

**Town of Hideout
Planning Commission Meeting Minutes
10860 North Hideout Trail
Hideout, Utah
April 18, 2019**

Present: Jerry Dwinell, Chair
Kurt Shadle
Vytas Rupinkas
Tony Matyszczyk, Alternate Member

Others: Dan Dansie, Town Attorney
Chris Baier, Town Council Member

Excused: Sara Goldkind
Bruce Woelfle
Ralph Severini

BUSINESS MEETING

1. OPENING:

a. Call to Order.

Chair Jerry Dwinell called the meeting of the Planning Commission for the Town of Hideout to order at approximately 6:00 p.m.

b. Pledge of Allegiance.

Chair Dwinell led the Pledge.

c. Roll Call.

There was a roll call of those present.

2. ADMINISTRATIVE: Approval of Meeting Minutes.

- a. February 21, 2019**
- b. March 11, 2019 (Special Meeting)**
- c. March 21, 2019**

MOTION: Commissioner Shadle moved to accept the minutes. Commissioner Rupinkas seconded the motion. Vote on motion: Tony Matyszczyk-Aye, Vytas Rupinkas-Aye, Kurt Shadle-Aye, Chair Jerry Dwinell-Aye. The motion passed unanimously.

3. ADMINISTRATIVE: Presentation from Tensar Corporation (GeoTech/Slopes Firm).

Ryan Guthrie identified himself as the Western Regional Manager for the Tensar Corporation. He was approached by Ralph Severini who updated him on the situation in the Town including continuity, engineering, and possible solutions. He was present to address what Tensar has to offer.

Rodrigo Valencia identified himself as Tensar's Director of Walls and Slopes and described the work they do. He stated that Tensar has been around since 1984 in the United States and since 1975 globally with plants around the world. They provide solutions for geotechnical applications for boats, airports, and buildings.

Mr. Guthrie gave a brief overview of terminology they use. He reported that Tensar was established in England and they are the originators of Geotech style and mechanical stabilizers. They have a great deal of credibility in the industry. All of the products they produce in North America are manufactured in Georgia. Many of the materials are procured and made in the U.S. Their corporate office is in Atlanta. They employ numerous licensed engineers, which allows them to offer superior knowledge and solutions. They are a full-service provider of walls and slopes applications. Tensar as a whole does vertical markets, rail, roadways. Other services they offer were described.

Mr. Valencia reported that they can design solutions in house and plan the design as they are licensed everywhere in the United States. They will work with the Town to produce products to be used for soil work. They can also work with other geotechnical companies. Mr. Guthrie explained that in order to facilitate work in the area, they have distributors and contractors who work in the area. He showed a mechanically stabilized earth overview as well as a rendering of reinforced fill and retain soil, which will be the native dirt. The goal will be to figure out how to use the on-site soil to avoid importing soil from another source at a cost. Tensar's systems will be mechanically fastened, which is what differentiates them. With regard to a typical eight-inch retaining wall, they would have a design and make the mold for the rock. They then find a producer who will make the rock and work with their team. They also do reinforced slopes and wire backing. In the Colonies development in Park City, there are many wire walls. These types of structures require a lot of rock and the use of wire is usually cost effective.

Mr. Guthrie stated that their grid is plastic and is heated, drawn, and stretched. Other grids are polyester so they are a woven fabric coated with polyester. Their grids are sheer plastic and will not break down. The soil advantages were described. Mr. Guthrie explained that if there is a high pH their grids will not break down. Their product has a huge advantage in situations where there is water, high pHs. If recycled concrete is used, their grid is the only one used in the industry for concrete. Their design consists of one long abature and is not an actual cross-section grid that is typically seen. The grid used on their wall applications will positively connect to the base of the wall. In the end, it is cost effective. Concrete walls, for example, are very expensive. Mr. Guthrie pointed out that they can design and engineer any type of loading including trains, houses, and roads.

Mr. Guthrie displayed renderings of reinforced slopes. He described the difference between a slope and wall. He explained that the retain fill is the native soil. The reinforced fill will be either soil that is on site or they will import soil. The primary reinforcement will hold everything together. A grid will be constructed to stabilize the slope. Other renderings of reinforced slopes were displayed.

A rendering of a sierra slope was next displayed that would have slopes built up and compacted. In the end, the engineering will depend on the budget and what the end result is such as rocks, dirt, or plants. The hope was that the end result will be a nice aesthetic. Mr. Guthrie described how wire will be used as part of the construction. It is a xeriscape product and he considered it to be their easiest and quickest option. In the Colony they used a galvanized wire basket with an aged rustic look. It will provide a very cost effective wall facing. Mr. Guthrie explained that it is a 10' x 18" basket with a grid that runs perpendicular to fit the wall. He stressed that the grid does not run parallel to the wall. It has to connect to the base of the wall. It creates the strength by interlocking with the dirt and compaction. The grid connects where the back of the wire strut and the basket connect. This is the most cost effective, and quickest product to install. He noted that they can do any type of commercial application so no one will realize it is a stabilized dirt wall.

Mr. Guthrie described the installation process and stated that it is not overly difficult but is time consuming. A visual was provided of what they do. Examples included the permanent wire wall and reinforced slope. With respect to temporary walls, Mr. Guthrie explained that they have a lifespan of about three years and are typically used for haul roads or access and then buried or covered up by another wall. Mr. Guthrie stated that if a wall moves or articulates it is tied together, which provides a lot of value. With the traditional application, there can be safety issues.

Photos of properties around the Town were shown to Mr. Guthrie and his team who addressed what they would do. Questions were asked regarding specific a slope on property behind Ralph Severini's home that needs to be addressed. Mr. Guthrie described what would be done if the intent was to build a wall. That would give the neighboring residents more backyard. A 10-foot wall with four feet of grade would be needed. It would essentially become less of a slope and more of a wall. The concerns would be stability and aesthetics. From an aesthetic standpoint, Mr. Guthrie stated that it will not be "pretty". From a stability standpoint he was not sure. In the end, it will come down to budget. Their goal is to find a solution that meets all of the Town's needs.

Erosion control efforts on the site were being addressed with vegetation. The area was thought to have been hydroseeded three times. It was noted that there was a slide years ago and at that time a Geotech company was brought in. They said it was stable but that burlap needed to be placed on it and vegetation created in order for it to be a long-term solution. A pipe was placed on the top so that water coming from the roofs of the homes would create greater amounts of moisture. It would have to be maintained since over time it will cause additional problems. Possible options were discussed including installing stone-shaped concrete.

A question was raised about how to ensure that water does not penetrate the concrete portion. Mr. Guthrie stated that there can be drainage behind it. There will be water seepage through the wall but it will drain down the side. Possible solutions were identified. It was noted that with

hairpin turns they can achieve a very natural look that has the appearance of a terraced wall. It is expensive but doable. Mr. Guthrie commented that all of their systems are mechanically fastened to the wall. No other manufacturer does that.

Chair Dwinell opened the public hearing.

Kyle Blumin asked if it is physically possible to tier the wall and maintain the stability. It was noted that if it is possible, the labor costs would be greater. Possible options were discussed. It was stated that many of the choices will be based on the available budget. The cost would be \$180,000 to \$400,000. Mr. Valencia suggested installing drip irrigation and noted that care would need to be taken to control surface water on top from flowing over the slope. Ways to vegetate the slope were described. Mr. Guthrie commented on future considerations and how to avoid problems going forward. He pointed out that there is value to contractors to increasing the amount of backyard. Mr. Valencia explained that the key is to manage the superficial water, which is the worst enemy of each of the structures described. It is necessary to get the water to flow over the slope. A comment was made that the appearance is not the problem but the biggest concern is erosion and safety.

Mike Stewart (from GCD, the developer of the Rustler community where this slope exists) commented that they were not involved with this particular slope but if he had known, he would have had their geotechnical firm address it. With respect to “burlap mountain” he stated that the burlap was not their idea. The Town directed them to place the product on the slope, which they did. The vegetation would not take because it was on rock. Most of the products presented are for fill slopes but this is not. Their geotechnical engineer is involved in the creation of the cut slopes. They created the slope and then covered it with topsoil since they had learned from experience that the native soil does not take it well. The primary issue was aesthetics rather than stability. They used jackhammers and breaking shanks. In the end, the challenge pertained to the rock. It was not an issue of stability as much as it is aesthetics. He hoped that Mr. Guthrie and his team could help in that regard. Mr. Stewart stated that in the 20 years they have worked with IDS and they have never had a slope fail. It was noted that the tests for that phase showed that the area is mostly is comprised of rock. They also have expandable soils, collapsible soils, and rock to deal with. While they did not have a concern about the safety of the homes, their intent was to make it better aesthetically, if possible.

It was noted that the Rustler slope speaks to making sure that the vegetation grows. It will slough again at some point as a result of a weather event. In terms of aesthetics, Mr. Stewart stated that the slope existed when they sold the home. A homeowner in Rustler was told that “burlap mountain” is going to be seeded. To say that the homeowners knew it was there when they purchased their homes is unfair. Mr. Stewart commented that from a construction perspective, they knew it was rock. Possible beautification solutions were described.

There were no further public comments. The public hearing was closed.

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

Chair Dwinell reported that the Commission Members had an opportunity to review and provide comment on the proposed ordinance. A few decisions needed to be made with regard to the final version to recommend for approval. He reminded those present that the Planning Commission is a recommending body and not a legislative body. Any decisions made are recommendations to the Town Council and not a motion to adopt. The final decision was to be made at the Town Council level.

Vytas Rupinskas was involved in snow removal this past winter as he assisted the Town and manned a plow. He was asked to describe the document. Commissioner Rupinskas indicated that he was asked by the Mayor to propose suggestions in creating a Snow Removal Ordinance. Much of the verbiage resulted from a winter that was above average in terms of snowfall. Those tasked with keeping the roads clear and passable had difficulty accomplishing that. The issues included problems with contractors who did not remove snow all the way to the curb. He noted that frequently vehicles are parked and encroach on cars trying to pass. With respect to cul-de-sacs and roundabouts, if there is construction taking place, motorists park in the roundabout or cul-de-sac, which prevents snowplows from going all the way around. There were also instances where snow was pushed to the side of the road. Over time this creates a bubble on the opposite side of the driveway that becomes so hard that a plow cannot push through it. They also encountered cars parked overnight in awkward situations. That was the impetus behind the Mayor asking for an ordinance to be drafted to allow them to better control the snow removal situation.

Commissioner Rupinskas reviewed ordinances from Park City and other entities and used some of the language in the proposed document. He also spoke with public works professionals. The proposed document addresses parking regulations and contractors. For example, in Rustler, they need to make sure that the fire hydrants are clear. The proposed document is very lengthy and addresses when a developer can transfer the plowing responsibility to the Town. It is a requirement that the road first be dedicated to the Town and 50% of the development sold before the Town will take on the plowing responsibility. He explained that often there is construction debris left behind. Once it is covered by snow, if the Town goes in with the snowplow or Kubota and is not aware of it, their equipment could be damaged. If equipment is damaged because of contractor negligence, there is a clause that specifies that the party that left the debris is responsible for the cost of the repair in addition any rental fee incurred to obtain replacement equipment. It also specifies that the Town can tap into the performance or warranty bond to pay for equipment repairs.

Verbiage was added specifying that residents understand that they may not be able to travel at posted speeds during winter months. A question was raised as to whether this fits within the policy and potential additional restrictions. It was suggested that there be an acknowledgment that cautious driving is required even though a posted sign may be different. Clarifying questions were raised and discussed. It was noted that communication of the ordinance to the public is a separate issue. It would be reviewed by the Town Council who will address it.

Commissioner Rupinskas pointed out that the ordinance specifies that four inches of snow on the roads for more than eight hours is in violation. Whoever is responsible for snow removal should be aware of this.

Chair Dwinell opened the public hearing.

Richard Lafayette gave his address as 1662 East Viewside Circle and remarked that he had not seen the suggested ordinance changes. He has lived in the Town since 2014 and contended that the Town's snow removal equipment is completely inadequate. He reported that two winters ago the snowplow could not push the snow back far enough on Viewside Circle and for a time it was only one lane. He was pleased to see that a snow blower was used this year, which he considered a big improvement. He suggested the Town use a larger truck with a snowplow in the front or a truck that will accommodate a snow blower.

Chair Dwinell recommended that Mr. Lafayette share his comments with the Town Council as well.

Commissioner Rupinkas commented that snow removal is particularly challenging in high-density areas, such as Rustler. It will be an even greater challenge in Shoreline. He agreed with the need to acquire better equipment. The snow cannot be pushed and has to be either collected, moved, or blow it beyond its location. In Shoreline, the challenge is the density of the homes and the snow has to be moved and then blown. A similar issue existed in Rustler. It was suggested that the Town look at other types of equipment and its Development Application Plan and ask developers to come up with a Snow Removal Plan. He agreed that the equipment matters tremendously.

There were no further public comments. The public hearing was closed.

Appreciation was expressed to Commissioner Rupinkas for his efforts drafting the proposed ordinance.

MOTION: Commissioner Shadle moved to recommend approval to the Town Council of the ordinance amending the Town Code regarding snow removal. Commissioner Matyszczyk seconded the motion. Vote on motion: Kurt Shadle-Aye, Vytas Rupinkas-Aye, Tony Matyszczyk-Aye, Chair Jerry Dwinell-Aye. The motion passed unanimously.

5. PUBLIC HEARING: Hideout Annexation Declaration Document, to be Referred to the Town Council for Adoption.

Chair Dwinell reported that the Town recently adopted a new General Plan that includes a new Annexation Map. The next step in the process is to create a document that formally addresses the annexation. He clarified that just because a piece of property is shown on an annexation map does not mean the Town will annex it. Chair Dwinell explained that the Annexation Declaration goes through the decision-making process in the event the Town is approached by a landowner who wishes to have property annexed into the Town or if the Town wishes to expand into another area.

Chair Dwinell commented that the hope was that the author of the document would fill in some of the tables with specific information. For example, they have tax rates for Wasatch County and are supposed to have tax rates for Summit County as well, but they had not yet been received. He explained that a portion of the annexation map reaches into Summit County. It is perfectly

reasonable for a Town to be annexed across County lines. As a result, he was not comfortable making a recommendation tonight.

Chair Dwinell commented that the Town has almost no amenities that most municipalities have such as parks and trails. The thought is that annexation could possibly provide the Town with revenue, but could also be a way to add property that could be used to provide amenities. It was suggested that they take action as quickly as possible and include the matter on the next meeting agenda for action. One of the goals of the General Plan in addition to annexation was the desire for the Town to have some commercial development. As a bedroom community, the tax base makes it very difficult to run the Town. The Town needs commercial in order to broaden its tax base.

Chair Dwinell opened the public hearing. There were no public comments. The public hearing was closed.

The matter was tabled to a future meeting.

6. **ADMINISTRATION: Update from Town Attorney on Whether the Existing Performance and Warranty Bond Provisions in the Town Code Cover Repairs to Developer Roads, or Whether a Road Bond Ordinance is Required.**

Chair Dwinell commented that the above matter had been continued for several months. He asked the Town Attorney to provide a written opinion on the matter, which would be forthcoming. The Mayor asked the Planning Commission five months earlier to draft an ordinance addressing the road bond issue. After conducting research, it was discovered that warranty and performance bonds are already in place. A determination was needed to determine whether they cover what the Mayor was asking for.

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

Commissioner Rupinkas reported that all three forms required for the development application process have been forwarded onto various individuals. They are now ready for implementation, which requires the Mayor's authorization since administrative staff needs to be updated on how the forms need to be dealt with. Commissioner Rupinkas agreed to report back to the Commission at a later date on the specifics. Procedural details were discussed.

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

Chair Dwinell reported that the docket is updated periodically and invited the Commission Members to participate in the updates as well. He explained that the docket consists of short and long-term goals. The following items from the list were identified as:

- An ordinance draft about expiration of approvals. Kurt Shadle and Sara Goldkind volunteered to spearhead the effort.

- Title 10 and 11 codification. It was anticipated that this item could be replaced with total codification of the Code.
- Zone restructuring. Problems with zoning in the Town were acknowledged. Chair Dwinell suggested they implement a simpler model and rewrite the zoning. It was also recommended that over time they rezone areas of Town so that they match the new zoning.
- Contradictions in the Code that should be replaced.
- Heavy equipment parking.
- Tax delinquencies. It was noted that currently, there is in excess of \$1 million in tax delinquencies in the Town.

Long-term goals were identified as:

- Ordinance draft addressing building height.
- Ordinance draft addressing signage.
- Establish a Design Review Committee (DRC).
- Establish road width standards.

9. **Adjournment.**

MOTION: Commissioner Shadle moved to adjourn Commissioner Rupinkas seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 8:05 p.m.