

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES April 17, 2014

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The Board of Planning Commissioners of Box Elder County, Utah met in the Box Elder County Commission Chambers at 7:00 p.m. The following members were present constituting a quorum:

Chad Munns	Chairman
Desiray Larsen	Vice-Chair
Kevin McGaha	Member
Michael Udy	Member
Bonnie Robinson	Member
Jay Christensen	Member/Excused
Laurie Munns	Member

*the following Staff was present:*

Scott Lyons	Planner
Steve Hadfield	Attorney
Elizabeth Ryan	Ex. Secretary

### The following citizens were present:

Richard Kimber/Brigham City  
Whitney Holcomb  
Tim Munns/Hansel Valley

Blake Robinson  
Rebecca Poppe/Washakie R.E.

The Minutes of the March 27, 2014 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Bonnie Robinson** to accept the Minutes as written; seconded by **Commissioner Laurie Munns** and passed unanimously.

## **PUBLIC HEARINGS**

**Chairman Chad Munns** called for the public hearings on the agenda by informing those in attendance that each item would be handled separately, and that the time for the hearings was to allow the public the opportunity to voice any concerns and that the Commissioners would listen to the comments and concerns, but this was not a questions/answer time.

## **AMENDSS14-007, AMENDMENT TO LOT 1 OF HOLLY ESTATES, LOCATED AT APPROXIMATELY 2600 NORTH 6800 WEST IN THE WEST CORINNE AREA OF BOX ELDER COUNTY.**

This petition is to amend the plat for the Holly Estates Subdivision, Lot 1. This lot is to be split into two lots, consisting of Lot 1-A; .688 acre and Lot 1-B; 3.311 acres. The current zoning in this area is RR-20 and each lot will meet the requirements. No comments were received and a Motion was made by **Commissioner Desiray Larsen** to close the public hearing, seconded by **Commissioner Kevin McGaha** and was unanimous.

**SP14-002, SITE PLAN FOR A POWER SUBSTATION AT THE WASHAKIE RENEWABLE ENERGY SITE; 7950 WEST 24000 NORTH IN THE PLYMOUTH AREA OF BOX ELDER COUNTY.**

This petition is for a site plan at the Washakie Renewable Energy site in the Plymouth area to add a substation and a future cogeneration plant to the commercial biodiesel facility. No comments were received and a Motion was made by **Commissioner Laurie Munns** to close the public hearing; seconded by **Commissioner Kevin McGaha** and was unanimous.

**UNFINISHED BUSINESS**

**KIMBER SUBDIVISION, SS14-003, A THREE LOT SUBDIVISION LOCATED AT APPROXIMATELY 13255 N GROUSE CREEK RD. IN THE GROUSE CREEK AREA OF BOX ELDER COUNTY.**

This petition is for a three lot subdivision located at approximately 13260 North Grouse Creek Road in the Grouse Creek area when it is currently un-zoned. A well will provide water for the three lots and all other proofs of utilities have been submitted. Fire sprinklers are recommended but are not required at this time. Staff recommended approval of this subdivision.

**MOTION:** A Motion was made by **Commissioner Bonnie Robinson** to grant approval for the Kimber 3-Lot Subdivision and forward to the County Commission for its approval. Motion was seconded by **Commissioner Kevin McGaha** and passed unanimously.

**NEW BUSINESS**

**AMENDSS14-007, AMENDMENT TO LOT 1 OF HOLLY ESTATES, LOCATED AT APPROXIMATELY 2600 NORTH 6800 WEST IN THE WEST CORINNE AREA OF BOX ELDER COUNTY.**

This lot currently has two structures located on it and as the petitioner is requesting that it be split into two lots it would result in Lot 1-A retaining a home and Lot 1-B retaining a shop. One of the concerns with splitting the lot is that the water line the supplies the home also supplies the shop and another water tap would need to be obtained with the Corinne Water District. Also a portion of the drain field from Lot 1A would be on Lot 1B and would need to be redirected (or an easement of about 80 feet given). *Ms. Whitney Holcomb* recently purchased this property through a bank sale and had the understanding that the lot was already split into the proposed two lots. There is still someone living in the home that needs to vacate the property. The original owner of this property, *Mr. Blake Robinson* also thought that this property had been split in 2002, but was done illegally and never recorded properly. There is a water hook-up available through Corinne at the cost of about \$8,000 and *Mr. Robinson* said that he could provide the funds for that water purchase. *Ms. Holcomb* said that she wants to sell the property (2 lots) but because they are illegal cannot do so. *County Attorney Steve Hadfield* said that the County cannot legally say that these are two approved [subdivision] lots since there are not two

individual water taps. Approval could put the County in liability with new owners. *County Planner Scott Lyons* said that when this lot was purchased at the bank sale the buyer was essentially taking on the responsibilities of a developer. Not knowing whether the lot was split illegally or as a result of the foreclosure, Utah laws says that as the proper process was not followed they are both illegal lots. *Mr. Robinson* said that he purchased the property with the house from the Bank of Utah and at that time it showed the property had been separated; there have also been several liens that have been filed against this property. As there seemed to be many obstacles related to this property and the splitting of the lot, the planning commission made the following motion.

**MOTION:** A Motion was made by **Commissioner Laurie Munns** to table action on this petition in order to allow the applicant time to work through the problems associated with this subdivision amendment. Motion was seconded by **Commissioner Kevin McGaha** and passed unanimously.

**SP14-002, SITE PLAN FOR A POWER SUBSTATION AT THE WASHAKIE RENEWABLE ENERGY SITE; 7950 WEST 24000 NORTH IN THE PLYMOUTH AREA OF BOX ELDER COUNTY.**

Staff informed the Commissioners that on the submitted site plan there is a water line that would run under the substation pad, but that line is not in place and can easily be rerouted. The site plan will be changed to show the relocation of that water line.

**MOTION:** A Motion was made by **Commissioner Michael Udy** to grant approval for the Washakie Power Substation. Motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

**WORKING REPORTS-- NONE**

**PUBLIC COMMENTS**

*Mr. Tim Munns*, from Hansel Valley approached the planning commissioners with concerns regarding an upcoming petition for a new [private] landfill at Exit 16 on the old Franklin Farm. He felt that solid waste management should be under the control of the county government. There are already two permitting landfills within the county and if someone applies for a new solid waste facility, then *County Ordinance 350*, which addresses landfills, needs to be looked at and followed. In the ordinance it states that an applicant must show a need for a new facility and that a corridor (3-8-030.2)<sup>i</sup> regulating landfills and the locations are to be established. There has not been a corridor established by the County yet and it needs to move forward in doing so. One of the concerns was that this location is on one of the most active fault lines [in the past 100 years] in the state having had twice as many quakes as in other parts of the state. He did not feel that there was a current need and he will be circulating a petition for signature against this landfill. Also, if this petition is approved, what is to stop others from putting landfills in any areas of the county?

A **Motion** was made to adjourn at 7:48 p.m., unanimous.

Passed and adopted in regular session this 15<sup>th</sup> of May 2014.

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Chad Munns, Chairman  
Box Elder County  
Planning Commission

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<sup>i</sup> Ordinance No. 350 BECLUM&DC Construction & Municipal Waste Zones

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