

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: April 19th, 2017
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 7:00 P.M.

NAME	TITLE	STATUS
Ron Gault	Planning Commission Chair	Present
Brent Ahlstrom	Planning Commissioner	Present
Preston Cox	Planning Commissioner	Present
Rex Harris	Planning Commissioner	Present
Sandy Hunter	Planning Commissioner	Present
Karen Klein	Planning Commissioner	Present
Mike Engstrom	Town Council Member	Present
Gail Ahlstrom	Clerk/Recorder	Present

Citizens: Jeff Hyde Dakota Hyde Bonnie Hyde
 River Hyde Kensie Hyde Laurie Allen
 Steve Johnson Wendy McKay Michelle Crowley
 Matthew Crowley Richard Sorensen Britain Sorensen
 Tim Charwood Dale Grant Bruce Ahlstrom
 Jason Kyle

1-Ron Gault called the meeting to order, there is a full quorum present.

2-Presentation of Historical Ordinance: Wendy McKay: (See Attachment #1)

Wendy remarked that a month ago at the TC meeting Council Member Doug Allen asked if she could help look into ways of raising funds. Wendy called the Utah Historical Society; they have grants from \$3,000-10,000 every other year. They require that the Town becomes a Certified Local Government. Wendy said there are three steps: 1) Prepare a Historical Preservation Ordinance for the TC to approve and sign. 2) The ordinance requires that the Town appoints a Historic Preservation Commission with 3 members, and 3) The Mayor signs a paper stating that the Town is interested in preserving historical landmarks. It's extremely flexible in the way the ordinance is written. Land owners can have total control of their property if they do not wish to be on a historical registry. The Town Park could be included on the registry; anything that is over 50 years old would qualify as historic. The historic registry would be at the discretion of the historic commission. This applies to both private and public properties. The Committee can recommend a private home but the home owner can deny participation. There are perks for the home owner if they participate, they could get funds to help with restoration of their property. Wendy presented the ordinance to the PC for their preview. Wendy mentioned that this is a 16 month process to get approved as a Certified Local Government. Once approved the Town could apply for funds every other year.

Mike commented that if the building is registered as a historic building there are hoops that will need to be jumped through if the home owner decides to do repairs or maintenance on the property.

3-Steve Johnson: Lot Line Adjustment: (7382 E. 100 S.) (See Attachments #2)

Steve said he would like to do some property line changes on his place. Steve shared a letter signed by former PC Chairman Jack Cox back in 2008, where his proposed realignment of property was approved. Mike asked if there was a road. Steve replied that there could be eventually. The proposed access on the drawing is 66' wide. Steve mentioned that Rex Harris helped him come up with this proposed subdivision. Steve said he just wants to record the lines for now. Mike clarified that none of the proposed line changes would affect his neighbors. There is a 20' easement on the Clawson's property, along the east side of Steve's property, which Steve currently uses as a driveway.

Mike asked how this is different from doing a subdivision. Ron said it qualifies as a subdivision, but Steve doesn't have plans to develop it right now. The proposed road would run along the west boundary and lines up with the alley across the street. Sandy clarified that there are four potential parcels. Right now, the property lines run north and south; Steve wants to change the lines to run east to west. There are two large parcels.

Mike commented that if Steve is applying for a subdivision the ordinance requires a Concept Development Plan which includes a long list of items that need to happen. By applying for a Lot Line Adjustment you would skip all of that. Steve said the road would ultimately be Quit Claimed to the Town. Sandy clarified that Steve wants to record four lots without putting in the road. Steve replied that he just wants to put lines on the map. Ron mentioned that in the last PC meeting the Davis family came in with a proposed subdivision. Ron wondered if their road would line up with Steve's. Ron remembered that the Davis' subdivision will have a cul-de-sac. Steve said the reason for the open ended road is that Kristi Bennion's property, which is north and east of the Johnson's is landlocked. This is something that the PC hasn't dealt with before. Steve wants to do a subdivision, but isn't planning to build anything.

Sandy mentioned that years ago Tryge Simpson, who owned the property at 500 S. 7700 E., did a minor subdivision and no road was put in, two lots were created, however, it was a minor subdivision. A minor subdivision is 3 lots or less. Steve stated that right now his house sits on the proposed property line. Mike read from Title 15.27.1.11.D: "In cases of minor subdivisions where there are no improvement requirements beyond the installation of water line laterals from an existing main in the street, water meters, and approval from the Weber County Health Department for a septic system, Final Improvement Plans will not be required. Final Improvement Plans will not be required, at the discretion of the Huntsville Town Planning Commission, where all of the following conditions exist: 1. the subdivision consists of not more than three (3) lots. 2. The subdivision does not require the dedication of any land for roads, right-of-ways, or other public purposes. 3. The subdivision is not traversed by the mapped lines of a proposed roadway or other dedications or easements required for public purposes. 4. Each of the lots in the subdivision meets the frontage, width, and area requirements of the Zone in which it lies."

The lots Steve is proposing conform to the ordinance regulations. Mike said if the PC does a lot line adjustment, are there steps that the ordinances require for the protection of the town or whoever is going to purchase the land that will get bypassed and not get done. The power and gas companies will control this better than the Town. If Steve decides to turn this into a real subdivision and sell the lots, he would need to approach the secondary water company and they will control that standards. Mike warned that if Steve did a lot line adjustment, it should be recorded that these are not buildable lots because there is no road or infrastructure. If Steve did a lot line adjustment could he sale property? Steve pointed out that he couldn't sale property until the road was deeded to the Town. The Commissioners disagreed, Steve could sale the property. People have purchased land locked properties and later learned there was a problem with access.

Sandy stressed that the PC can't approve a building lot without the 130' frontage on a public right of way. Steve said he could file the deeds for the right of way and Quit Claim the easement to the Town right now. Preston asked if the Town would accept the right-of-way if it's not paved. If the Town took possession of the right-of-way, the Town would then be responsible to pave it. Ron pointed out that this proposal is very similar to Larel Parkinson's and the PC is making him follow the ordinances by building the road before deeding it over to the Town. Both are major subdivisions. Steve's proposal would create four lots.

Mike read from Title 15.25.1.9: "Final Improvement Plans. The subdivider shall furnish to the Huntsville Town Engineer at the same time of submittal of the Final Plat a complete set of Final Improvement Plans, signed and stamped by a Utah Licensed Professional Engineer for all streets, existing and proposed, and all utilities to be constructed within the subdivision together with the final plat. All such utility and road construction shall be in accordance with the adopted Huntsville Town Public Works Standards. In addition, the following shall be required: A. Copies of Utility Contracts with applicable companies such as electric, gas, and telephone for services to the subdivision. B. As-built Plans shall be required prior to Huntsville Town Council acceptance for maintenance of roads. Upon the developer's completion of the construction of roads and utility lines, the developer's Engineer shall prepare and submit As-built Plans for all improvements for the approval of the Huntsville Town Engineer and the acceptance of roads for maintenance by Huntsville Town at which time the financial guarantee can be released."

This ordinance is saying that the Town doesn't take on the responsibility of putting in roads and infrastructure to a subdivision. If the PC allows a lot line adjustment, we are creating a subdivision without a road, or taking a road that isn't improved. The cost of installation of roads and infrastructure is borne by the developer or subdivider he re-coops the costs when he sells the parcels. Steve asked for examples of precedence. Mike responded, the Holt', the subdivision on 150 N., and the Parkinson's. Ron would like to discuss this with Attorney Bill Morris about this before a decision is made. Brent asked what Steve's timeline was. Steve said he didn't have one.

4-Michelle Crowley: Request for a Land Use Permit: (6820 E. 100 S.) (See Attachments #3)

Michelle Crowley said she is requesting a Land Use Permit to add an addition to their kitchen. Michelle said they own two lots, one with the home and the other with the pool house. They want to extend their kitchen by enclosing the existing porch on the north side of the home. There is a porch that wraps around the front of the home and they would like to continue the porch around the east side of the home and connect with the new eating area.

The proposed addition is two feet wider than the existing porch. There will be no change to the building height. Roof line will remain the same. Sandy stressed that it needs to be 10' off the north property line. There won't be any additional load to the septic system. **Ron said the PC has reviewed the Crowley's site plan and it meets all required setbacks. Ron motioned to approve the Crowley's Land Use Permit.** Sandy seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Cox Commissioner Hunter Commissioner Klein Commissioner Ahlstrom
NAYS:	

5-Mack DeVries: Request for Land Use Permit: (160 S. 6900 E.) (See Attachments #4)

Mack DeVries said he had a 14' X 32' Tuff Shed Built, his understanding was that if he had someone else build it and deliver it, no building permits were required. Mack said the shed is sitting on cinderblocks right now, there is no need to put in a cement pad. Ron said this is similar to the LaMarche's shed. The LaMarche's poured a slab of cement, ordered the Tuff Shed, pulled a permit with the County, and the County inspected the installation. Mack didn't understand why he would need a building permit, it's just a shed. He said he got on the Town's website and couldn't find any information on what the standards are for construction on your property. Sandy said this information would be under Title 4.2. Mack must have been on the wrong website. Buildings with a footprint greater than 200 sq. ft. require a building permit. Mack will eventually put in electricity, but no plumbing. Mack expressed his frustration that there is nothing in the ordinances that relates to pre-fab structures. Mack will need to obtain a building permit from the County. Mike agreed that Mack makes a good point; it would make sense for the PC to add standards for pre-fab sheds. Mack said he spoke with Rex before he ordered the shed, he wants to do things right. Mack doesn't know if his shed needs to be on a foundation, a cement pad, or if cinder blocks are fine. Preston commented that the County will know what he needs.

The Town gives citizens Land Use Permits, and then they go to the County who knows building standards. They will know what standards need to be met. Mack stressed that there is nothing in the town ordinances that addresses pre-fab buildings. Mike offered to reach out to Craig Brown at the County to get the information for Mack. **Ron said the PC has reviewed Mack DeVries' site plan and it meets all setbacks. Ron motioned to approve Mack DeVries' Land Use Permit.** Sandy seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom
NAYS:	

6-Discussion and/or action on Land Use Permit for Jeff Hyde’s Huntsville Square Development: (200 S. 7400 E.) (See Attachments #5) Dakota Hyde addressed the Commissioners; he is requesting a Land Use Permit for the Huntsville Square Development. There will be a barn like structure with a silo feature and a sky bridge connecting the two buildings. The hotel will face west. Parking will be on the east side of the parcel, adjacent to the new soccer field. There will be a gas fireplace feature and an entry arch way leading into the property. The Commissioners reviewed the engineering drawings in regards to water lines, septic, elevations, storm drains, parking, and site plan. Weber/Morgan Health Dept. is requiring them to install two leach fields, and alternate their use every year. They will be using a chamber septic system. The buildings will be considered the Inn with a lobby, breakfast/coffee shop, and conference rooms. Dakota reported that the buildings will be modular so they can be modified if needed at a later date. The coffee shop will be open to the public. There are several commercial possibilities available on the ground level. Dakota mentioned that the roof lines are 35’ or less with two architectural features that are over 35’ in height, the light ridge and the silo. The rooms will vary from 215’ sq. ft. to 300’ sq. ft. in size.

Dakota explained that they plan to create a lot of texture; they don’t want a big flat wall. There will be one ADA room, and an elevator. All but two rooms will be upstairs. Brent asked when they plan to get started. Dakota replied by mid-summer. There will be 15 parking spaces, at least one for every room. **Ron motioned that the PC has reviewed the site plan for the Hyde’s Huntsville Square Development; it meets all setback and height requirements.** Brent seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom
NAYS:	

7-John Purcell: Discussion on American Legion Signage:

This item was tabled.

8-Dale Grant: Request for Minor Subdivision: (Approx. 100 S. 6660 E.) (See Attachments #6)

Dale Grant said he would like to do an amendment to his subdivision; he would like to add one more lot on the east side of his property. It will be exactly the same size as Lot 6 with the required 130’ frontage and ¾ of an acre. Dale mentioned he wants to sell Lot 6 to his son, who intends to keep the old home which was built back in 1884. Jason Kyle, Dale’s grandson, wants to buy the newly created lot, build a home and be a full time resident. Creating this new lot will still leave over 130’ frontage on the remaining lot. **Ron motioned that the PC has reviewed the proposed minor subdivision of Dale Grant’s and found it to meet the size standards for a complying building lot.** Sandy seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom
NAYS:	

9-Tim Charwood: Discussion about property located at 100 S. 6500 E.: (See Attachment #7)

Tim Charwood joined the Commissioners and explained that he is closing on the purchase of this property on April 28. Tim related that he owns “The Sanctuary” which is 500 acre of property above Green Hills. He is starting construction of a group of high end recreational homes. He would like to work together to create a link in the Town. The first thing Tim would like to do is remodel the existing cabin and make it more attractive. A survey of the property has been done and there are a few property line issues, he will deal with these through Great Basin and handle things the right way. In one area the fence line is off by 35’. Sandy mentioned that the easement into the Boat Club will need to stay; there is a prescriptive right of way. This right of way is on Tim’s property. Tim commented that there seems to be an access in the rear as well. First off, he plans to remodel; take out the insides and putting in new floors, windows, and deck. He has no plans to enlarge the cabin. Mike asked what the intended use will be. Tim responded that he intends to use the cabin as a recreational home. Sandy clarified that Tim is not interested in subdividing the property at this point. Tim would like to take his time and digest what’s going on with the Boat Club. Karen asked if the recreational use would be for him personally. Tim replied it will become a corporate ownership that will be using it as an ancillary to the Sanctuary.

Ron stated that the Town has an ordinance that limits short term rentals. Tim said he will not be doing rentals. Tim said the Sanctuary is very high end development, with people who give back to the community with charitable contributions. Tim would like to try to do something nice and tasteful that could possibly give something back to the Town. He will not be changing the structure in any way. He plans to hire local people and make it a decent place. The grounds are not very attractive right now; he would like to correct this. Tim feels that that location has a lot of potential. Tim just wanted to introduce himself to the PC. He hopes to have the property looking better by the 4th of July. He has a budget of \$85,000 for the remodels. Ron stated that he will need a Remodel Permit from the Town. This will be a corporate escape or retreat, if it doesn’t get used as such, he will let charities use it.

Tim wondered about a zoning change further down the line. Possibly for an exclusive recreation place that would be a unique, spectacular feature. Mike interjected that every time another piece of Huntsville becomes a second home, in reality it pulls some of the vibrancy out of the town, instead of having residents here to support the Town and each other. Tim said he wants to make sure it’s used for good causes. Mike encouraged Tim to think about what would build the Town and add to the pristine feel and help maintain that. Mike said the town is not actively pursuing things to grow a tax base in that area. The feel of the citizens is that they want to hang onto what we have.

Brent & Gail Ahlstrom request for Land Use Permit: (See Attachment #8)

Brent Ahlstrom said he and Gail are looking at adding a front porch onto their home, and make the covered patio into a family room and add another covered patio. Brent commented that everything falls within the setback requirements. **Ron motioned that the PC has reviewed the Ahlstrom’s plan for an addition to their home and it meets all setback requirements.** Sandy

VOTES: APPROVED	
	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein
ABSTAINED:	Commissioner Brent Ahlstrom

10-Discussion on proposed Building Permit Waiver/Title 4.2.1: Building Permit Required:

Ron stated that this item was referred to the TC in the last PC meeting. Gail said she left it on the PC agenda because she felt that it should be pulled into the ordinances. Mike still had a question about when a licensed contractor is hired for a minor repair, do you still need a waiver. Rex felt that if you hire anyone for anything the waiver would be a protection for the Town. Mike thought this waiver was for projects that were entirely self-performed. Ron read from the Waiver: “If work is performed by owner or close associate this means that no compensation either monetarily or in kind shall be tendered.” It sounds like if you are paying someone you wouldn’t qualify for the waiver.

(REX HARRIS JOINED THE MEETING AT 7:50 PM.)

Mike wants to make sure the PC understands that the waiver says you will not hire anyone to do anything on the minor remodel if you want a waiver. Mike thought the discussions leading up to this was that if you were going to hire someone to do the work the waiver would require you to hire a licensed contractor. Rex said the Town can’t get out of the requirement of permitting. However, the State doesn’t say how to administer it. If you are going to hire someone to do the work you should get a permit. Ron said his concern is that if people need a permit before they can start working on a project they aren’t going to get one because the PC only meets once a month. Is there a way to satisfy both needs by having someone come to the clerk to get the permit? Rex restated that you are always required to get a permit, unless you get a waiver. This waiver is saying, if you do the work yourself, you can get a waiver. The designated Building Official should sign the waiver, not the PC. The waiver gives people the opportunity to be law abiding. They just need to list the things they are going to do and agree to meet building codes. The only thing that is changing is the requirement to have an inspection on the work performed. Mike said if the TC adopts this, the PC will need to incorporate it into the ordinances. Mike will present the Building Permit Waiver to the TC on April 20. If adopted, Ron will create the verbiage for Title 4.2.1. **Ron motioned to submit the Building Permit Waiver to the TC for their review.** Karen seconded. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

11-Review potential new Use Category to Table 15-1: Historical Building Restoration Uses: (See Attachment #9) Ron mentioned that the PC discussed this matter in the March 15, PC meeting. This would be an amendment to the Acceptable Use Table for historic structures. Right now the Use Table reads “Historic structures, preservation of, including related accessory uses”. A historic structure would be defined as anything over 50 years of age. Accessory uses in a Residential Zone include low impact, low traffic commercial use, such as storage units. Requires restoration of and/or maintenance of the historic appearance of the exterior of the building. This would allow the Town Government to encourage restoration by allowing accessory use.

Brent said the Town should comply with state regulations. Mike read from the Historic Preservation Ordinance “It is at least 50 years old. It retains its historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features.” Rex said the ordinance would allow the framework to apply for grants. There are always strings attached to federal money. The intent is to preserve a historic structure. Wendy stated that the Ordinance lists things the Historic Society love and then lists things that can be done.

Ron expressed his concern that anyone who has an old barn could say they have a historic structure and could turn it into a storage unit. Mike is in favor of defining historic as pre-1950. Ron asked how many pre-1950 structures are there in town. Rex said there are a lot of questions that will need to be answered; at what stage of repair or dis-repair would you allow the building to be restored. Rex questioned the constitutionality of applying this ordinance equally to every conforming lot. If you have a historic structure on your property, you get to benefit, but your neighbor can’t. Wendy asked if the PC is discussing commercial storage or personal storage. Ron answered that the PC is talking about allowing commercial use on a residential lot.

Brent expressed his concern about how the Town would manage and control this. Rex asked what the difference is between remodeling an old barn as opposed to building a new barn to look old. Brent is worried about opening up this type of use; it could get out of hand.

Mike wondered what a good vehicle would be to allow this to happen. He has a big barn just sitting there. He has no way to generate funds to restore it. It dilapidates more each year. Mike felt that a storage unit would have low impact and could generate funds that would allow him to maintain the building. Rex mentioned the Town Government will need to define the look and use it wants. Ron stated that Mike’s barn is hidden on the edge of Town and not on a main street. Brent made a good point, regardless of restoring old buildings, do we want the use.

Brent commented that most of the people in town don't know the Engstrom's have a barn, it wouldn't be important to them if the barn was restored or not. Right now the Acceptable Use Table does not allow storage units in a residential zone. Rex suggested doing an inventory of all the old structures in Town, and make a list of structures the Town would like to see preserved. If the owner agrees to maintain and preserve the structure then the Town would allow certain accessory uses.

12-Citizen Comments:

Ron reported that he spoke with Attorney Bill Morris about whether the Town can require a property owner to deed land for a road over to the Town, the answer was yes. This is standard practice for a subdivision. Rex said the question should have been if the town can require someone to deed property to the Town if the property isn't being developed, can the Town do this without compensation.

Ron mentioned that he received an email from David Ashby with the Forest Service about the bridge north of Jefferson Hunt; it is over 100 years old and on the verge of collapse. Weber Pathways has some money to improve that trail, but no money to fix the bridge. His question was if the Town has any interest in the restoration of this bridge. The bridge is not in the Town. No concern was voiced as to the bridge reconstruction.

13-Approval of minutes for Planning Commission meeting held March 15th, 2017:

Rex made a motion to approve the PC minutes for meeting held March 15th, 2017, as amended. Karen seconded. All votes aye. Motion passed. Minutes were approved.

14-Approval of minutes for Planning Commission meeting held March 23rd, 2017:

Rex made a motion to approve the PC minutes for meeting held March 23rd, 2017, as amended. Brent seconded. All votes aye. Motion passed. Minutes were approved.

Set date for next PC meeting:

The next PC meeting will be held on May 25th.

Karen made a motion to adjourn. Brent seconded. All votes aye. Motion passed.

Meeting adjourned at 9:55 P.M.

Gail Ahlstrom, Clerk/Recorder

