

**Planning & Zoning Commission Meeting
County Administrative Offices, Duchesne, Utah
June 1, 2011 - 5:00 p.m.**

In Attendance were:

John Jorgensen, Planning Commission – Chairperson
Dean Burton, Planning Commission
Randy Mair, Planning Commission
Shelly Fabrizio, Planning Commission
Kent Olsen, Planning Commission
Edward Roberts, Planning Commission
Ken Moon, Planning Commission
Mike Hyde, Community Development Administrator
CoraLee Sanchez, Planning Secretary

Visitors:

Ted and Marilyn Priest	RV Park-CUP
Shane Dykster	Guest Ranch-CUP
Jeff Watkins	BBQ Stand-CUP
Harry Watkins	BBQ Stand-CUP
Scott Harvey	Trucking-CUP
Lanny Ross	Office/Warehouse-CUP
Gary Sorenson	Gunsmith-CUP
James Reid	BBQ Stand-CUP
Tona Leoncini	Gravel Pit-CUP
Darrin Brown-Tri County Health	
Russell Crowley	Office/Warehouse-CUP
Jason Danley	Gravel Pit-CUP
Robert Muir	Gravel Pit-CUP
Brad McClellan	Office/Warehouse-CUP

Chairperson Jorgensen opened the meeting at 5:00 PM.

Chairperson Jorgensen asked if any of the Planning Commission had any ex-parte contacts associated with any item on the agenda. There were none, so the hearing proceeded.

PUBLIC HEARINGS:

- A. Request for a Conditional Use Permit by SD Outfitters to establish a “Guest Ranch” for big game hunters in the Indian Canyon area.**

Mr. Hyde referred the commission to the aerial photos, copy of the applicant's license, website information and building locations on the applicant's property in their packets and stated the applicant is proposing to operate a guest ranch/elk hunting park on his property, which is located in the Indian Canyon area. Guest ranches are a conditionally-permitted use in the Agricultural-Residential (A-5) zone. The guest ranch/hunting park has apparently been operating without a county business license or zoning approval. This is the first step for the applicant to achieve compliance with county laws.

Mr. Hyde recommended that the Planning Commission approve the Conditional Use Permit requested by Shane Dykster, subject to the following conditions:

1. Before opening for business, the applicant shall:
 - a. Obtain approval from the TriCounty Health Department of the water service, food service and wastewater disposal facilities.
 - b. Obtain a building permit from Duchesne County for the habitable structures that have been placed on the property, unless exempted in writing by the Building Official.
 - c. Place signs on the perimeter fence warning adjacent property owners and the public of the hunting park and dates when shooting will occur.
 - d. Have the property surveyed to ensure that the required fence was erected within the property lines or file a copy of any existing survey with the County Surveyor's office.
 - e. Obtain written approval from Region 3, Utah Department of Transportation of the facility's driveway access to Highway 191.
 - f. Obtain written permission from one of the abutting property owners allowing the applicants and their clients to trespass over their abutting property in moving from one section of the hunting park to the other.
 - g. Provide driveway access to the facility and a turn-around area that complies with the Wildland Urban Interface Code as determined by the Duchesne County Fire Department.
 - h. Provide all-weather surface parking areas of a size capable of servicing the maximum number of vehicles anticipated on site at any one time.
 - i. Obtain a Duchesne County business license.
2. Any changes in signage must be presented to the County for review and approval before placement. Signs associated with the business shall be limited

to 32 square feet in size. Any off-premise advertising signs visible from Highway 191 require UDOT approval.

Mr. Hyde asked if there were any questions of the staff report there were none so the applicant was invited to speak.

Shane Dykster, owner of SD Outfitters stated he has been in contact with the health department to get the serve safe permit for food handling, is working on the perc test with Vern Roberts, he will be hauling water and has portable offices for overnight stays while he applies for the building permit.

Commissioner Fabrizio asked if access is off highway 191. Mr. Dykster stated he has talked with Fess Scott with the State of Utah DOT and has access approval.

Commissioner Moon asked about the hunting dates. Mr. Dykster stated from August 13, 2011 to November 30, 2011.

Commissioner Olsen asked if there was fencing in place. Mr. Dykster stated there is an 8 foot game fence around the hunting area.

Commissioner Jorgensen asked if there were any other questions or comments. There was no opposition so the hearing was closed.

There was some discussion about the access and if there would be seasonal elk or harvest elk.

Commissioner Moon motioned to approve the applicants request subject to the conditions stated in the staff report excluding condition F in the staff report. Commissioner Burton seconded the motion and it passed unanimously.

B. Request for a Conditional Use Permit by Scott Harvey to establish a commercial trucking business to be located at 11308 South 3000 West in the Pleasant Valley area.

Mr. Hyde referred the commission to the photos in their packets of the proposed location and stated the applicant is proposing to operate a trucking business on his property at 11308 S 3000 West in the Pleasant Valley area. The property is zoned Residential, R-1 due to the presence of a Johnson Water connection. This is a home-based business; and the county allows for one large truck associated with home-based crude or water haulers. However, with four large trucks, the proposal is more commercial in nature. Commercial uses are a conditionally-permitted use in the residential zones.

Mr. Hyde stated the property owners within 300 feet have been notified and with the increased demand for rock and trucking in the area Mr. Harvey has requested the conditional use permit for this purpose.

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by Scott Harvey, subject to the following conditions:

1. Applicant shall work with the Duchesne County Fire & Emergency Management Director to ensure that fuel storage on the property is in accordance with the Fire Code.
2. Applicant shall limit truck operations at this location to 7:00 AM to 9:30 PM should the county receive noise complaints.
3. Applicant shall construct the truck parking and driveway areas with adequate road base and gravel to minimize the tracking of mud onto the Pleasant Valley Road.
4. If business signage is installed in the future, it must comply with home occupation sign standards (flush-wall mounted, non-illuminated and not greater than two square feet in size).

Mr. Hyde asked if there were any questions of the staff report. There were none so the applicant was invited to speak.

Mr. Scott Harvey, applicant and owner of Harvey Hauling, stated he wants to haul rock, park and drive truck for the oilfield.

Commissioner Jorgensen asked where the trucks are now. Mr. Harvey stated there were 2 at his home, 2 at the gravel pit and the other are at the drivers homes.

Commissioner Fabrizio asked if the trucks were being serviced at this location. Mr. Harvey replied yes.

Mr. Hyde asked if there is a plan for fuel storage. Mr. Harvey stated there would not be any in the yard.

There was some discussion with the Commission and Mr. Harvey about the hours of operation and noise ordinance in a residential and agriculture area.

Commissioner Jorgensen asked if there were any other questions or comments.

Maurice Harvey, an adjoining property owner stated his concerns about the truck traffic already driving by his home and thinks there should not be a time or noise ordinance enforced on Mr. Harvey and not the other drivers.

There was some discussion with Mr. Harvey on the difference between storing and servicing trucks and driving down the roads before 7:00 a.m.

Commissioner Jorgensen asked if there any other comments either in favor or against. There were none so the public hearing was closed.

Commissioner Olsen motioned to approve the request of Mr. Harvey subject to conditions 1-4 as stated in the staff report. Commissioner Mair seconded the motion and it passed unanimously.

C. Request for a Conditional Use Permit by Ted and Marilyn Priest to establish a 4-space recreational vehicle park at 650 N North Crescent Road in the Roosevelt area.

Mr. Hyde referred the commission to the photos and site plan in their packets of the applicant's location and stated they are proposing to operate a 4-space RV Park on their property, which is zoned Residential, R-1 due to the presence of a Roosevelt City water connection. They have apparently been renting RV spaces for about three years without the proper land use permit and business license. Mr. Hyde stated the applicants have provided a copy of their rental agreement and Roosevelt City is ok with the water hook-ups and they have approval from Tri County Health Department.

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by Ted & Marilyn Priest, subject to the following conditions:

1. Applicants shall allow only RVs in the facility; no mobile homes.
2. Applicants shall maintain a six foot sight-obscuring fence in good repair along the south property line of the RV Park.
3. Four RV Park spaces are authorized by this permit. Any expansion shall require a new conditional use permit from the Planning Commission.
4. Applicants shall maintain a 15 foot separation between parked RVs.
5. Applicants shall register their business with the Utah State Tax Commission and collect transient room and/or sales taxes as required by state law.
6. Applicants shall obtain and maintain a Duchesne County business license.

Mr. Hyde stated Ford and Jeanette Larson property owners to the south (460 N Crescent Rd.) of the applicants, sent an email requesting the commission do not approve the applicants request as they do not want an RV Park in the neighborhood and are concerned about the septic system, water hook-ups and if they have a business license.

Mr. Hyde asked if there were any questions of the staff report. There were none so the applicant was invited to speak.

Mr. Ted Priest, applicant explained that at various times from 1985 until now they have rented spaces to family and various oil company supervisors. A few extra dollars each month generated by this business helps to pay the bills. Mr. Priest stated he wants to be

legal and is not happy with the Larson's remarks as they cannot even see the trailers in our yard and asked the planning commission if they had any questions.

There was some discussion about the notification boundaries, the park looking clean and the county code.

Commissioner Jorgensen asked if there were any other questions or comments. There were none so the hearing was closed.

Commissioner Fabrizio motioned to approve the applicants request for the Conditional Use Permit, subject to the conditions stated in the staff report. Commissioner Olsen seconded the motion and passed 5-2 with Commissioners Mair and Jorgensen voting against the request.

D. Request for a Conditional Use Permit by Jason Timothy to establish a firearms sales and service business (Gunsmith) as a home occupation at 12650 W 150 North, in the Equestrian Estates Subdivision, located northwest of Upalco.

Mr. Hyde referred the commission to the photos of the applicant's property and stated Mr. Timothy is proposing to operate a gunsmith shop on his property, machining and building custom bolt-action rifles. The property is zoned Residential, R-1 due to the presence of an Upper Country Water connection. The proposed use would be considered a "Home Occupation," which is defined below along with the Home Occupation Standards:

HOME OCCUPATION: An accessory use consisting of a vocational activity conducted inside a dwelling unit, conducted by the individuals who reside therein, with up to five (5) full time equivalent (FTE) of nonresident employment (provided adequate on-site parking is available); provided, that the home occupation is clearly subordinate to the use of the parcel for dwelling purposes, does not change the character of the parcel. Gunsmith shops are listed as a conditional use in the R-1 zone.

HOME OCCUPATION STANDARDS: An accessory use consisting of a vocational activity conducted inside a dwelling unit:

- A. Conducted by the individuals who reside therein. **Findings: The business would be conducted by the applicant, who resides at this location.**
- B. With up to five (5) full time equivalent (FTE) of nonresident employment. **Findings: No outside employees are proposed.**
- C. Adequate on-site parking is available. **Findings: The applicant estimates two customers visiting the home every two weeks. He can provide up to ten off street parking spaces, which is ample for the level of visiting clientele.**
- D. The home occupation is clearly subordinate to the use of the parcel for dwelling purposes, does not change the character of the parcel. **Findings: The property will maintain its residential character.**

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by Jason Timothy, subject to the following conditions:

1. There shall be no outdoor storage of goods and materials.
2. Business signs shall not exceed two square feet in size and shall be flush-wall mounted and non-illuminated.
3. Applicant shall comply with all licensing requirements of the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

Mr. Hyde asked if there were any questions of the staff report. There were none so the applicant was invited to speak. Mr. Timothy could not be at the meeting so Gary Sorenson was invited to speak on his behalf.

Gary Sorenson, the applicant's brother in law stated he helps Mr. Timothy rebuild guns and there will not be any illegal activity, this is just a hobby for both of them. The applicant has a concealed weapons permit and complies with state laws.

Commissioner Moon asked if this will be a full time job. Mr. Sorenson stated not at this time they just trade parts and refurbish old guns. The ammo is at a separate location and they test shoot at the LC Ranch shooting range.

Commissioner Fabrizio asked if there are any fire hazards. Mr. Sorenson stated there are just small amounts of milling oil but would not be any other chemicals on site.

Commissioner Burton asked if the shop will be secure. Mr. Sorenson stated the garage will be locked and there is a gun safe to store them in.

Commissioner Jorgensen asked if there were any other questions or comments either in favor or against. There were none so the hearing was closed.

Commissioner Mair motioned to approve the applicants request subject to the 3 conditions stated in the staff report. Commissioner Moon seconded the motion and it passed unanimously.

E. Request for a Conditional Use Permit by Millstream Properties to establish a gravel pit with rock crusher on up to 15 acres of a 320-acre parcel located northwest of the Altamont Rodeo Grounds.

Mr. Hyde referred the commission to photos and the letter of intent from the applicant in their packets and stated they are applying for this permit to authorize a gravel pit and rock crushing operation on up to 15 acres of this 320-acre parcel. Extraction of earth products is a conditionally permitted use in the A-5 zone. Millstream intends to use the gravel, road base, rip rap and other rock products primarily for projects on their own properties in the Upper County area.

Mr. Hyde stated one concern the county has is that crushers are no closer than ¼ mile from any residents. In this case, homes are approximately 1800 feet to the northeast

and 2000 feet to the southeast. The applicant has provided a dust control plan in their application that must be presented by the applicant or operator to the TriCounty Health Department for review and approval prior to the start of operations. The plan must indicate what measures will be taken to control dust at the pit and document a source of water for dust suppression. Health Department approval of the dust control plan must be provided to the County prior the start of operations. In addition, the applicant or operator must demonstrate that the crusher has a valid DEQ air quality permit to operate at this location, unless the crusher has been exempted by DEQ from permit requirements. The "Material Pit Finishing Standards" are used by the County to determine how reconditioning is to be accomplished. The applicant shall be subject to these standards at the time of completion of extraction and crushing operations on the property. In the interim, the property shall be maintained in a condition that is not hazardous or hazardous areas shall be signed and fenced.

Mr. Hyde stated the applicant must also comply with the time limits set forth in the Nuisance Ordinance in which noise is permitted (7:00 AM to 9:30 PM on weekdays, 8:00 AM to 9:30 PM on Saturdays and 9:00 AM to 9:30 PM on Sundays and holidays). The applicant has indicated that normal operating hours would be from 8:00 AM to 5:00 PM. Operations would run for 30 to 90 days to build a stockpile of material, and then the operation would be dormant until more material is needed.

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by Millstream Properties, for a gravel pit, subject to the following conditions:

1. Applicants and their agent(s) shall control dust and noise so neither becomes a nuisance.
 - a. Prior to the start of operations, a dust control plan must be presented by the applicant to the TriCounty Health Department for review and approval. The plan must indicate what measures will be taken to control dust at the pit and document a source of water for dust suppression. Evidence of health department approval of the dust control plan must be provided to the County prior the start of operations. Said dust control plan shall be implemented throughout the course of the operations by the applicant or his authorized agents. Dust control agents shall be applied at the gravel pit and on the access road between the pit and paved roads to the southeast during periods of hauling.
 - b. The applicant shall comply with the construction activity noise time limits of the Duchesne County Nuisance Ordinance. Noise from mining and crushing is allowed only between 7:00 AM to 9:30 PM on weekdays, 8:00 AM to 9:30 PM on Saturdays and 9:00 AM to 9:30 PM on Sundays and holidays.
 - c. The applicant shall ensure that the crusher operates under a valid DEQ air quality permit (with a copy of said permit provided to the County) or submit

evidence that the crusher has been exempted from DEQ permit requirements.

2. Applicant shall reclaim the property at the conclusion of mining operations in accordance with the county's "Material Pit Finishing Standards" and protect the public from any hazardous conditions on the site.
3. Applicant agrees to keep the crusher at least ¼ mile away from the nearest dwelling unit.
4. Applicant shall contact the Utah DEQ to determine if a storm water permit is required, prior to starting excavation work, and utilize any required mitigation measures to prevent sediment from eroding into the Lake Fork River.

Mr. Hyde asked if there were any questions of the staff report. Commissioner Burton asked if the applicant has access. Mr. Hyde stated a copy of an access agreement was in the packet. There were no other questions so the applicant was invited to speak.

Jason Danley, Millstream Properties representative, thanked the planning commission and Mr. Hyde for their time and efforts and stated they agree with the contents and terms of the staff report and have a letter of intent with their application. The crusher will not be a fulltime operation they are hoping it will be for 30-90 days to stockpile materials for their roads and various other properties. Mr. Danley asked if there were any questions.

Commissioner Jorgensen asked if the product will be for sale. Mr. Danley replied they would sale to the public if requested but the intention is for their use.

Commissioner Olsen asked where are the roads they intend to build or repair. Mr. Danley stated they have various properties, cattle ranches and roads for the material.

Commissioner Jorgensen asked if there were any other questions.

Mr. Lynn Haslem, a property owner to the north is concerned about access to the location, but they can use his road if they rebuild the fence and repair the road.

Mr. Danley stated they will work with Mr. Haslem to determine if access from that direction would be better.

There was some discussion with the commission, Mr. Haslem and Mr. Danley about roads, fence lines, access to the site and the added truck traffic.

Commissioner Moon asked about dust control and any complaints. Mr. Hyde stated they will need Tri County Health Department approval of their dust control plan and any complaints will be corrected thru the planning office.

Commissioner Jorgensen asked if there were any other questions or comments. There were none so the hearing was close,

Commissioner Roberts motioned to approve the applicants request subject to the conditions as stated in the staff report. Commissioner Fabrizio seconded the motion and it passed unanimously.

F. Request by James Reid for a Conditional Use Permit to establish a commercial use (barbeque stand) at 44421 West Highway 35 in the Hanna area.

Mr. Hyde referred the commission to the photos showing the site driveway and highway in their packets and stated the applicant is proposing a seasonal barbeque stand on his property, which is zoned Residential (R-1) due to the presence of a Hanna Water connection. Commercial uses are a conditionally-permitted use in the residential zones. The use may have been classified as a *Temporary Use*; however, these uses are limited to 90 days of operation in a calendar year. The applicant has indicated he would like to cater to the traffic from Wolf Creek from May 1 to November 31 weather permitting and be opened on Thursday thru Sunday.

The planning office has received an email from Fess Scott at the Utah Department of Transportation stating that they have no objection to the use of the driveway access to Highway 35 for business purposes provided that Mr. Reid does not build a permanent building and keeps the use seasonal and TriCounty Health stated on May 13, 2011 that the applicant won't be able to complete the approval process with them until a concession trailer is purchased and inspected and a menu provided.

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by James Reid, subject to the following conditions:

1. Prior to opening for business, the applicant shall:
 - A. Obtain approval to operate from the TriCounty Health Department.
 - B. Provide safe and durable driving and parking surfaces between the concession trailer location and Highway 35 to minimize rutting of the land and tracking of mud onto Highway 35 during wet periods. Parking areas shall be designed to accommodate the largest number of vehicles anticipated at any one time.
 - C. Obtain a Duchesne County business license.
2. Plans for on-premise signs shall be submitted to the County Planning Office for review and approval before being placed. Such signs shall be limited to 32 square feet in size. Off-premise advertising signs or signs located within the right of way of Highway 35 require approval from Region 3 UDOT before being placed.

Mr. Hyde asked if there were any questions of the staff report.

Commissioner Fabrizio asked about restroom facilities. Mr. Hyde stated the applicant would need talk to TriCounty Health but the applicant has indicated they would have portable toilets and hand washing facilities available on site.

There were no other questions so the applicant was invited to speak.

James Reid, applicant, stated the business would be a benefit to both the county and the Hanna area during the summer. Mr. Reid has also been in contact with TriCounty Health and will continue working with them on their conditions. Their plan is to have the meat smoked off site and just reheat and serve the food. Since there are not a lot of permanent residence's in the area there should not be any problems.

Commissioner Olsen asked how much ground is located north of the river. Mr. Reid stated about 1 acre and there are no neighbors and the ones that are there are recreational.

Darren Brown, Tri County Health department asked if this will be permanent. Mr. Reid stated just for the summer and we will serve out of a concession trailer.

Commissioner Mair asked how big the trailer will be. The applicant stated about 8x16.

There was some discussion on the septic system and the mobility of the trailer.

Commissioner Jorgensen asked if there were any other questions or comments. There were none so anyone in opposition was invited to speak.

Jeff Watkins, neighboring property owner to the west stated his concerns about the added traffic in the area, the fact they do not want a restaurant or commercial business in a residential/recreational area and what this will do to the privacy they enjoy and that land values will decrease.

Commissioner Olsen asked where they are located. Mr. Watkins stated 2 lots west.

Mr. Reid stated he does live there full time and the Watkins are seasonal residents. During the summer they have 4-6 trailers and visitors all summer long and that also disrupts my life. Mr. Reid also enjoys the natural beauty and does not want to lose that.

Bennett Josie, property owner is in favor of the applicants request and does not foresee any negative effects.

There was some discussion about noise, camping, added traffic, hours of operation and the possibility of obscuring the view from the Watkins cabin between the commission, Mr. Watkins and Mr. Reid.

Mr. Watkins stated his concerns about where to draw the line on having businesses in a residential area. Mr. Hyde replied it is on a case by case basis referring to Sandstone Pizza located in Hanna, which was recently granted a similar permit.

Commissioner Jorgensen asked if there were any other questions. There were none so the hearing was closed.

Commissioner Moon motioned to approve the request from Mr. Reid subject to the 2 conditions stated in the staff report and add a third to try to obscure the trailer from the Watkins view if possible. Commissioner Roberts seconded the motion and it passed

with a 4-3 vote with commissioners Burton, Olsen and Jorgensen opposing.

Mr. Hyde stated this decision could be appealed to the County Commission within 10 days of the date the decision letter is mailed.

G. Request by Brad and Gary McClellan for a Conditional Use Permit to locate an office, warehouse, pipe yard and truck parking area on approximately 6.6 acres of land owned by Lanny & Kathy Ross, located on the north side of Ioka Lane between Highway 40 and 4000 West.

Mr. Hyde referred the commission to some photos and a site plan for an office and storage area in their packets of the proposed location and stated the applicants are proposing to prepare a site and building for lease to Wilson Supply, which supplies the oil drilling industry. Improvements will include an office, warehouse and pipe storage yard. The southeast corner of this site is zoned commercial; however, the majority of the parcel is zoned Agricultural-Residential (A-5) or R-1, once it receives a Johnson Water connection. Commercial uses are a conditionally permitted use in the A-5 and R-1 zones. Mr. Hyde stated some criteria for approval of a conditional use permit are as follows.

1. The proposed use at the proposed location will not be unduly detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety or general welfare.

Mr. Hyde stated the detrimental impacts associated with conducting such a business in a residential area include the potential to generate bothersome truck noise or blowing dust. Inadequate ingress and egress from Ioka Lane or inadequate screening of pipe storage areas may also cause detrimental effects. If conditions are imposed and complied with, these potential detrimental effects can be mitigated.

2. The proposed use will be located and conducted in compliance with the goals and policies of the county general plan and the purposes of this title.

Mr. Hyde stated the Duchesne County General Plan states that future growth and development decisions should be made with sensitivity to rural residential and agricultural interests. The plan indicates that the county wishes to encourage business activity and support efforts to recruit new businesses, retain existing businesses and assist with the expansion of existing businesses. The general plan also calls for support of the oil and gas industry, which this proposed use would serve. In light of these plan policies, the Conditional Use request should be approved to support the creation of a new business site, knowing that conditions of approval will be imposed to protect rural residential and agricultural interests in the area.

Mr. Hyde recommends the Planning Commission approve the Conditional Use Permit requested by Brad & Gary McClellan, subject to the following conditions:

1. Prior to occupancy of the proposed facility, the applicants shall:

- A. Provide fire protection measures as approved by the Building Official and Fire Department.
 - B. Screen pipe storage areas with sight-obscuring fencing, walls or landscaped buffers at least six feet in height to buffer the view of such storage from surrounding lands.
 - C. Construct the truck parking and driveway areas with adequate road base and gravel to minimize the tracking of mud onto Highway 87 (Ioka Lane).
 - D. Construct paved parking areas at the rate of one space per employee on the maximum shift; plus one parking space designed for the disabled, if required by the Building Official.
 - E. Upgrade existing driveways or construct new driveways to Ioka Lane (Highway 87) as approved by UDOT to facilitate safe truck ingress and egress.
 - F. Landscape sections of the property not developed in buildings, parking, driveway or pipe storage areas as approved by the Community Development Director. Xeriscape landscaping is acceptable. This standard does not apply to the riparian area on the north side of the property, which shall remain in a natural condition.
 - G. Applicant and the property owners shall receive county approval of a minor subdivision to create the new 6.6-acre parcel, before recording a deed.
2. Applicant shall limit truck or other noise generating operations at this location to 7:00 AM to 9:30 PM should the county receive noise complaints.
 3. If the pipe storage or truck maneuvering area generates blowing dust, the applicant shall be required to apply dust inhibitors, if complaints are received.
 4. On-premise business signs shall be limited to 32 square feet in size. Any off-premise business signs must be reviewed and approved by UDOT before installation.

Mr. Hyde asked if there are any questions of the staff report.

Commissioner Burton asked about the parking for employees but is concerned about the customers parking area. Mr. Hyde stated they would need to use common sense and make enough spaces for both.

Commissioner Jorgensen is concerned about the increased traffic and the realigned approach to Highway 40. Mr. Hyde stated any new approach to Highway 87 will need to be approved by UDOT.

Commissioner Jorgensen asked if there were any other questions or comments. There were none so the applicant was invited to speak.

Brad McClellan, applicant and representative for Wilson Supply stated they are a reputable company in Uintah County and will continue to do so in Duchesne County. Fess Scott with UDOT has approved 1 of the 2 accesses applied for. The yard is needed to service several oilfield companies in the basin including ElPaso and Newfield. Having the additional location in an established commercial area on the west end will make it easier to service these companies.

There was some discussion between the commissioners and Mr. McClellan about the existing access and the new access on the west side (highway 87) and if there are available alternative commercial properties along highway 40.

Commissioner Jorgensen asked if there are any other questions or comments. There were none so anyone opposed was invited to speak.

Russell Crowley, an adjoining property owner stated his concerns about the noise, dust and additional traffic around his home. Stating if the application is approved he would request a 6 foot privacy fence on the property line. Mr. Crowley would like to know what other business can move in should Wilson Supply leave the area.

Mr. Hyde stated the fence is a recommended condition of approval. There was some discussion where the commercial zone ends and the residential area begins.

Darren Brown TriCounty Health stated they are opposed to commercial buildings without sewer facilities or storm drain systems.

Commissioner Jorgensen stated his concerns about the value of the Crowley property, if there is enough land for parking and wondering if they can move closer to Gary's Insulation.

Lanny Ross, property owner feels if there was a concern for the additional traffic in the area UDOT would not have approved another access, as far as the property values Mr. Crowley, Mr. Dastrup and the Foote's are surrounded by commercial business already, stating Richard Ross just built a new home in the middle of the business area, where Petroglyph, Jim Nebeker Trucking, Iowa Tank Lines and Hosco are located.

Commissioner Jorgensen asked if there were any other questions. There were none so the hearing was closed.

There was some discussion whether staff needed to prepare findings for denial if the commission is not comfortable with approval. The number of commercial properties already in the area was also discussed.

Commissioner Fabrizio motioned the Planning Commission approve the Conditional Use Permit requested by Brad & Gary McClellan, subject to the conditions stated in the staff report. Commissioner Mair seconded the motion and it passed 6-1 with Commissioner Jorgensen voting against.

NEW BUSINESS:

None

Minutes: Approval of May 4, 2011

Commissioner Olsen moved to approve the minutes of May 4, 2011. Commissioner Mair seconded the motion and it passed unanimously.

Commission Comments and Staff Information Items

None

Adjournment:

Meeting adjourned at 7:30p.m.