PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
January 10, 2019

PRESENT: Chair Lisa Coombs, Vice-Chair Sam Sanderson, Dustin Phillips, Tamara Oborn, Jeffery Butler, Bobbie Jo Blake, Peter Steele, Todd Fugal.

STAFF: City Planner Julie Henry, Staff Engineer Shaun Hilton, Planning Assistant Kelly Evans

Chair Coombs opened the meeting at 7:00 p.m.

Commission Business:

1. Pledge of Allegiance: Commissioner Butler led the Pledge of Allegiance.

2. Opening Remarks: Commissioner Oborn gave the opening remarks.

3. Agenda Approval:
   - MOTION: Commissioner Steele moved to APPROVE the agenda as part of public record. Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried unanimously.

4. Staff Reports:
   - MOTION: Commissioner Oborn moved to APPROVE the staff reports as part of the public record. Commissioner Butler seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

5. Declaration of Conflicts and Abstentions from Commission Members: There were none.

Commissioner Steele briefly described the nature of the Conditional Use Permit. In the City Code, each zone contains a list of conditional uses, which are permitted if the application can meet a set
of qualifying provisions. The Planning Commission is an administrative body that applies the existing law and cannot make a decision based on emotion.

**ITEM 1 – Public Hearing to Consider the Request of Matt Stalsberg for a Conditional Use Permit to Allow a Solid Waste Transfer Station on Property Located at 225 West 700 South in the Manufacturing Distribution (MD) Zone. **SAM WHITE’S LANE NEIGHBORHOOD.

City Planner, Julie Henry, presented the staff report and identified the subject property on an aerial map displayed and noted that it is in the MD Zone. The surrounding properties included light manufacturing, commercial, and some zoning that allows residential uses. She explained that a transfer station was in a location where small trucks would bring waste from residences and businesses in the area, so the waste could be put onto larger trucks and taken to the landfill. It was noted that open air transfer stations are allowed by the State, but the applicant did not intend to do that. Ms. Henry had visited the transfer station in Salt Lake City and reported on her findings. While she could hear the trucks on-site, she was able to hold a conversation comfortably outside of the building. She also reported that the odor was minimal.

Ms. Henry presented the concept plan for the facility and explained that the buildings would be used for recycling, construction and demolition waste, and solid waste. The facility in Salt Lake takes in food waste and sells the compost to local farmers, but they did not intend to do that at this facility. There was a system in place to collect liquid waste, and it would be contained within the facility. A portion of the site would be an outdoor storage area for the trucks, and staff recommended it be paved to mitigate dust. With regard to drainage, staff had a few concerns and as a result, recommended additional storm water infrastructure on site. They also suggested that the applicant give the City permission to construct a berm in one corner of the property that has had continual flooding problems.

Ms. Henry next addressed the intensity of the proposed use. She explained that there was a transfer station at the location that processes about 35 tons per day, with approximately 20 trucks in and out of the site each day. The applicant would increase the intensity significantly, with up to 600 tons per day and 175 to 200 trucks per day. The hours of operation would be Monday through Friday from 5:00 a.m. to 6:00 p.m. and Saturdays from 7:00 a.m. to 2:00 p.m. The applicant indicated that the operations inside the building may continue beyond closing. The City Code requires an eight-foot, sight-obscuring fence, or as determined during commercial site plan review. Staff recommended a six-foot fence, which could be chain link with slats. The City would also require a sidewalk be installed and dedicated to the City for maintenance.

Commissioner Blake asked how the proposed intensity compares to the Salt Lake facility. Ms. Henry stated that the Salt Lake facility processes 1,000 tons per day and the same type of waste as is being proposed. She encouraged the Commission to consider the types of waste that they would allow since the Conditional Use Permit will run with the land rather than the owner or the business. They should also consider prohibiting an open-air facility.
Commissioner Butler asked about the existing fencing. Ms. Henry referenced the map and stated that there is existing concrete fencing at different locations around the site, but no fencing along 700 South or the railroad tracks. Staff recommended fencing the entire property, except for the portion that abuts the City-owned property utilized by the Public Works Department.

Commissioner Phillips asked how the facility will handle hazardous waste if a resident throws it in their garbage can. Ms. Henry explained that there are people inside the facility sorting the waste to find prohibited items. They have a procedure they follow if hazardous material are found.

Chair Coombs asked staff if 700 South could handle the increased truck traffic. Staff Engineer, Shaun Hilton, stated that they would be speaking with the consultant who is designing the road do determine if it could handle the increase. He did not know if the current road was capable of handling such heavy loads.

Commissioner Oborn was concerned about the road but was also concerned about the increase in traffic and how it would affect the safety of the surrounding area. She asked how it would affect street lights, crosswalks, and so forth.

Chair Coombs asked for clarification on the after-hours activity on the site.

The applicant, Matt Stalsberg, identified himself as the General Manager and Owner of Ace Disposal. He was present with his partner, Rob Richards.

Larry Gibbons, from Rocky Mountain Recycling, stated that the current hours of operation on the site are 7:00 a.m. to 5:00 p.m., except for holidays. They do not currently operate on Saturdays or Sundays. Mr. Stalsberg stated that they would also be closed on Sundays, and any activity on Saturdays would be minimal.

In response to a question from Commissioner Butler, Mr. Stalsberg explained that the larger trucks would go to the Intermountain Regional Landfill near Eagle Mountain or the nearby recycling facility. They would not have any trucks leaving the facility after hours. If they are loaded up, they will be covered and stored onsite until the next morning. They try to get the wet waste out daily, to minimize odor.

Mr. Gibbons addressed the existing cement batch plan on the adjacent property. Realistically, the traffic will not be much different than what they were seeing now and would just be a different type of truck. He noted that cement trucks are heavier than waste trucks.

Engineer Hilton asked if the batch plan was going to remain. Mr. Gibbons explained that Kilgore owns the property and they would not be using it again until March. When they do come back to use it, it will be infrequent.
Commissioner Oborn commented that there was a lot of development taking place in the area, and she was concerned about public safety.

There was brief discussion about the traffic pattern of the trucks going in and out of the property. It was noted that the peak drop-off time will be from 8:30 a.m. to 9:00 a.m. The Salt Lake Transfer Station is located in a very high traffic area of the City and they had not experienced any problems.

In response to a question from Commissioner Blake, Mr. Stalsberg stated that the Salt Lake facility is surrounded by a six-foot chain link fence without slats.

Chair Coombs opened the public hearing.

Bill Fairbanks was present representing himself and Kevin Wilson, from Kasey Manufacturing. He reported that a lot of rubble and debris had been pushed from the subject property onto Mr. Wilson’s property. They had had several discussions with the owners, and nothing had been done to resolve the issue. Mr. Fairbanks stated that there was a good chance that the traffic in the area will double with the proposed facility. He was worried about how this will affect the neighborhood. Mr. Fairbanks respected the applicants and their business but did not feel this was the right location for a transfer facility.

Billy Joel Algool’s primary concern was for the safety of the families and children in the area. He also worried about the potential smell and decreasing property values. He supported businesses, but felt that another location would be better suited for the use. He urged the Commission to consider putting greater restrictions on the use if it were allowed.

Julie Smith explained that she was recently involved in a request to reduce side yard setbacks in the zone and she had been before the Planning Commission several times. During those meetings, the City emphasized that they wanted the area to be a nice business park. She suggested putting restrictions on the proposed use to maintain the cleanliness of the neighborhood.

Bill Hoagland gave his address as 580 South 70 East and stated that he had lived in the area for 65 years. He had seen many changes during that time. If the transfer station were approved, he and his wife would seriously consider moving. He was worried about the traffic and the smell.

Leann Clemenson, a Pleasant Grove resident, stated that she is a healthcare provider and is concerned about rodent and pest control inside the facility.

Dale Warburton gave his address as 795 East 350 North and owns a business in the area. He had had a number of meetings with the City and Mr. Gibbons to resolve various issues. His experience had been that Mr. Gibbons is not a good neighbor. Promises had been made but not kept.
Mr. Gibbons was trying to line his pockets at the expense of the residents. Mr. Warburton was also concerned about traffic, the condition of the roads, and general safety.

Russell Snyder gave his address as 25 Maple Lane and wanted a guarantee that the homeowners in the area will be given fair market value plus $80,000 to move from their homes. Most of the residents cannot afford to pick up and move. He felt there were better locations for a transfer station.

Lamont Voorheis, who resides at 650 South 60 East, stated that he would be directly impacted by the increased traffic. He urged the City to require a traffic study and take their time making decisions on the application.

John Gagen reported that he owns property on 400 West and he was concerned about the increase in traffic.

Randy Hunter was present representing Global Coding and was concerned about traffic, particularly the congestion that occurs when school gets out. He asked that the traffic study specifically address the bottleneck area.

There were no further public comments. Chair Coombs closed the public hearing.

Commissioner Butler asked the applicant about rodent and pest control and for the address of the Salt Lake facility. Mr. Stalsberg stated that all were welcome to visit the facility at 1240 South Wallace Road. He described the strict Department of Environmental Quality (DEQ) regulations. He noted that they will only have issues with rodents if the waste remains on the floor for long periods of time. In the three and a half years they have had the Salt Lake facility, there have been no complaints. He encouraged a traffic study, which was a primary concern for the residents.

Mr. Richards briefly described process they go through to have such a facility. He also described the role of the DEQ. DEQ visits are unannounced and frequent, and if someone files a complaint, the DEQ comes to the site to mitigate problems. It is not the responsibility of the City to enforce regulations.

Commissioner Phillips asked if the Salt Lake facility has surrounding uses that are similar to the proposed location. Mr. Stalsberg confirmed that that was the case and commented that the residences are farther away from the facility than people realize and it was unlikely that noise or smell would reach that far. He was more concerned about mitigating nuisances for the Maverik next door.

Ms. Henry stated that the Code for the MD Zone specifies that no excessive or offensive dust, odor, smoke, or noise shall be permitted that is discernable beyond the property lines, except that which emanates from the movement of motor vehicles. The Planning Commission could include
such language in the Conditional Use Permit, and if those conditions are not followed, the Conditional Use Permit could be revoked.

Commissioner Blake did not have an issue with the business but wanted to be sure that this was the best location for the facility.

Commissioner Steele suggested that the item be continued so that they could investigate a few concerns further. He asked staff to reach out to Springville City and inquire about their experience with the transfer station in their city.

**MOTION:** Commissioner Oborn moved that the Planning Commission CONTINUE the request of Matt Stalsberg for a Conditional Use Permit to allow a solid waste transfer station (#4858) on property located at 225 West 700 South in the MD (Manufacturing Distribution) Zone, until the January 24, 2018 Planning Commission Meeting, based on the following findings:

1. The Planning Commission requests a road study be completed, showing the impact to the physical roadway and the traffic patterns in the surrounding area, including stop lights and crosswalks.

2. They also request that staff speak to Springville City about their transfer station and the affect to their residents and roadways, and their experience with odor and noise.

Commissioner Sanderson seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**ITEM 2 – Review and Approval of the Minutes for the December 6 and 13, 2018 Planning Commission Meetings.**

**MOTION:** Commissioner Steele moved that the Planning Commission APPROVE the minutes from the December 6, 2018 Planning Commission meeting, as written. Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**MOTION:** Commissioner Steele moved that the Planning Commission APPROVE the minutes from the December 13, 2018 Planning Commission meeting, as written. Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

The meeting adjourned at 8:33 p.m.
Lisa Coombs
Planning Commission Chair

Barbara Johnson, Planning Tech

1-24-19

Date Approved