

**Minutes of the City of Harrisville**  
**Planning Commission Meeting**  
Wednesday, September 14, 2011  
7:00 p.m.  
Council Chambers  
363 W. Independence Boulevard  
Harrisville, Utah 84404

Present: Jeff Pearce, Bob Howard, Ed Saunders, Kathy Hohosh, Steve Weiss, Roger Shuman, Paula Knighton

Staff: Bill Morris (Administrator), Shanna Edwards (Secretary)

Visitors: Ruth Pearce, Bob Bergman, Jenni Bergman

**1. CALL TO ORDER:**

At 7:00 p.m., Chairman Pearce called the meeting to order and welcomed visitors.

**2. CONSENT AGENDA:**

**Approval of Minutes of meeting held July 13, 2011**

MOTION: Commissioner Saunders motioned and Commissioner Weiss seconded to approve minutes of the planning commission meeting held July 13, 2011, as written. Commissioners Saunders, Weiss, Howard, Knighton, and Pearce voted aye.

**3. BUSINESS ITEMS:** Commissioners agreed to move to item 3b of the agenda.

**b. Application for site plan amendment relating to landscaping of Wildcat Storage (previously Acorn Storage - 1701 N. 750 W.)**

Bill Morris referred commissioners to the original Acorn Storage site plan and pointed out the violations. He read a letter from the owner where he lists the changes he is proposing.

*(Commissioner Shuman arrived)*

Commissioner Saunders said he is the property owner south of Wildcat Storage. He is concerned about the weeds along the back of Building Number One next to his property, and he agreed that the fence shown on the original plan would not be good there because it would be hard for the owner to maintain the property between the fence and the building. He agreed that what the owner is proposing to do should take care of the weed problem. Commissioner Saunders referred to a small retention basin on his property, and reported that Wildcat's building slopes toward his property so water from the building goes into his detention basin and fills it up. The owner of Wildcat Storage, Bob Bergman, reported having the same problem with the property owner to the north of him.

*(Commissioner Hohosh arrived)*

Bob Bergman said he plans to have Golfers Green apply sterilant yearly in the spring all around the perimeter of the property to make a weed barrier. The application will include the west side where the railroad tracks border the property. The decorative rock landscaping they are proposing will

have landscape cloth under it to prevent weeds. The site plan indicates a six-foot chain link fence along the south and west property lines. The only fencing they have done is on the corners between the buildings. There is a corner on the south west where they store snow in the winter. The original site plan does show a couple of grassy places by the office that were never put in by the developer before he sold the property. This turf area would be allowed to use culinary water since the property is commercially zoned. Bill Morris pointed out that a percentage of grass is required by ordinance and commissioners cannot waive that requirement; however, they may be able to defer it. Mr. Bergman said that where trees are shown on the site plan, is where they stack snow in the winter. Bill Morris said the trees could be moved to another location. He commented that one thing planners have learned from experience is that storage units need more green space in order to accommodate snow removal. The fence along the front of Wildcat Storage is sitting on the property line along the roadway easement. Commissioners agreed that the area between the road pavement and the property fence is unattractive and the front area is where the nice turf landscaping would be most beneficial, but it is not practical at this time. They agreed to defer the required turf landscaping until the curb, gutter, and sidewalk are put in along that street at which time the deferred landscaping will be established in that area. Commissioners agreed with Mr. Bergman's proposals to amend the site plan landscaping with the additions discussed.

MOTION: Commissioner Hohosh motioned to approve the following amendments to the landscape site plan for Wildcat Storage (formerly Acorn Storage):

- (1) Defer turf grass and trees until curb and gutter are installed along 750 West at which time grass and trees will be planted and maintained there.
- (2) In the interim, approve decorative rock in front of the office and on the southeast corner of the property.
- (3) Approve the application of a yearly sterilant around the entire facility.
- (4) Approve fencing as presently exists rather than what shows on the site plan.
- (5) The owner must retain storm water on his property to the greatest extent possible.

The motion was seconded by Commissioner Weiss and voting was unanimous. Secretary Edwards will prepare the deferral agreement for the owner to sign.

The Burgmans mentioned the large storm water fees they are paying. Bill Morris told them fees are figured on roof space and asphalt; however, he stated that they may qualify for some credits since they have their own retention. He suggested they fill out an application with the city recorder for a review which may possibly result in a reduction of fees. With reference to storm water coming onto their property from the property to the north, Bill Morris told them the law requires property owners to keep storm water on their own property to the greatest extent possible. Burgmans explained that when the water on the neighboring property reaches a certain level, it begins to seep up onto their property from under the cement. Bill Morris stated that the city is aware that the groundwater table throughout Harrisville is extremely high, and the city has taken precautions to make people aware of this such as the Sensitive Lands ordinance being considered at this meeting.

*(Bob and Jenni Bergman left the meeting)*

**1a (1) PUBLIC HEARING/DISCUSSION/ACTION on an ordinance to amend Title 10 by adopting Chapter 10.22 entitled “Sensitive Lands Overlay” including the applicable overlay area map; adopting Chapter 10.25 entitled “Business District Overlay” including the applicable overlay area map; and establishing regulations and procedures for development in overlay areas.**

MOTION TO OPEN THE PUBLIC HEARING: Commissioner Weiss motioned and Commissioner Knighton seconded with unanimous approval to open the public hearing.

*No public comment offered*

MOTION TO CLOSE THE PUBLIC HEARING: Commissioner Weiss motioned and Commissioner Howard seconded with unanimous approval to close the public hearing.

Bill Morris went over each page of the ordinance with commissioners and corrections were noted. He explained that by adopting this ordinance the city is not responsible legally, but rather is taking a consumer protection role. Commissioner Knighton asked about wetland areas, and Bill Morris stated that the map is only showing potential wetlands, the official delineation by the Army Corp of Engineers will determine what is actual. The engineer placed save islands on the map from an aerial photo.

MOTION: Commissioner Saunders motioned to recommend the city council adopt the ordinance to amend Title 10 by adopting Chapter 10.22 entitled “Sensitive Lands Overlay” including the applicable overlay area map; adopting Chapter 10.25 entitled “Business District Overlay” including the applicable overlay area map. The motion was seconded by Commissioner Hohosh and voting was unanimous.

**1a (2) PUBLIC HEARING/DISCUSSION/ACTION on an ordinance amending various sections of Title 11 - Land Use Ordinance, relating to the basis for issuance of conditional use permit, third party notice; site plans; and accessory buildings.**

Bill Morris explained that the city wants to notice action on properties by posting a sign on the property rather than go to the expense of mailing letters, Also, due to technology, electronic copies of plats are needed for the city, and it has been found that some other minor changes need to be made to the land use ordinance.

MOTION TO OPEN PUBLIC HEARING: Commissioner Weiss motioned and Commissioner Howard seconded with unanimous approval to open the public hearing.

*No public comment offered*

MOTION TO CLOSE PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Hohosh seconded with unanimous approval to close the public hearing.

Bill Morris went over each page of the ordinance with commissioners and corrections were noted.

MOTION: Commissioner Shuman motioned to recommend the city council approve the ordinance amending various sections of Title 11 - Land Use Ordinance, relating to the basis for issuance of conditional use permit, third party notice; site plans; and accessory buildings. The motion was seconded by Commissioner Weiss and voting was unanimous.

**1a (3) PUBLIC HEARING/DISCUSSION/ACTION on an ordinance amending Title 12 - Subdivision Ordinance, relating to preliminary plans and notice; and planning commission review and recommendations.**

MOTION TO OPEN PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Hohosh seconded with unanimous approval to open the public hearing.

*No public comment offered.*

MOTION TO CLOSE PUBLIC HEARING: Commissioner Weiss motioned and Commissioner Hohosh seconded with unanimous approval to close the public hearing.

Bill Morris went over each page of the proposed ordinance with commissioners and noted corrections. Bill Morris told commissioners that since the ordinance was written, Secretary Edwards obtained a North Ogden Ordinance at the county trails meeting which regulates dedication of public trails within subdivisions as the subdivisions are being considered and provides for bonuses to the property owner as compensation for trail exaction. Bill Morris would like to include the information from this ordinance as paragraph 9e in the proposed subdivision ordinance amendment. He read the content of the North Ogden ordinance and commissioners agreed to add the additional paragraph.

MOTION: Commissioner Weiss motioned to recommend the city council approve the proposed ordinance amending Title 12 - Subdivision Ordinance, relating to preliminary plans and notice, and include an additional paragraph 9e as noted above. The motion was seconded by Commissioner Howard and voting was unanimous.

**4. PUBLIC COMMENTS:**

Ruth Pearce - She suggested looking into increasing the setback on accessory structures in back yards from one foot from the property line to three feet from the property. She said one foot is not enough room to maintain the area between the building and the property line which is usually fenced. Staff will check on this.

*(Bill Morris left the meeting)*

**5. CITY COUNCIL REPORT:**

Commissioner Knighton and Chairman Pearce reported.

**6. ADJOURNMENT:**

MOTION: At 8:00 p.m., Commissioner Knighton motioned and Commissioner Shuman seconded with unanimous approval to close the meeting. The next regular planning commission meeting will be held October 12, 2011, 7:00 p.m. at the city hall.

Shanna C. Edwards  
Secretary

Jeff Pearce  
Chairman