



PLANNING COMMISSION
SPECIAL MEETING-September 15, 2015

IN ATTENDANCE:

Chairman Richard Tatton
Reed Phillips
R.D. Campbell
Tom Paluso
Don Torgerson
Commissioner Jake Mellor
Christian Bryner, County Attorney
Dave Levanger, Planning Director/Building Official
Doris Johnston, Administrative Assistant

OTHERS ATTENDING:

Carla Saccamano
Kevin Callahan
Dino Kiahtipes
TJ Nunley
Heather Nunley
Dale Wright
Sue Christensen

EXCUSED:

Danny Blanton

The meeting was called to order at 4:30 PM

- 1) **Call to Order and Pledge of Allegiance**
- 2) **Review and approval of previous meeting**

Dave Levanger explained that staff notes were added in the last paragraph referring to the signatures of plats and asked that these remain in the minutes.

R.D. Campbell made a motion to approve the August 4, 2015 minutes as written. Tom Paluso seconded. By unanimous decision, motion carries.

- 3) **Update on recent development projects and other information**

Dave Levanger explained that Jeff Barlow of J&B Recycling is in the process of cleaning his property up and have received the approval for the sewage system from PRWID. Chairman Richard Tatton spoke with Jeff Richens and all seems to be satisfactory with PRWID.

Dave Levanger and Rex Sacco have met with Mark Ward to discuss the updates to the Natural Resource Plan. Mr. Ward has been hired by the County to do the revisions.

- 4) **Review and possible approval of Brook Meadow 3-lot Subdivision without public improvements on 1250 West, Carbonville. Carla Saccamano**

The proposed 3 lot Subdivision plat was displayed.

Dave Levanger reviewed the plat of a 3 lot Subdivision and referred to the staff comments. There is frontage located on 1250 West. The County Engineer and Road Supervisor are confident that

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the existing road can handle the new homes and traffic. Water and Sewer requirements have been met with PRWID. Some of the requirements recommended for approval are:

1. Deed 50 feet for a road
2. Monument all lot corners
3. Construct the short private drive shown with an 18" x 20 ft. culvert and ditch
4. Remove all old fencing from road right of way
5. Grub the vegetation from the roadway
6. Provide a copy of easement from the neighbor, Mr. Paletta for water
 - Carla Saccamano provided a copy of the easement for Mr. Levanger to review
7. Any other drainage features required by the County Engineer

Chairman Richard Tatton asked if the County Engineer has reviewed the plan for the culvert and ditch mentioned. Dave stated that he has reviewed it.

Tom Paluso made a motion to approve Brook Meadows, 3 lot subdivision without public improvements, Phase I.

Sue Christensen, neighbor, asked to be recognized to speak. Chairman Richard Tatton allowed this.

Mrs. Christensen asked if the Paletta family is the only connection to the water line.

Dave Levanger explained that when the water line was put in, it was mistakenly put on the Paletta's property instead of the County right of way. The Paletta's have allowed Mrs. Saccamano to connect to the water line. Mrs. Christensen asked if this is the same water line that connects to her own property. Dave Levanger stated that it is and added that PRWID has issued a letter stating that it is adequate.

Mrs. Christensen asked if the power lines will be above ground or below ground.

Dave Levanger explained that the County does not regulate this and it is between the Power Company and the builder. Mrs. Christensen explained she paid for her lines to be put underground and does not want above ground power lines in front of her street and will fight this.

Kevin Callahan stated the rest of the road is above ground and Mrs. Christensen's property is the only one with underground power lines.

Commissioner Jake Mellor stated that this is definitely something to approach Rocky Mountain Power about and find out what their desire is, but believes that normally they go above ground unless requested to be underground.

Dale Wright, neighbor, asked to be recognized to speak. Chairman Richard Tatton allowed this.

Mr. Wright had questions on the culvert and ditch and where it would drain into.

Dave Levanger explained that the County Engineer will be deciding the drainage requirements needed for this as stated in item #7. Dave stated the County Engineer may require that a pond be put in. Mr. Wright stated that he has concerns on this and would like to know when this will be decided and would like to be informed.

Chairman Richard Tatton explained that before the plats are approved, the drainage issues have to be signed off by the County Engineer.

Chairman Richard Tatton repeated the motion made by Tom Paluso to approve Brook Meadows Subdivision, 3 lots, **without** public improvements, Phase I. Commissioner Jake Mellor seconded. By unanimous decision, motion carries.

5) Review and possible amendment of the Fremont Village 3 lot subdivision as Phase I, and change name to Soldier Creek Estates, Marc Tomadakis on Soldier Creek Road

Dave Levanger explained Marc Tomadakis wants to rename the Fremont Village Subdivision to Soldier Creek Estates. The plat shows the 3 lots for amendment, but Dave stated the name change needs to be approved first. At this time, only the name change is being asked for.

R.D. Campbell made a motion to approve the name change of the subdivision from Fremont Village to Soldier Creek Estates. Tom Paluso seconded. By unanimous decision, motion carries.

6) Review and possible approval of a zone Change from R-1-8,000 to RR-1, Liberty Estates IV, Dino Kiahtipes.

Dino Kiahtipes, Circle K Ranch, explained they want to change the zone to a larger zone to accommodate bigger lots for a Subdivision. Chairman Richard Tatton asked about the restrictions on an RR-1 with public improvements. Dave Levanger stated that basically the restrictions are paved roads similar to match the Liberty Estates Subdivision, water line, sewer and septic.

Tom Paluso made a motion to approve a recommendation to County Commission for a zone change from R-1-8,000 to RR-1, Liberty Estates IV for Circle K Ranch, Dino Kiahtipes.

R.D Campbell seconded. By unanimous decision, motion carries.

*This item will go to a future Public Hearing with the County Commission for final approval and an ad will be placed in the Sun Advocate at the expense of the applicant.

7) Review and possible approval of a concept for Liberty Estates IV, 6 lots, Dino Kiahtipes

The proposed subdivision plat concept was displayed.

Dino Kiahtipes, Circle K Ranch, explained the location of the proposed 6 lot subdivision and where the existing roads are. Mr. Kiahtipes explained he wants to rezone and develop the back 6 lots displayed.

R.D Campbell made a motion to approve concept for Liberty Estates IV, 6 lots for Dino Kiahtipes, Reed Phillips seconded. By unanimous decision, motion carries.

Chairman Richard Tatton thanked Mr. Kiahtipes on behalf of the Planning Commission for his preparedness and stated he is a very easy developer to work with.

8) Review and possible approval of a request to change the zone map for a part of parcel 02-1655-0004 from RR 2.5 to R-1-20,000, Cecil McKendrick Trust, Mary Thayn.

A map of the property was displayed.

Dave Levanger explained this request is to clean up a trust. The property is located next to the Olive Grove Subdivision. The property has access. There is an old home on the property in the north corner and it will be divided off from the larger part of the parcel once the estate is settled. Dave explained the legal description will need to be submitted before any advertisement and public hearing is scheduled.

Tom Paluso made a motion to approve a recommendation to County Commission to change the zone map for a part of parcel 02-1655-0004 from RR 2.5 to R-1-20,000 for Cecil McKendrick Trust.

Commissioner Jake Mellor seconded. By unanimous decision, Motion carries.

*This item will go to a future Public Hearing with the County Commission for final approval and an ad will be placed in the Sun Advocate at the expense of the applicant.

9) Review and possible approval of changes to the Development Code of Carbon County, Staff

Christian Bryner gave a handout to Planning Commission members with a list of proposed changes to the Development Code and reviewed some of them.

*Don Torgerson joined the meeting at 5:02pm.

- Gas Wells- amend to allow gas wells no closer than 660 ft. from an existing home or structure.
- Commercial Zones- to allow for communication towers and truck terminals.
- Truck Terminals-To specify throughout the Code, wherever Truck Terminals are allowed, there should be a density factor of about 5000 square ft. per truck.
 - Curtis Page, County Engineer showed some examples of the Tie Fork rest area in Spanish Fork Canyon and other truck terminals to show the square footage needed for the trucks to park and negotiate turning, exiting, etc... Curtis explained it is often times site specific and depends on the design. We could adopt a standard that states an estimated requirement; however take alternate designs to be reviewed to show how the site would work and what is necessary. Curtis explained we should not be opposed to approving a truck site that is less than 5000-5500 square feet per truck. It would have to be based on design. Curtis Page felt working with Christian Bryner on this would be appropriate to come up with legal wording. Access in and out of these trucking terminals was also discussed.
- Fire Water-Make it clear for PRWID what the County requires for a minimum pressure standard for fire flow at 20 psi for standard pressure under normal conditions.
 - Dave Levanger explained the State changed the regulation and we need to change with it.
- Permanent Survey Monuments-To require permanent survey monuments on every lot corner of every subdivisions, not just those with public improvements
- Chairman Richard Tatton asked that there be a standard of what the monument would be. Christian Bryner suggested talking with Ben Grimes, County Surveyor, to check the standards on this.
- Enforcement Officer-Make it clear that the County Commission will designate an individual to administer and enforce the Code.
 - Dave Levanger explained he is the current person handling these issues. Dave explained he is not a certified peace officer and not allowed to write citations, which is required for the person to appear in Justice Court. He can only issue the Notice of Non Compliance. Tom Paluso asked if this would require hiring someone. Commissioner Jake Mellor suggested an option could be assigning additional responsibilities to current Sheriff's Deputies. Christian Bryner liked the idea of hiring a person for this job. He explained that if we want Dave Levanger to be the Director of Planning and Zoning and also do building inspections; it is unfair to ask him to also be the one who goes out on weed violations, etc.... It is too much. Also, it is hard to pull staff away from the Building and Planning Dept. as they are needed full time to perform their duties. Don Torgerson commented that the idea here is to give the County Commission the ability under the Development Code to appoint whoever they want and make changes as they see fit and at their discretion. Chairman Richard Tatton added the job would require a person to go out and do

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inspections every day.

Don Torgerson commented that maybe the Sheriff's Office would allow one or two of their deputies to be assigned to do this. It would be a good idea to involve Sheriff Wood in this discussion.

Christian Bryner agreed with Don and felt a process server could possibly include code enforcement along with process serving.

Commissioner Jake Mellor stated some of the cons of having an actual officer do this is the additional expense of a person that is post certified and also asked what expense do we want to attach to this position?

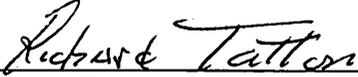
Christian Bryner replied to issue a citation for a person to appear in court, a person needs to be post certified to an extent.

Christian Bryner explained he would speak with the Sheriff on this, but the discussion does not need to be in conjunction with the finalization of the changes to the Development Code. To finalize, we just need to give the authority to the Commission to select that person.

10) Adjourn

Tom Paluso made a motion to adjourn. R. D. Campbell seconded. By unanimous decision, motion carries.

Meeting Adjourned at 5:25 pm


Richard Tatton, Chairman