

Rex commented that when the commission reviews a site plan, they should pay close attention to the details. Alleys are there for access to your property. By allowing people to use alleyways as their driveways it creates a flag lot situation. The reason the Town avoids flag lots are because it creates access issues. Ron said that the intent of the ordinances are to say what the Town wants, but there will always be extenuating circumstances and the commission has to interpret ordinances. It doesn't matter how much time is spent in preparing ordinances they will always will to be amended. Doug stated that addresses are assigned from the road not the alley. The discussion turned to defining primary access. Jeff suggested using the words, primary vehicular access. Jeff remarked, if people decide they want the Town to host their drive way because they want a bigger lot, is that right? People can use the alleyway all they want as long as they have a driveway too. **Ron made a motion to approve the recommended ordinance change as amended and submit it to the council for their review.** Sandy seconded. Doug voted nay. Motion passed by a majority vote.

Discussion of proposed address change form:

Ron would like to postpone this item until Diane Nelson is available to attend the meeting.

Discussion of leach fields and the rock-filled foundation of the old Valley School and consideration of possible recommendations for action on the blighted state of the property:

Ron turned the time over to Jeff for an update on the school property. Jeff reported that the school board turned down the Town's offer on the property. They don't believe that there is an issue with the gravel. The school board doesn't want to sell; they want to do a land swap. Rex suggested getting the county to approve the property for a drain field. Doug has been more concerned about contamination. Anything on the site that is not natural material is a contaminate. Rex suggested contacting Division of Environmental Quality (DEQ) and explain the situation and ask what constitutes hazardous materials. Jeff spoke with DEQ and they sent him the files, basically their definition of hazardous materials is inert material. All metal and wire was removed. They crushed brick and concrete and put it back in the hole, that's ok for a landfill. Therefore, they created a landfill in the middle of Huntsville. Jeff is angry that they think it's ok to sit on property and wait for a better market. Suzanne is mad because the Town gave them the property for the school, as well as other residents, and they should give it back. Jeff said that the school board is within their rights to do what they are doing.

As Jeff thought about it, what the Town hasn't pursued is the idea of an eminent domain. Ogden City does this all the time. The Town would take two MIA appraisals before the judge and decide what the value is. Rex brought up the issue of being able to building a foundation on this property. Curtis Christiansen, the County Engineer, told Jeff that they built a four story building on that same type of material, but it has to be compacted and engineered. There is no way anyone can put in a septic system. The Town will need to get an engineer to specify where leach fields could go, and where a building could be built. There was no compaction equipment used when the school was demolished. Rex suspects that the school board doesn't want to sell; they want to trade the property because they don't want to deal with the real value of the property. Jeff agreed.

Doug asked what the school districts policy is when they acquire property. Jeff answered, 10 acre minimum with a lot of frontage and water rights and easy access.

Discussion on Cluster Housing-Transfer Development Rights (TDR): (See Attachment #2)

Ron passed out a draft copy of the Cluster Housing and Transfer Development Rights Ordinance. These ordinances mimic what the county has. The commission is trying to get something in the books so that if property is annexed it can come in with the same zoning. It only makes sense to trade TDR's within Town boundaries. Or, designate where they can use their TDR's. It's up to the property owner to work out the details. All the Town needs to say is that they can sell TDR's. If the town doesn't have an ordinance that allows a property owner to sell TDR's then they can't do it. Ron asked what if the town had a Memorandum of Understanding (MOU) with the county. Ron's concern is that the county currently has a draft which says they are going with TDR's and they have receiving zones identified. One of their receiving zones is the Huntsville Chevron. If this property stays in the county, they will allow high density housing there.

Doug suggested make TDR's tradable only within Town limits. Jeff stated that the county is a very big geographical area, with mixed use needs in all areas. Huntsville is not them, so does the Town need a TDR ordinance to match zoning? Is there somewhere in Town where higher density would be allowed? Jeff asked if the Town could make a pitch to the county through an MOU, which says it helps everyone to have open space and there isn't really any place within the Town to do a TDR, would the county agree to help with the process of TDR's. It might generate a healthy dialogue with the county. If The River's annexes in and sold TDR's to Snowbasin would the Town be happy about that? Yes. A TDR is recorded in perpetuity. TDR's were created to preserve open land.

Ron explained that a Cluster Subdivision is a way for the Town to negotiate with a developer to regulate how density is distributed within a piece of property. If they put in a park on a part of their property, then the Town would allow them to have higher density on another part. Ron said the Town needs an ordinance for this to be legal. Ron asked the commission to read through the draft ordinances. Rex agreed this would be good, especially if the Town could get a MOU with the county for TDR's.

Discussion about wild turkey issue:

Alan said the Mayor would like to hear the commission's thoughts relative to the wild turkeys in Town. Gail stated that after the last commission meeting she mailed out letters to home owners of both sides of the block asking them not to feed the turkeys. Alan said he reviewed the fish and game (DWR) regulations, and it addresses deer but not wild turkeys. Ron said it's not good to feed wild animals; biologically it destroys their fear of humans and decreases their natural instincts to find food. Alan asked if the Town wants to pass an ordinance saying you can't feed wild animals in Town. Jeff brought up the issue of bird feeders, birds are wild animals but they don't create health hazards. Suzanne asks how long before the biologist will come get them. Jeff answered that he was told that if you stop feeding the turkeys they will go away on their own. They will come relocate them, but it could be a long time out. It's the feeding that's the problem; if the turkeys are relocated they won't know how to look for food and will die.

Doug asked if the council has made any decision on hiring an animal control officer. Alan replied that the council entered into an agreement with W.C. Animal Control. If the Town had an ordinance, then Animal Services could come up and site people for feeding wild turkeys. Sandy asked if this issue could be handled with the Nuisance Ordinance. The Nuisance Ordinance specifically addresses public health and safety issues. There is no state ordinance that says you can't feed wild turkeys. Rex stated that all the animals are property of the state, so if you decided to put the birds in a barn then the state would get involved. The only way to solve the problem would be to pass an ordinance against feeding wild turkeys, an anti-feeding ordinance. Jeff brought up the problem of what if DWR relocate the turkeys and then another turkey comes to town and this family starts feeding them again. Suzanne asked if there is any intervention the Town could do prior to passing an ordinance. Ron said this is not an ordinance violation; the Town council will need to address this.

Continued review of Huntsville Town's General Plan:

Ron passed out an updated draft of the General Plan. He asked the commissioners to read through it and make suggested changes for review at the next meeting.

The next PC meeting will be held on January 27th @ 7:00 p.m.

Jeff made a motion to adjourn the meeting. Suzanne seconded. All votes aye.

Meeting adjourned at 8:40 P.M.

Gail Ahlstrom, Clerk/Recorder

Ron Gault, Chairman

