

Daniel Planning Commission Meeting Minutes
Wasatch County Service Building, Conference Room B
55 S. 500 E., Heber City, Utah
Wednesday, May 20, 2026 7:00 PM

Quorum Present: Chair Gary Weight, Vice Chair Byron Horner, Commissioners Tim Jones, Heber Taylor, Scott Long, and Pam Skinner. Commissioner T.J. McGeean was excused.

Town Officers Present: Planning Director Eric Bunker, Deputy Clerk/Recorder Merry Duggin, and Planning Secretary Trainee Jolene Munford.

Members of the Public Present:

Greg Flintt, Bill Gammell, Taylor Larsen, Gary Walton, Ken Roderman, Nikki Roderman, Chip Polvoorde, Stefanie Grady, Brian Barton, Drew Riley, Scott Bassett, Jalayne Bassett, Carol Sonnenberg, Bobby Rasmussen, Kelly Rasmussen, Brady Karen, Meranie Karen, and Eric Bunker.

Chair Gary Weight called the meeting to order at 7:05 PM.

1. Public Comment for Items Not on the Agenda

There was no public comment.

2. Summary of Daniel Town Council Meeting – June 1, 2026

Deputy Clerk/Recorder Merry Duggin read the summary of the Daniel Town Council meeting.

3. New Business Licenses

1) ServiceMaster by CTR at 3400 S Hwy 40

Robert Rasmussen, the owner, explained that they are a business that restores homes and businesses from all types of disasters and catastrophes. They have been in business for 22 years. Commissioner Jones asked whether any of the materials they use are returned to their location. Mr. Rasmussen explained that this is mostly office and production space, and cleaning happens in another location

Commissioner Byron Horner moved to approve the business license.

Commissioner Scott Long seconded the motion.

Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

ServiceMaster also requested approval of a signage permit. They had a picture of what would be on the building, and then there will be a couple of small kiosks up front that will look the same.

Commissioner Byron Horner moved to approve the signage permit.

Commissioner Heber Taylor seconded the motion.

Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

2) Silver Iron Ent LLC dba Desert Rod Makers- 3300 Hwy 40 S Unit 1

Owner Ken Roderman explained that they are a business that hosts retreats and teaches 16 participants at a time to build fly-fishing rods. Many attendees travel from out of town and stay in local hotels.

4. Public Hearing for Zone Change Request (Parcel #20-4532, 1680 W 3000 S, RA-5 to Commercial)

Commissioner Pam Skinner moved to open the public hearing. Commissioner Byron Horner seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

Chase Chamberlain of the Gordon Law Group spoke on behalf of the applicants (the Calls), who were out of town. The applicant requested rezoning of the property from residential to commercial. Mr. Call and his wife have lived on and cared for this property for many years. The property consists of approximately five acres of a residence located near Heber Valley Airport. Future residential use will be impossible if the airport acquires it, due to FAA regulations. Mr. Call has been very cooperative with the city in this process. Once the property is acquired and incorporated into airport property, it can no longer function as a residential property. Mr. Chamberlain said that at prior rezoning meetings for neighboring properties, the Mayor recognized that these properties would no longer be realistically viable residential properties because of the airport expansion, and because it's no longer realistic to build homes in the area, rezoning would allow the owners to receive fair value and the greatest economic value for their property. The Calls believe that their property should be given the same opportunity since it is in the same area. Mr. Chamberlain said a nearby five-acre property near the intersection of Highway 189 and 3000 South reportedly sold to Heber City for approximately \$550,000 per acre after being rezoned commercial, totaling approximately \$2.75 million for five acres. By contrast, Heber City obtained a residential appraisal of Mr. Call's property, valuing it at approximately \$1.75 million, or about \$350,000 per acre. Substantially less. Mr. Chamberlain said that the issue he is bringing before the commission tonight is not whether Mr. Call should receive special treatment, but rather that they should receive the same opportunity and same consideration that neighboring property owners have already received. The Calls are not requesting this rezone for commercial development of the property. They are not going to put a shopping center or anything like that on it. They are merely trying to get the highest and best use of his property in light of the airport expansion. He said the Calls are respectfully requesting that the planning commission recommend approval of the requested rezoning for residential use.

Eric Bunker noted that this is an applicant-driven request. Bunker said that we do have codes in the town of Daniel that speak against spot zoning, so this is an issue. Unfortunately, this parcel is isolated, so it would be spot zoning. The general plan opposes spot zoning, and this would do that because there's a property between the commercial zone and this parcel.

Commissioner Taylor inquired whether the 5-acre property between the Calls' and Bunkers' parcels would also be considered for commercial zoning, or if they would be interested in going that direction, and Bunker said he did not know. The town is applicant-driven, and that is why this is before the council tonight. Commissioner Weight said his only concern is that he doesn't know where the airport overlay map is or how much of it will be taken by Heber City. So, if it is rezoned commercial, then Daniel will have a piece of that commercial, which is further up the road than was planned in the general plan.

Commissioner Taylor inquired how much land the airport is taking. Commissioner Weight said we do not have that information yet after inquiring with Heber City. A member of the public, Brady Karen, said he could get that information and that the buffer zone will extend all the way to 3000 S. Councilman Gary Walton commented that it could take many more years for Heber to purchase this property.

Chip Polvoorde asked to speak, got up, and said he is on the AAB for Heber City. He said they're trying to buy properties now and are trying to agree on a real market price. He said that he personally does not think rezoning is a good thing to do, and to put Heber City in that situation, because they have to match \$5 million to get the grant for the airport expansion. He said the airport expansion doesn't hurt us; they are just realigning it to make it safe and compliant with their grants. He said it's not going to cause more traffic; it's not going to get bigger. He said that rezoning could affect things, and he doesn't think rezoning this just to make people more money is good for the city. He said that the Calls bought their property in 2022 for almost \$1 million, that it was appraised at \$1.7 million, and that they are doing really well. He said the council shouldn't do this for financial reasons; it should be for a zoning reason. He said that Heber City is trying to actually buy these, and if we do this, it's going to make it hard to do that.

Commissioner Tim Jones was worried that if it is zoned commercial, even though whoever owns it says they're not going to do commercial business, they will have every right to do so if they want to. Commissioner Taylor questioned whether there would be an owner if the airport purchased it, and there was discussion about whether it would be good to have commercial use when the town does not know the property's potential future use. They were worried the town would then have to amend the amendment.

Commissioner Horner moved to close the public hearing. Commissioner Long seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

Commissioner Horner said that he does not think this fits the general plan and that we do not know how long the airport expansion will take. He worries about what will happen in that residential community if this is commercial. He doesn't know whether it's the planning commission's role and responsibility to generate more income for an individual through the potential sale of the property. He was concerned that if we elevated this property's value, it would elevate the property values of everyone in that community from a tax standpoint. So potentially everybody in that area's taxes will go up because of the increase in that property value, but he just doesn't think it's a good idea.

Commissioner Skinner's comment is that it is also spot zoning, and it's in the middle of a residential area. If we make this one commercial, there would be residential on the south side and on the east side, with one lone property in the middle, and that does not fit our goals as a town.

Commissioner Long said he would be curious to know what the expansion project looks like, what the plans are, and how far up 3000 S the airport is potentially going. He said that we just don't know, and when we change that to commercial, it's just kind of opening an opportunity to keep going up 3000 South.

Commissioner Jones asked the representative of the Call's if the owner of the property felt like he was being treated unfairly in compensation. Mr. Chamberlain said no, they were just inquiring, as this same process has happened with a couple of other properties along 3000 S. They would like the same treatment and have it changed to commercial.

Commissioner Horner said it sounded like the owners thought this just happened recently, but he has not seen a zone change in this area while he has been on the Commission

Commissioner Weight clarified that the other zone change in the area was made at the request of the property owner, who wanted to work with a developer to put in a gas station. Heber City then stepped in and said the property owners couldn't put anything there, and the property owner told Heber City they would have to buy it if the owner couldn't develop the property. It was already commercial. That was also in our general plan because it was on Highway 189. Mr. Chamberlain said that his client's position is that he's going to give it up anyway, that it will never be able to be used as residential property, and that if there were an opportunity to make it commercial, he would like to look into that option.

Commissioner Horner motioned to recommend to council to deny the zone change request. Commissioner Skinner seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

5. Public Hearing – Conditional Use Permit for Concrete Batch Plant (Parcel #22-2450, formerly #09-6276, Industrial Zone)

Commissioner Byron Horner moved to open the public hearing for Geneva Rock. Commissioner Scott Long seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

Commissioner Gary Weight invited public comments (excluding sound issues initially).

Scott and Jalayne Bassett expressed frustration with the existing plant's noise and dust and opposed the addition of another facility. Scott said that we need to do something drastically different from what happened with CMC because it's just too loud. What they have now doesn't block anything; it just seems to amplify the sound. The Bassetts talked about the hammering of concrete drums and other noises that are overwhelming and sometimes go on until 9:30 or 10 pm. They also complained about the noise waking them up early, and were upset that the berm was not being maintained and was an eyesore. Scott was also worried that the town should not rely on the State of Utah Air Quality Control because it takes several years to address issues.

Commissioner Gary Weight reassured the public that mitigation measures would be enforced for Geneva Rock through the Conditional Use Permit (CUP). The Bassetts requested to review the CUP conditions; Gary Weight read them aloud. Questions were raised about the enforcement of conditions on the neighboring plant (CMC), and they were told they were approaching the need to renew their building permit.

Bill Gammell of Geneva Rock presented the sound study, site layout plans, and shielding measures for residential properties. He gave a history of the conditional use permit and how they applied 18 months ago, and discussed that they had filed a lawsuit

because we felt the 50-decibel limit in our permit was impossible. He said that they put a stay on the lawsuit because they felt like they were working through issues with the town and were happy to come back and reapply. They don't want to rehash the CUP and feel like they could operate under the CUP as it is, but there are some challenges with the noise. They were hoping to iron out those issues and move forward.

Bill Gammell talked about how they did a sound study back in September of last year. When they got that sound study back, they quickly realized that the existing ambient noise was above what the conditional use permit allowed. They didn't know how they would comply with the conditional use permit when one of its conditions was already being exceeded.

Bill Gammell had a graph showing that complying with the 50 dB level would be impossible, so they decided to figure out how to minimize the sound. They went out to the other concrete batch plant, which they plan to move to the Daniel site. They did some mitigation measures and developed a sound model study. He showed a heat map that illustrates what will happen at the new plant. They took receptors and placed them around the existing plant, then ran it for a 24-hour period. They wanted to see where the noise was coming from, what the sources were, and how they could minimize it. They took the feedback and had an ongoing discussion with the planning commission on how they could come up with the mitigation that would help protect the citizens and ultimately the public at large. He said that in those discussions, a taller berm would come up. They modeled this, and the 15-foot berm had no noticeable impact, so they decided to look at other routes.

They built shields around these noise sources and put together a computer model that models the sound and how it travels through the air. The model had a concrete wall that shielded and blocked the sound at fifty-five decibels with the computer model receptors. They were trying to direct the noise toward the north, and the model showed that sound goes around tall buildings. So they put the berm, and they also had their stockpiles of material, the rock and sand that they feed into the batch, between the plant and the residential zones to help stop some of the noise.

They pushed their plant as far north as they possibly could to help get the sound away from the residents. Their loaders will have white-noise sound, so you don't hear the beeping. They have bag houses, like vacuum cleaners, that vacuum the air as the cement truck comes in and fills up. It's filtering that air and has a constant humming that's always there. They put a shield around that to see what that does. There are also bin vents at the top of the plant, and they shielded those because air was coming out of them, making noise. All of those things helped him develop the model he was presenting.

Gammell said there are a lot of conditions that you could put in the conditional use permit, but the blanket condition of the fifty decibels is really what controls all this. He said we could probably come up with a list of things for them to do, but the better approach is to control it by the decibel level.

He said that if we came to an agreement on sound, they could figure out how to comply with it, work with engineers, who are really professionals in this area, and help model the noise. The way the conditional use permit is written right now, they don't know for sure,

but they will have to build it, test it on-site, and run it to ensure it's compliant with the conditional use permit. If it doesn't comply, they will have to come back in and raise the noise level, or they will have to mitigate further. That might look like they need to build a building, but it will be a collaborative process. He thinks what was done in the past is not what was done for them, but they also appreciate the learning process that it's been for everybody.

Gammell believes that the town will get a better product out of it and that they will be a better neighbor ultimately because of it. This is a 100-year-old business, and their vision is to be the most respected partner in the industry for another hundred years. He said that's the kind of company that you get with Geneva Rock. They are not a new company; they have been in business for a long time and provide valuable products and services to the community. They want their sites to reflect that.

Commissioner Horner asked if there was a number from the study of what the decibel levels needed to be. He acknowledged that the commission had asked for 50 dB, which was not attainable, and that was why they had gone back to the table. Bill Gammell said that if you isolate just their project, it's 55 dB measured over a one-hour weighted average. So if you take the sound over an hour. The average is 55 decibels, so that's what they say their model can achieve. He said ambient noise will influence it too, but they don't have control over it. They took that into account when modeling it, and they said it's 57dB over a one-hour average. Because of that, they decided to be safe and go with the 57dB. In the CUP, it states that a follow-up sound study will be conducted and must be approved by the Daniel Planning Commission.

Commissioner Horner asked at what level people could carry on an uninterrupted conversation. Bill Gammell said that, according to the ADA in 1974, you could have a conversation with 100% accuracy at 55dB. He said that you are allowed to work at 80dB without noise protection.

Commissioner Long said it's not the weighted-average noise that people are concerned about. It's the banging of the bucket or the backup and the alarm that's just like a piercing, hard noise. He asked if those sounds could be mitigated at the source. Like bumpers on the buckets and automatic greasers. Commissioner Horner said he has spoken with several operators; the banging of the bucket is an operational error, and those operators need more training.

Bill Gammell said that with the material they have, they should not have to bang the bucket. Scott Bassett asked whether there is a way to include these conditions in the conditional use permit to eliminate that noise. He said I can respect what they are saying about living close to an industrial zone, but this is an industrial zone that backs right up immediately to residential. He asked to look at Geneva's graphic, pointed out that the sound was not going past the tall building, and asked that Geneva build a tall wall or several buildings to stop the noise. They want the chipping sound to be inaudible to the residents.

Carol Sonnenberg commented that they should ensure drivers are appropriately trained. Commissioner Horner asked that they consider building structures around all the loud sound makers. Members of the public discussed cement walls on the freeway that mitigate sound and how tall a wall would need to be.

Commissioner Jones and Commissioner Taylor were reviewing the sound study and questioning whether the sound would be below 57dB. Commissioner Weight said that there will be some outlier noise, but there are always outlier noises. Commissioner Horner said he doesn't know how high the wall needs to be, but he does want to make sure that, as important as the sound wall is, it's also aesthetically pleasing. He thinks that, with the new height restrictions and a three-sided enclosure to shield the chipping noise and educate drivers, it would be as satisfactory as we can expect.

Commissioner Long asked how tall the wall needs to be. He was wondering if the berm was 15 ft plus a wall or 15 ft total. Bill Gammell said that a 15-foot-high berm and a privacy fence combination shall be constructed to mitigate noise and visual impacts. It is preferred that the fence be a concrete construction and extended around all sides of the property.

Taylor Larsen asked Geneva Rock whether they were in the county or the city before annexation, and wondered whether they could have had this plant go through Heber City. He wondered if they would go back to Heber if there was litigation over unreasonable conditions. Commissioner Horner said that's why we're asking if there are any unreasonable conditions. Bill Gammell said they could have gone with Heber City because there were three batch plants nearby, but they decided to go with Daniel and offer business here. Commissioner Horner said he thinks that we are close to an agreement.

Chip Polvoorde asked that they set a nighttime decibel limit and ensure there will be no loud noise at night. Bill Gammell said they will have bumpers on the buckets. Chip Polvoorde asked that all the sound issues be put in the CUP. No chipping, no banging of buckets 7pm-7am. Bill Gammell said there will be a QR code on the sign you can scan, with contact information. If there are problems, let them know. He said they are not trying to hide from anything, and they are trying to do what's reasonable for both them and the citizens. He feels confident with this and the other conditions in the conditional use permit, and he is willing to follow the permit that's been put forth. He said that if he is not complying with the conditional use permit, they will have a conversation. But he would expect the town to come and require them to be compliant with these conditional use permits, just like anybody else.

Commissioner Horner moved to close the public hearing. Commissioner Jones seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

The question was asked what was changing in the CPU, and Commissioner Horner clarified that they wanted to change 50 dB to 57dB.

Bill Gammell said they are not changing the conditional use permit they currently have. They have just applied for a new conditional use permit with the 57dB in it. He said they had stayed the lawsuit pending this decision at the request of both counsel parties, so that we could work through this issue. He said that this isn't amending what's there, it's applying for a whole new conditional use permit. And the application number they are requesting is 57 LEQ. He also said that, in his earlier comments, they are willing to include the condition of the rubber stop on the loader bucket.

Commissioner Long asked if “no banging of the bucket” could also be put in the CUP.

Eric Bunker said that the berm-and-wall combination needs to go 20 feet. He thinks that since they found 55dB to be the line they drew in their study, that's where the noise level should be. He said there were many studies informing that OSHA study, and he thinks 55dB is an acceptable level.

Commissioner Long asked where the information was on 55 and 57dB.

We did not have that information. It had been shown at a previous meeting but not sent over.

Jalayne Bassett commented on the wall, saying the higher it is, the better it is for their homes.

Bunker commented that the council might not want to adopt this right now if they don't have the right sound study.

Gary Walton commented that when they conduct the sound study on the freeway, the decibel level is acceptable under state law and OSHA. The sound walls on the freeway were built to reduce noise levels in that area. There are some short walls; there are some tall walls. It's not a standard height on those walls.

Eric Bunker asked Bill if they are bringing in the haulback from other plants or operations to crush here, and Bill said they are not.

Commissioner Byron Horner made a motion to move the Conditional Use Permit forward as previously outlined, with the following exceptions: all possible equipment modifications be made to minimize high decibel banging, referring to chiseling of buckets, banging of tailgates. That all mitigations possible be made to the equipment, and that planning be made to minimize those noises between 7 PM and 7 AM. The internal equipment within the batch plant should be dressed with local sound barriers so that blowers have walls; engineering is required to be implemented. And that a berm/ wall combination of 20 feet be created with a 10-foot concrete wall. Any other 20-foot combination design has to be approved by the Town of Daniel Planning Commission prior to business operation. (We approve a) 57 decibels of ambient noise average. A revised CUP will be drafted and presented at the next meeting following legal review.

Commissioner Tim Jones seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

6. Permit Approval – New Residence at 1527 E Little Sweden Rd.

Commissioner Tim Jones moved to approve the building permit, subject to engineering review. Commissioner Heber Taylor seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

7. Planner's Report – April 2026

Eric Bunker presented the report, noting:

- An agricultural barn permit for the Bassetts.

- New floodplain maps are now available.
- The Kim C Gardner report lists Daniel's population at 866 in 2023, down from 916 in 2019.
- A permit for excavation on Highway 40 to run fiber .

Councilman Horner inquired about modular homes on Mill Road and 300 South. Bunker reported that a letter had been sent with no response.

8. Approval of Minutes

Commissioner Tim Jones moved to approve the minutes from the April 15, 2026, Planning Commission meeting and the April 15, 2026, Joint Meeting with the Town Council. Commissioner Heber Taylor seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

9. Training

Deputy Clerk/Recorder Merry Duggin provided training on conflict-of-interest forms.

10. Adjourn

Commissioner Tim Jones moved to adjourn the meeting. Commissioner Heber Taylor seconded the motion. Skinner – yes, Long – yes, Taylor – yes, Jones – yes, Horner – yes.

The meeting adjourned at 9:15 PM.

**Jolene Munford
Planning Secretary**

APPROVED June 17, 2026