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**Town of Hideout
Planning Commission Meeting
March 21, 2019
6:00 p.m.**

REGULAR MEETING

The Planning Commission of the Town of Hideout, Wasatch County, Utah, met in **Regular Meeting** on February 21, 2019, in the Council Chambers located at 10860 N. Hideout Trail, Hideout, Wasatch, Utah,

Present: Jerry Dwinell, Chair
Ralph Severini, Vice Chair
Kurt Shadle, Alternate Member
Sara Goldkind, Member – via electronic
Vytas Rupinkas, Member
Bruce Woelfle, Member

Excused: Tony Matyszczyk, Alternate Member

Also Present: Dan Dansie, Town Attorney – via telecommunication

Others in Attendance: Mr. Plumb, Walter Crumb, Paul Larsen, Paul Ziegler, Jerry Fields, Jeff Turner, Bob Edelberg, Melyssa Davidson

1. a. Call to Order and b. Pledge of Allegiance

Chair Dwinell called the Regular Planning Commission meeting to order and led the Pledge of Allegiance.

c. Roll Call

Planning Commission Members Dwinell, Severini, Shadle, Goldkind, Rupinkas, and Woelfle were present. Commissioner Matyszczyk, Alternate, was not present.

Chair Dwinell explained there were a few new individuals on the Planning Commission: Bruce Woelfle and Tony Matyszczyk. Chair Dwinell noted that Commissioner Woelfle was a Member and Commissioner Matyszczyk was an Alternate. He went on to say Commissioner Woelfle had requested to be the Alternate this evening since this was his first night on the Commission. Therefore, Commissioner Shadle would act as the Member this evening for voting purposes.

2. ADMINISTRATION: Approval of meeting minutes: November 15, 2018; January 17, 2019; and February 7, 2019 (Special Session)

Chair Dwinell indicated there was an outstanding issue with the November 15, 2018, minutes. He noted most of the comments had been resolved. However, one there was one comment that had not; it was in regard to the building inspector from the county. He said the comment was made by the Town not the county and that needed to be clarified. He went on to say it may have been an incorrect comment; however, it was no known.

Commissioner Severini indicated he thought it may be correct because he listened to the recording. Chair Dwinell said if the correct recordation of the meeting was that someone said “county”, then they should leave it. It was agreed they should leave it, and if they wanted to reference it an was incorrect statement.

1 Chair Dwinell requested that Commissioner Severini clean up the draft minutes and forward them to Ms.
2 Hallam.

3
4 Discussion followed regarding the way minutes could be amended; Mr. Dansie provided counsel as to
5 ways it could be completed and how Commissioner Severini could amend the November 15, 2018,
6 minutes appropriately.

7
8 **Motion:** Commissioner Rupinkas moved to approved the regular minutes of November 15, 2018, with
9 the amendment as proposed that the statement should be in regard to getting a town inspector not a county
10 inspector. Commissioner Severini made the second. The motion passed unanimously.

11
12 **Motion:** Commissioner Rupinkas moved to approved the regular minutes of January 17, 2019; and
13 special meeting minutes of February 7, 2019 as presented. Commissioner Severini made the second. The
14 motion passed unanimously.

15
16 **3. PUBLIC HEARING: Application for Conditional Use Permit from Sunrise Ridge.**

17 David Ericson, Sunrise Ridge, addressed the Planning Commission. He informed the Commission that he
18 was giving the presentation; however, the owner of the property is Dave Merrill.

19
20 Mr. Ericson indicated the project was 19.08 acres, and they were asking for a conditional use for a plan
21 performance development with a proposed bonus of 1.5. He added that there was an abundance of trails
22 but only approximately 1,110 would be paved and there was a bonus density available for paved trails,
23 which they were asking for as well. He noted that would bring them to 32. Mr. Ericson stated the open
24 space calculated to approximately 57 percent.

25
26 Chair Dwinell inquired if the name of the project was changed to River Rock. Mr. Ericson clarified the
27 name of the project was Sunrise Ridge; the owner of the property was River Rock.

28
29 It was inquired if the trails in the development were going to be public or private trails. Mr. Ericson
30 explained the trails would be public trails, which was a part of their performance requirement.

31
32 Mr. Ericson pointed out the thick blue line, which was the property boundary; it was within the Town of
33 Hideout. He noted there was an extension that went outside of the Town of Hideout and that portion was
34 not included in the development. The road, which was presented on the map, is the existing Golden Eagle
35 dirt road that goes up to the water tank and the highway was at the bottom. It was noted the purple line
36 was another boundary line.

37
38 Chair Dwinell pointed out that the project was approximately half the size of what Mr. Ericson presented
39 the last time he came before the Commission. Mr. Ericson indicated that was correct, and he does not
40 have any plans right now for the balance of the property.

41
42 Mr. Ericson stated they have a generous access off of UDOT with an island. He went on to say Golden
43 Eagle would continue on through. He said the area was relatively flat. It was inquired where Highway
44 248 was. Mr. Ericson indicated it was at the bottom of the page.

45
46 Mr. Ericson indicated there were roads that continued down at a diagonal and it would offer a lot of
47 flexibility for the adjacent property owner. In addition, they placed a road along the frontage as well;
48 primarily because if they start to do cul-de-sacs and fire turn lanes, you end up with more asphalt. Mr.
49 Ericson continued to discuss the road and the width of the road, which would be a fire access road.

1 Chair Dwinell clarified the park was an HOA or neighborhood park - not a public park. Mr. Ericson noted
2 that the trails were public trails, and it was his understanding that the plan performance development
3 discourages public amenities other than the trail. They want to be in compliance with the code. Chair
4 Dwinell recalled that the trails were public; however, the park was listed as a park that services this
5 neighborhood. He went on to say, he did not think the Town would have an objection if the park was a
6 public park.

7
8 Discussion followed regarding the trails and which sections were paved and which were not paved.

9
10 Mr. Ericson discussed the topography of the land, which would accommodate main level homes. He went
11 on to say they were going to try and do a combination of two-story and single level units. He noted that
12 the area worked out well for residential lots. Discussion followed regarding the view area that would be
13 reach by means of a trail. He said they do not plan on building any structures at the area. They would
14 prefer to build some interests with rocks. Chair Dwinell indicated the area with the slope may be a good
15 area for a slope trail, which is a trail designated for bikes only and it goes one way. Council Member
16 Baier indicated they would have to see the trail plan in context. She said there was very different user
17 group that utilizes the trails.

18
19 Mr. Ericson said they could evaluate the trail plan, but he would need to understand the types of trails
20 better. Council Member Baier stated they would have study it more carefully; she couldn't give him any
21 advice. She added that he would have a trail designer design the trails because they are more technical
22 than the standard trails.

23
24 It was inquired what the design of the drainage basin was; was it natural drainage. Mr. Ericson indicated
25 a certain amount of the storm drain would come down, and they would pipe it and probably cross road it.
26 He explained there was already a basin in the area.

27
28 Chair Dwinell inquired if the straight lines were lanes going along Golden Eagle. Mr. Ericson stated that
29 Golden Eagle was already graded and revegetated.

30
31 Chair Dwinell said right now the road that they had does not actually connect to the panhandle piece of
32 the property. He inquired how they were going to eventually going to access that property. Mr. Ericson
33 indicated that property would be hard to access. Discussion followed regarding various access
34 points/emergency accesses. He noted there would be two routes for the Sunrise Subdivision – one being
35 the highway and the other being through Golden Eagle. In addition, there was going to be a diagonal
36 easement provided along the property line granted by **NAME**.

37
38 Chair Dwinell indicated his next question was to the east of Golden Eagle, to the edge of the property,
39 they have a neighboring property that could benefit greatly from access back to Golden Eagle Drive. He
40 noted that a portion of the property is inside of the Town of Hideout and a portion of the property is
41 outside of the Town of Hideout, and they are in negotiations of an annexation now. He stated one of their
42 concerns is that they do not land lock them either. They would be interested in extending his frontage
43 road to the edge of the property in their direction, which would prevent that property from becoming an
44 island as well. Mr. Ericson indicated it looked like there was a lot of slope in the area. Chair Dwinell said
45 it looked like there was a flat spot in there that they could probably put in a road.

46
47 Chair Dwinell stated the other point he wanted to make was he was concerned about the narrowing of the
48 road. He added it was a difficult road in the winter to negotiate if it becomes a one-lane road. He said he
49 did not want to see that. Discussion followed regarding the road in questions and solutions to the road.
50

1 Commissioner Goldkind inquired how many access roads would Golden Eagle have. Mr. Ericson
2 indicated there were two accesses for Golden Eagle now. Commissioner Goldkind clarified it was the
3 secondary access road and the main road. Mr. Ericson indicated that was correct. Discussion followed
4 regarding the secondary access road for Golden Eagle.

5
6 Chair Dwinell asked Commissioner Rupinkas if he thought the road was wide enough going in with 28-
7 feet plus another 3-feet of curb, for a total of 31-feet. Commissioner Rupinkas replied they were having
8 a hard time with the road widths. he went on to say if there was an extra-wide road, people would drive
9 faster. It was noted if they wanted the right width of the road, they had to have the equipment to do it. Mr.
10 Ericson pointed out the road widths exceeded the road standard.

11
12 It was inquired who would be responsible for plowing the interior roads. Mr. Ericson explained the HOA
13 had different levels of service. That was a question to be determined down the road. Mr. Ericson stated
14 as of right now, there was only one subdivision that had full-service including roof replacement. He went
15 on to say the full-service also included driveways. It was questioned if the HOA would be willing to
16 include the interior roads. Mr. Ericson said he did not think so.

17
18 Discussion followed regarding the size of the individual units. Mr. Ericson explained the single level units
19 would be approximately 1,900 to 2,000 square feet. The multi-level units would be something less than
20 2,500 square feet. Chair Dwinell questioned when he talked about multi-level units, would those units
21 have basements. Mr. Ericson referred to the plan, he explained what types of homes could be located in
22 different areas, and how they would break up the unit types. It was noted the units were larger than
23 Rustler and the same size as Shoreline. Chair Dwinell inquired if any of the homes would be two levels
24 above the street. Mr. Ericson indicated there would be. He went on to say, one side of the development,
25 in as many places as they could, would be one level and the other side would be multi-level. Mr. Ericson
26 discussed which units would be two levels.

27
28 Commissioner Shadle clarified that in regard to the twin units, one style would be one level and another
29 style would be multi-level. Mr. Ericson said not in every instance; they are trying to break up the units.
30 They are anticipating having half of the units single level; however, they probably need to say they want
31 to get up to 16 single levels. They think that would be an attractive selling point.

32
33 Commissioner Shadle inquired if there was concern that one of the units would be looking at a roof of
34 another unit. Mr. Ericson said they would try their best to get view corridors through but in some instance
35 the second level may just have a through view. They cannot guarantee a view for everyone.

36
37 Mr. Ericson explained there would be an agreement with Raven Rock and the Master HOA, and they
38 would have to go through the full design review guidelines and meet those requirements. He noted they
39 have to get deeper into that. Discussion followed how the agreement between Raven Rock and the Master
40 HOA would work; in addition to the MBA. It was clarified there was no MBA in place on this property.

41
42 Chair Dwinell said he thought the Town was more concerned from the aspect of the CC&R. He noted that
43 the Town does not currently have a DRC; he thought they would be interested in an MDA that covered
44 that or came in under their HOA that handled it. It was indicated that it was very important from the
45 Commission's standpoint.

46
47 Commissioner Goldkind asked if there was going to be public trails and the road are fairly narrow, where
48 would the public park. In addition, she clarified they were interested in a piece in Sunrise; if so, how
49 would it dovetail into the larger picture of Sunrise.

1 Mr. Ericson explained the last time they came they had an overall combined plan; however, this time,
2 there has not been any engineering or planning completed for second property. He added they do not own
3 that property, and their application was for this property. There will be an easement agreement along the
4 top diagonal of Sunrise that would give the other property access to the road. Mr. Ericson added they had
5 four parking stalls at the bottom of two stubs to accommodate parking.
6

7 Chair Dwinell said he thought it might be worth considering putting in, on the trailhead on the north end,
8 a small parking facility. Further discussion followed regarding the trailhead and accommodating parking.
9 Mr. Ericson said he thought there was some opportunity on the east side of Golden Eagle. Chair Dwinell
10 indicated he did not want that home to have parking in their back yard; he thought it would be better on
11 the other side of the road. It was thought if the trials are public trials, there needed to be adequate parking
12 for individuals to access the trials.
13

14 Mr. Jared Fields, Mustang Development, addressed the Commission. He made it clear he did not
15 represent River Rock or Mr. Merrill. He said they had a positive relationship and talked about
16 coordinating on adjacent properties between this area and Golden Eagle.
17

18 Mr. Fields said he wanted to address a few comments regarding accesses. He said the parcel to the east of
19 Raven Rock property; he wanted to mention, there are a number of easements favoring the surrounding
20 property owners. He indicated if they went back to the JFFC, the agreement that was worked out with a
21 lot of the property owners, he thought the group that owns the property he mentions, they also own two
22 other small triangles that sort of cut through. Mr. Ericson said they do not at the present time. Mr. Fields
23 stated this does not change the access to the property, and they way they usually handle that in the
24 development world was for neighboring property owners to have that worked out, share costs and access.
25 Typically, you are asking to help install infrastructure with a cost share agreement. He went on to say, it is
26 not usually pushed on by a municipality to make sure access is secured. It's the responsibility of the
27 property owners to secure their own access. He went on to say he thought there was an easement for
28 access for what was becoming Golden Eagle Road further north.
29

30 Chair Dwinell said his concern was not you install a road but a right-of-way/easement was granted for the
31 properties to the east. He went on to say UDOT was restricting how many access points they have to
32 Highway 248. He said to be a good citizen; they do not want to monopolize those access points. They
33 want neighboring properties to be able be able to access Highway 248.
34

35 Mr. Fields reiterated his only comment was they do not own the property, but if he was speaking as an
36 owner, that was an issue for private negotiations between property owners; easements are a private
37 agreement.
38

39 Mr. Dansie said he thought he agreed larger with what Mr. Fields said. The cost of construction of roads
40 being a matter of reimbursement agreement between developers and a town or a cost-sharing agreement
41 between developers that builds. He added that one thing he would say, which was a slightly different view
42 on access, on the Golden Eagle Plat, he does not think that Golden Eagle Road was showing on the map;
43 therefore, at this point, it was not a public right-of-way. If Mr. Merrill's intent is to dedicate that portion
44 of Golden Eagle Road to the public, then he does think the Town has an interest in ensuring that public
45 assess was available to adjoining landowners. He thought it was a public interest that was within the
46 Town's police power to regulate. He went on to say if the developer was going to dedicate the road to the
47 public and turn the obligations of maintenance and ownership of the road over to the public, then he
48 thought it would be something the Town could condition a dedication of that road on. He said in his mind,
49 it was a different issue than what they were talking about tonight. However, he did think there was a
50 public interest that would justify ensuring out that the adjoining landowners to a public road if the intent
51 was to dedicate it as a public road.

1 Mr. Dansie inquired if there was another map they could view. He didn't know of the map they were
2 viewing now was the best one to show where the termination of Mr. Merrill's property was with respect
3 to Golden Eagle. Chair Dwinell pulled up the Wasatch map. Mr. Dansie reviewed the newly present map.
4 Discussion followed regarding the map and the property owners in the area.

5 **** (Jan, This is where I (Teri) picked up the meeting).**

6
7 Mr. Dansie's understanding was that Mr. Spratling's property is to the east of the town boundary. Chair
8 Dwinell clarified that the bottom triangle inside of the Merrill's property is not owned by him.
9 Mr. Dansie commented that the discussion as to whether the public will be able to make reasonable use of
10 a public street is a conversation for a different day. He agreed that the cost of construction is either a
11 matter for developers to determine themselves or provide reimbursement for. Ensuring access is
12 something the public has an interest in if it is intended to be a public road.

13
14 In response to a question raised, Mr. Dansie stated that the Planning Commission is empowered to impose
15 conditions they feel are appropriate. His understanding was that the conditional use being sought is to
16 approve attached single-family homes so that the developer can then proceed with an application as a
17 planned performance PUD. The Commission should identify the issues that are unique to the attached
18 single-family product that need to be addressed and impose conditions. In his opinion, the access to the
19 neighboring property was an issue that is not specific to the conditional use being sought tonight. The
20 issues that arise with respect to the conditional use being sought involve the road width of the homes.

21
22 It was noted that in the past, the town has always provided applicants with a bonus, which is not
23 guaranteed density. It was felt that the bonus density area competes with other interests. Mr. Dansie
24 noted that the Code provides for the Planning Commission to approve a conditional use but there was
25 some uncertainty as to whether they are also empowered to approve the additional density. It should,
26 however, be considered as part of a concept plan or at the preliminary approval stage. There was
27 clarification that in terms of granting the additional ERUs, the Planning Commission can make a
28 recommendation but cannot grant approval. Procedural issues were discussed.

29
30 It was noted that additional density issues can be awarded but the Code does not specify how it is
31 calculated. Verbiage was referenced indicating that the Planning Commission shall not authorize a
32 conditional use permit unless evidence is presented to establish the proposed use. There was some
33 concern with the proposed provision stating that a conditional use is necessary and desirable to provide a
34 service or facility that would contribute to the general well-being of the community and neighborhood.
35 Mr. Dansie explained that conditional uses are defined and regulated on two levels. The State, in the
36 Municipal Land Use Development Management Act (LUDMA), describes what municipalities can do
37 with respect to land uses. Because municipalities are a subdivision of the State, they have no organic
38 authority except as delegated to them by the State. The State defines what a municipality can and cannot
39 do with respect to conditional uses. The State statute, however, specifies that a conditional use must be
40 approved as long as certain conditions can be attached to mitigate the adverse impacts.

41
42 Mr. Dansie explained that attached single-family is already a conditional use. As a result, the town's code
43 anticipates that it is appropriate in the Mountain zone in some circumstances. The duty of the Planning
44 Commission is to determine what conditions, if any, to impose to mitigate the impacts. A conditional use
45 can be denied if there are no conditions that can be imposed to mitigate the detrimental impacts.

46
47 Chair Dwinell stated that in the General Plan there is a request for diversity in the types of homes that are
48 available. Currently, in the proposed developments, 2,100 to 2,200 doors will be opened. Of those,
49 approximately 70% are attached. He questioned whether that was enough to deny an attached housing
50 request. Mr. Dansie stated that with respect to the zone change, the town is under no obligation to rezone
51 property. If a rezone is requested, an applicant can come before the town and describe how the proposal

1 will enhance and benefit the community and residents. A conditional use is different. Mr. Dansie
2 explained that if the Code authorizes conditional uses for a specific parcel, which the Town's Code does,
3 and if the applicant asks for a conditional use and there are conditions that can be imposed that can
4 reasonably mitigate the anticipated effects, then it must be granted.

5
6 The specific proposal was addressed. Disappointment was expressed that commercial is not proposed in
7 the space. Reference was made to a previous comment that there are a plethora of townhomes in Hideout.

8
9 Mr. Dansie commented that if the feeling is that there is too much attached product already, the recourse
10 for the Planning Commission is to amend the Mountain Zone Code to make an attached product no longer
11 a conditional use. State law specifies that if there is a conditional use in the Code and they do not make a
12 finding that there are no conditions that can mitigate the adverse impact, then it must be approved with
13 whatever conditions are appropriate.

14
15 Mr. Ericson was asked if there was any opportunity on the property to develop 32 single-family units.
16 The applicant explained that he had not conducted that analysis but even if they were to do single-family,
17 they would have to come in for conditional use approval. Their understanding was that the housing
18 proposed for the smaller active adult community was not being looked at favorably. What is proposed are
19 attached units but many are three, four, and five plexes, which can be problematic and can be challenging
20 to mitigate. They are providing what they consider to be a combination of uses with buffering and a
21 smaller main level living unit.

22
23 Kurt Shadle asked how many properties are in the development that are slated to be built. Mr. Ericson
24 responded that they are proposing 316 single-family homes. Commissioner Shadle did not consider the
25 request to be a problem in terms of satisfying the diversity housing requirement. His opinion was that
26 what is proposed provides more housing diversity than other neighborhoods comprised of single-family
27 homes. The thought was that it provides for diversity that is not currently available in that location.

28
29 Commissioner Severini raised the question of whether a recommendation to grant conditional use
30 approval would deter them from using the General Plan diversity approach for other applicants.
31 Mr. Dansie responded that without more creates a tenuous basis on which to deny a conditional use if it is
32 specifically authorized in the Code for the area where the property is located.

33
34 Commissioner Goldkind appreciated that an attempt was being made to build open space and trails;
35 however, one of the responses they received was to have a trail system that was interconnected. The trails
36 in this case, however, do not connect to anything. She wondered whether that was a legitimate reason to
37 deny the conditional use. Mr. Dansie explained that the conditional use is the attached product. The
38 question was whether it is to be approved for this area. The issue of density is separate and the density
39 bonus is something that the developer has to earn. The only real option is what conditions to apply.
40 Three or four were discussed earlier. One pertained to road widths. The determination was made to
41 specify 26 feet as the minimum road width.

42
43 The Design Review Committee should also be established and include at least two members from either
44 the Planning Commission or Town Council. Off-street parking should also be provided with the location
45 and size to be worked out between the developer and the Parks and Trails Committee. The off-street
46 parking will be one of the conditions. The possible fourth requirement would be that the section of
47 Golden Eagle that passes through the property would be dedicated to the Town and sufficient easements
48 created so as to not disenfranchise neighboring properties.

1 A question was raised as to whether a portion of the conditions could require the trail from Sunrise Ridge
2 connect to the trail in Golden Eagle. Mr. Dansie stated that that would have to go through an adjoining
3 property, so he did not think such a condition could be imposed.
4

5 Chair Dwinell opened the public hearing.
6

7 Chris [REDACTED] asked what the density would be without the bonus with the trails. It was noted that
8 two would be lost without the trails but that would be predicated upon the up to 150% bonus. Part of that
9 would include improved public open space and public amenities, recreational amenities, etc. It was
10 verified that 1,100 feet of the trail will be paved. Ms. [REDACTED] commented that there is dubious value in
11 the current configuration and the trails that go around the perimeter of the community will dead end off of
12 Golden Eagle Road. She stated that they are not the kind of paved road connections that are desired since
13 they do not connect communities and they are not interesting single-track or located in areas where
14 someone can get off of a busy road to take a walk. Her opinion was that they are proposed solely with the
15 purpose of obtaining additional density. If they are public trails, it will be difficult for the Town to
16 maintain them because they will not get much use.
17

18 It was proposed that a fifth condition be added that the trail design be worked out with the Parks and
19 Trails Committee. It was noted that the committee has been working on plan but they do not yet have a
20 plan that is adoptable. The Town Council will ultimately determine the ERUs that will be allowed.
21 Possible motion language was discussed.
22

23 **Motion:** Commissioner Severini moved to approve the conditional use subject to the following:
24

25 Conditions:
26

- 27 1. The road width shall be a minimum of 26 feet.
- 28
- 29 2. The Design Review Committee shall ensure consistency between what is built in the Town and
30 current design.
31
- 32 3. At the Town's discussion, no more than 10 additional off-street parking stalls shall be provided at
33 the top of Golden Eagle.
34
- 35 4. There shall be an appropriate dedication of Golden Eagle to the Town with the assumption that
36 there is an easement for the neighboring properties.
37
- 38 5. The trails shall be co-designed with the Parks and Trails Committee.
39

40 Commissioner _____ seconded the motion. Vote on motion: Sara Goldkind-Aye, Kurt Shadle-
41 Aye, Vytas Rupinkas-Aye, Ralph Severini-Aye, Chair Dwinell-Aye. The motion passed unanimously.
42 Bruce Woelfle did not participate in the vote.
43

44 Chair Dwinell stated that a decision needs to be made with respect to the 150% ERU bonus. The trail
45 bonus will depend on the outcome of the trails design. Kurt Shadle felt there was not enough information
46 to given a positive or negative endorsement. It was suggested that more information be obtained and
47 allow the Town Council to make the final decision. Sara Goldkind agreed.
48

1 PPD issues were discussed. It was clarified that the conditional use is for the attached product. If the
2 developer chooses to develop it as single-family or detached, he no longer needs a conditional use.

3
4 Chair Dwinell suggested the Commission next address agenda item number five and defer the remaining
5 items to a future meeting.

6
7 **4. PUBLIC HEARING: Ordinance to Amend Town Code Regarding Snow Removal, to be**
8 **Referred to the Town Council for Adoption.**

9
10 The above matter was tabled to a future meeting.

11
12 **5. PUBLIC HEARING: Ordinance Establishing Design Standards for Telecommunication**
13 **Providers, to be Referred to the Town Council for Adoption.**

14
15 It was noted that this is the Town's sixth attempt to ensure that what happens in the right-of-way does not
16 adversely affect the Town. At the last meeting, the decision was made to impose design standards.
17 UDOT previously published standards for fiber in the right-of-way so the proposed verbiage was intended
18 to address those. One of the standards requires grade level installations. The following standards were
19 also proposed to be added:

- 20
21 1. The UDOT design standards must be adhered to.
- 22
23 2. The landscape design must be approved by the governing body of the property.
- 24
25 3. The landscape installation must be performed by a landscape professional.
- 26
27 4. The installation and maintenance of the landscaping is the responsibility of the
28 telecommunications provider so long as the box is above grade.
- 29
30 5. The telecommunications provider shall provide a phone number that homeowners or the HOA
31 can use to report issues with the landscaping.
- 32
33 6. The provider shall have five calendar days to remedy any issues. If not resolved, the Town
34 reserves the right to revoke any applicable franchise agreement.

35
36 Jack Walkenhorst from All West Communications reported that they do things very similar to the power
37 company. They mark them, GPS them, and keep them dug out through the winter so that they have
38 access to them.

39
40 The specifics of what constitutes a Landscape Professional were discussed.

41
42 Chair Dwinell opened the public hearing. There was no public comment. The public hearing was closed.

43
44 **Motion:** Commissioner Shadle moved to recommend adoption to the Town Council of an ordinance
45 establishing design standards for telecommunication providers. It was considered a positive step in the
46 right direction. Commissioner Rupinkas seconded the motion. Vote on motion: Sara Goldkind-Aye,
47 Kurt Shadle-Aye, Vytas Rupinkas-Aye, Ralph Severini-Aye, Chair Dwinell-Aye. The motion passed
48 unanimously. Bruce Woelfle did not participate in the vote.

1 **6. ADMINISTRATION: Update from Town Attorney on Whether the Existing Performance**
2 **and Warrantee Bond Provisions in the Town Code Cover Repairs to Develop Roads, or**
3 **Whether a Road Bond Ordinance is Required.**
4

5 The above matter was tabled to a future meeting.
6

7 **7. ADMINISTRATION: Discussion of Ongoing Work to Improve Subdivision Application**
8 **Processes.**
9

10 The above matter was tabled to a future meeting.
11

12 **8. ADMINISTRATION: Discussion and Review of the Planning Commission Docket.**
13

14 The above matter was tabled to a future meeting.
15

16 **9. Adjournment.**
17

18 With no further business coming before the Planning Commission at this time, Commissioner Rupinkas
19 moved to adjourn the meeting. Commissioner Severini made the second. The motion passed
20 unanimously.
21
22
23
24
25

Lynette Hallam, Town Clerk