

Newton Planning Commission Meeting
June 9, 2022, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Call to Order/Roll Call
2. Opening Ceremony
3. Approval of May 2022, minutes
4. Preliminary plan Newton Hills subdivision, phase 2, parcels 13-028-0002 and 13-028-0003, approximately 200 North 300 West, Newton
5. Draft Animal Ordinance Review
6. Adjournment

1. Roll Call

Members present: Justin Cooley, Martin Empey, Barry Myers and Rich Olsen. Electronic attendance Reid Smith.

Karla Ferguson - Recorder

Others present: Brett Petersen, Jeremy Cooley, Jed Woodward, Eric Dursteler, and Brandt Helstern.

Other electronic attendance by ZOOM: Kent Fabricius and Gordon Anderson

2. Opening Ceremony – Justin Cooley led the pledge and Barry Myers offered a prayer.

3. Minutes for May 2022, approved.

4. Preliminary plan Newton Hills subdivision, phase 2, parcels 13-028-0002 and 13-028-0003, approximately 200 North 300 West, Newton – Brandt Helstern reviewed the outcome from an engineer meeting with the developers engineer and the town's engineer. Because of the town engineer suggestions, the developer will adjust the plan and will complete the 200 North Road to go all the way through from 400 West to 100 West without turnarounds. The developer will use Cache County standards with the installation of 24" culvert along 200 North Road for drainage to the slough. Lot sizes of proposed lots 22 and 23 has been adjusted. Barry Myers asked town council members for an update on the water assessment. Barry is very concerned about having enough culinary water for this development. Jed Woodward reported that they are still working on installing auto-read meters and it might August before they have data from the meters. Proposed water studies and water data were discussed. Martin Empey asked Eric Dursteler to give an engineer report on the proposed subdivision. Eric Dursteler reviewed that he had spoke with the County engineer and the county also wants the road to continue through. Eric reviewed that because the road would impact the wetlands less than 1/10th an acre, then an application to the Army Corps of Engineers should be made for a 90-day review and no mitigation is required. Eric calculates that a through road will be less expensive to develop then to have two turn-around roads and it meets County code. Eric said the final plan will need some minor adjustments to the engineer plan. Eric addressed that a wetland delineation is not needed for proposed lot 18 because the developer is not impacting the lot and a buyer would be able to see the wetland boundary area on the map. Barry Myers asked who would be responsible for the upkeep for the existing sediment rock dams on the slough area. Eric Dursteler said the town would be responsible for the upkeep because they are within the town right-of-way. Drainage, culvert size, and spring runoff from the north fields was discussed. A 36" culvert will go under the new 200 North Road and is an improvement from what is currently there. It was discussed that when the application from the Army Corps of Engineers is approved it will be presented before final approval. **Martin Empey made a motion to approve the preliminary plan for phase 2 of Newton Hills subdivision. Justin Cooley seconds the motion. Roll call vote: Justin Cooley – Yes, Martin Empey – Yes, Barry Myers – No, because we are uncertain of our**

water supply and where it stands, we just had a water rate hike to pay for developing more water and this development wouldn't be consistent with Newton's general plan. Online connection was lost with Reid Smith, waited for Reid Smith to reconnect to continue vote.

Gordon Anderson asked about drainage for the proposed lot 22. Brett Petersen discussed the plan is to divert any drainage to drainpipe along the new 200 North Road and fill in old drainage ditch on lot 22 and 23.

Brandt Helstern disagreed that the water rate increase was due to this request for a subdivision but due to not increasing the rate for 20 years and the town wanting to complete a number of water projects. While waiting for Reid Smith to rejoin the meeting the planning commission started to discuss agenda item 5, draft animal ordinance review. Reid Smith rejoined meeting online. **Roll call vote continued: Reid Smith – Yes, Rich Olsen – No, because he is just seeing this version of the subdivision plan that was sent right before the meeting and hasn't had time to review it. The majority are in favor and the motion passes.** Brett Petersen researched voting and what constitutes a majority of votes.

5. Draft Animal Ordinance Review – Justin Cooley reviewed past work on the draft animal ordinance.

The discussion on the animal ordinance was continued after the vote on the previous agenda item was completed. Rich Olsen said he likes having an exemption for youth project animals. Newton's previous animal code was discussed. Enforcement of code, setbacks for animal enclosures and grandfathering was discussed. Zoning for commercial dairies was discussed. The conditional uses allowed in current land use code were reviewed. Ideas for the guiding principles for the animal code were discussed. Rich Olsen asked members to come to July's meeting with goals and reasons for an animal code.

Other business: Brett Petersen read Newton's code for the Town Council to pass an action by a majority of members of the quorum but not less than 3. Rich Olsen discussed that the new subdivision code requires a submission of plans two weeks prior to the meeting, for time to review. Rich would like to enforce that time limit and would like a check list for steps to take for a subdivision plan.

The meeting adjourned.

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