

DANIEL TOWN PLANNING COMMISSION MEETING MINUTES
Wednesday, November 20, 2024 at 7:00 PM
Wasatch County Services Building
55 East 500 South, Conference Room B
Heber City, Utah 84032

Quorum Present: Planning Commission Chair Gary Weight, T. J. McGeean, Byron Horner, and Bridger Wilde. Commissioners Pam Skinner and Kipp Bangerter were absent. Also present were Planner Eric Bunker, and Clerk/Recorder Kim Crittenden to record the minutes.

Members of the Public: Grant Ensign, Scott Folsom, Bill King, Lisa Houston, Rowdy Thompson, Scott Coleman, Melanie Coleman, Eric Bennett, Robyn Pearson, Adam Phillips, Megan Phillips, Melanie North, Drew Reilly, Chip Polvoorde, Dan Brown, Mary Ward, and Larry Ward.

1) PUBLIC COMMENT: (Please Limit to 2 Minutes Per Person) There were none.

2) GENEVA ROCK PRODUCTS ANNEXATION PUBLIC HEARING PARCEL #09-6276

Commissioner Horner made a motion to open the public hearing, which was seconded by Commissioner Taylor. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

Bill King with Geneva Rock stated Geneva has applied for annexation of 7.95 acres from Wasatch County into the Town of Daniel. He said a reason for the annexation is to provide services to the Town. Robyn Pearson asked what services they would provide, and Mr. King said ready mix concrete. Mr. Pearson stated if the annexation is approved and buildout of the plant occurs, there will be three batch plants within a quarter mile radius. He asked where the aggregate will come from. Mr. King stated right now it will be from Utah County. They are looking at three access points to the plant for truck traffic: 3000 South, Daniels Road, and Airport Road. Geneva plans to work with Daniel to come up with the best solution concerning access.

Planner Bunker asked how many loads per day would be shipped out of the plant. Mr. King replied it could be as many as 30-35 loads per day. Geneva also has a concrete plant in Park City that is approximately 15 minutes away. Mr. King said although the Park City plant is not far away, having one in Daniel will cut down on

cost of products and fuel to operate trucks locally in the Heber Valley. He further stated hours of operation will vary depending on projects involved. Some require operating 24/7, and concrete in the summer has to be poured during the early morning hours. Landscape berms are required by Daniel to mitigate the noise of operation. In speaking with Planning and Zoning, Geneva is aware industrial work at the plant cannot occur after 7:00 PM.

Concerning access, Mr. King stated there is an easement to access east of the property onto Airport Road, then to Highway 40, and one west of the property going directly onto Airport Road. Commission Chair Weight stated the discussion is headed away from the annexation issue and into issues scheduled for a hearing in December, to please concentrate on the annexation.

Planner Bunker asked if Geneva intends to get their water from the Town of Daniel. Commission Chair Weight stated the Planning Commission does not look at issues involving water in a project, so that is a question for the Town Council. A question was asked if Geneva has purchased the property. It was stated the annexation can take place with discussion of conditional uses on a property initially. Mr. Weight is not aware who owns the property currently. Part of the property is in Daniel, part of it is in the county. The annexation has been applied for to bring the entire parcel into one place. If Daniel does not choose to annex the parcel, Heber City most likely will, and then Daniel will not have a say in what occurs on the property.

With no further questions or comments. Commission Chair Weight asked for a motion to close the public hearing.

Commissioner McGeean made a motion to close the public hearing, which was seconded by Commissioner Wilde. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

Commission Chair Weight stated at this point the Planning Commission can make a motion to move the annexation on to the Town Council, or request to continue the item if more information is needed before doing so. Commissioner McGeean stated he is of the opinion if Daniel accepts the annexation, Daniel will have more control over what occurs on the property. Commissioner Horner stated if the annexation takes place Daniel stays in control and receives the revenue.

Commissioner Wilde made a motion to recommend to the Town Council acceptance of the annexation on Parcel #09-6276. Commissioner Horner seconded the motion. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

3) Geneva Rock Set Public Hearing for Conditional Use Permit for Parcel #09- 6276

Commissioner Taylor made a motion to set a public hearing for a conditional use permit for Parcel #09-6276 for December 18, 2024. The motion was seconded by Commissioner Wilde. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

4) Geneva Rock Set Public Hearing for Small Subdivision for Parcel #-09-6276

Commission Chair Weight stated the parcel is larger than Geneva Rock needs to run a batch plant so they are requesting to subdivide into a small subdivision.

Commissioner Byron Horner made a motion to set a public hearing for a small subdivision request on Parcel #09-6276 for December 18, 2024. The motion was seconded by Commissioner McGeean. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

5) Zone Change Application Set Public Hearing – Ed and Lisa Houston Parcel #20-4498

Commissioner Wilde made a motion to set a public hearing for Ed and Lisa Houston, Parcel #20-4498, for December 18, 2024. The motion was seconded by Commissioner McGeean. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

6) Zone Change Application(s) Set Public Hearing Drew Reilly Parcels #20-4384 and #20-4385

Commissioner Wilde made a motion to set a public hearing for parcel #20-4384 for December 18, 2024, which was seconded by Commissioner McGeean. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

Commissioner Horner made a motion to set a public hearing for Parcel #20-4385 for December 18, 2024, which was seconded by Commissioner

Taylor. The vote was McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

7) Lot of Record Application – Melanie North

Megan Phillips, the daughter of Melanie North, stated they are before the Planning Commission to get a lot of record determination for a parcel just west of the Melanie North property. She would like to build her primary residence on the lot. Commissioner Horner said in looking through the tax records provided, there appears to be no lot of record going back to 1977. Mrs. Phillips questioned whether there was a document called a lot of record at the points in time of 1972 and 1977. Atlas Title reported the larger piece of property had changed hands 8 times since 1977 without any change to the property.

Commission Chair Gary Weight stated the Commission would like to know when the property was subdivided. It appears it was sometime between 1945 and 1972. Mrs. Phillips had obtained the documents she provided from the County, but will ask them if there are any additional documents. Ms. North stated the Jacklins deeded the lots to their daughter, Mary Lue Mackay, and she purchased the lots from her. The Planning Commission needs to have documentation showing the division of the property into two parcels and if that action met county code at that time. Ms. North reiterated she purchased two identical lots from Ms. Mackay at the same time. The lot she built upon in 1986 was a lot of record.

Mrs. Phillips inquired if there is a specific year the Town looks back to in looking for documentation on properties. Planner Bunker stated there is not a time frame specified.

Commission Chair Gary Weight asked for a motion to continue this item to the next meeting.

Commissioner Wilde made a motion to continue the application of Melanie North to December 18th. The motion was seconded by Commission Horner. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

8) Business Licenses

a. New: Schnabel Foundation Company – Peter Zelkowski

This is an application for a subcontractor involved in the building of the Stella Lodge located at 1393 W. Skyridge Drive. The Commission concensus is that Skyridge Drive is located near Jordanelle and, therefore, they will continue this item.

Commissioner Horner made a motion to continue discussion of the business license for Schnabel Foundation Company to December 18, 2024. The motion was seconded by Commissioner McGeean. The vote was McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

b. Renew:

i. West Layne Designs – Julie Givens

ii. Givens Grooming – Julie Givens

iii. HVS LLC

iv. Hungry Bunny

With no complaints received, Commissioner Horner made a motion to recommend to the Town Council renewal of the four business licenses listed. The motion was seconded by Commission Wilde. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

9) Recommendation to Adopt 2025 Meeting Schedule

Commissioner Horner made a motion to adopt the 2025 meeting schedule, which was seconded by Commission McGeean. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

10) Smith Garage Application

Planner Bunker stated there was no one present for the applicant and no new information had been provided.

Commissioner Wilde made a motion to continue the Smith garage application to December 18th. The motion was seconded by Commissioner McGeean. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

11) Planner Report

Planner Bunker stated Daniel has been meeting with Independence to keep moving forward with signalized intersections on Highway 40 mentioned in the Corridor Agreement. There was no further discussion on the Planner report.

12) August 21 (Continued), October 23, 2024 Planning Commission Minutes Approval

Commissioner Horner made a motion to approve the August 21, 2024 minutes. The motion was seconded by Commissioner Taylor. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

Commissioner Horner made a motion to accept the minutes with the stated changes on the October 23, 2024 meeting. Commissioner Wilde seconded the motion. Roll call vote: McGeean abstain, Wilde yes, Horner yes, Taylor yes, Weight yes. The motion carried.

13) Adjourn

Commissioner Horner made a motion to adjourn, which was seconded by Commissioner Taylor. Roll call vote: McGeean yes, Wilde yes, Horner yes, Taylor yes. The motion carried.

The meeting was adjourned at 8:00 PM.

Submitted by Lynne Shindurling
Deputy Clerk/Recorder