

Newton Planning Commission Meeting
July 8, 2021, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Opening Ceremony/Roll Call
2. Approval of June Minutes
3. Preliminary plan Newton Hills subdivision, phase 2, 11 lots, parcels 13-028-0002 and 13-028-0003, approximately 200 North 300 West Newton
4. Draft ordinance review for dark skies code
5. Adjournment

1. Roll Call/Opening Ceremony – Martin Empey.

Members present: Martin Empey, Randy Christensen, Justin Cooley, Cole Richards and Reid Smith. Karla Ferguson (Recorder)

Others present: Helen Helstern, Brandt Helstern, Ben Johnston, Brent Sharp, Jake Christiansen, Nancy Empey, Gordon Anderson, Jeremy Cooley, Josh Brown, Kent Fabricius, Kathryn Rigby, Zach Thurgood, Jadd Shelton and Brett Petersen.

2. Minutes for June 2021 approved.

3. Preliminary plan Newton Hills subdivision, phase 2, 11 lots, parcels 13-028-0002 and 13-028-0003, approximately 200 North 300 West

– Justin Cooley disclosed that he has a financial interest in this development and so he will not vote on decisions. Martin Empey reviewed that last meeting no action was taken on this plan until they looked further into the proposed turnaround and to have the town engineer, Eric Dursteler, review the proposed phase 2 plan. Martin asked if they had seen the red line drawing review from the engineer. The developers said they had. Martin Empey discussed that the hammerhead turn-around as drawn between proposed lots 17 and 18 would not work. Martin expressed that even if they have decided not to continue with the phase 3 of development that he would like to see the 200 North road continue to 100 West. Randy Christensen said he has looked at the property and feels a road should be continued for three reasons: 1. Maintenance for snow removal, 2. A secondary access to the subdivision for emergency vehicles and 3. It will not be cheaper to develop the road in the future. Randy would also like to see a walking trail developed along the slough area. Brandt Helstern with Newton Hills subdivision said they have now changed the turnaround to extend in front of lot 18 to have street frontage. They do not plan on extending the road through the slough area because they feel it is financially burdensome to do so. The main reason is because they would be crossing over wetlands. Brandt pointed out that the subdivision would have two access points from 300 West and 200 North including the turn around. Brandt Helstern expressed that they are complying with the subdivision codes and are just moving the existing turn around on 200 North to the east two blocks. They will continue to work with the town engineer but do not want to extend 200 North road to 100 West because it is cost prohibitive. Randy Christensen asked if they own the property to the east but have decided not to develop it as previously discussed and don't want to extend the road past it. Jeremy Cooley questioned why they needed to extend the road if they are not developing the property. Randy Christensen asked to clarify that they are not developing the property to east at all. Martin Empey expressed that because the town is currently evaluating the water situation with a study that we may not pass this phase on to the town council at this time. Reid Smith asked what is required to develop a road through the slough area. Ben Johnston, Johnston Engineering, said that a next step would be to do a wetland study. Martin Empey asked what the cost to develop the road would be. There was a discussion on roads, wetlands, infrastructure and property taxes. Jeremy Cooley said that the planning commission was changing the rules of the game. Kathryn Rigby said that was the reason requested by developers that the annexation was done was to provide enough land for a road right of way to install the 200 North road. There was more discussion

on developing the 200 North road. Reid Smith proposed not developing lot 16, 17 and 18 and then they wouldn't need to develop the road in front of those lots or a turn around to save money. Then those lots could be developed with extending the road and developing the property to the east. Brandt Helstern asked that they be approved to do the turnaround in front of lot 18 and pass onto the Town Council. Martin Empey said that not extending the road is an issue and they are worried about water and need to evaluate the situation. Reid commented that we need to reassess the development because they have changed the plan by saying they are selling the other property and not developing it for phase 3. Reid Smith proposed not to pass on as currently drawn, phase 2, to the Town Council. Randy Christensen seconds the motion. Martin Empey – yes, Randy Christensen – yes, Cole Richards – yes, Justin Cooley – abstained from the vote. Jeremy Cooley asked what the next step is. Martin Empey said we need to evaluate the water situation.

4. Draft ordinance review for dark skies code- It was discussed that a draft of the ordinance was given to the planning commission last year by Dell Vance. Justin Cooley volunteered to work on the draft and present it next month for review.

Other business: Reid Smith said we should start working on the draft animal ordinance again. Reid will be attending the meeting virtually next month but will start working on the draft animal ordinance again. The draft animal ordinance was discussed. Martin Empey opened the meeting for public comment. Jake Christiansen asked why if we are concerned about water that water restrictions haven't been implemented. Kathryn Rigby responded that the Town Council has asked everyone to use less water rather than implementing restrictions at this time. Jake asked where the water study is. Martin Empey said the town engineer is currently conducting an evaluation on water for the town. Jake said shouldn't the subdivision developer pay for the water study. Brett Peterson is concerned about the aggressive development coming in to town. Brett is concerned that the town is paying for the development. It was explained that the subdivision developers are paying for the town engineer reviews. Brett expressed concern that roads are not being done correctly to current standards for development. Road standards being done to Cache County road code was reviewed. Jake Christiansen asked that developers should do a water study. The Newton general plan and impact studies were discussed. Martin discussed that part of the water study being done will include a study to increase the water impact fee. Zach Thurgood asked what the population density is before we are required to have a sewer treatment facility. Martin Empey said we have had the state come and discuss it with us prior to purchasing the property and we haven't reached that yet but that is why the land was purchased was for a future sewer treatment facility.

The meeting adjourned.

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