

**Minutes**  
Town of Hideout  
Planning Commission Regular Meeting and Public Hearing  
November 18, 2021  
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on November 18, 2021 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting

**I. Call to Order**

Chair Matyszczyk called the meeting to order at 6:00 PM and read the current No Anchor Site letter in its entirety. All attendees were present electronically.

**II. Roll Call**

**PRESENT:** Chair Tony Matyszczyk  
Commissioner Rachel Cooper (alternate)  
Commissioner Glynnis Tihansky  
Commissioner Donna Turner  
Commissioner Bruce Woelfle

**EXCUSED:** Commissioner Ryan Sapp

**STAFF PRESENT:** Thomas Eddington, Town Planner  
Polly McLean, Town Attorney  
Timm Dixon, Head of Public Works and Engineering  
Ryan Taylor, Town Engineer  
Alicia Fairbourne, Town Clerk  
Kathleen Hopkins, Deputy Town Clerk

**OTHERS IN ATTENDANCE:** Nate Brockbank, Dillon Bliler, Mary Freeman, Jack Walkenhorst, Andrew Moran, Shari Jacobs and others who may not have signed in using proper names in Zoom.

**III. Approval of Meeting Minutes**

There were no changes to the draft minutes of the October 21, 2021 Planning Commission meeting.

***Motion: Commissioner Tihansky made the motion to approve the October 21, 2021 Planning Commission Minutes. Commissioner Woelfle made the second. Voting Aye: Commissioners Tihansky and Woelfle. Voting Nay: None. Abstaining: Chair Matyszczyk, Commissioners Turner and Cooper. The motion carried.***

#### IV. Public Hearings

##### 1. Review and possible recommendation to Town Council regarding the final Lakeview Estates Subdivision

Mr. Thomas Eddington, Town Planner, provided an overview and noted Lakeview Estates was previously approved in October 2020, but the developer missed the six-month deadline to record the plat so was requesting an extension at this time. He noted while the subdivision was vested under the prior town code, the developer had agreed to meet various provisions of the new town code as adopted in 2021. Mr. Eddington highlighted several items where the developer had met or exceeded the new town code including open space requirements, density, building heights and design variety.

Regarding road widths, Mr. Eddington noted the developer met the current code requirements for 26-feet of pavement. Town Engineer Ryan Taylor confirmed drain and storm water standards had also been met.

Mr. Eddington noted open space requirements had not been specified under the prior code but the developer was including over eight acres of open space in the community. He also stated there was no change in layout of the site plan since the original approval.

Mr. Eddington discussed the deed restrictions included in the Staff Report which limited building heights to 35-feet and required varying setbacks and building facades throughout the subdivision. He also noted several retaining walls which had been eliminated or reduced so that front setbacks for certain units had been reduced from 30-35 feet to 20-25 feet. He noted the amendment to the deed restrictions regarding variances on the retaining walls should be forwarded to Town Council for formal approval.

Chair Matyszczyk asked if a positive recommendation to Town Council for this subdivision should include a caveat regarding the amendment of deed restrictions as discussed. Mr. Eddington responded yes, this was the Staff's recommendation.

Commissioner Woelfle asked for clarification on the new retaining wall heights. Mr. Eddington responded most retaining walls were now less than ten feet with a few at twelve feet. The original plan included a three-tiered design which had been replaced with shorter sections.

Commissioner Tihansky asked if the road construction in the development had commenced. Mr. Eddington responded some horizontal infrastructure had begun. Mr. Taylor added the developer had agreed to commence road construction "at risk" before the plat was recorded, but the road had been properly approved and permitted prior to commencement of road construction.

Chair Matyszczyk opened the floor for public comment at 6:15 PM. Mr. Nate Brockbank, developer for Lakeview Estates, noted he had agreed to limit building heights for lots 224 and 225 in order to ensure neighboring views were not negatively impacted.

There being no further public comment, the public hearing was closed at 6:17 PM.

***Motion: Commissioner Tihansky made the motion to make a positive recommendation to the Town Council to approve the Lakeview Estates subdivision subject to the deed restriction caveats included in the Staff Report. Commissioner Woelfle made the second. Voting Aye: Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.***

## **2. Review and possible recommendation to Town Council regarding the final Deer Waters Phase 4 Subdivision**

Mr. Eddington provided an overview and noted Deer Waters Phase 4 had been approved in conjunction with Phase 3 in April 2021. He noted the Phase 3 plat had been recorded, however Phase 4 was not recorded by the six-month deadline, so a new approval was being requested at this time. He noted there were no changes in the project layout which was subject to vested code. He added under the Master Development Agreement, a dedicated parcel along Shoreline Drive was to be deeded JSSD and added to the plat. The Planning Commission was being asked to consider a positive recommendation to the Town Council to approve the development.

Commissioner Tihansky asked about the park which had been included in the prior approval. Mr. Eddington responded the park was not required to be included on the plat but pointed out its location and noted it would be maintained by the Deer Waters Homeowners Association and allow for public use.

Commissioner Turner asked about the width of Deer Bend Way which appeared to be narrower than other roads on the map. Mr. Taylor responded the road would meet the 26-foot pavement standards under the current town code and he would confirm the most current design was included in the signed plat. Mr. Brockbank, developer for Deer Springs, confirmed the road was built with 26-feet of pavement.

Commissioner Turner also asked about the units in the end lots. Mr. Brockbank noted he had reduced the number of lots at the Town's request and placed single family homes at the ends with town homes between them. He also noted the road had been approved at 22-feet but was built at 26-feet of pavement per the new town code.

Chair Matyszczyk opened the floor for public comment at 6:26 PM. There were no public comments and the public hearing was closed at 6:27 PM.

***Motion: Commissioner Woelfle made the motion to recommend approval of Deer Waters Phase 4 to Town Council, per the Staff Report. Commissioner Tihansky made the second. Voting Aye: Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.***

## **3. Review and possible recommendation to Town Council regarding Subdivision/Lot Amendment to Hideout Canyon Lot 37**

Mr. Eddington discussed the requested subdivision amendment which sought to change the location of the driveway easement on Lot 37. He showed a diagram of the existing and proposed driveway locations and noted the existing plan included a shared driveway with the neighboring lot. The applicant was requesting a private driveway with a new easement. In response to a question from Commissioner Tihansky, he noted neither of the lots had been built. Mr. Andrew Moran, engineer working with the lot owner, discussed the request and answered several questions from the Commissioners regarding the slope of the proposed driveway location, home site, back out space, retaining walls and who was responsible for their ongoing maintenance. Mr. Timm Dixon, Head of Public Works and Engineering for the Town, requested additional information be included in the drawing regarding the angle and slope of the driveway relative to the road. Mr. Dixon also had questions regarding retaining wall and drainage on the plan. After further discussion, the Commissioners and Staff requested an updated plan to address the issues raised, as well as to invite the adjacent lot owner and Homeowners Association (HOA) to provide comment on the request.

Chair Matyszczyk opened the floor for public comment at 6:46 PM. There being no comments, he closed the public hearing at 6:47 PM.

The Commissioners requested the public hearing be continued to the next Planning Commission meeting and provide the HOA and adjacent property owner of Lot 36 with specific notice of the continued public hearing.

*Motion: Commissioner Woelfle moved to continue the discussion and public hearing regarding Subdivision/Lot Amendment to Hideout Canyon Lot 37 to the December Planning Commission meeting. Commissioner Turner made the second. Voting Aye: Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.*

#### **4. Review and possible recommendation to Town Council regarding Subdivision/Lot Amendment to Hideout Canyon Lot R-3**

Mr. Eddington reviewed the request to change the existing driveway easement for this lot. He noted the developer had not built the adjacent road (Reflection Lane) as approved and it did not match the recorded plat. Mr. Taylor also noted the developer had not yet completed the water and sewer infrastructure in this subdivision and thus no home construction would be able to commence. It was also noted Lot 6 shown on the plat was not a buildable lot as the road had been constructed on it. Mr. Eddington discussed approval of this amendment as it was unrelated to the other issues surrounding the road and lots which did not conform to the subdivision's recorded plat.

It was noted these issues pre-dated the current Town staff, engineer and current Planning Commissioners who could not explain how the road had been built in contradiction to the recorded plat. Mr. Taylor stated he was not comfortable recommending this approval given the problems reflected in the subdivision plat. The Commissioners also asked about the locations of the driveways and lot sizes of several other lots depicted on the plat. Mr. Taylor noted these other questions would need to be resolved separately from the applicant's request for the amendment under consideration. Town Attorney Polly McLean noted the subdivision and recorded plats preceded the current Town staff and administration. In response to a question from Commissioner Turner, Mr. Moran, engineer for the applicant, stated the applicant was an individual lot owner seeking to build a custom home on the site.

Commissioner Woelfle asked about the small lot sizes of lots R1-R5 and their driveway locations. In response to a question from Commissioner Turner, Mr. Eddington stated these small lots had the same zoning as the rest of the subdivision. Mr. Eddington added it would be preferable to move several of the driveways in the subdivision plat from being centered to being located to either side of the lots. He also suggested the plat be amended to correct the issues related to Lot 6 and the road location to conform with what was built.

Commissioner Tihansky asked if the applicant's amendment request could be granted separate from the other issues regarding the subdivision plat. Mr. Eddington stated while he was supportive of the request, he noted the complications surrounding the incorrect plat. Mr. Taylor and Ms. McLean both agreed and stated they would not be comfortable signing a plat amendment which did not reflect what had actually been built. Ms. McLean stated a broader plat amendment was required to address these issues. Mr. Taylor also noted there was a hold on all construction on Reflection Lane given the incomplete water and sewer infrastructure, so granting the applicant's requested amendment was a moot point at this time. Commissioner Turner asked about the location of the power line easement which was not depicted in the meeting materials.

Mr. Moran asked if there was a plan in place to complete the utility infrastructure to Lot R-3. Mr. Taylor responded he had reached out to the developer Mustang LLC on multiple occasions but had not received a response. Ms. McLean noted the plat had been signed by prior town officials.

Chair Matyszczyk opened the floor for public comment at 7:12 PM. There being no comments, he closed the public hearing at 7:13PM.

The Commissioners requested the matter be continued to a future meeting when an updated plat could be provided.

***Motion: Commissioner Tihansky moved to continue the discussion and public hearing regarding Subdivision/Lot Amendment to Hideout Canyon Lot R-3 to a future Planning Commission meeting when a corrected plat amendment could be considered. Commissioner Turner made the second. Voting Aye: Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.***

#### **5. Review and possible recommendation to Town Council regarding the Parks, Open Space and Trails plan**

Mr. Eddington discussed the updated Parks, Open Space and Trails (POST) Plan which had been reviewed by the Planning Commission in October and was now being presented for public comment. He recommended the Planning Commission recommend to Town Council the POST Plan be adopted into the Town's General Plan.

Mr. Eddington noted several updated items including potential pedestrian crossing(s) along SR-248 and the inclusion of various approved park and open space areas which had been incorporated into the plan document.

Commissioner Woelfle asked whether the HOA's were responsible for maintaining existing trails. Mr. Eddington responded yes, as none of the trails had been turned over to the Town. Commissioner Woelfle noted he had received a complaint from a resident regarding the need for cleanup and safer access to the trail at Deadman's Gulch. Commissioner Cooper stated her understanding it was the responsibility of the Shoreline HOA to maintain this trail. Mr. Eddington noted as this was part of a future Shoreline Phase, it would currently fall to the developer GCD to maintain the trails and he would reach out to have these matters addressed.

Commissioner Tihansky reminded the Commissioners the incorporation of this document within the Town's General Plan could help with future project grant applications. Commissioner Cooper asked about the frequency for updating the plan and various statistics included in the document. Mr. Eddington replied the intention was to update the document every one to two years. Mr. Eddington added the POST Committee was open to additional members.

Commissioner Turner asked about the proposed locations for future pedestrian crossings along SR 248. Mr. Eddington noted the traffic lights had been recommended by UDOT but there was no date certain for their installation which would be dictated by future traffic studies and volume.

Chair Matyszczyk opened the floor for public comment at 7:25 PM. There being no public comments, the public hearing was closed at 7:26 PM.

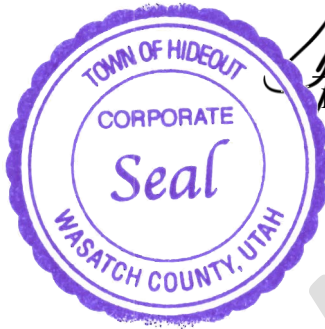
***Motion: Commissioner Tihansky moved to recommend to Town Council the adoption of the Parks, Open Space and Trails Plan. Commissioner Woelfle made the second. Voting Aye: Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.***

**V. Meeting Adjournment**

There being no further business, Chair Matyszczyk asked for a motion to adjourn.

*Motion: Commissioner Turner moved to adjourn the meeting. Commissioner Tihansky made the second. Commissioners Cooper, Matyszczyk, Tihansky, Turner and Woelfle. Voting Nay: None. The motion carried.*

The meeting adjourned at 7:28 PM.



Kathleen Hopkins, Deputy Town Clerk

Approved