

# Daniel Town Planning Commission Meeting Minutes

Wednesday, October 19, 2022 at 7:00 PM

Wasatch County Services Building, Conference Room B

55 south 500 East, Heber City, Utah

Quorum Present: Planning Commission Chair Gary Weight, Commissioners Pam Skinner, Bridger Wilde and Mark McCallister. Excused were Commissioners Byron Horner, T.J. McGeean, and Eric Bennett. Also present were Planning Director, Eric Bunker and Amelia Pays of T-O Engineers, and Merry Duggin taking minutes in the absence of clerk/recorder Kim Crittenden.

Members of the public present: Bob Probst, Jeff and Nikki Ritz, Todd Cusick, Sam Cusick, Blake Allen, Bert and Shari Coleman, Jon Hagen, and Mark Haroldsen.

## 1. Public Comment (please limit to 2 minutes)

Mr. Bob Probst requested information on the process to build a pole barn and agricultural building on his property located at 525 E 3000 S. He has a hay barn that he would like to move from another location to this property. Planner Bunker informed him of the process of delivering a site plan and application for an agricultural building to T-O.

## 2. Notice of Planning Commission Position Opening

Chair Gary Weight announced that there will be an opening on the planning commission and invited applications. Merry Duggin announced that anyone wishing to apply should send a letter of interest to the clerk's office.

## 3. Business Licenses

Blake Allen DBA Heber Homes:

Blake Allen is requesting a new license for a business under the name of Heber Homes located at 2610 S 1200 W in the industrial zone of the town. The business would provide open storage for trailers, boats, etc. near the airport. There is no building at this point, however, there is a house currently on the property. Planner Bunker pointed out that DMC 8.21.19 requires that a change in use of property requires additional landscaping and setbacks as the use changes from residential to industrial use and must conform to new rules and regulations. He suggested that Mr. Allen should draw up a business plan with more information about what he would like to do on the property and come back to the Planning Commission to request his license. Chair Gary Weight suggested that Mr. Allen should check our town code to see what he would need to do to comply.

***Commissioner Wilde moved to continue this application. The motion was seconded by Commissioner McCallister and passed with the following vote: Skinner, yes; Wilde, yes; McCallister, yes; Weight, yes.***

#### 4. **Building Concept Discussion for Jeff and Nikki Ritz Property.**

Jeff and Nikki Ritz presented to the commission their site plan for a new home to be built on property located at 395 E 3000 S. The lot is 9.5 acres and the previous owner had completed a land swap to acquire adequate frontage (100') as this lot is a flag lot. The Commissioners' comments for the plan were positive, and the Ritzes were directed to proceed with their application to T-O Engineers and go through the process with them.

#### 5. **Trunnell Building Application**

Planner Bunker informed the Commission that the applicant has been working on the list of items that needed to be completed and has been told that he can start with excavation and pouring concrete. However, the building permit cannot be issued until the fees are paid in full. The Commission determined that no further action is needed by the Commission at this time as approval was granted in a prior meeting.

#### 6. **CMC Rock Concept Plan Discussion**

Mr. Todd Cusick of CMC was present and distributed a site plan and elevation plan for the proposed concrete batch plant. He stated that he was asking for direction from the Commission as to paint color preference for the proposed plant and also clarification of landscaping requirements. The discussion seemed to center around a gray paint color to be as inconspicuous as possible, and Planner Bunker informed Mr. Cusick that 10% of the property needs to be landscaped. Mr. Cusick has proposed an 8' wide berm along the south and east sides of the property with a flat top landscaped with evergreen trees 25' apart irrigated with drip irrigation.

Mr. Cusick also informed the Commission that he would need a structure 75' in height to allow for the gravity feed process of the plant. Planner Bunker indicated that this would require a conditional use permit as per our town code. The plant itself will also require a conditional use permit. Since these are separate issues, it was determined that 2 separate public hearings would be required.

***Commissioner Bridger Wilde moved to set a public hearing on November 16 to hear comment on the conditional use of the CMC plant height of 75' and the overall conditional use as a concrete batch plant site. Commissioner Skinner seconded the motion. The motion passed with the following vote: Skinner, yes; Wilde, yes; McCallister, yes; Weight, yes.***

Mr. Cusick will provide the Town with a list of the property owners that must be notified, and he also will send electronic copies of the proposed plant and site plan to T-O Engineers and to the Town.

#### 7. **Utah Broadband Franchise Agreement Recommendation**

Mr. John Higgins was present to represent Utah Broadband. Utah Broadband already has a franchise agreement with Charleston and Heber City and would like to bring improved broadband to Daniel. They would begin installation of fiber optic cable throughout the town in the first or second quarter of 2023 and plan to finish installation by the end of 2023 using the same underground route or overhead poles as other utilities that are installed in Daniel.

The Commissioners were generally favorable.

***Commissioner Wilde moved to recommend this franchise agreement to the Daniel Town Council subject to Council review and review by Town's attorney. Commissioner McCallister seconded the motion, and the motion passed with the following vote: Skinner, yes; Wilde, yes; McCallister, yes; Weight, yes.***

**8. Haroldsen Property Deed Restriction Recommendation**

Planner Bunker stated that he had a good discussion with the attorney involved, and this restriction is generally what was intended. He commented that he would add to 2A "subject to code and ordinances of the Town".

***Commissioner Skinner moved to recommend to the Daniel Town Council that the Haroldsen deed restriction should be approved. Commissioner McCallister seconded the motion. The motion did not pass as the vote was not unanimous. Skinner, yes; Wilde, no; McCallister, yes; Weight, yes.***

***The Haroldsen deed restriction will be forwarded to the Daniel Town Council for consideration with no recommendation from the Planning Commission.***

**9. Planner Report**

Planner Bunker presented the monthly planner report. There were no questions about the items on the report, but Commissioner Wilde asked "at what point do we have a problem" in regard to anyone who is not complying with town requirements.

**10. Engineer Report**

There was no engineer report at this meeting.

**11. September 21, 2022, Planning Commission Minutes Approval**

Commissioner Gary Weight pointed out that his name in item number 10 needed to have a "t" at the end of "Weigh".

***Commissioner Skinner moved to approve the minutes of September 21, 2022 Planning Commission meeting. This motion seconded by Commissioner McCallister passed with the following vote: Skinner, yes; Wilde, yes; McCallister, yes; Weight, yes.***

**12. Town of Daniel General Plan and Zoning Discussion**

Chair Gary Weight distributed maps of the town which should assist the commission in their determination of a more accurate idea of what the town might look like at full build out. This should help in the planning process.

**13. Adjourn**

***Commissioner Skinner moved to adjourn. The motion was seconded by Commissioner McCallister and passed with the following vote: Skinner, yes; Wilde, yes; McCallister, yes; Weight, yes.***

The meeting was adjourned at 9:12 PM

Merry Duggin acting Clerk/Recorder