

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 08/19/2021. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Commission Chair Brian Pattee, Commission Member Erik Stromberg, Commission Member Gary Pinkham, Commission Member John Limburg

Commission Members that were present on Zoom:

Commission Members that were absent: Commission Member Jaime Topham

Appointed Officers and Employees Present: City Attorney Brett Coombs; City Engineer Dan England; City Council Liaison Darrin Rowberry; Community Development Administrative Assistant, Braydee Baugh.

Appointed Officers and Employees that were present on Zoom:

Citizens and Guests Present: Mike Colson, Jason Smith, Dustin Marazitto, Shawn Holste, Howard Schmidt,

PLEDGE OF ALLEGIANCE

COMMISSION CHAIR BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:01 P.M.

1. Consideration to approve the Animal Conditional Use Permit for Dustin J. Marazzito to keep up to eight (8) large animals and four (4) pigmy dwarf goats. Property is located at 611 South Woodruff Way in the R-1-21 zone.

Dustin Marazzito was present for this agenda item. Erik mentioned some concern being expressed that the animals are kept in the retaining basin and with the recent storms, the conditions being provided for the animals with that water filling up. Dustin advised there are two lots on both sides where the animals are able to stay out of the water. Gary asked if Dustin was adding more fencing around the pond and if the animals would be allowed to expand to the fence. Dustin acknowledged he was installing more fence and if the Commission allows the animals to go to the fence line that would work. Gary asked Dan what his thoughts are with the horses compacting the soil on the sides of the ponds. Dan advised that he was concerned with how well the animal waste was being cleaned up and it soaking down into the water level. Dustin said he has been keeping the witches hat clear from debris. Dan explained that is not the only place the water gets to the ground and he has not seen where animals have been allowed in the basins but does not believe there are any rules against it. Dustin advised he has seen other people within Grantsville with horses in the basins. Dan stated that he also needs to mention the fence being right at the back of sidewalk.

Dan advised the neighbors cannot see backing out of his driveway. Dustin advised the builder installed the fence. Dan advised that he needs to shorten the fence to maintain the sight triangle. John asked Gary if it was an issue to have horses in the retention basins. Gary advised there is not a state or federal regulation against horses in the pond where it does not have an outlet. Erik asked if having the animals in the basin prevents the basin from working correctly. Erik stated the engineering most likely didn't account for the bale of hay, animals, water troughs, whatever. Dan advised with the animals compacting the soil, it could hinder the basin from working correctly. Dan advised that you are looking for the water to percolate quickly and vegetation also helps with the nitrate. Dustin advised he planted 30 trees and the animals are eating the brush. Brian advised looking at the retention basin design. Dan advised that water could be coming out of the orifice. Dan asked if additional phases are going to be draining to this basin. Gary advised that it is for the entire project and looking at current phases there are no additional ponds. Dan advised the pond is currently only getting a portion of the water it will get and will increase in the future. John asked if Dustin has seen the photos shared with the commission. Dustin said he had not. John asked if that is an electric fence shown and if it is too keep the horses in the bottom of the basin. John asked if the basin fills up with water are the goats going to drown. Dustin advised the goats have the opportunity to go up the hill in that event. Dustin advised that many municipalities use goats to reduce the vegetation. John asked if the fence is at the bottom to maintain the 100 ft buffer. Dustin advised that it was not and they are over 100 feet from all neighbors. Erik commented there needs to be a larger discussion regarding the retention basins and if the ponds should be part of private ownerships. Brian asked Dustin to keep the area clean of debris and refuse, and keep the dry wells clean. John asked if the commission feels obligated to approve the conditional use permit because Dustin bought the property from a developer and believed it could be used. Brian said the commission does not feel obligated. John stated there needs to be a bigger conversation on if private citizens can buy retention ponds that they are going to maintain. Brian advised it needs to be fixed in the future. Dan noted the issue with maintaining the basins is the City does not have the staff and one of the ways the City can ensure maintenance is having private citizens own those lots. Dustin mentioned CC&Rs. Erik stated that CC&Rs are not governed by the City and it is beyond the City control. Erik advised that looking at Dustin's application, all the requirements are met for the Conditional Use Permit. Erik advised the intent for the basins is not for animals.

Gary made the motion to approve the Animal Conditional Use Permit for Dustin J. Marazzito to keep up to eight (8) large animals and four (4) pigmy dwarf goats. Property is located at 611 South Woodruff Way in the R-1-21 zone with the condition the area be cleaned up and maintained with a one-year review period. Erik seconded the motion. Roll Call: Gary Pinkham, for; Erik Stromberg, for; Brian Pattee, for; John Limburg, opposed. Majority were in favor and the motion carried.

2. Consideration to recommend approval of the Final Plat for Gary and Rava Giles and Shawn Holste on the Cherry Wood Estates Subdivision located southwest of the Cherry Grove Subdivision for the creation of forty-three (43) lots in the R-1-21 zone.

Shawn Holste was present for this agenda item and stated to the Commission: There have been corrections made to the plans and should be good to go now. Gary said there are a couple of minor corrections that need to be addressed and that will bring the plans in good standing. Gary advised that unless there are other comments he is ready to make a motion.

Gary made the motion to recommend approval of the Final Plat for Gary and Rava Giles and Shawn Holste on the Cherry Wood Estates Subdivision located southwest of the Cherry Grove Subdivision for the creation of forty-three (43) lots in the R-1-21 zone with the conditions the corrections are made to the plan and the City Engineer approves the corrections. Erik seconded the motion. All voted in favor and the motion carried unanimously.

3. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held August 5, 2021.

Erik advised there was an issue on page two with who called the meeting to order. The minutes incorrectly reflected Erik as calling the meeting to order, when Brian should have been named.

Erik made the motion to approve the meeting minutes for the previous P&Z Meeting that was held August 5, 2021 with the correction being noted on page two. Gary seconded the motion. All voted in favor and the motion carried unanimously

4. Report from City Council Liaison Darrin Rowberry. There were no comments from Council Liaison.

Brian requested further information and discussion on the process of retention basins being part of private lot ownership. Gary advised there have been back and forth discussions regarding the maintenance of those basins, and it was creating a burden for Public Works, which is why the developers were directed to make the basins part of the lots or make the basins part of the HOA, if there was an HOA. Gary continued with acknowledging the ownership has not been addressed or alternate uses since the basins are private property and was not sure legally where the Commission could limit the use of private property. John advised the Commission does not need to approve a Conditional Use Permit. Brian explained with his experience, the developer is required to create an HOA and it can be handled in a bad way or there are ways to do it legally. John advised in Tooele there are soccer fields that are obviously basins. Gary advised the difficulty is with the size of the basins limiting the usability of the basin. Erik advised the problem with soccer fields is if the basins fill with water and there is a soccer game there, it is unusable. Brett advised that limiting the land too much becomes a taking. The City would then have to compensate the owner for the use of

that land. Brett acknowledged there is a huge issue with the basin ownership. Brett requested scheduling a work meeting and discussing issue with Engineer, Public Works and City Council. Erik asked if it could be as simple as Conditional Uses not allowing animals in retention ponds. Brett advised that more research into the taking of land lines. Gary asked about the driveway ordinance and how to get that back to Planning Commission. Brett advised all that needs to happen is it getting scheduled on a Planning Commission Meeting.

5. Adjourn.

John made the motion to adjourn the meeting. Erik seconded the motion. The meeting was adjourned at 7:39 pm.

Kristy Clark
Zoning Administrator