

PLANNING COMMISSION MEETING

April 18, 1985

Minutes of the regular meeting of the Box Elder County Planning Commission held Thursday, April 18, 1985, at 7:00 P.M.

Members present were: Richard Kimber, Thomas M. Mower, Jon Thompson, Don Petersen and Don Chase. Ex-officio members were Denton Beecher and Jay R. Hirschi. Excused were DeVon Breitenbeker and Kent Newman.

Conducting Chairman Richard Kimber called the meeting to order, and asked for a motion to approve the minutes of March 21, 1985. Motion was made by Don Chase that the minutes of March be approved as written. Motion was seconded by Jon Thompson, with all voting in favor.

BRIGHAM CITY AIRPORT ROAD - Bruce Leonard, Director of Public Works of Brigham City Corporation met with the commission to proceed with the exchange of land to abandon the Box Elder County existing roadway at the airport, and allow it to revert to Brigham City and, in exchange, Brigham City will deed to Box Elder County equal land on the west side of the airport, to which Brigham City would develop a new public roadway. Mr. Leonard reported that improvements at the airport will mostly be federally funded and all of the property must be together. The present road separates the two parcels of ground which the airport is using. Mr. Leonard presented a draft of a Resolution and Special Warranty Deed which the Brigham City Council would act upon at their next meeting. (COPIES 1 and 2). Don Chase recommended that Brigham City should proceed to finalize the exchange by completing the Resolution and Special Warranty Deed, and the Planning Commission would recommend to the County Commissioners that the exchange be approved. This recommendation was put in the form of a motion, seconded by Jon Thompson, and approved by all present.

NED FAIRBANKS - REQUEST FOR ZONE CHANGE - Ned Fairbanks met with the Commission and presented an Application for Amending the Zoning Ordinance wherein he requested a zone change for approximately 65 acres in South Willard (COPY 3). He said water is available from South Willard Water Company. He has requested that the zone be changed to R-1-20 or 1/2 acre lots. Motion was made by Don Petersen that, if the zone change would still be compatible to the master plan, he would recommend the request be approved and referred to the County Commissioners for a hearing. Motion was seconded by John Thompson and approved.

VON CURTIS - REQUEST FOR ZONE CHANGE - Von Curtis met with the Commission with an Application for Amending the Box Elder County Zoning Ordinance from RR-5 to RR-1 with the signatures of 16 residents in the area who are in favor of the zone change. The area to be rezoned includes a strip of land 500 feet east and 500 feet west of Highway 69 from the South Honeyville limits to the south boundary of the Tom Baty property. There were other residents present whose names appear on the attached roll, but since this was not a hearing, a discussion was not allowed. Audry Jensen informed the Commission that she was concerned with the pollution of her water supply if a number of homes were built in the area and people started moving in. Richard Kimber said this is not a hearing, only a presentation and when a hearing is held, all will be invited to have an opportunity to speak. Don Petersen said that Mr. Curtis has fulfilled the requests made by the Planning Commission at the previous meeting and he would, therefore, recommend that the request made by Mr. Curtis be referred to the County Commissioners with their recommendation that a hearing be held to hear the voice of the people. Motion was seconded by Thomas Mower, and approved.

DARRELL NIELSEN - APPLICATION FOR CONDITIONAL USE PERMIT - Darrell Nielsen, Neil Smith, Attorney Jeff Thorne, Cliff Woodland, and Mr. and Mrs. Glen Woodyatt met with the Commission at which Neil Smith read a letter addressed to the Box Elder County Commission wherein Mr. Nielsen asked

for a Conditional Use Permit to extract gravel from the property of Mr. Nielsen, as shown on the attached documents (COPY 4). Mr. Neil Smith read the letter to the Commission, which contained the requests made by Denton Beecher to be completed prior to the issuing of a conditional use permit. Mr. Beecher informed the Commission that his requests, as stated in the letter, may not be complete, and the Commission might have other requests, which could be added.

Of the items included in the letter the following were either not received, completed, nor acceptable:

Item E - Bond requirement. Following a discussion it was agreed that a \$10,000 bond would be sufficient.

Item G - A letter from the Willard City/Box Elder County Flood Control District that the work will not impede the Flood Control and that no drainage problem exists.

Item H - The written approval from Willard City giving access onto SR89 is based upon approval of Willard City Planning Commission and Willard City Council of the plans to be submitted by Darrell Nielsen to satisfy the Willard City Sensitivity Ordinance.

Item I - Written concurrence from Willard City.

The Planning Commission was concerned if there were any catch basins where any excess runoff water could go. Mr. Thorne indicated on the map the location of catch basins and informed the Planning Commission that any work in the area would be in accordance with the Willard City/Box Elder County Flood Control District Study.

Mr. Mower said the project is practical and there is a need for the material. Don Chase said there are many people living in the area who are not in favor of gravel being hauled out of the area, and he suggested that the Commission take the material presented under consideration and give it to the various agencies to review before any action is taken by the Planning Commission. Mr. Chase made a motion that the request be reviewed for consideration and that any decision be tabled until all the requirements have been met and reviewed, then make a decision at the next Planning Commission meeting. The motion died for lack of seconding.

Don Petersen made a motion that approval be given after all the above requirements have been completed to the satisfaction of the Commission members, as would be indicated by them when a poll is taken by the Chairman, and no work will begin prior to this approval and the issuance of a Conditional Use Permit. Motion was seconded by Thomas Mower. A vote was taken with three in favor of the motion and one opposed. Jon Thompson, Don Petersen, Thomas Mower in Favor Don Chase opposed.

Meeting adjourned at 9:03 P.M.

April 16, 1985

Mayor Wayne Braegger,
Willard City Corporation
49 North Main
Willard, Utah 84340

Dear Mayor Braegger:

Mr. Darrel Nielson has contacted me concerning the possibility of his obtaining access on US-89 north of Glen Woodyatt's property at approximately 650 South Main Street in Willard City. Mr. Nielson indicates that he is requesting temporary access for gravel haul at that location. We have no problem granting access providing Mr. Nielson provides the proper signing for truck crossing and that he purchase a stop sign from us to be located prior to accessing to US-89.

Mr. Nielson will have to obtain an access permit from us showing the proper signing and placing the stop sign prior to our granting permission to obtain a crossing at that location.

Any concern or special circumstances that you wish us to provide, please let us know prior to our granting access as requested.

Sincerely,

D. M. LeFevre,
Engineer for Preconstruction

DML:mo

April 16, 1985

Mayor Roger Boisjoly,
Willard City Corporation
49 North Main
Willard, Utah 84340

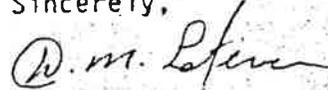
Dear Mayor Boisjoly:

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Mr. Nelson will have to obtain an access permit from us showing the proper signing and placing the stop sign prior to our granting permission to obtain a crossing at that location.

Any concern or special circumstances that you wish us to provide, please let us know prior to our granting access as requested.

Sincerely,



D. M. Lefevre,
Engineer for Preconstruction

cc: James L. Deaton
Dallon Franks
David L. Kennison

DIRECTORS

GEORGE A. NIELSON
JAMES N. RANDALL
ARLIE S. CAMPBELL
LESLIE E. RANDALL
SHERMAN V. WALKER
E. A. REED
EDWARD E. KAMMEYER
FRED FROEDER JR.
MARK G. HODSON

OGDEN RIVER WATER USERS'
ASSOCIATION

1483 WALL AVENUE :: PHONE 621-6555
OGDEN, UTAH 84404

April 17, 1985

TO WHOM IT MAY CONCERN:

Darrell Nielsen has requested permission to cross the Ogden-Brigham Canal at Station 797 + 68 for hauling gravel. The agreement has been prepared by the Bureau of Reclamation and has been approved by the Association.

Very truly yours,


Edward H. Southwick
General Manager

EHS/sl

April 17, 1985

Box Elder County Commission
County Court House
Main & Forest
Brigham City, Utah 84302

RE: Application For Conditional Use Permit

Gentlemen:

The following information is submitted herewith in support of our request for a Conditional Use Permit to extract gravel from our property as shown herein.

Mr. Denton Beecher has requested the following items:

- A- Plot Plan w/original Topog. (Attached)
- B- All side slopes within the excavation area will be at a 2:1 slope. Excavation will be such that surface or ground water impoundment will not occur. After completion of excavating a section of the area, the side slopes will be planted with a "wild" grass compatible with the area as approved by the County.
- C- "Panoramic" poloroid photo of site prior to excavation. (Attached)
- D- Dust control will be exercised at the point of excavation and along the access road during excavation operations.
- E- A bond or other assurance in an amount approved by Box Elder County will be provided to Box Elder County.
- F- Written approval from Pineview Water for transport over their canal will be provided to the County. (Attached)
- G- Written approval from Willard City/Box Elder County Flood Control District that the work will not impede the Flood Control and that no drainage problems exist, will be provided to the County. (Attached)
- H- Written approval from U.D.O.T. and Willard City for access onto SR 89 will be provided to the County. (Attached)
- I- Written concurrence from Willard City for the extraction of material from the unincorporated area adjacent to the City will be provided to the County. (Attached)

- J- We are requesting that the Conditional Use Permit be granted for a period of five years with a provision for negotiating a year to year extension thereafter.
- K- It is herein agreed that non-compliance of any of the conditions set forth in the Conditional Use Permit will constitute grounds for cancellation of the permit.

We trust that this letter and enclosures will be adequate for your review and granting of our request. However, if additional information is required, please let us know.

Sincerely,


Darrell Nielsen

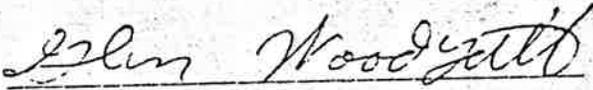
Enclosures

MEMORANDUM

4/18/85

TO: BOX ELDER COUNTY PLANNING COMMISSION
FROM: GLEN WOODYATT
SUBJECT: TRANSPORT OF GRAVEL

THIS MEMO IS TO NOTIFY THE BOX ELDER COUNTY PLANNING COMMISSION
THAT I HAVE GRANTED DARRELL NIELSEN THE RIGHT TO TRANSFER GRAVEL
FROM ABOVE THE CANAL ACROSS MY PROPERTY TO THE STATE HIGHWAY.


GLEN WOODYATT

Willard City Corporation

49 North Main

Willard, Utah 84340



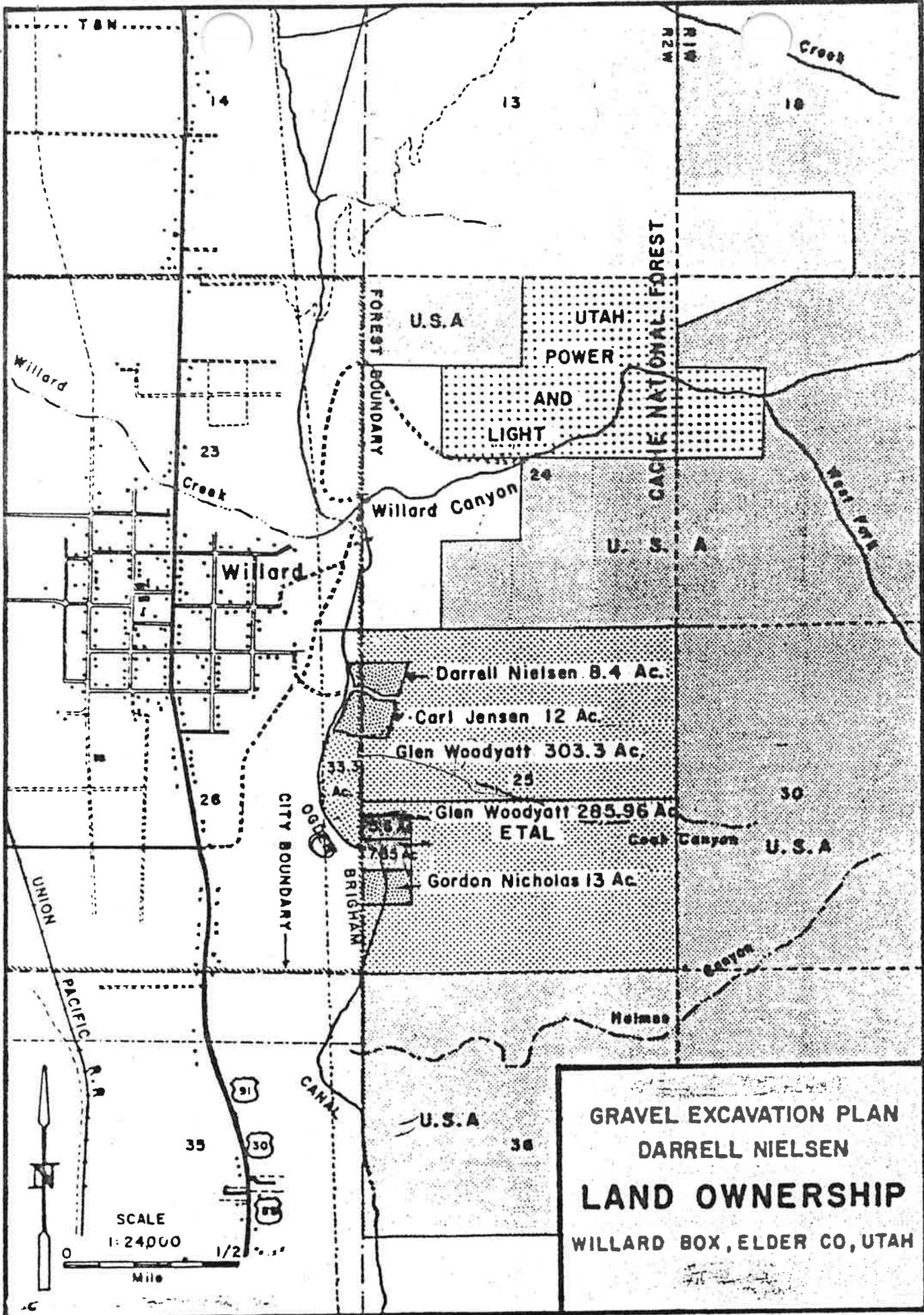
April 19, 1985

State of Utah
Highway Division

Willard City will grant permission to Darrell Nielson to enter the highway from his proposed haul road on the north side of Glenn Woodyatt's barn, provided he has contacted Glenn Woodyatt and any and all neighbors who may be effected, for their permission, and upon the approval of the Willard City Planning Commission and the Willard City Council of the plans to be submitted by Darrell Nielson to satisfy the Willard City Sensitivity Ordinance.

Respectfully,

Wayne H. Braegger
WAYNE H. BRAEGGER
Mayor, Willard City



GRAVEL EXCAVATION PLAN
 DARRELL NIELSEN
LAND OWNERSHIP
 WILLARD BOX, ELDER CO, UTAH

SCALE
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Mile

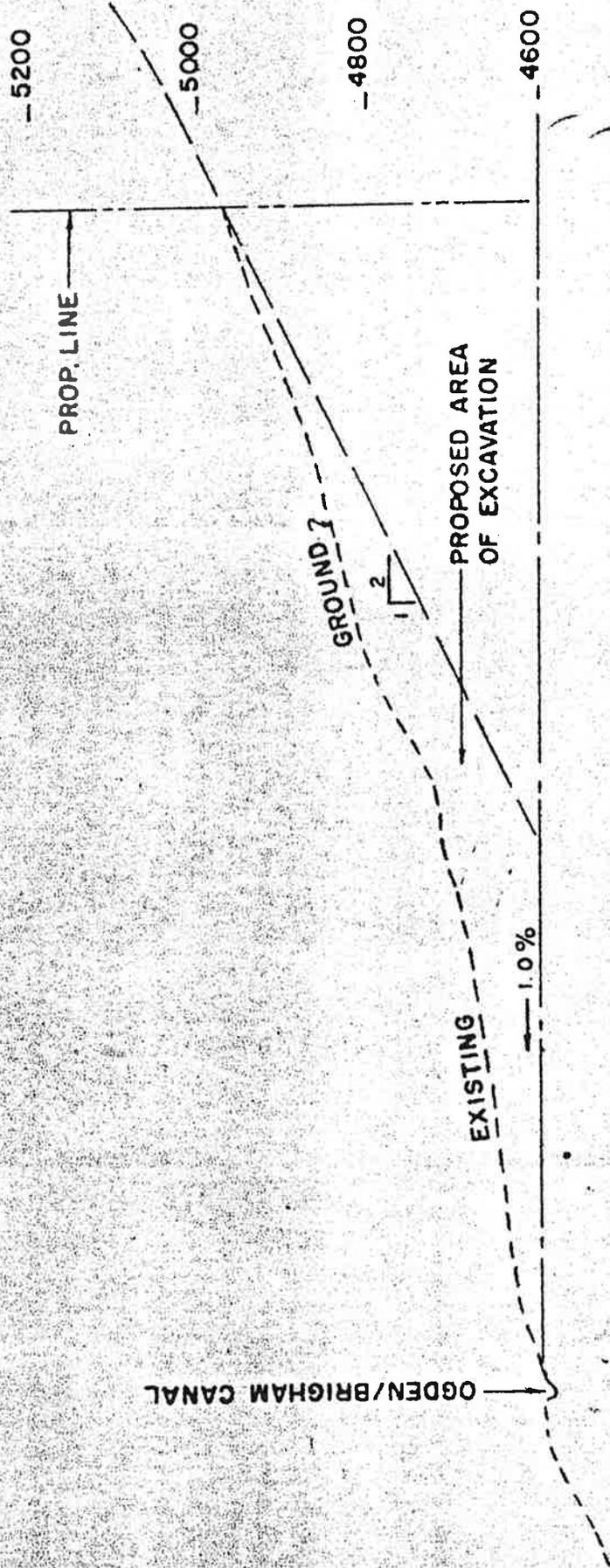


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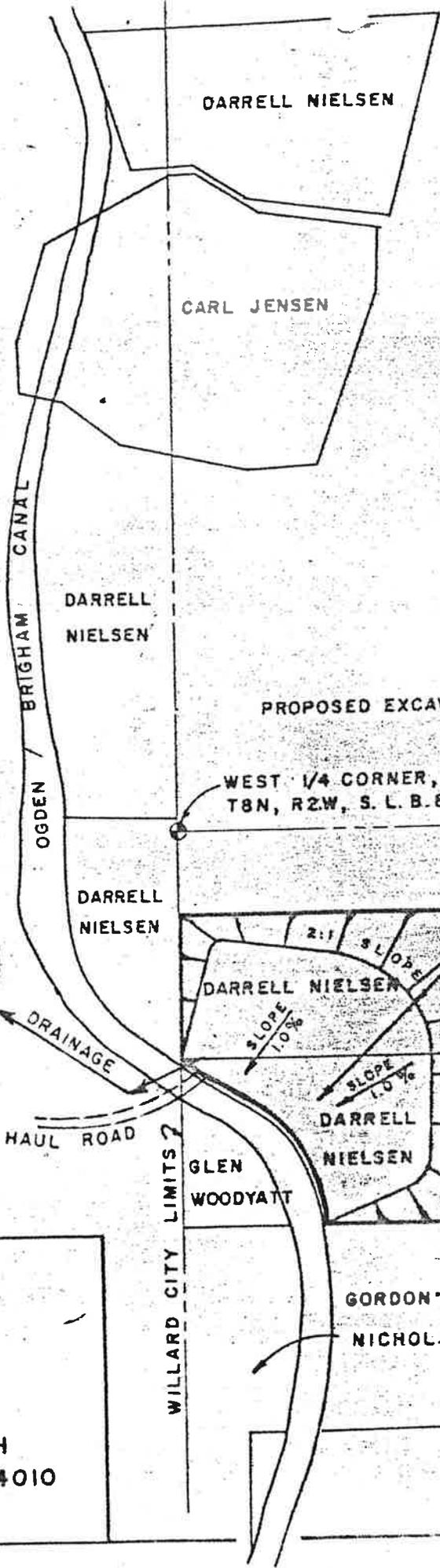


TYPICAL CROSS-SECTION
EAST OF CANAL

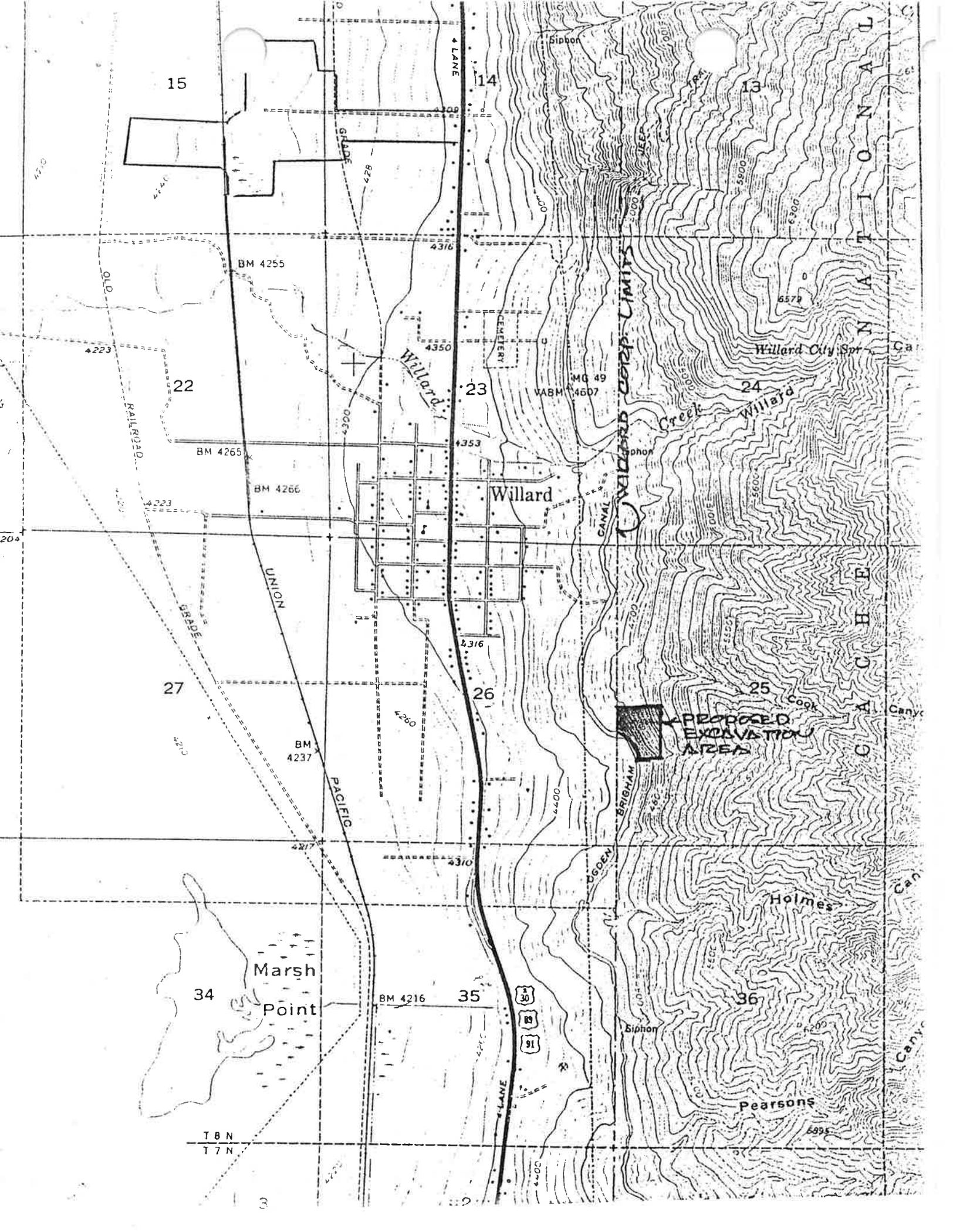
NO SCALE



SCALE 1" = 400'



SKETCH FOR
EXCAVATION PERMIT
FOR
DARRELL NIELSEN
944 EAST 800 SOUTH
BOUNTIFUL, UTAH 84010
TEL. 292-0360



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Marsh Point

Willard

Willard City Springs

Holmes

Pearsons

APPROPOSED EXCAVATION AREA

T 8 N
T 7 N

W I L L A R D C A N Y O N

WILLARD CANAL

BRIGHAM

COOK

SIPHON

CEMETERY

SIPHON

MG 49
VABM 4507

PHONE

GRADE

OLD RAILROAD

GRADE

UNION PACIFIC

LANE

30

89

91

LANE

BM 4216

BM 4255

BM 4265

BM 4266

BM 4237

4316

4350

4353

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4310

4200

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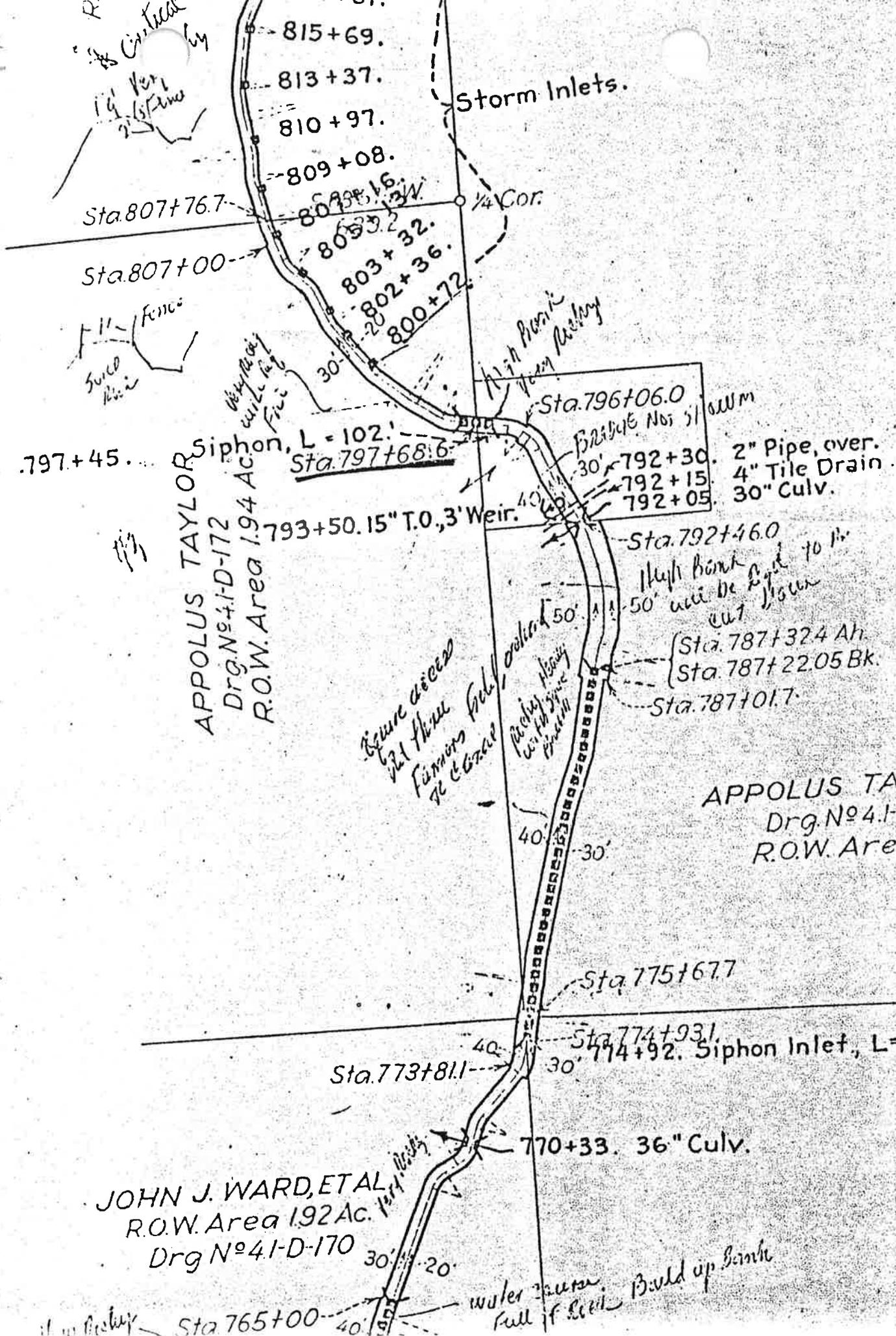
PEARSONS CANYON

WILLARD CANYON

UNION PACIFIC

WILLARD CITY SPRINGS

WILLARD CANYON



Contract by
19 Ver
2/15/1910

815+69.
813+37.
810+97.
809+08.

Storm Inlets.

Sta. 807+76.7

Sta. 807+00

809+16.
808+32.
803+32.
802+36.
800+72.

1/4 Cor.

11' Fence
Swamp Area

30'

High Point
Very Rocky

797+45

APPOLUS TAYLOR
Drg. No 4-I-D-172
R.O.W. Area 1.94 Ac.

Siphon, L = 102'
Sta. 797+68.6

Sta. 796+06.0

Bridge No. 51
30'

2" Pipe, over.
4" Tile Drain.
30" Culv.

793+50.15" T.O., 3' Weir.

Sta. 792+46.0

High Bank
50' wide to top
cut down

Figure access
in this
farmers field
to culvert

Sta. 787+324 Ah.
Sta. 787+22.05 Bk.
Sta. 787+01.7

APPOLUS TA
Drg. No 4-I-I
R.O.W. Area

Sta. 775+67.7

Sta. 773+81.1

Sta. 774+93.1

774+92. Siphon Inlet, L=

770+33. 36" Culv.

JOHN J. WARD, ET AL
R.O.W. Area 1.92 Ac.
Drg No 4-I-D-170

30' 20'

water runs
full if built
Build up Bank

Sta. 765+00