

**Mendon Planning and Zoning Committee Meeting**  
**July 13, 2016**  
**Mendon Station – 95 N Main**  
**Administrative Meeting began after the Public Meeting**  
**Public Meeting began at 7:30 p.m.**

**In Attendance: Judy Cannon, Chip Cannon, Leslie Larson, Barry Locke, Katie Locke, Robert Jenkins, Thurman Locke, Jamiel Martin, Heidi Hyatt**

**Chairman:**

**Co-Chairman:**

**Commissioners: Jeremy Martin, Nancy Tolman, Dave Willie, Ron Campbell**

**Excused: Joni Endicott, Jay Apedaile, Dave Willie**

**Secretary: Jill Pack**

**Mayor: Ed Buist**

**Public Works:**

**City Council: Bob Jepsen**

**Administrative Meeting:**

**Top Job, Inc. Property** - Bob Jepsen read through the minutes to look back and see the discussion on the Top Job property. April 2016 minutes contained these discussions.

Bob Jepsen and the Mayor have received complaints from some citizens because of the noise and the amount of vehicles and machinery on the property. Ron Campbell asked about the difference between light industrial verses industrial. Asphalt Plants are listed under the Light Industrial Zone. It was determined that this needs to be an ongoing discussion. It was decided that the fence needs to now be addressed along with the water issues. Bob Jepsen stated that there is a need to ask Kirk Taylor, Public Works Director and Erik Dursteller, the City Engineer, about the entrance to the property. Mayor Buist said that he received a complaint that there was noise coming from the property as late as 9:45 p.m. and very early in the morning. He asked if this issue has been resolved. It was determined that Top Job, LLC needs to appear before Planning & Zoning to address concerns of neighbors and previous agreements between the City and Top Job as well as renew their business license because it has expired. Ron Campbell asked if a formal contract should be written up. Maybe some of the commissioners should draft something up. The City's legal council needs to be addressed because of the passing of the previous council. Mayor Buist is going to present a name to City Council for approval. Bob Jepsen asked if Ron Campbell would get with Jay and draft an agreement/expectations to discuss at the next P&Z meeting. Ron Campbell agreed.

## **Business Licenses**

Jill Pack stated that there are a few businesses that have not renewed their business license. It was stated that these businesses are now running their businesses illegally. Jill Pack will mail out notices to these businesses. The mayor signed the business license renewals. Jill Pack will have to get with Joni Endicott or Jay Apedaile for their signatures because they are not at the meeting.

## **Commissioners -**

*Bob Jepsen opened the public meeting at 7:30 p.m. Ron Campbell led the Pledge of Allegiance and Jeremy Martin offered the prayer.*

*Jeremy Martin made a motion to approve the June Minutes. Nancy Tolman seconded the motion. The minutes were approved.*

## **Public Business:**

### **Conditional Permits:**

**Chris & Darnee Niemann** – They sent in a letter requesting the renewal of their conditional use permit. Nothing has changed with the use and there have been no complaints. John McKell moved that the conditional use permit be renewed. Jeremy Martin seconded it. The motion passed.

**Barry & Katie Locke** – They were in attendance. There has been no change in the use of their property and they have had no complaints. It was determined that a motion was not needed. The conditional use permit renewal was approved.

**Top Job, Inc. Property** – Annexed in June 2015. The commissions believe there was a privacy fence discussed previously. There were some neighbors in attendance with concerns. Christine Whoolery - Stated that her daughter offered to buy the property so that Top Job would not move their business there but the owner didn't sell it to her. Leslie Larson asked about any conditions that were given to Top Job, LLC to establish their business on the property. There were no conditions given because their business use is listed as an acceptable use in a Light Industrial Zone. Bob Jepsen mentioned that privacy fencing was discussed at some point but a time line was not determined. The amount of noise and the condition of the site were concerns of the residents present. Leslie Larson stated that when the zoning was determined in the city's master plan the residential area wasn't as established and as close to commercial/light industrial zone. She also stated that the business is affecting the character of the area and maybe the City should limit that kind of activity. She asked that perhaps the City consider that industrial and light industrial be a conditional use or even consider redefining light industrial to not include cement and asphalt plants. Leslie Larson called the owners because of the noise. It was taken care of and they even followed up with her. The owners told her that they want to be good neighbors. John McKell mentioned that these issues need to be discussed at the business license renewal and may a zone change should be considered. It was determined that the City needs to address these issues as soon as possible so that they can be taken care of early on. Chip Cannon lives south of the property and stated that noise is an issue that

concerns him. There has been machinery making very loud noise from 5:30 a.m. until 10 p.m. He is very concerned with the visually issues as well. He mentioned two communities – Park City and Pleasant Grove that represent one that was done right and one that was handled poorly when it came to issues like this. He mentioned putting trees in that could be 14’ tall with 4” trunks for a visual barrier. He also mentioned that there have been accidental burns for the last 3 years at the Top Job, LLC property in Petersboro. He state that he would hate see that happened to Mendon. It is a beautiful community. Robert Jenkins – is concerned with the noise and trucks driving by. They lose their load as they enter the highway. Every day you go by it seems like there is more and more stuff. He would hate to see Mendon go down that slippery slope. Jaimel Martin agrees with everything that has been said. She has children. It is an eye soar to the community. Chip Cannon stated that the speed limit is 25. They are not driving the speed limit. Heidi Hyatt came out of curiosity. She can hear the business from her home and she lives by the LDS Stake Center and it is very loud. She understands that it is a business but asked how did this become part of the Mendon Community? She disagrees with this business operating in Mendon. Barry Locke – when he was on the commission they worked on the master plan. Is that area commercial? Yes. John Mckell mentioned that it is a permitted use in the Light Industrial Zone. Bob Jepsen asked for thoughts from the commissioners. John McKell moved here because it is a quiet, peaceful town. Top Job may have some issues that may cause problems in the future. The commission may have created a problem and felt that they took them for their word. He is concerned. This council and city needs to address this and control this so that it doesn’t get out of hand. Jeremy Martin personal feelings fall in line with the citizens here tonight. Ron Campbell stated that this is his first meeting. He would question whether the acoustic and visual pollution fits in with Light Industrial. His view is that it may not. We need to take these arguments and use them to establish the agreement. Nancy Tolman state that the commission should review these issues and recognize that this is a concern. Jaimel Martin asked if there is there any chance that the zoning can be changed. Leslie Larson as served on the planning and zoning commission in the past and just finished serving on the county planning & zoning. She would be happy to work to solve these issues. Bob Jepsen thanked everyone, the citizens and commissioners, for their input. He reminded everyone that there are many ordinances and the commissioners have done the best they can with what they have. There are concerns and we need to meet with Top Job, LLC to discuss and perhaps set up restrictions.

**Boundary Line Adjustment Application** – the board reviewed the draft application. John Mckell made a motion to approve the application. Nancy Tolman seconded the motion. The motion passed.

**Short Term Rentals** – Joni Endicott was not present so it was not discussed.

Bob Jepsen thanked John Mckell for his service on the Planning & Zoning Commission. This was his last meeting.

*Jeremy Martin made a motion to close the meeting. John Mckell seconded the motion. The meeting was closed at 8:20 p.m.*