



Planning Commission Minutes

4 March 2021

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Present: Chris Harrild, Angie Zetterquist, Brady Christensen, Jason Watterson, Phillip Olsen, Chris Sands, Nolan Gunnell, John Luthy, Megan Izatt

Start Time: 05:30:00

Sands called the meeting to order and **Christensen** gave the opening remarks.

05:33:00

Agenda

Approved with Item #1, Fox Hollow Subdivision 1st Amendment, being removed.

05:32:00

Minutes

Watterson motioned to approve the 4 March, 2021 revised agenda; **Sands** seconded; **Passed 4, 0.**

5:35:00

Consent Item

#1 Fox Hollow Subdivision 1st Amendment

Applicant withdrew.

Regular Agenda Item

#2 Public Hearing (5:35 PM) – Amendments to the Cache County Fire Code

Olsen motioned to move item #2 to the end of the agenda as Deputy County Attorney John Luthy was not present; *Watterson* seconded; **Passed 4, 0.**

05:38:00

Luthy arrived.

Watterson motion to move item #2 to the beginning of the agenda; *Olsen* seconded; **Passed 4, 0.**

Luthy explained the reasoning behind the drafted ordinance to adopt the fire code.

Staff and **Commission** discussed the scope of the ordinance, how the 30 dwelling units were decided on, and possible undue burden on developers, builders, and landowners.

05:47:00

Olsen motioned to open the public hearing; *Watterson* seconded; **Passed 4, 0.**

05:48:00

Watterson motioned to close the public hearing; *Olsen* seconded; **Passed 4, 0.**

Staff and **Commission** discussed lack of identification in the area and what triggers the ordinance requirements.

Luthy read the appendix for the fire code.

Staff and **Commission** discussed the need for a secondary access.

Olsen motioned to recommend approval to the County Council for the amendments to the Cache County Fire Code; *Watterson* seconded; **Passed 4, 0.**

05:53:00

#3 Rocky Mountain Power Transmission Line Rebuild Conditional Use Permit

Zetterquist reviewed the staff report for the Rocky Mountain Power Transmission Line Rebuild Conditional Use Permit (CUP).

Staff and **Commission** discussed storm water plans and if emergency access is required.

Steve Liechty representing Rocky Mountain Power introduced himself.

Wayman Stodart, an attorney representing a property owner, raised concerns with the scope of the project, concerns with the width of the poles, and what is in the increase of the yield and the impact and concerns with clarifications on the easements.

Harrild stated the first condition covers some of the concerns raised.

Richard Merrill commented on concerns regarding increase of voltage in the lines and impacts from exposure to the increase of electrical output.

Tony Nielson commented on possible health concerns, property devaluation, and the amount of electricity going over their property.

Mr. Liechty commented that voltage will not increase, poles will be 5-8 feet taller and most will be wood, and stated the conditions regarding access will be followed.

Sands asked about ground disturbance.

Mr. Liechty responded ground disturbance will be minimal and heavy equipment should not be needed.

Christensen asked about contact info for people to contact him.

Mr. Liechty gave his number.

Tim Nielson asked about larger conductors and what guarantee there will be that there won't be an increase in voltage after the work is done.

Mr. Liechty stated that an increase in voltage would require Hyrum City to upgrade their system. If they make that request there are processes to go through to upgrade.

Harrild commented that he can't speak to hypotheticals and laws that can change. The real question is health impacts and how those are addressed.

Watterson asked if the company would be opposed to a condition that if voltage were to be raised above 46kVs you would come back before the Commission.

Mr. Liechty stated yes.

Watterson commented that a condition regarding an increase in voltage over 46,000 would have to come back before this Commission and that would help allay some of the concerns that have been raised.

Mr. Liechty stated that is typically what has been done in the past for other projects in other areas because that also requires an upgrade in structure.

Harrild asked if there are random fluctuations in the voltage.

Mr. Liechty responded +/- 1-2%.

Harrild asked Mr. Liechty about easement requirements.

Mr. Liechty stated he didn't know; he is not the one that handles that but it is something they can let the County know.

Christensen informed the public that there are 10 conditions that the applicant has to meet before construction can occur.

Watterson motioned to approve the Rocky Mountain Power Transmission Line Rebuild Conditional Use Permit with the 10 amended conditions and 3 conclusions; Sands seconded; Passed 4, 0.

06:20:00

#4 Cache Valley Compost Facility

Zetterquist reviewed updated staff information for the Cache Valley Compost Facility.

Issa Hamud informed the commission that the surveying of the property has been completed and more information has been made available.

Gary Vance from JUB Engineers commented on the history of the project, the letter submitted that addressed the concerns raised at the last meeting.

Leland Myers former general manager of Davis Central Sewer District reviewed his PowerPoint presentation on composting and biosolids.

Christensen asked when the homes next to the Davis facility were built.

Mr. Myers stated some were built before the facility and some were built after the facility.

Watterson asked why wait until complaints about odors to put membranes on.

Mr. Myers stated they don't own the membranes but they monitor the piles religiously to handle the odor.

Watterson asked about air pollutants from the biosolid compost.

Mr. Myers responded there are pollutants that come off but they can be managed.

Watterson asked about odor precursors.

Mr. Myers responded yes and the meters measure all or some of those and a delusion of odor plan. The Davis facility also has a 24-hour phone number available for people to call if there is an odor problem.

Olsen asked if Logan is going to be similar to the plan described.

Mr. Myers commented that Davis did it the cheapest way it could to eliminate the problem. Logan is going into this with the intent to build it right the first time and utilize these processes.

Christensen asked about travel distances for smells.

Mr. Myers responded turbulence mixes the odor into the air; odor isn't easy to track. Mild odors may be there, but shouldn't offend people other than what the most sensitive smellers can detect. The top odor is what people smell. Davis has equipment that emits odor neutralizers to help with the smell.

Tom Willmore asked about how inversions affect odors.

Mr. Myers states the slight movement of air that makes odors worse. In Davis the odor is stopped from going off the property; if operated correctly any plant should be able to do that.

Mr. Hamud commented that Logan wants to be good neighbors and Mr. Myers will be on the design committee for the facility. Logan City wants to meet all the needs of the concerned citizens and work through their concerns.

Sands asked about the current process for the compost facility at the landfill now and if it is similar to the process that will be used.

Mr. Hamud stated yes the process is similar to what is happening now and Logan City wants to address and work with the public on their concerns. Logan City is willing to put together a committee that is made up mainly from the citizens concerned to work through the concerns.

Christensen stated that smell is one of the biggest concerns. One suggestion made has been to use the Eliason property rather than the proposed property which is two miles away.

Mr. Myer stated odor is relative to the operation rather than the distance. What is needed is a process to address the concerns before they happen and then smell can be mitigated before it becomes a problem. Most smells can be traced back to where they are coming from and being addressed.

Christensen asked if Logan City has looked about doing this out of Clarkston.

Mr. Hamud stated it is more complicated than just hauling the material. The waste from the water treatment facility has to go somewhere.

Mr. Myer commented that taking the waste to a land-fill is not a good option because then the odor is concentrated.

Mr. Hamud stated all the green waste for the valley comes to the Logan location landfill.

Watterson reminded the public that a public hearing has been held but the Commission has allowed comments at other times in the past.

Eve Davies commented, as a representative of Pacific Corp. and Cutler Reservoir, with concerns regarding water quality, wanting more information regarding a detailed design plan and project details, and drainage of water from the property going to Cutler Reservoir. She requested that the project be continued until more details regarding impacts to water quality and details looking into other options and locations be made. If the project is approved, she suggested that water quality checks be included as a requirement.

Mr. Myer commented that he has several ties to the water quality community along the Wasatch front and the amount of phosphorus in the ground water.

Ms. Davies commented on phosphorus in the water column and sediments.

Mr. Hamud commented that the new facility will increase the quality of water discharge and the composting facility is not supposed to discharge any water at all. Storm water runoff will be mitigated in the design and will not run off but will be contained.

Watterson asked about containing storm water.

Mr. Hamud commented on how the storm water will be contained.

Mr. Vance commented on storm water runoff and State requirements for storm water runoff.

Mr. Hamud stated all of it will be addressed in the design phase.

Mr. Wilmore commented in opposition of the composting facility due to the impact of odors from the facility and subsequent land devaluation; as well as Blue Springs impacts, wetlands, irrigation concerns, and Logan City not talking to the Benson residents first.

Katie Fuller commented in opposition of the rezone and that Logan City contains their own waste in their boundaries and other concerns.

John Drew, Mayor of Providence City, commented in favor of the proposal and pointed to the good program that Hyrum City runs that does this same thing on a smaller scale.

Jeff Kunzler commented in opposition of the project due to wetlands, runoff, odor, and trust issues between Benson citizens and Logan City.

Nathan Ricks commented in opposition of the project due to an increase of the rodent population.

Paul Cardon commented in opposition of the project due to Logan City not keeping the conditions for the previously approved polishing ponds and concerns with the facility operations next to State water resources.

Shawn Zane commented in opposition of the project due to ground water flooding and odor and an action against Mr. Myer's facility by North Salt Lake City.

Ely Thompson commented in opposition due to Benson taking enough waste.

Jeff Ricks commented in opposition due to flooding concerns, drainage, and the location.

Heath Whirly commented in opposition due to ground water drainage, cost of the facility, and the location.

Cameron L. commented in opposition of the project due to location.

Randy Reed asked what guarantees there are for the facility to be properly maintained and what process is there if it isn't maintained to rectify the problem.

Jared Wisner commented that concrete will not contain the water if there is flooding.

Mary Lane Benson commented with concerns regarding traffic and that the land is Agricultural and that is what it should stay.

Chad Falslev commented with concerns regarding maintenance for the facility.

Mr. Myers commented that the North Salt Lake action isn't against his facility but the South Davis facility.

Mr. Hamud commented on the amount of green waste collected.

Sands asked about the daily amount of bio solids generated.

Mr. Hamud stated 30 tons daily but up to 50 tons daily when the new facility is completely operational which would be 2 to 3 trucks a day of bio solids.

Watterson asked about the percentage of water of the biosolids.

Mr. Hamud responded 85% water.

Christensen asked at what point is the green waste mixed in.

Mr. Hamud stated immediately.

Mr. Myers stated there will be mixing equipment to blend the green waste and biosolids and explained the use of aerated piles.

Christensen asked about the address of the facility.

Mr. Hamud stated the map in the packet has the facility.

Zetterquist went over the noticing requirements.

Christensen asked about rodents.

Mr. Myers stated the Central Davis facility doesn't have rodent problems. The temperature of the pile is too hot for rodents.

Mr. Hamud commented that the State also requires a rodent plan.

Christensen asked about setbacks.

Mr. Hamud responded that this is for a rezone but when setbacks are supposed to be addressed during the CUP process it will be done then.

Mr. Vance responded about setbacks and the buildup of the facility for the Benson location.

Christensen asked if the facility has to maintain a 100-foot distance from the water way.

Mr. Myers responded that the setback is defined by Federal and State code and it is 50-foot setback.

Watterson asked about the 12 alternatives that were mentioned of being considered.

Mr. Vance responded about the alternatives considered.

Watterson responded that information about those 12 alternatives would have been helpful.

Luthy explained that the Planning Commission can recommend approval of a rezone or recommend denial of a rezone but they cannot recommend a rezone with conditions.

08:02:00

Sands motioned to extend the meeting for 1 hour; Watterson seconded; Passed 4, 0.

Sands asked the reasoning why this property was selected for the composting facility.

Mr. Hamud commented that several Logan City properties were looked at, what will happen with the existing sewer lagoons, why the Eliason property isn't feasible, and the existing composting facility being too small for the proposed operation.

Christensen asked about the Eliason property.

Mr. Hamud commented there are significant wetlands on the Eliason property.

Staff and **Commission** discussed the legislative action of this decision and how a CUP works after the rezone.

Commissioners discussed the concerns they have with the proposal.

Olsen motioned to recommend a denial to the County Council for the Cache Valley Compost Facility; *Watterson* seconded; **Passed 3, 1 (Sands voted nay).**

08:19:00

Commissioners took a 3 min break.

08:22:00

Commissioners discussed the reasons for denial such as lack of information regarding alternatives to this type of composting, no information regarding an alternative location, public clamor, that this is a gateway to a community, chance of failure due to air pollution and water, and lack of ability to control odor.

Commissioners felt that there was a lack of information regarding some of the issues raised to be able to approve the rezone and open the possibility for a conditional use permit.

08:35:00

#5 Discussion: Amendments to Title 17 regarding a new use type for a small-scale slaughter facility

Harrild reviewed the proposed amendments to Title 17 regarding small-scale slaughter facilities.

Staff and **Commissioners** discussed the need for the type of facility, how amending the ordinance changes requirements for this type of facility, and how this changes or doesn't change things for the proposal that started the discussion. Wording of some sections of the code were discussed and the need to be looked at again for clarity.

08:55:00

#6 Discussion: Amendment to Title 17 regarding Cannabis Production Establishments

Harrild will send out a link for a couple of different maps regarding where to locate the facilities.

Staff and **Commission** discussed how to connect the ordinance with the possible properties that can be rezoned. Questions regarding how to limit the type of uses that can happen around a cannabis production establishment were asked.

09:00:00

Watterson motioned to extend the meeting for 10 minutes; *Olsen* seconded; **Passed 4, 0.**

Staff and **Commissions** discussed how the designation for Cannabis Production affects property values. Criteria for how these parcels are picked will need to be discussed.

09:08:00

Adjourned.