

Daniel Town Planning Commission Meeting

Wednesday, December 20, 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, Bridger Wilde, Kipp Bangerter, and Byron Horner were present. Commissioner Pam Skinner was absent. Also, present were Planning Director, Eric Bunker, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the public: Jesse Reynolds, Ken Menlove, Mark Haroldsen, Chip Polvoorde, Chris Polvoorde,

Commission Chair Gary Weight called the meeting to order at 7:00 PM

1. Public comments (please limit to 2 minutes)

There was no public comment.

2. Public Hearing for Polvoorde Conditional Use Permit for an Accessory Structure over 1,500 sq ft.

Chairperson Weight asked for a motion to open the public hearing.

Commissioner Wilde moved to open the Public Hearing. The motion was seconded by Commissioner McGeean. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

There was no public comment. It was reported that neither Planner Bunker nor Clerk/Recorder Crittenden had received any public comment. Planner Bunker was asked if the structure met setbacks and all other Town Code concerns. He replied that it did. It was noted that the previous owners of the property had also had a Conditional Use Permit for a dog grooming business.

Commissioner Bennett moved to close the Public Hearing. The motion was seconded by Commissioner McGeean. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

Commissioner McGeean moved to approve the Conditional Use Permit for the Polvoorde Accessory Structure. The motion was seconded by Commissioner Horner. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

3. Business Licenses

a. New

i. Maid to Sparkle (Charity Morgan)

It was noted that this was a home business and that the owner would be doing cleaning at the client's premises. It was further reported that Ms. Morgan had had a business license for the business in Heber City prior to moving to Daniel and Heber City had reported no complaints.

Commissioner Wilde moved to approve the New Business License. The motion was seconded by Commissioner Horner. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

4. Daniels HWY 40 Storage LLC Building Permit

It was asked what had changed from the last time that Daniels HWY 40 Storage Building had been before the Commission. It was stated that nothing significant had changed and they were working on the issues that had been noted by the Town Engineers and the Town Planners.

A question about access from Little Sweden was brought up because this had been a concern in the past. It was noted that originally the Little Sweden entrance and exit was required by the fire department when the structure was originally much larger and two stories. Mr. Haroldsen and Mr. Menlove stated that they were working with the Wasatch Fire Authority.

It was noted that until all of the concerns from the Town Engineer and the Town Planner were addressed satisfactorily no occupancy would be given. Several of the Commissioners expressed concerns about how long the list of conditions was. It was reiterated until all conditions were met the final occupancy would not be issued.

The caretaker's apartment was brought up numerous times. Several of the commissioners were concerned that the apartment was approximately 1,500 sq feet, which seemed larger than expected. It was also noted that as part of the Conditional Use Permit on the property, the apartment could only be occupied by an employee of the facility.

Commissioner Horner moved to approve the Daniels HWY 40 Storage LLC permit contingent upon all 50 items required by the Town Engineer and Town Planner are met. The motion was seconded by Commissioner McGeean. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

5. Election of Planning Commission Chair and Co-Chair for the Term of January through December 2024

Commissioner Horner moved that Chair Weight and Co-Chair Bennett remain in their current positions. The motion was seconded by Commissioner Wilde. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

6. Planner Report

Planner Bunker presented his report. Planner Bunker reported that a lot was going on in the Town, but things were moving along. It was noted that fee changes had not been adopted by the Town Council because they were waiting for the new Town Council members to take office before further discussion. However, it was noted that the Town Council had looked over and approved all of the Planning Commission changes to the Town Code.

7. Engineer Report

Ardurra had been excused from the meeting, but Planner Bunker noted that they were busy applying for grants to help the Town with the Lead and Copper Testing that is now required by the EPA. It was noted that additional testing would be likely, and would also be intrusive to some homeowners, but that it is now required. It was noted that when the home was constructed would be a major consideration, but that lead travels and attaches downstream, so could affect other homeowners as well. Planner Bunker stated that there would be updates in the future. It was noted that an "inventory" will be required and testing for this had already been begun.

It was asked what the approximate bill had been for the Town's portion of the engineering costs for the Daniels HWY 40 Storage project. It was noted that currently it is approximately \$5,300. Planner Bunker stated that once the project is approved the additional fees for inspections and other costs will be passed along to the owner. Mr. Bunker stated that once the project is approved the Town will be in "the Black" and all additional costs will be absorbed by the property owners.

8. October 18, 2023, Planning Commission Minutes Approval

Commissioner Wilde moved to approve the October 18, 2023, Planning Commission Minutes. The motion was seconded by Commissioner Horner. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

Commissioner Horner proposed questions about why people move to Daniel, why the Town wishes to keep a 5-acre minimum to build, and how best can we manage businesses like storage facilities that do not seem to fit in with the Town Plan. Chair Weight stated he would put that discussion on a future agenda.

9. Adjourn

Commissioner Wilde moved to adjourn. The motion was seconded by Commissioner Horner. A roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, and Horner yes. The motion passed.

The meeting adjourned at 7:40 PM

Kim Crittenden

Kim Crittenden
Clerk/Recorder