properties with a creek running through them. He feels that portion should be included with the lots so the area can be maintained and then include setbacks

from the stream or drainage areas. Clark said the concerns should be discussed but this area of concern is not part of this subdivision at this time. Barry Myers would like to have a plan to address it now. Clark Rigby suggested that the town engineer develop a plan for storm water management for the entire north boundary and not just this area. Barry said that Tayler Jensen said the storm water plan and wet land delimitation study is usually done by the developer. Storm water drainage was discussed. Clark Rigby said they will have their engineer develop a plan for storm water drainage and then have our engineer review it. Clark asked if they could move forward with the plan and have an engineer review completed. Martin Empey made a motion to approve the preliminary plan pending the town engineer review. Gordon Anderson said he is worried about the slope of lot 7 and lot 6 is a low spot. It was discussed that the town engineer could review these lots but that the lots are buildable. Barry Myers said he would like to understand what is happening in phase 2 & 3 and have a plan in place. Clark Rigby said it sounds like you would like a general plan, an engineer plan for phase 1, and also address storm water drainage for other phases of development. Martin Empey made a motion to accept the preliminary plan for Newton Hills subdivision, phase 1, with the caveat for an engineering plan addressing drainage and wetlands for all phases of development. Barry seconds the motion. Justin Cooley says yes.

5. Petition of Annexation, 200 North boundary line – Martin Empey moves to accept the petition of annexation for consideration. Barry seconds the motion and Justin Cooley approves.

Meeting adjourned.

Minutes prepared by: _____
Karla R. Ferguson, Newton Town Clerk Approval Date _____