



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

www.pwpds.slco.org

Emigration Metro Township Planning Commission

Public Meeting Agenda

Thursday, June 13, 2019, 2018 8:30am

Location

SALT LAKE COUNTY GOVERNMENT CENTER

2001 SOUTH STATE STREET, ROOM N1-110

NORTH BUILDING, MAIN FLOOR

(385) 468-6700

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of Minutes from the November 15, 2018 and January 17, 2019 meetings
- 2) General Plan Discussion
- 3) Confirm July 11, 2019 meeting attendance
- 4) Other Business Items (as needed)

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**MEETING MINUTE SUMMARY
EMIGRATION METRO TOWNSHIP PLANNING COMMISSION MEETING
Thursday, November 15, 2018 8:30 a.m.**

Approximate meeting length: 2 hours 49 minutes

Number of public in attendance: 40

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Tippets

**NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.*

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Brent Tippets	x	x	
Claire Clark	x	x	
Andrew Wallace	x	x	
Alex Pacanowsky			x
Jim Karkut	x	x	
Robert Pinon	x	x	
Dale Berreth	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr		
Curtis Woodward	x	x
Jim Nakamura	x	x

BUSINESS MEETING

Meeting began at – 8:30 a.m.

- 1) Approval of Minutes from the December 14, 2017 meeting.

Motion: To approve minutes from the December 14, 2017 meeting as presented.

Motion by:

2nd by:

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

No other business items to discuss.

PUBLIC HEARINGS

Hearings began at – 8:32 a.m.

30473 – John Walsh requests conditional use approval for commercial and private recreation, including picnic area and gazebo for picnics, parties, and other gatherings, as well as two single-lane gun ranges on property at 2450 Pinecrest Canyon Road. Zone: FR-1 and FR-20. Planner: Curtis Woodward

Salt Lake County Planning and Development Services Zoning Administrator Curtis Woodward provided an analysis of the staff report.

Commissioner asked if there is a public comment period. Mr. Woodward advised there isn't a comment period per county policy.

Commissioner Tippetts asked for a description of public notification process. Mr. Woodward described the process within 300 feet of the property, in the last 48 hours word travels quickly. Commissioner Tippetts asked if the parking would affect that or not. Mr. Woodward said if the planning commission were to entertain, we would make sure we renotify with the number of parcels involved. Mr. Woodward advised received a letter from a water company that needed to be notified under FCOZ, and we don't have the other water companies mapped out. Commissioner Tippetts said there are restrictions of firearms within the canyon. Mr. Woodward said we can find out, but his records that hasn't been an issue, but there is a restriction on hunting. Commissioner Tippetts said there isn't a traffic study done. Mr. Woodward said not to his knowledge, there was reference made to a traffic study by Johansen and he has not seen a traffic study done by a transportation engineer. Commissioner said may have been thinking of Pinecrest pipeline operating company when thinking of a water company, the metro township board adopted an amendment to the FCOZ. Under state law, presumption in favor of a conditional use application can be substantially mitigated by conditions. The packet provided was not in conflict with the emigration general plan and one comment letter quoted language and doesn't need to be resolved. The land in Pinecrest is within a subdivision plat and does have several roads and trails identified and whether they're overlaid. Mr. Woodward said the roads running through the property has been subject to discussion. Commissioner curious about the firing range and if the county has experience. Mr. Woodward said we have and the unique one is in Parleys canyon by the sheriff's department as a public use. Commissioner asked if the applicant included the total stalls, include employees, rentals, vendors, etc. Mr. Woodward said there weren't stalls specifically labeled. Commissioner Clark said all the issues overlap, if fire marshal decided to have emergency fire access and couldn't turn around, widening the road would affect private property.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: John Walsh

Address: 2348 Pinecrest Canyon Road

Comments: Mr. Walsh said suggest take questions. Biggest issue is wedding setting, occurring in the evening on the weekend coming through Parley's Canyon. Resolution passed not allowing the road to be 15 feet across, and county designed turnouts and put up no parking to address specific needs. From his own property, the fire department suggested enlarging foliage.

Commissioner asked how many employees for zipline and gun range. Mr. Walsh said wedding would be solely vehicle driving vehicles. If he needed busses he doesn't intend to provide food. Drivers for weddings, no significant employees. Commissioner asked if he anticipated rental equipment. Mr. Walsh said on the application is for two storage units, would store equipment there. Commissioner asked if there was a traffic study performed. Mr. Walsh said he spoke to great lengths with the county but hasn't engaged a traffic study. Commissioner asked the timing of the different activities, planning to hold them year-round or seasonal limits. Mr. Walsh said one activity at a time. Commissioner said application doesn't specify time frames. Mr. Walsh said happy to have times placed as conditions. Safety is important to him. Commissioner asked if there is a need for a gun range. Mr. Walsh said under recreational it is appropriate, his family is big on guns. Commissioner asked where the gun ranges would be located. Mr. Walsh said block 11 for pistols and would not go over platted right of ways and kept on private property. Commissioner asked about

mitigating a fire if started. Mr. Walsh said two existing fire hydrants on the property. Commissioner asked if fed by his own tank. Mr. Walsh said his own with 12,000 gallons upper and below. Upper shooting range is block 15. Commissioner asked if the existing home is intended for this conditional use. Mr. Walsh said none and would be for additional parking. Commissioner said application in the works for a long time, interest of disclosure to schedule a visit to the property. Mr. Walsh said he is open to that.

Commissioner Tippetts asked for a show of hands to speak, interest of time contain precise and be respectful and focus on relevant information. Limit the time to two minutes and tracking the time. Commissioner said two minutes is too short. Commissioner Tippetts agrees with that but avoid redundancy. Commissioner agreed to 3 ½ minutes and avoid redundancy.

Speaker # 2: Emigration Canyon Community Council Chair

Name: Steve Borst

Address: Not provided

Comments: Mr. Borst read a letter from the community council to the planning commission dated November 14th.

Speaker # 3: Citizen

Name: Catherine Harris

Address: 696 Donner Hill Circle

Comments: Ms. Harris said she has been a resident for 25 years. Applaud community council with their statement, joining community council in January. Was on community council when Pinecrest Road was under review and requests look into it with regards to pullouts. States her oppositions on traffic and fire safety. Objects on noise concerns. Read from a portion of her letter.

Speaker # 4: Emigration Canyon Homeowners Association

Name: Mark Tracy

Address: Not provided

Comments: Mr. Tracy said opposes this project, and Brent Tippetts should recuse himself as he is co chairman emigration improvement district. Problem reviewing the water rights. No water rights approved for commercial use. Point of diversion identified by Brent Tippetts. This has been protested by 50 residents. Reject proceeding, due to public notice, they only heard of this meeting three days prior. Proposal was distributed at cc meeting minus pictures. He pointed out a structure being a private residence, reason to believe not a single-family resident, this is a resort. They oppose any water rights. Salt Lake City was presented an opportunity to review in April, the proposal was completed in May. Ask public notice given, for public meeting.

Speaker # 5: Citizen

Name: Tom Johnson

Address: 2326 Pinecrest Canyon Road

Comments: Mr. Johnson said prepared a letter and distributed and another letter from resident Mr. Darver. Read the portion of the road from the letter. Read from the portion of the public right of way and trails. Requests denial.

Speaker # 6: President, Spring Land Water Company

Name: Lisa Fitzgerald

Address: Not provided

Comments: Ms. Fitzgerald said she has not been notified until Tuesday. They have a 60,000-gallon tank which supports a smaller area, was barely adequate for fire prevention and pay EID to put in additional hydrants to support suppression, don't think its sufficient.

Speaker # 7: Citizen

Name: Melinda McIlwaine

Address: 2148 Pinecrest Canyon

Comments: Ms. McIlwaine read a letter from the Steve Moore, president of Pinecrest pipeline operating company addressed to Mayor Smolka. Her property has been affected by the widening of the road and dig a 14-foot hole, nothing to prevent driving in to the hole. County plows fall in to the creek, the bus turn around was paved. The gate is never supposed to be closed, muddy in the spring or an appropriate road. No way for another car to pull over, due to the boulders.

Speaker # 8: Citizen

Name: Heather Ross

Address: 4347 Laneview Court

Comments: Ms. Ross said last night searched the internet for 11 instances where wildfires were started on legal target ranges. Study by the us forest service in 2013, every firearm has potential to ricochet and cause fire. Ask the applicant to withdraw that aspect of his plan, not worth the risk.

Speaker # 9: Citizen

Name: Cindy Furse

Address: 2295 Pinecrest Canyon Road

Comments: Ms. Furse said water and traffic would be affected and wasn't formally notified. Sent an email and provide an updated letter. Children walk along this road to the school bus and extreme weather. Condition is not within the general plan and no additional commercial activity to take place. Traffic plan should be required. She read from her letter submitted to the planning commission. Also presented letters from three additional neighbors.

Speaker # 10: Citizen

Name: Sarah Bennett

Address: 64 North Silver Oak Road

Comments: Ms. Bennett said she is concerned on window of notification. Obvious impacts to water, fire safety traffic and request this body take maximum amount of time for discussion and determine how much of a threat this proposal is. Traffic, blocking of the road and risk of safety and incompatibility and outline of no further commercial. Speak to right of way, Mr. Walsh seem fit to block, be cause the plat map is on the books and right of way is identified, and the root is part of the trails to access the public lands. Echoes Cynthia.

Speaker # 11: Citizen, Springland Water Company

Name: Jessica Kramer

Address: 4801 Skycrest Park Cove

Comments: Ms. Kramer said she supports the community council letter and concerns raised, this is not a matter of if, but when fire starts. Two months ago, a 14-year-old boy was killed in his car from a stray bullet from a firing range. May not use parleys to avoid traffic and will use emigration, exceeded daily trips in the canyon. Concerns with smoking, alcohol, firepits and many unanswered questions. Joggers and bikers using the canyon road and consider school children.

Speaker # 12: Emigration Canyon Community Council and Pinecrest Services Association

Name: Kate Miyagi

Address: Not provided

Comments: Ms. Miyagi submitted a personal letter and documentation. They have a plow, additional traffic issue. Stated all documents listed. In 2012 governor Herbert by July 21 fires had been started, multiples

fires started at shooting ranges despite. Powder mountain fire burned 800 acres. She read from documentation. This is bound to happen, personal resident communications, and fires start every year.

Speaker # 13: Citizen

Name: Jeff Kenney

Address: 2143 North Pinecrest Canyon Road

Comments: Mr. Kenney said running in opposition and submitted a folder and read from his letter. Shuttling people doesn't seem feasible business model, wonder about transparency. Noise echoes down the canyon, worries about wedding events over the weekend and can hear gun shooting. The 300-foot notification is not feasible. Environmental impact has not been outlined in the proposal and catastrophic failure. Why in this case is there 50-100 parking stalls for small events. Red flags and contradicting statements.

Speaker # 14: Executive Director, Save Our Canyons

Name: Carl Fisher

Address: 824 South 400 West

Comments: Mr. Fisher said he wants to commend comments. Elevate comments made, very concerned and change the nature, ecological impacts and safety. Shared a lot of research, because of states efforts forest service. Growing smart, more peoples lives in danger. Narrowest steepest canyons with community inside, this is irresponsible. Urge commission to pump the brakes and allow time. Agency questions and doesn't see any answers. People deserve answers for the future of the area. Threats to these places as continue to grow. Recommend provide answers to questions from community and agencies.

Speaker # 15: Citizen

Name: William and Ardell Carroll

Address: 2322 North Pinecrest Canyon Road

Comments: Mr. Carroll said agreed with everything said. Noise of firearms would be disruptive. They live at 7000 feet and can hear the gun range in Parleys. He has personally survived an avalanche above the property, and also survived the fire in emigration from a camping spot down Killyons. Pinecrest community doesn't need a commercial development.

Speaker # 16: Citizen

Name: David Ream

Address: 6535 East Emigration Canyon Road

Comments: Mr. Ream said from now on there's a system to keep residence people further than 300 feet from development. The environment effects this is the wrong place to do this. So many hazards and issues. This is an incompatible use and express his opposition to the proposal. He's submitting written comments.

Speaker # 17: Citizen

Name: Phil Davis

Address: 1832 North Pinecrest Canyon Road

Comments: Mr. Davis said parking problem for trailheads and will parking be available for the general public. Concern with wintertime activities and snowmobiling.

Speaker # 18: Citizen

Name: Greg White

Address: 1990 North Pinecrest Canyon Road

Comments: Mr. White said lived her for 20 years and grave concern for interruption. Proposed gun range will destroy wildlife. Can hear the gun range from his house. Concern and represent the wildlife. Unique eco system, watched elk out there, came across a mountain lion kill and elk from proposed gun range and

nesting eagles, quarter mile from gun range and will deter wildlife from this area and consider this an asset to the people. Grave concern for safety and will have no control over people shooting and ranges are on active trails and in the line of fire and ski terrain behind them.

Speaker # 19: Citizen

Name: Corey Schwabenlander

Address: 2121 Pinecrest Canyon Road

Comments: Mr. Schwabenlander said he'd like to echo Mr. Fishers concerns, inadequacy of the comments is a big concern. Pages of concerns, request to traffic plans, bus shuttles, inconsistencies to responses, bullet traps and allowing shotguns, a lot of questions and Mr. Walsh has a lot of work to do and there is a responsible plan.

Speaker # 20: Citizen

Name: Robert Jordan

Address: 749 North Emigration Canyon Road

Comments: Mr. Jordan said appreciates everyone's comments. Is there a cutoff to public input.

Commissioner Tippetts said based on discussion today, may continue. Mr. Jordan said requests time to submit comments. In addition, safety of ziplines and construction. Mentioned no regular staff, considering the different issues proposed. Focus on safety of uses and why there may not be staff. The example of public parking and using shuttles on the main canyon road. Substantial congestion and informative to consider historically where this has occurred. Reiterate prior to moving forward mitigating measures the applicant put forward to address concerns, whether through analysis and he is opposed.

Speaker # 21: Citizen

Name: Margaret Armstrong

Address: 2137 North Pinecrest Canyon Road

Comments: Ms. Armstrong said she has lived there for 35 years. Need for oversight. Mr. Walsh said 25 cars and neighbors have been the overseers and an ongoing problem and don't know how to mitigate.

Speaker # 22: Citizen

Name: Linda Evans

Address: 5864 East Emigration Canyon Road

Comments: Ms. Evans said sanitation is a problem, already have a creek polluted and county doesn't recommend letting her dog in it. Illegal parking, grass and catalytic converters start fires and people parking in illegal places.

Speaker # 23: Citizen

Name: Georgia Badley

Address: 2125 North Pinecrest Canyon Road

Comments: Ms. Badley said she has lived here for 20 years, hooray to all her neighbors. Talked specifically about environmental issues and doesn't see how a commercial development is appropriate with all the issues.

Speaker # 24: Citizen

Name: Annette MacIntyre

Address: 449 Marathon Circle

Comments: Ms. MacIntyre said she is opposed and submitted with her reasons and many have been spoken about. Main concern is fire and it is the number one risk to her life and property. Anything making a chance greater is the height of responsibility and echo concerns of conditions set, once granted who will watch over

the people attending these events and travelling parleys, who assures the definition of occasionally. Will these comments being recorded and available to share with the public and letters. Urge consider comments in good faith and strongly oppose the development only there for personal gain

Speaker # 25: Citizen

Name: Robert Avery

Address: 155 Skycrest Lane

Comments: Mr. Avery said the proposal opposed, impossible to mitigate risk of fire and is there enough water allocated for development then not enough water for fire.

Speaker # 26: Citizen

Name: John Porches

Address: 2238 Pinecrest Canyon Road

Comments: Mr. Porches said his experience with Mr. Walsh has never acted in good faith to illegal ponds and personal dealings. Recommends serious oversight to development. When Mr. Walsh dumps concrete in the stream they notify, this is going to be bigger than what he says and will do more. Let Mr. Walsh do this, his acquisition of the property, water rights through litigation. Responds to many letters of inquiries with bullet points and urges oversight.

Speaker # 27: Citizen

Name: Jacob representing a client Deiko Deherra

Address: Not provided

Comments: Jacob asked to present a letter from his client. 330 acres surrounding are for sale. He read a letter.

Commissioner said the applicant has a brief opportunity to speak. Mr. Walsh said he would submit his comments in writing.

Commissioner Tippets motioned to close the public hearing.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and staff had a brief discussion regarding recording of the meeting, summary of minutes and public comments submitted will be available, schedule a site visit of the property and a work meeting, traffic, gun ranges, UFA, water availability analysis and septic system, Utah division of water rights meeting on December 19th.

Motion: To continue application #30473 to the January 17, 2019 meeting to allow time to schedule a noticed onsite tour and review all public input, UFA and SLC Health Department.

Motion by: Commissioner Karkut

2nd by: Commissioner Wallace

Vote: Commissioners voted unanimous in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 11:19 a.m.



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**MEETING MINUTE SUMMARY
EMIGRATION METRO TOWNSHIP PLANNING COMMISSION MEETING
Thursday, January 17, 2019 8:30 a.m.**

Approximate meeting length: 2 hours 24 minutes

Number of public in attendance: 20

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Pinon

**NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.*

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Brent Tippetts	x	x	
Claire Clark		x	
Andrew Wallace (Vice Chair)	x	x	
Alex Pacanowsky			x
Jim Karkut			x
Robert Pinon (Chair)	x	x	
Dale Berreth	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Curtis Woodward	x	x
Jim Nakamura		

BUSINESS MEETING

Meeting began at – 8:35 a.m.

Commissioner Tippetts advised January 31st at 6:30 pm at the fire station for an open house by Mayor Smolka. Commissioner Clark will be stepping down from the planning commission, as she has been elected to the Community Council and Commissioner Tippetts time has expired and will not seek reappointment.

1) Election of Chair and Vice Chair 2019

Election of Chair for 2019

Motion: To nominate Commissioner Pinon for Chair, Commissioner Pinon accepted.

Motion by: Commissioner Tippetts

2nd by: Commissioner Wallace

Vote: Commissioners voted unanimous in favor (of commissioners present)

Election of Vice Chair for 2019

Motion: To nominate Commissioner Wallace for Vice Chair, Commissioner Wallace accepted.

Motion by: Commissioner Tippetts

2nd by: Commissioner Clark

Vote: Commissioners voted unanimous in favor (of commissioners present)

2) Approval of Minutes from the November 15, 2018 meeting.

Motion: Continued to the next meeting.

Motion by:

2nd by:

Vote:

Commissioner Clark announced she will be stepping down and resigning from the planning commission and will join the public as this would be a conflict.

3) Other Business Items (as needed)

PUBLIC HEARINGS

Hearings began at – 8:40 a.m.

30473 – (Continued from 11/15/18) - John Walsh requests conditional use approval for commercial and private recreation, including picnic area and gazebo for picnics, parties, and other gatherings, as well as two single-lane gun ranges. **Location:** 2450 Pinecrest Canyon Road. **Zone:** FR-1 and FR-20. **Planner:** Curtis Woodward

Salt Lake County Planning and Development Services Zoning Administrator Curtis Woodward provided an analysis of the staff report.

Commissioner Tippetts asked if recreational use clearly identifies commercial, and if the use specifically says commercial. Mr. Woodward confirmed commercial and private recreation as one use. Commissioner Tippetts asked if they can get a clear definition on access from UFA. Mr. Woodward said they looked at it, but didn't hear back, but can see if they submitted anything and that's why he went to the fire code.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: John Walsh

Address: 2348 Pinecrest Canyon Road

Comments: Mr. Walsh said he would make an objection to James Karkut, he has a private personal conflict of interest in this matter, regarding traffic and water issues, as well as a garage and home that are within ten feet of the stream. His interest in the issues is much more personal than that of other Members of Emigration Planning Commission. He (Mr. Walsh) has taken fire marshal on the property and met with him again after the application was filed. He (fire marshal) asked if the road on the plans is the same road they looked at on site. His main concern was for clearance for emergency vehicles on the sides, having driven the road himself. Grateful to run with the matter, as the application has been pending for some time, it will be nice to get direction. It is important to note they are not deciding whether to have a gazebo, he is entitled to a gazebo. The question is whether he can use it for, commercial use, and work out the best arrangement.

Mr. Walsh showed his drone video going downhill and showed the drone video going uphill, pointing out "turn-outs" where cars may pull off to pass one another

Commissioner Wallace asked where the house was located. Mr. Walsh said his personal residence is in lots twenty-three and twenty-four of block eight. Important to note the question is not whether he can build a

gazebo, but whether it is for personal or recreational use. His family meaning, immediate family own 480 lots of record, 450 beyond the gate. Contrast the impact of a bus during the weekend, vs. the impact of 480 residential lots on traffic in the canyon. When the county put in the road restrictions, they acted in good faith. Otherwise, we create a problem by making the road too narrow, then saying "you can't do this because the road's too narrow." The bottom line focusing on the different uses: Shooting in the area is legal, but to make commercial or recreational use, conditions on that are reasonable can be put on it to make it safe. It's not illegal to discharge a firearm in the canyon if you are so far from the house. Mr. Walsh said he met with the fire department, discussed capturing the bullet, and keeping the area clean of combustibles. Conditions could be applied requiring compliance to code with necessary inspections. Gazebo is private use; the issue is whether it can be used for commercial purposes. The storage containers, sledding (already occurring privately), zipline would be by appointment only, least minimal impacts. Commissioner Pinon referred to the video and asked of the road on pullouts and is it private or public and posted. Mr. Walsh said pull outs typically allow plenty of room between road and garage to allow for use without interfering with residential use. He submitted a map of an aerial showing the platted road parallel to the travelled road on public land. The pullouts are primarily on public property within the platted right of way, the travelled road stops at the gate., Judge Baldwin placed no limits on the sides of the road, just "as wide as reasonably necessary." Mr. Walsh submits that therefore the pull-outs on both sides are public. There are places where there are designated signs with no parking, that was part of the analysis when put together. Commissioner Tippetts asked about recent health department review and facilities one hundred feet from the creek. Mr. Walsh said he will do what's appropriate, working with public health, and he clearly believes he can be at least one hundred feet from the stream. Regarding "permanent" restroom facilities, he proposes a temporary and contained system he can haul off each year rather than putting in the ground (in a septic system). Commissioner Tippetts said it's up to the Health Department, but it would affect the quantity on uses and a trailer solution would not comply with the quantity needed for a resort. Mr. Walsh said he would submit that simply getting health department approval be one of those conditions, rather than the planning commission naming the specific solution. Let the board of health mandate and monitor the solution. Commissioner Wallace said outhouses would be insufficient for commercial use as an alternative, they're not permanent enough to withstand a strong wind, can't control how often cleaned, defer to the health department, use of outhouses would be insufficient. Mr. Walsh agrees with having the health department oversee that. Commissioner Tippetts said he is concerned about fires, and he doesn't have solutions as to mitigation of risk of fire for gun ranges, which are documented to have fire risks with or without safety precautions. How do they anticipate not increasing the fire risk. Mr. Walsh said the current risk is unregulated discharged firearms, which goes on today, as opposed to approval by this body with fire department conditions to address fire safety. Have fire department confirm their conditions are complied with. Commissioner Wallace said there is not adequate fire protection and no plan to upgrade and handle a fire adequately and response time will be long. If a fire happened, you will have gridlock in the canyon and residents in peril. "Legal to discharge," may be true, and it's strictly up to the person to behave, but when taken to a commercial level, it's adding a lot more risk, which has not been addressed adequately to be approved. Mr. Walsh said the fire department officials are the experts and would have to approve the specific conditions. Commissioner Wallace said regarding public access through the canyon, he saw ski tracks on existing trails through the shooting ranges in the video presentation, and asked "will the trails be blocked off?" Mr. Walsh said the map shows where the trails are as defined by the plat, and the ranges aren't over public property. Otherwise, one could come through and want to ski through his private backyard. The gun range doesn't cross over public land (either one). Commissioner Berreth said his concern as far as gun and fire safety, at this point, there's an occasional hunter person discharging, once you put in a gun range you're inviting people to come in, incidents of gun use will be greater, which is a concern for fire. Mr. Walsh said family goes up there and shoots rather frequently, but an increase will increase the risk. Commissioner Wallace said just having more people going up there increases the fire risk. Noise coming from the gun range isn't compatible with the residential area, daily sessions will drive wildlife off from the area. Mr. Walsh stated, the gun ranges are designed to shoot away from down canyon

residents, shooting into the larger “uphill” mountain, and based on mountain terrain, feels that the noise won’t travel as far as an open area gun range. Noise will be heard, but the board of health would be the gate keeper. Commissioner Wallace said he can hear the rifle fire from Parley’s Canyon every day in a separate canyon, miles away. Mr. Walsh said you can see the gun range from their home and isn’t obstructed by the mountain. Commissioner Wallace said he’s talking about the range further down the canyon, not the one across from the golf course, and that residents from Pinecrest would hear every shot, which cannot be mitigated. Commissioner Wallace asked where a fire truck would turn around. Mr. Walsh said: one, right in front of home, in front of 2348, two, at the very top below the gazebo, three, another area over by the trailers. Instead of trying to guess, he suggests letting the fire department make the decision. Commissioner Wallace asked if those areas would be full of cars during an event. Mr. Walsh said only on Friday and Saturday nights would they have events with 20 or more cars, and they would not be filling up those areas. Commissioner Pinon asked if the fire marshal asked if the road needed to be improved to support the weight of a fire truck. Mr. Walsh said no, the clearance with foliage was all the fire marshal discussed.

Speaker # 2: Emigration Canyon Community Council

Name: Catherine Harris

Address: 696 Donner Hill Circle

Comments: Ms. Harris said her term starts on the 27th. Community Council entered a specific and detailed letter opposing this.

Speaker # 3: Citizen

Name: Catherine Harris

Address: 696 Donner Hill Circle

Comments: Ms. Harris said already entered comments. Hijacking conversation, private conversation with fire marshal, does not mean meets current ordinances or through process. Decision made by the county to adopt maintenance of the road but doesn’t meet county standards. County recognizes, if there is a new venue or variance or conditional use and road should be looked at again. Should meet 2019 code with new commercial venue and should be up to date. Planning Commission needs to consider that. Applicant acknowledges public right of way and gun use would impact right of way and should look to reconciliation. Almost fire safety body, says if not when you have a fire, it’s when. Fire department is not in charge of determining risk. Applicant seems to feel the fire department will determine if risk is ok, it’s not their job.

Speaker # 4: Citizen

Name: Tom Johnson

Address: 2326 Pinecrest Canyon Road

Comments: Mr. Johnson said 8 unidentified issues. He read from his letter submitted this morning as part of the record. Addressed some issues Mr. Walsh brought up. A third of distance of his gate and subdivision. The existing road coincides, that isn’t true. There isn’t a beaver dam, Mr. Walsh created a dam up there. 480 lots could be 480 homes and more traffic, not legitimate, only handful of developable lots. Width of the road, this is private property, people’s homes all sit next to the road, to imagine save claim it’s a public road for width, not applicable, his going up and shooting guns.

Speaker # 5: Citizen

Name: Dr. Cynthia Furse

Address: 2295 North Pinecrest Canyon

Comments: Dr. Furse said she is representation on the lower portion of the road and went over the video going up the road. Identifying the driveways, turnouts and steepness and narrowness of the road. Double amount of snow, and emergency services and fire. Unable to pass a car, doubling amount of homes and traffic would be throughout the day, consider a quick flow of traffic. Mr. Walsh has parties and may have

ten to twenty cars, not 100. All future owners would be allowed to do what the conditional use permits. Major issues for a family living in this canyon. Rarely plowed on pullout. Since decision of turnarounds, rocks have been added and signs blocking the turnaround. 10 mph listed, just the general public in mask is an unreasonable expectation. How deep the stream drops, with people driving up and down. Commercial event with 4-wheel drive is zero. Mentioned pullouts is private property, driveway paved and has added both garbage cans are not a public pullout. Don't assume road has sufficient pullouts. All fire marshal concerned with is bushes. All bushes along her line were pruned, likely the fire marshal came up were pruned and on my private property, there was illegal pruning representing. Encourage everything evaluated and don't trust anyone but own evaluation. No source of fire protection water is sufficient. Not proposed putting in sufficient water tank, increased fire risk and insufficient fire protection and fire access.

Speaker # 6: Citizen

Name: Vides Backman

Address: unable to identify

Comments: Mr. Backman said the planning commission takes fire seriously, increased risk, three fires in Idaho and two in Utah directly related to target shooting and climate change. Governor declared state of emergency, drought worsens wildfire conditions. Estimated over fifty percent increase in 2018, pipeline along main canyon, if wildfire gets to that point emigration canyon is toast, winds spread flames of wildfire. Studies indicated ground water mining, has proven fire increase, significant role in California wildfire, firetrucks not there in five minutes and not easily reached. Not location for development. Conditional use standards shall not pose serious threat to residents and property and should be denied. Noise pollution, 140 to 190 decibels. Health department standards implementing sound cannot exceed 70 decibels, this should be denied. Road access should be twenty feet wide. In 1983 settlement between county and residents to obtain rural mountain setting, county considered mitigating measures with shuttle services. Narrow road is rural mountain setting. If you change the nature of area, you would have to reconsider access to the roads. Increased in traffic and he has counted cars and four to twenty per day, weddings up to twenty-five cars, only for guests. Conditional use standards and shall not pose traffic hazards, doesn't feel the development complies and should be denied.

Speaker # 7: Citizen

Name: Sarah Bennett

Address: 64 North Silver Oak Road

Comments: Ms. Bennett said she was involved in the review of general plan and mayors blue ribbon commission to review FCOZ. At no time did they ever conceive a commercial development in the upper regions of the canyon. Maintain public access and public recreation and trails, open space. Specifically considered restriction of commercial development. Respect owner rights, commercial development is far outside of ever conceived of planning reviews of FCOZ. Fire concerns, lack of water, impacts to wildlife and public lands. Given applicants track record intentionally discourage public access, cannot or do not approve.

Speaker # 8: Citizen

Name: Matt Velinder

Address: 5222 Emigration Canyon Road

Comments: Mr. Velinder said there are three choices, numerous things in direct contact with general plan. Private mountain feel in the canyon. Gun use, noise, fire risk. He's unable to mitigate within his proposal and deny on that basis. Toilets and water issues not mitigated. Water change applications with Utah state engineer, for operation of wells, would be dependent on those applications approval. Highlights the facts and telling things not any other resident shows support. Strong opposition and haven't had ample notifications of the meetings and doing grass roots efforts. Bad faith arguments, these aren't pullouts, they are private driveways.

Speaker # 9: Citizen

Name: Linda Evans

Address: 5864 East Emigration

Comments: Ms. Evans said her husband went to the water rights meeting and didn't get an answer. Gazebo, no permit and how many feet from the stream. He already violated the law, rocks and signs, also violated our rules. Not a good standard to give a permit.

Speaker # 10: Citizen

Name: Melinda McIlwaine

Address: 2148 Pinecrest Canyon Road

Comments: Ms. McIlwaine said if she put rocks on boundaries of her property, you wouldn't be able to drive up past her house, 400 square feet of her property has been procured for that road and called task commission and if she was paying taxes, many pullouts are on private property. Has a map for additional parking on emigration canyon road and all dirt pullouts, you never see many cars in any of those places and precreation of public property of private use. Did well application, provide him with additional water, real water issues in holding capacity. Surprised you can shoot on your property when there is a hunting restriction. Wouldn't appreciate the noise. Private road is subject to prescript use and dirt road has been used by the public extensively, before Mr. Walsh. Tom Johnson built illegal ponds and saying anything about Mr. Karkut ten feet from creek and he's impaired the flow of the creek with the ponds. Read a portion of letter sent to the tribune. Plow fell in the creek and had to remove part of the bank to get a vehicle up, behind the vehicle and replaced with big rocks. This should not move forward.

Speaker # 11: Citizen

Name: Ben Doblin

Address: 2230 Pinecrest Canyon Road

Comments: Mr. Doblin said there will be increased traffic up the canyon, narrowest stretch of road in front of his house one way. Cars meet head to head, they pull into the nearest driveway, his has received three direct hits to his garage door and would be increased to fill up Mr. Walsh parking spaces. It's illegal to discharge firearm on southern side of ridge. Wildlife found refuge and why we enjoy living there and driven from the property and further east. Give wildlife a break. This is inappropriate, and a man wants to make something happen and entirely reasonable and encourage to deny outright. If passes will be back here looking for a zoning change and his house has a huge operation as a Pinecrest Inn. No public support.

Speaker # 12: Citizen

Name: Greg White

Address: 1990 North Pinecrest Canyon Road

Comments: Mr. White said sewage is a big issue with the quantity, especially with proximity of his venues to the creek, huge issue. Removing outhouses and putting them in is not a solution. Mr. Walsh care for the creek over the last decade has extracted fill on the road, that is his road, with literally hundreds of dump truck roads and claims would never want to endanger the creek and has dumped cement into the creek. SWPPP is aware and hasn't made any criteria. Statement is false in relationship to his care of the creek. Example of how he does projects and won't budge, permit should have been applied for his gazebo, and dam constructions. Containment done, except cutting diversions across his road. Erosion factor is unprecedented no fish left in Pinecrest creek, has broadened, no depth. Fill brought in, brought nauseous weeds and seeds. County issued an extreme care guide. Damage can be pointed at the Walsh project, look at the road, creek runs amuck. Sure, of what he says in relationship to this. Eye sore for Pinecrest with no sight on view what this will become. Condition of creek due to run off, this is unacceptable, and points need to be taken into consideration for future decisions. What is this building going to be, is it a resident or foot in the door for commercial property.

Speaker # 13: Applicant

Name: John Walsh

Address: 2348 Pinecrest Canyon Road

Comments: Mr. Walsh said there are water rights, provide documents. Stop work order on gazebo and now lifted. Maps submitted on pullouts and his project doesn't change state engineer, no people going simultaneously. Solution is fire and health cover what need covered.

Speaker # 14: Citizen

Name: Mike Bogart

Address: 6324 East Lefthand Fork Lane

Comments: Mr. Bogart said he has lived her for 34 years. Mr. Walsh is negligent.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and staff had a brief discussion regarding public easement, platted right-of-way, paved surface within thirty-three feet, vacated trails, preliminary approval, definition of gun use, driveway, water, fire hazards and firetrucks, traffic issues.

Motion: To deny conditional use application #30473 for commercial and recreational use, where the anticipated detrimental effects of the proposed use could not substantially be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

Motion by: Commissioner Tippets

2nd by: Commissioner Wallace

Vote: Commissioners voted unanimous in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 10:59 a.m.