

Daniel Town Planning Commission Meeting

Wednesday, May 17, 2023, at 7:00 PM

Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Meeting Minutes

Quorum Present: Planning Commissioner Chair Gary Weight, Commissioners Eric Bennett, T.J. McGeean, Byron Horner. Commissioners Bridger Wilde, Kipp Bangerter and, Pam Skinner were absent. Also present were Town Planner, Eric Bunker, Amelia Pays representing Arudurra Engineers, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the Public: Todd Wall, Tamara Wall, Todd Cusick, Taylor Larsen, Jim Webb, Larry Ward, Merry Duggin, Mark Haroldsen

Chairperson Weight called the meeting to order at 7:00 pm.

1. Public comments (please limit to 2 minutes)

Trent Grant asked for clarification as to the current status of the Charles Shultz property located on 3000 South. It was noted that when the Town of Daniel was incorporated in 2005, the Town accepted the current zoning that was put into place and mandated by Wasatch County. The Town of Daniel became a primarily RA-5 zone due to the zoning Wasatch County had put into place before the Town became a municipality. It was further noted that all lots that did not meet the Wasatch County zoning became non-conforming lots but were allowed to continue the existing use. It was further discussed that when a non-conforming lot is no longer being used as it was originally zoned for it reverts back to the RA-5 requirements. It was noted that anyone looking to purchase a non-conforming lot needed to seek the professional experience of a realtor and do their due diligence.

2. Discussion about a Possible Recommendation Letter to UDOT for an Additional Exit from the Dan Ford Property Located at Approximately 3000 South and HWY 189 at or near the Airport Border to the Property.

Commissioner Horner made a motion to recommend support of the Town Council formally asking UDOT for a second access onto HWY 189, near the Airport, for the Dan Ford Development on 3000 South and HWY 189. Commissioner Bennett seconded the motion. The roll call vote was Bennett yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

3. CMC Building Permit

Todd Cusick with CMC Rock discussed the new plant design and noted that was being imported from Scandinavia. He stated that his research has shown that this design was best suited for the climate conditions and building code restrictions in the Town of Daniel. He handed out some renderings and noted that it has a steam generator and that would assist with dust, which he noted had been a concern in previous meetings. He stated that the batch plant is completely self-contained and is a nondescript medium gray color that should make it barely noticeable to

the public. He also noted that the new design would also bring the height well under the 75 ft zoning rule to approximately 45 ft. He stated that this design could generate up to 200 yards of concrete per hour. He stated that this design has been highly effective in Europe and the self-containment and insulation should contain all noise.

Commissioner Bennett made a motion to recommend approval of the CMC Batch Plant Building permit with the condition that it meets all of the Town of Daniel Engineering inspections and lighting plan recommendations, as well as approval from the fire department. Commissioner Horner seconded the motion. The roll call vote was Bennett yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

4. Discussion to Possibly Set a Public Hearing for a Conditional Use Permit for the Todd Wall Accessory Structure in Excess of 1500 Sq Ft.

It was discussed that the Conditional Use Permit would require a public hearing and it was noted that it should take place during the next Planning Commission Meeting on June 21, 2023.

Commissioner Bennett made a motion to have a public hearing on June 21, 2023 to consider the Conditional Use Permit for Todd Hall for an accessory structure in excess of 1,500 sq ft. Commissioner Horner seconded the motion. The roll call vote was Bennett yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

5. Business License Renewal

- a. Smitty's Small Engine Repair
- b. Rafter K Construction
- c. Daniel's Creek Construction
- d. Kohler Custom Rifles
- e. Larson Grounds Maintenance (LGM)
- f. Out West Accounting and Tax Services
- g. Bush Family Farm

Commissioner Horner made a motion to recommend all business license renewals to the Town Council at their next meeting for final approval. Commissioner McGeean seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

6. Jimmy Webb Building Permit Application

It was noted that the Webb application was for an Agricultural Building Permit Application which was currently incomplete and would need to be completed before approval. This was addressed later in the meeting.

Commissioner Bennett made a motion approval for the Jimmy Webb Building Permit Application upon completion and review by the Town of Daniel Planner. Commissioner McGeean seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

7. Chip Polvoorde Building Permit Application

Planner Bunker stated that this building permit application was for a building that was previously approved with a Conditional Use Permit following a public hearing. He stated that he was recommending approval subject to approval by the Town of Daniel Engineering Dept., Wasatch County Fire, Daniel Irrigation, and the Wasatch County Health Department.

Commissioner Horner made a motion approval for the Polvoorde Accessory Structure upon approvals from the Town of Daniel Engineer, Wasatch County Fire and Health Departments, and the Daniel Irrigation Company. Commissioner McGeean seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

8. Haroldsen 2nd Building Permit Application

It was noted that this was a second Building Permit Application and that several of the concerns from the previous Building Permit Application had been addressed. It was noted that half of the property in question was now in a permanent conservation easement which make turning over the necessary water shares to the town a bit tricky.

Commissioner Horner made a motion to postpone voting on the Haroldsen Building Permit Application until all engineering and fire concerns have been addressed and approved. Commissioner McGeean seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

9. Matthew McMillen Building Permit Application

It was noted that Mr. McMillen has a unique property that had been assigned two parcel numbers. The Building Permit in question would be the parcel that did not have a house and thus could not be an accessory building, such as a barn. He told the Planning Commissioners that he had been unaware of the two parcel numbers assigned to his property but would work with Wasatch County to consolidate the parcels into one property. It was suggested that he could enter into a development agreement with the Town of Daniel while he worked consolidating the parcels with Wasatch County. Planner Bunker handed Mr. McMillen a development agreement which he proceeded to fill out.

Commissioner Horner made a motion to recommend to the Town Council that it enter into a development agreement with Mr. McMillen while he secures a parcel consolidation from Wasatch County. Commissioner McGeean seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

10. Larry Ward Building Permit Application

Mr. Ward spoke regarding his request to build a garage next to his home where a carport had collapsed from the snow during the winter. Planner Bunker stated that he recommended the Building Permit be approved pending approval from engineering, fire, and power. It was then noted that engineering has already reviewed and approved the plan. It was also noted that the garage would be slightly larger than the carport because it was a two-car garage, but that it still met all set-backs and requirements.

Commissioner Bennett made a motion to recommend approval for the Ward Building Permit upon approvals from Wasatch County Fire and Heber Power and Light. Commissioner Horner seconded the motion. The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

11. Reggie Kohler Building Permit Application

It was noted that the Building Application Permit was for an addition to an existing structure. It was noted that the Planning Commission had not yet seen the structural plans which had just been submitted. It was noted that all plans had to still pass the Engineering staff for the structure, Wasatch County Health Department for the septic system as well as fire and power.

Commissioner McGeean made a motion to recommend approval of the Reggie Kohler Building Permit for remodeling an existing structure following approval from the Town of Daniel Engineering, Wasatch County Health Department, Wasatch County Fire Department, and Heber Light and Power. Commissioner Bennett seconded the motion The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

12. Planner Report

Planner Bunker referred to the submitted Planner Report for May 2023. He discussed the cuts along Mill Road and in Storm Haven to the roads and stated that the CMC Batch Plant was waiting on water testing from the State of Utah.

13. Engineer Report

There was nothing to report that had not already been addressed in previous conversations.

14. Meeting Minutes Approval for February 15, 2023, March 15, 2023, and April 19, 2023

Commissioner McGeean made a motion to approve the February 15, 2023 meeting minutes. Commissioner Bennett seconded the motion The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

Commissioner Horner made a motion to approve the March 15, 2023 meeting minutes. Commissioner McGeean seconded the motion The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

Commissioner Bennett made a motion to approve the April 19, 2023 Meeting Minutes. Commissioner Horner seconded the motion The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

15. Adjourn

Commissioner Horner made a motion to adjourn. Commissioner McGeean seconded the motion The roll call vote was Bennet yes, Horner yes, Weight yes, and McGeean yes. The motion passed.

The meeting was adjourned at 7:55 PM

Kim Crittenden

Kim Crittenden Clerk/Recorder