

Daniel Town Planning Commission Meeting

Wednesday, February 21, 2024, 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 was present after 20 minutes, Commissioners Pam Skinner, Kipp Bangerter, Bridger Wilde, and Byron Horner were present. Commissioner T.J. McGeean, was absent. Also present were Planning Director, Eric Bunker, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the public: Nephi Trunnell, Tammy Trunnell, Grace Chubb, Paul Peterson, Alec Sargent, Kimball Strickland, Christopher Polvoorde, Chip Polvoorde, Jason Beveridge, Catherine Beveridge, Dave Harris and Larry Ward

Pam Skinner 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.

Commissioner Horner moved to open the public hearing The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

Mr. Beveridge stated that he had concerns about the use of the structure in question. He stated he was concerned that this building would be used as a commercial property. Mr. Polvoorde stated that the accessory building on the adjacent property was used to store and care for hobby racing cars and that an employee lived in the adjacent property home. He continued by stating that while the other property was used for his son's racing hobby, it was not a commercial endeavor. He then reiterated that the accessory structure was to house a gym, store hunting supplies, and a motor home. Other neighbors expressed concerns about noise impacting upcoming weddings and other family events.

It was asked how many buildings or how much of the land could be used to have accessory or agricultural structures in the RA-5 Zone. Planner Bunker stated that it would be 20% of the area of the lot. It was also asked what the recourse would be if the conditional use was not being used as granted. Commissioner Horner stated that if any of the neighbors had issues, they would need to submit a formal complaint to the Planning Commission. Planner Bunker stated that if that was the case, it would then come before the Planning Commission to be addressed. Mr. Ward addressed the Commission and stated that he thought it was important for the neighbors to be considerate of each other when they were deciding where to place buildings that could obstruct the neighbor's views. Commissioner Bangerter agreed with the sentiment.

Commissioner Bangerter moved to close the public hearing. The motion was seconded by Commissioner Wilde. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

3. Polvoorde Conditional Use Application

Chair Weight had joined the meeting. It was noted that the Conditional Use Permit and the Ag Building Permit are separate buildings on adjoining properties, but are separate applications. Commissioner Wilde asked Planner Bunker if the plans met all required setbacks. He stated all requirements were met. Chair Weight called for a motion.

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

4. Polvoorde Ag Building Permit

Chair Weight stated that generally Ag Buildings can be approved administratively by staff, but that it seemed wise to bring it before the Commission. Planner Bunker stated that all setbacks were met and that concerns for a dry creek bed which occasionally has runoff had been addressed in the plans. Planner Bunker stated that he would require a letter from the Daniel Irrigation Company stating that they agree with mitigation plans before the permit would be approved.

Commissioner Horner moved to approve the Polvoorde Ag Building Permit. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

5. Trunnell Small Subdivision Application

Chair Weight invited Mr. Trunnell to address the Commission about his application. It was noted that Mr. Trunnell had submitted more than one application and the only one being considered would be for the Small Subdivision Application and not for the later Code Amendment application. Mr. and Mrs. Trunnell then discussed what they hoped to do with their building. Mrs. Trunnell stated that because building costs had exploded, they were hoping to turn the building into a condominium-type structure allowing for additional owners to have property rights to the building. Many options were discussed including having a partnership in the building and selling shares rather than selling specific units. After much debate and discussion about potential options including code changes, it was moved to table the discussion until the next meeting.

Commissioner Horner moved to table and postpone the discussion until the March Planning Commission Meeting. The motion was seconded by Commissioner Wilde. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

6. Business Licenses

- a. New
 - i. Kimball Dumpster Rental

ii. **Iron Horse Equipment Rentals (Alec Sargent)**

b. **Renew**

i. **A-1 Roofing and Siding (Kimball Roofing)**

Chair Weight invited Kimball Strickland with A1-Roofing and Kimball Dumpster Rental to address the Commission. It was noted that A1-Roofing was a long-time business and that he was not sure if he needed a separate business license for the dumpster rental that he offers in conjunction with the roofing business. Ultimately it was noted that the dumpster business was not separate and they would not be stored in the Town of Daniel. Mr. Strickland withdrew his application for the Kimball Dumpster Rental. There was also discussion about moving the storefront location for his car business to the Town of Daniel so that the Town would be entitled to applicable sales taxes for that business as well.

Mr. Sargent stated that he was renting a commercial location in the Town to store his rental equipment. There was a discussion about whether this would be allowed since it was in the RA-5 zone rather than the commercial zone. It was noted that it would not meet the Town Code in the RA-5 zone.

Commissioner Wilde moved to recommend the application for A1-Roofing, not recommend the application for Iron Horse Rentals to the Town Council. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

7. **Election of Planning Commission Co/Vice-Chair**

Chair Weight asked for nominations for a new Planning Commission Co/Vice-Chair. Commissioner Horner nominated Commissioner Wilde.

Commissioner Horner moved to appoint Commissioner Wilde as the Planning Commission Vice/Co-Chair. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

8. **Planner Report**

Planner Bunker presented his report. He stated that Scott Keele had applied to make his entire property industrial, where it is currently RA-5 on the Daniel Road or front side of the property and industrial on the back part of the property. It was noted that this was a designation inherited from Wasatch County before the Town was incorporated. It was asked if the Keele property could be accessed from other property owners for the industrial portion. It was stated that it may be possible, however it was noted that it is against Town Code to access the industrial zone through the residential zone.

Planner Bunker stated that CMC is operational, but that the final inspection has not been issued awaiting final lighting plans. Planner Bunker asked if any applications for the vacant Commission Seat had been received. It was reported thus far none had been received, but it had been posted on the website and Wasatch Wave.

9. **Engineer Report**

No report was given

10. January 17, 2024, Planning Commission Minutes Approval

Commissioner Horner asked Clerk Crittenden to look for a typo(s) that he had noticed but currently could not find.

Commissioner Skinner moved to approve the January 17, 2024 minutes with any changes in typos that were found. The motion was seconded by Commissioner Bangerter. A roll call vote of Horner yes, Wilde yes, Bangerter yes, and Skinner yes. The motion passed.

11. Adjourn

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

Meeting was adjourned at 8:40.

Kim Crittenden

Kim Crittenden Clerk/Recorder