

Harrisville City Planning Commission Meeting  
Held at Harrisville City Hall  
7:00 p.m., March 10, 2010

Conducting: Chairman Pearce

Secretary: Shanna C. Edwards

Attendance: Jeff Pearce  
Ed Saunders  
Bob Howard  
Steve Weiss  
Paula Knighton  
Mike Norseth  
Chad Allen (City Council)

Visitors: Ruth Pearce  
Bruce Brown  
Jean Brown  
Wayne Crow  
Jerry Williamsen  
Don Knighton  
Eric Thomas

Commissioners Hohosh and Shuman were not in attendance. Chairman Pearce called meeting to order.

MOTION: Commissioner Knighton motioned to open the Planning Commission Meeting which was seconded with unanimous approval by Commissioner Howard.

**1. PUBLIC HEARING: Review/recommend preliminary and final approval of the subdivision site plan re-application for an intersection at 800 West Harrisville Road giving access to Fiera Vista, P.R.U.D., formerly Fairview Manor - Wayne Crow**

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

Bill Morris explained that the approval previously given [May 27, 2008] for access onto West Harrisville Road for this Ogden City development was effective for six months and has expired requiring the developer to re-apply. The city will be asking for escrow for amount of the improvements that will be located in Harrisville City, and Bill Morris said the recommendations listed in the letter from Kent Jones dated February 25, 2010, should be included as part of the recommendation to the city council.

Wayne Crow explained that the overall development is on fifteen acres located in Ogden City. The plan includes 82 units clustered in a pod design including shared driveways off from the roadways and around the cul-de-sacs. This is a PRUD and he pointed to some common open space areas that will be maintained by a Home Owners Association. He said the plan includes some landscaping along West Harrisville Road, there will a monument sign there, and there will be no parking along West Harrisville Road or individual lot access to that street. Commissioner Knighton expressed concern over the alignment with 800 North on the other side of West Harrisville Road. Wayne Crow provided the latest drawing which was put on an easel for all to review. Bill Morris explained it is not perfect alignment, but is within the specifications of the Public Works Standards.

*Public Comments:* None

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

**DISCUSSION:** Commissioner Norseth inquired about the power pole. Mr. Crow explained that access radius will wrap around the power pole which will remain in place, but the guy wire will have to be relocated. Commissioner Howard mentioned there is only one access for 82 houses. Mr. Crow provided a drawing of the development. He said the homes will be located ten feet from the road, consist of three stories including a basement, they will have porches, and they will share common driveways, each will have an attached two-car garage, and they will be fully landscaped. He pointed to an emergency pull away gate into the fairgrounds by the Animal shelter and also an emergency pull away gate into the property to the west. He said that should the opportunity arise, Ogden City will push for possible future connectivity to the property to the west with the street stubbed to that property. He said there was a traffic issue a year or so ago, and traffic flow was all taken into consideration at that time with the intersection proposed.

**MOTION:** Commissioner Norseth motion to recommend to the city council preliminary and final approval for the subdivision site plan re-application for an intersection at 800 West Harrisville Road giving access to Fiera Vista PRUD (formerly Fairview Manor) with compliance to the general comments in Kent Jones' letter of February 25, 2010, which includes that the city will be require escrow for amount of the improvements that will be located in Harrisville City. The motion was seconded by Commissioner Howard.

**VOTE:** Commissioners Norseth, Howard, Knighton, Saunders voting aye, Chairman Pearce voted nay.

**2. PUBLIC HEARING: Review/recommend preliminary and final approval of the subdivision site plan re-application for Thoroughbred Meadows located between 1000 North and Larsen Lane at approximately 150 east - Eric Thomas**

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

Bill Morris explained the previous developer went out and Regency Development took it over. Regency went through the approval process but the approval expired as they were getting ready to put up escrow. Bill Morris mentioned three additional concerns in addition to those items in Kent Jones' letter of February 25, 2010. (1) Secondary water system to Bruce Brown and two other property owners. (2) Lot 9R with the turn around should indicate that it has a restriction for no building on that lot until the road goes through. (3) The signage within the subdivision should follow the Federal Manual on Uniform Traffic Control Devices, MUTCD. Eric Thomas reported that they are still planning on getting secondary water to Bruce Brown and two neighbors. They will be installing that possibly next week at the same time they pipe the Costley ditch.

*Public Comment:*

Bruce Brown: He said that he is glad the secondary water will be put in soon. He said that the storm drain access easement (along his driveway) is different on the plat from what shows on the plan he was given. He wanted to be sure paving included the whole driveway and does not leave

him with an unpaved strip. Eric Thomas said they are planning on asphaltting the whole driveway. Bruce reminded the developer that he wants to maintain the previous irrigation ditch along the back of the properties as an additional protection against storm water run off. It is a fourteen-inch pipe that would connect onto the basin on Parcel A and catch any water coming off the property. Bruce Brown also called attention to some storm water pipes near Larsen Lane that have collapsed. Eric Thomas said that will be taken care of as they complete the storm drain.

MOTION: Commissioner Saunders motioned and Commissioner Howard seconded with unanimous approval to close the public hearing.

DISCUSSION: Commissioner Norseth asked if there are any substantial changes to this plan since the last approval. Bill Morris said it is the same, but he mentioned the three additional items he listed above, and the additional storm drain Bruce Brown mentioned. Chairman Pearce asked about the storm drain on Butters property. Eric Thomas explained that the storm drain ties into the storm drain box in front of Butters' property. That is part of the pipe Bruce Brown reported is cracked.

Commissioner Norseth said he favors preventing commercial trucks from the property to the west accessing the subdivision at the stub onto Berkley Street in the subdivision. He would like to see Item 3 of Kent Jones' letter concerning the legality of the recommended protection strip to prevent access onto that street be resolved before it goes to the city council. The developer was willing to adjust the plan if necessary based on review by Bill Morris. Commissioners pointed out two apparent conflicting ordinances relating to protection strips and access from potential commercial/manufacturing uses onto a residential subdivision street. Bill Morris stated that when there are two conflicting laws, the stricter governs and the stricter ordinance states there can be no access. Bill suggested as a resolution, to defer to the holding strip limitation and include it on the plat. Access will be prevented physically by a piece property not dedicated as public street with a barricade and sign on it indicating no access.

MOTION: Commissioner Norseth motioned to recommend preliminary and final approval of the subdivision site plan re-application for Thoroughbred Meadows subject to Kent Jones letter February 25, 2010; secondary water system to Bruce Brown and two other property owners; lot 9R with the turn around should include a restriction for no building on that lot until the road goes through; the signage within the subdivision should follow the Federal Manual on Uniform Traffic Control Devices, MUTCD; maintain the previous irrigation ditch along the back of properties owned by Bruce Brown and the two other owners as an additional protection against storm water run off; and as a resolution of conflicting law, a holding strip at the end of Berkley Street will be provided to prevent access from a potential commercial area. The motion was seconded by Commissioner Saunders.

VOTE: Unanimous.

Bill reminded commissioners of the training on Friday, March 12, 2010, at the cabin. Ed Saunders, Bob Howard, Jeff Pearce, and Paula Knighton committed to attend.

**3. Review amendment to the Land Use Ordinance by adopting Chapter 11.24 “Architecture, Landscaping, and Screening” - Bill Morris**

11.24.040 - Commissioners felt the requirement for architectural plan detail and elevations is excessive and agreed that “basic” elevation design would be acceptable.

11.24.050 - Commissioners commented that the city engineer must be aware of the requirement for soil improvement in park strips.

11.24.060 - Commissioner Knighton suggested changing 12 months to “first growing season” and 18 months to “second growing season” and include definitions in 11.24.020.

11.24.060 - Enforcement of paragraph “f” was questioned when it says “all property owners are encouraged to eradicate or control .....” Though this cannot be enforced, Bill Morris explained that this can be useful for educational purposes in the Community Forestry and Gardening Ordinance. Paragraph “h” only mentions fire hazards on non-agricultural property. Bill Morris explained that agricultural property has different state standards for declaring a nuisance that has to be proven to violate sound agricultural practices.

11.24.070 - Bill Morris explained the LEED component and commissioners agreed that they would like that to be included.

Bill Morris referred commissioners to chapter 11.13.040 for specific minimum caliper size details for initial planting.

11.24.080 - Commissioner Norseth suggested rewording paragraph 1 to read: “...may be planted in a parking strip or within four feet of a sidewalk.” This would cover any park strip that may be more than four feet.

11.24.090 - Commissioner Knighton suggested adding “...unless violates corner visibility requirements” to paragraph 3a.

Enforcement of this proposed ordinance was discussed. Bill Morris pointed out that enforcement is in the Enforcement Chapter [11.26].

**4. Review amending the Municipal Code by enacting Title 13 “Community Planning and Services” and adopting Chapter 13.06 “Establishing a Community forestry and Gardening Program”- Bill Morris**

Bill Morris pointed out that this is not a Land Use Ordinance. This ordinance is necessary to become certified as a Tree City USA. which is a goal of the city council to improve and beautify the city. Besides beatification, certification in the program has potential financial opportunities for funds and grants. The community forester and community gardener are volunteers appointed by the administration. The ordinance refers to the “community service director” which Chairman Pearce suggested this be changed to “public works director” to fit our city structure.

Commissioner Norseth felt this ordinance is too invasive if private property owners cannot remove a tree from their property without a permit. Bill Morris said the ordinance applies as well to commercial and is specific to trees so developers cannot take out the trees a short time after landscape approval. After further discussion, commissioners agreed to eliminate “a. Is more than twenty years old,” and “b. Measures more than twenty-four (24) inches in circumference at four (4) feet above ground level.” Striking a and b makes everything else in the proposed ordinance apply to public lands only, not private.

Bill Morris will submit this proposed ordinance to the state and see if it has been “pruned” down too much to qualify for Tree City USA.

The Planning Commission will hold public hearings at their next meeting on these two ordinances and make recommendation to the city council.

**5. Approval of Minutes of meeting held February 10, 2010**

MOTION: Commissioner Saunders motioned and Commissioner Weiss seconded to approve minutes of the Planning Commission meeting held February 10, 2010, as written. Voting was unanimous.

**6. Public Comments**

Councilman Allen introduced himself to the commission and stated that he has come to realize what the planning commission does and he expressed appreciation for their work.

**7. Adjournment**

At 8:23 p.m. the meeting adjourned. The next regular Planning Commission meeting will be held April 14, 2010, at 7:00 p.m. at the city hall.

Shanna C. Edwards  
Secretary

Jeff Pearce  
Chairman