

**MINUTES OF THE HUNTSVILLE TOWN  
PLANNING COMMISSION**

**MEETING DATE:** February 25<sup>th</sup>, 2010  
**PLACE:** Huntsville Town Hall, 7309 E. 200 S.  
**TIME:** 7:00 P.M.

**Present:** Ron Gault                      Jeff Holt                      Doug Allen  
                  Sandy Hunter                      Suzanne Ferre'                      Rex Harris  
                  Alan Clapperton

Ron Gault called the meeting to order, there was a quorum present.

Approval of minutes for meeting held January 28<sup>th</sup>, 2010:

Doug made a motion to approve the minutes from the meeting held January 28<sup>th</sup>, 2010, as prepared. Suzanne seconded. All votes aye. Minutes were approved.

Citizen comments:

There were none. Ron explained that there will be time allowed for citizen comments at the beginning of each commission meeting, with a three minute time limit. This is for citizens who would like to bring something up, but did not get on the agenda. This way they won't have to sit through an entire meeting before bringing something up. No action will be taken on these comments.

Review of action items from previous meeting:

Doug Allen reported that he spoke with Fire Marshall Ted Black about the issue of the Town opening up the alleyways for safety concerns. The minimum road standards allowed for a fire truck access. If the road is a dead end, they require a 28-foot turn around. If the road is 150-500 feet long the minimum width requirement is 20 feet. If the road is 500-750 feet long they require a 26 foot width. The surface has to be capable of bearing 75,000 lbs. The Town's alleys are 33 feet wide. The alleys would need to be maintained and plowed year round for easy access. Doug spoke with Mayor Truett about the Town possibly using gravel and road base from the landfill to put in the alleys. Doug reported that he has gone around Town looking at the alleys since the commission meeting. There are ten blocks in Town with alleys. The alley located at 6750 E. behind Alan Clapperton's is the shortest alley in Town, and has a barn on it. This barn will need to be removed. The alleys get progressively longer the further east you are. Doug asked Rex if a graveled road could hold a 75,000 lb. truck. Rex replied yes. Doug recommended that the P&Z ask the Town Council to start a 10 year plan, as the Town can afford, to gravel the alleyways starting at the west end of town and working eastward.

Doug doesn't want this motion to be misconstrued to reflect any intention on his part to get his alleyway graveled. He has paid to have gravel hauled into his alley, because he uses the alley as his driveway. Ron clarified with Doug that if the firemen pull up to a fire and they don't think the road can handle the weight of the fire truck they won't drive on it. Doug said that's correct.

Rex responded by saying he doesn't perceive this as an issue. It sounds like the discussion is alluding that the town wants to open the alleys for fire safety; Rex doesn't think this is a concern. Doug replied that six years ago former CM Stevenson sent letters out to everyone in Town who had a fence or obstruction on the Town's alleys asking them to clear the alleys for fire safety reasons. Rex agrees that the alleys should be open, but not for fire safety issues. Jeff agreed. Doug stated that he was under the impression that fire safety was the reason the Town had for wanting the alleys opened. Jeff remarked that he doesn't see a practical reason for graveling or plowing the alleys, he has wondered about the Town abandoning the alleys and letting the adjoining property owners have half of the property. Doug stated that most of the secondary water lines run along the alleyways. Jeff brought up the idea of putting this on the ballot and letting the residents decide if they want to continue having alleys or not. Rex explained that the original reason for the alleys was for access to people's farm animals and moving farm equipment. Jeff feels that most people want the alleys cleared because they resent the fact that other residents are dumping their garbage or storing junk in the alleys, preventing access to them. Alan agreed with Jeff. Doug mentioned that the irrigation ditches used to run down some of the alleys.

Doug expressed his concern that the Town has adopted an Off Highway Vehicle Ordinance, allowing people to drive their ATV's and snowmobiles through Town. He would rather have yard debris and junk in the alleys than kids driving crazy through them. Doug stated that we need to be careful driving through the alleys because almost all the secondary water valves are located in the alleys. Ron mentioned that when the General Plan is updated there is a section that refers to road planning and maintenance; alleys would be part of this. Ron suggested bringing this up at the joint work session with the Town Council. **Doug made a motion that the PC discuss the alley issue with the TC at the joint work session on March 4<sup>th</sup>.** Suzanne seconded. All votes aye. Motion passed.

Jeff commented that he agreed that the town should have some type of vision of what the alleys are good for and used for and what they should look like. Rex stated that people should maintain them the same way they maintain the verge. Suzanne said that part of the atmosphere of Huntsville is the alleys, and it would be a big mistake for the town to give this property up.

Discussion on proposed lot consolidation of Craig Peterson's property: (See Attachment #1)

Ron mentioned that there has been a request from Craig Peterson to consolidate his two lots into one, for tax purposes. The Mayor asked Ron if the commission will give the TC an opinion on this request. Ron spoke with Mr. Engstrom about this; there is nothing in the Town ordinances that addresses lot consolidation. As long as one person owns both lots they can go to the county and re-deed the property if they want to, but they need to be aware of a couple of things. First, they should notify the town of their intentions, so that the PC can review the request and make sure there are no potential ordinance violations. Rex remarked that one reason for someone to consolidate their lots would be for a future subdivision with different boundaries. The commission reviewed the plat map showing Craig's two properties. Jeff asked what the building code is for property adjacent to a private road, can Craig build a home on both lots. Rex replied that Craig wouldn't be able to build on the second lot there's not enough property for two lots, there isn't enough frontages, and the Town ordinances don't allow for flag lots.

Ron stated that Craig would have to go through the process to get a variance. Sandy mentioned that the triangle lot shows 355 feet of frontage. Rex said that the lot doesn't have enough square footage. The town requires 130 foot frontage and ¾ acres per building lot. Doug mentioned that there are a number of lots in town that don't meet those requirements. Rex replied that some of these are historical lots and have been grandfathered. By consolidating his two lots Craig is hoping to reduce his property taxes. There are several out buildings on Craig's second lot. Rex asked if someone could explain how this reduces your property taxes. Jeff explained that the county assesses you a minimum rate per building lot. Jeff stated that as far as he can tell all building lots in the middle of the Town pay the same tax per square footage, whereas the properties close to the lake are assessed a higher tax. Doug clarified that Craig is being taxed for two building lots when he really only has one. **Ron made a motion that he will draft a letter summarizing the issues discussed tonight and then have the commission review the letter at the next meeting.** Ron will point out that it is permissible to consolidate your lots as long as the property owner realizes that there is not enough square footage to subdivide the property in the future. Doug seconded. All votes aye. Motion passed.

Doug mentioned that he is aware of a couple of lots in town that are not buildable lots because of their size. He suspects that at some future time the town will be asked to grant a building permit. Ron explained how the commission has addressed these problems in the past. If the lot has historically been plotted as a building lot, then a building permit would be allowed. But, as they go through the building permit process they will have to prove that this lot was historically considered a building lot. Rex stated that you could go request a variance, but the variance procedure is very particular to what is and is not allowed. Just because you have two property descriptions does not mean you have two complying building lots.

Set date for joint work session with Town Council:

Ron mentioned that the TC has invited the PC to hold a joint work session on March 4<sup>th</sup> @ 5:30 p.m.

Review of Huntsville Town's General Plan:

Ron led the review of the Town's General Plan, going through each paragraph. Ron kept track of the proposed amendments and will work with Gail to prepare the final document for the TC to review. Jeff brought up the idea of including statements about the safety of our Town, quality education, economic development, well-maintained yards, and welcoming diversity. The physical description section referring to state routes needs updating. All statistical data also needs updating. Jeff commented that he is concerned about the homes being torn down; no one is buying lots in the center of Town. There will be a paragraph added to address the landfill. Jeff stated that when he met with the county, their flood plain map shows that most of the Town's landfill is in a flood zone. Curtis Christiansen, the County's Engineer, who said that map, is old and not reliable; the county is in the process of re-doing the flood plain map and the definitive map should be available in April this year. All references to Town Zoning will be updated. Ron remarked that the Town should have a Road Maintenance Plan. Rex thought there was one done in 1998, but that would also need to be updated.

Jeff commented that from what he sees the Forest Service is for encouraging the increased use of Pineview Reservoir. There were a few issues with the beach access areas

in Town last summer. Jeff expressed his concerns that if people don't want to pay the extra toll they will decide to access the dam at different locations, creating more headache for Town residents. The Town has a lot of verge area, allowing people to park on personal property. There is no supervised control of this activity. Jeff would like to see this issue addressed in a bigger way than just putting up No Parking signs. Rex replied that some issues with signage is that the Town has to have justification for placing signs in one area of town and not another, the Town has to have an ordinance in place to be able to enforce it, and then the Town would have to establish some way of enforcing the signage. Jeff feels that this will become a big issue and should be addressed. Doug remarked that at the Anderson Cove Campground has tried dealing with this similar issue. They don't allow for public parking anymore and have fenced off the lake access. No one can park there and walk down to go fishing, this wasn't their intent. Doug asked if the beach accesses could be closed due to lack of sanitation facilities. Ron stated that the beach is not Town property; it's Forest Service property.

Rex would like to see a section added to reference the school property, and when or if the property is subdivided. The property is being back filled with cement and brick and there could be a potential for contamination. Rex felt this might fit into the Sensitive Land Ordinance, it should require people to provide Geo-Technical analysis of whether the property is buildable. Doug expressed his opinion about the school property and the demolition of the building. He said if they didn't get a landfill permit from the Town, then they are in violation of landfill laws and the Town could condemn the whole property. Ron stated that they never got an excavation permit. Jeff couldn't believe this. You can't sell a lot that is filled with cement and brick. That is exactly what the demolition company is planning to do. Rex commented that there will be massive settlement issues on this property; potential leaching of hazardous materials, and the Town has no way to certify the property.

Suzanne recommended adding a section on the possibility of a sewer plant. Ron said that currently the Town has contracted out for a sewer feasibility study that will be completed by the end of the summer. Jeff asked how the low-income housing law affects the Town. Ron reviewed the law 10 years ago and at that time the Town didn't have to address this issue. The whole section on annexation needs to be revised. Ron would like to see the Town solicit adjoining property owners to see if they are interested in annexing into the Town. Ron thanked the commission for reading through the General Plan and being prepared for the meeting.

#### Commission comments:

Doug asked if anyone knew what has happened to the tollbooth idea on First Street. Rex reported that the Town received a Federal grant for \$300,000.00, which is slated for 2015 and is intended for the paving of First Street. The Town was also able to get on a list for the next round of stimulus money. Rex represented the Town on this application and pled the Town's case. The stimulus money will come from the Joint Highway Committee's Non-Urban funds. Doug replied that the problem with grant money is that there are always strings attached. The Town will need to get a bid package prepared and ready so if the stimulus money comes through this spring, the Town is prepared. Rex sent a letter, signed

by the Mayor, to UDOT's Regional Director Jason Davis, stating that the Town understands the State is not allowed to design these types of projects, but in this case, due to hardship circumstances, would he please consider allowing the State to put a package together for the Town. Max Ferre' of the Town Council has been working on this project for two years and should be commended for all his time and efforts.

Alan reported that he drafted a letter that was sent to the Forest Service and American Land & Leisure informing them that the Town has every intention of setting up a tollbooth 100 feet east of their tollbooth. The toll will be \$3 per car.

Doug brought up the possibility of having a member of the PC or TC sit as a board member on the Ogden Valley Planning Commission; the Town doesn't have any representation in the upper valley planning.

Doug mentioned that he has been reading through the Land Use Ordinance and he feels that there are a number of areas where people are in violation of ordinances they aren't aware of. For example you can have only one horse on an acre lot. Ron stated the animal ordinance addresses this. The ordinance allows you to have as many horses as you want as long as it doesn't create a nuisance issue.

Suzanne made a motion to adjourn. Jeff seconded. All voted aye.

**Meeting adjourned at 9:30 P.M.**

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Gail Ahlstrom, Clerk/Recorder

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Ron Gault, Chairman

