



Planning & Zoning Commission

Public Meeting

Thursday, May 08, 2014

Delta City Building Council Chambers

76 North 200 West

Delta, Utah

PRESENT

Member Alan Johnson

Member Roger Zeeman

Member Dick Jones

Member Linda Beard

Member Wes Duncan

Member Rand Crafts

ABSENT

City Attorney Todd Anderson

Chairwoman Linda Sorensen

City Representative Kiley Chase

ALSO PRESENT

Deputy Recorder Barbara Clark

Property Owner Rachelle Walker

Property Owner Ashley Walker

Manager of Delta Cache, LLC Shawn Petersen

City Code Enforcement Officer Alan Riding

Acting Chairwoman Linda Beard, called the public meeting to order at 6:45 p.m. She stated that notice of the time, place and the agenda of the public meeting had been posted at the City Building, on the Utah Public Notice website, the Delta City website, and had been provided to the Millard County Chronicle-Progress and to each member of the Commission at least two days prior to the meeting.

BUSINESS

Receive and Consider Public Comments regarding the Proposed Rezoning to "Industrial-Development" of Elwin Johnson Property Fronting 300 North and 400 West, Delta, Utah Presently Zoned as "Residential-4", more specifically described as: **THE EAST HALF OF LOT 1, BLOCK 99, DELTA TOWNSITE, PLAT A**

Ashley Walker, property owner adjacent to the proposed rezoned property on 432 West 300 North, objected to the present use of the property next to his home. Mr. Walker stated that the property proposed for rezone is currently a nuisance and a menace to home owners nearby, but that his family was in particular affected by the noise, dust, and general misuse of the property in question. Mr. Walker reported that the equipment passes his house with no regard to children playing or speed limits or the bad condition of the street and is very loud, and many of the big trucks have no mufflers. Chemical spillage in the adjacent lot to the west of his home is a major problem, protested Mr. Walker, to the point that the EPA had been called. Tankers had been tipped over and tanks overfilled, Mr. Walker conveyed, and a large puddle that remains standing on the property looks to be an oil spill. Mr. Walker suggested that speed signs be placed in the area, because it was treated like a drag strip with extreme speed and carelessness being exhibited by Mr. Johnson's large trucks. Mr. Walker commented on the poor condition of the street, and the continual wear and tear that the heavily loaded trucks cause. The Commission questioned Mr. Walker on the contents of the truck, and Mr. Walker replied that he thought it was fertilizer. Mr. Walker stated that he had called Delta City Public Works to ask them to sweep the streets because the dust had become such a problem. Mr. Walker was very concerned about the speed of these trucks in regards to children at play and other drivers trying to use the streets. The Commission asked Mr. Walker what his main concern was, and Mr. Walker informed the Commission that it was the speed, the dust and the misuse and spillage of chemical. The Commission asked if there was an alternative route for the truck traffic. There was a brief discussion regarding alternate routes that would cause less nuisance to the neighborhood. Mr. Walker informed the Commission that he had a working relationship with Delta Cache LLC, and that they had made many efforts to keep their area clean to keep down dust. The Commission asked if Mr. Walker had tried to contact Mr. Elwin Johnson regarding his concerns. Mr. Walker stated that he had tried several times to no avail. Mr. Shawn Petersen, manager of Delta Cache LLC agreed with Mr. Walker's concerns. Mr. Petersen sympathized with the Walkers and recognized that the noise and the dust was a problem. Mr. Petersen stated that the dust was inevitable because there was no drainage in the area. Mr. Petersen related that curb and gutter would help alleviate the problem and he agreed the roads were in very bad shape from the heavy trucks. The Commission asked Mr. Petersen if he felt the speed limit was being exceeded on the streets there, and Mr. Petersen stated that he did, and that many of the stop/yield signs were gone. Mr. Petersen reported that he had cut grade to keep the mud from the road and that he had done other such repairs to help with drainage, but that these fixes don't last long. Rachele Walker presented her complaints regarding Mr. Johnson's operation next to her property on 432 West 300 North. Mrs. Walker stated that her main concern was the dumping, spilling and mixing of chemicals next to her children. Mrs. Walker stated that they had spoken with Mr. Johnson, asking him to be considerate of the

neighborhood and those around, but Mrs. Walker felt that the problem had just gotten worse. Mrs. Walker related that the missing stop/yield signs were due to his equipment. The excessive speed of the trucks and the chemical misuse had to stop, declared Mrs. Walker. The Commission questioned the Walkers about if a building on the lot would be a benefit. Mr. Walker stated that he thought that a building would be for mixing fertilizers and that the equipment used was extremely noisy. Mr. Walker stated that there were ways to minimize the dust issue, such as bag houses. The Commission asked Code Enforcement Officer Alan Riding, if he had any comment regarding the rezoning. Mr. Riding stated that this was a process Mr. Johnson was advised to go through in order to proceed with the proposed rezoning. The Commission asked if Mr. Johnson was supposed to be in attendance and it was verified that he was and that he had been sent an agenda with notice of the meeting. With no other questions or comments, Commission Member Alan Johnson made a MOTION to close the public meeting. Commission Member Dick Jones SECONDED the motion. Acting Chairwoman Linda Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The Motion passed with Commission Members Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman and Alan Johnson voting in favor, and City Representative Kiley Chase and Chairman Linda Sorensen being absent. Acting Chairwoman Linda Beard declared the public meeting adjourned at 7:10 pm.

Minutes Approved:

Barbara Clark, Deputy Recorder