

**Minutes of the Interlaken Planning Commission**  
**Monday, 10 October 2016, 5:30 PM**  
**Town Pump House, 236 Luzern Rd., Midway, UT**

**1. Call to Order:**

Commission Chair Bill Goodall called the meeting to order at 5:39 PM.

**2. Roll Call - Members Present:**

Bill Goodall, Commission Chair

Greg Cropper, Commission Vice-Chair

Bob Marshall, Commission Member

Ryan Taylor (Epic Engr.), Town Planner arrived later in the meeting

Bart Smith, Town Clerk, acting as Secretary

**3. Presentations:** None.

**4. Consent Agenda:** None.

**5. Approval of Agenda or Changes.**

Cropper requested we add an item to the agenda – how to use the Town Attorney as a resource for the Planning Commission.

Smith added an item which was discussed – whether or not to put the Planning Commission email addresses and phone numbers on the website. The Commission agreed that they should not discuss PC business outside the public meetings and that they wouldn't like to be contacted directly. It was decided to use Ryan Taylor and Bart Smith as contacts – Taylor for building issues and PC specific topics, Smith for general information about the process but not substantive information.

**Motion:** Commission Member Marshall moved to approve the agenda as amended.

**Second:** Commission Member Cropper seconded the motion.

**Discussion:** No Discussion.

**Vote:** The motion was approved with the Commission Members unanimously voting Aye.

**6. Approval of 09/12/16 Commission Meeting/Public Hearing Minutes.**

Goodall noted that the correct street address for the location of the Hearing was 236 Luzern, not Interlaken. Smith agreed to make that correction. Goodall also had a question about a statement in the minutes referencing him as saying “the goal of the Planning Commission was in part to oversee building in Interlaken in ways Wasatch County wasn't able to.” Goodall explained that the intent was to say, “look we're not trying to make things more difficult.” Marshall stated that his interpretation was he was saying we wanted the code to be more specific to our town than to Wasatch County. Smith reported that the topic that was being discussed was that Wasatch County was not enforcing our CC&Rs. Goodall suggested we leave it the way it was written, now that he understands the context.

**Motion:** Commission Member Marshall moved to approve the 9/12/16 minutes with the address corrected to Luzern Rd.

**Second:** Commission Member Cropper seconded the motion.

**Discussion:** None.

**Vote:** The motion was approved with the Commission Members unanimously voting Aye.

## 7. **Water Rights.**

Since Ryan Taylor had not yet arrived, this item was moved up from the agenda. It was formerly item #13.

Goodall mentioned that he added this to the agenda because there was concern over whether we had irrigation rights in addition to culinary rights. Cropper mentioned that he wanted to ensure that our rights were updated to reflect our status as a municipality. As a municipality, it's easier to preserve our water rights, and not as subject to use it or lose it rulings. As a town, we can say, although we're not using this water now, we have growth coming, and may need it in 20 years. In private hands (like the former IMWC) it's not as protected. We requested someone look into this. Greg Harrigan mentioned that this task was assigned to our lawyers who handled the transfer from the private IMWC to the town, but it wasn't clear if it was completed. Goodall reviewed information from the Utah Water Rights website and wasn't convinced the transfer had been completed. His conclusion was that he didn't know enough about what he was looking at to reach any decision. Cropper asked if we had paid our lawyers (Blaisdell, Church, and Johnson) to complete this work, and have they done it properly. If not them, then we need to get somebody to get this done. The two issues (from Cropper) are: do we have any right to use water for irrigation or do we have culinary rights only, and did we convert to municipal water rights. Smith will look into whether our law firm completed the transfer of water rights. If it hasn't been done, we will seek legal help to complete this task or use Epic.

Ryan Taylor arrived and the discussion turned to whether Ryan needed to attend these meetings in person, or if he could conference call in. It was felt that it was good to have Ryan attend in person at this time. Ryan was updated regarding the two outstanding water issues. Epic's approach is to use engineers to do most of the legwork and round up the data, then hand over the information to an attorney. Goodall mentioned that we can only make recommendations to the council regarding using an attorney.

## 8. **Open Construction Projects – Epic Engineering:**

Connor road cut – Epic Engineering. Ryan Taylor reported that it was patched, but he hadn't seen it. Bob Marshall looked at it and said it looked like it was patched with material from Home Depot and tamped down. Connor did not have a permit, but were told by Midway Sewer that it was okay to cut the road. This is an education issue. We need to advise Midway Sanitation – they told Connor they could dig a hole, so they dug a hole. Ryan will look at it and make sure it is fixed well. Cropper brought up the issue of the Watts patch – Ryan felt that as far as structural integrity, the Watts patch is fine. Looks-wise, it's not great, but he's seen worse. Over time, the patch should fade away and blend in with the surrounding asphalt.

Goodall asked who checks to see if these people are following the rules? Is it Epic or is it Greg Harrigan? Ryan – I think it two parts. If they call for an inspection, it's my job. If they don't call, our contracts and our fees don't have us coming up once a day or once every other day just to check on things. Moving forward, if we issue the permit (for a road cut), then we'll inspect it. What I'm not going to know is about the person who cuts the road and we didn't issue a permit and who we are not aware of.

Goddall – I think we have two conditions we want to fix. One is the short-term issue, eg, water washing dirt onto the road, but from that point on, like a road patch, becomes a quality of workmanship issue. The timing isn't as critical, as long as you get to look at it. Cropper – if it's a public utility, they're going to be around. If it's a private contractor, then we want to catch it while it's fresh. Ryan- we do have the Connor deposit, I can go look at it and I can give you my opinion, but come April, you won't need my opinion – you'll know if it's a good patch. Goodall – in the meantime, we don't want the people plowing our roads to bust a plow. Ryan – I'll go look at it. Smith mentioned that typically he gets an email or a phone call about an issue in the town. He then speaks with Mayor Simpkins about it, and they decide next steps – issue a warning, or a fine. This happened a month or so ago on the Howard site. Goodall mentioned that he didn't mind reviewing complaints and passing them along to the correct person. Ryan reiterated that to the extent they are there, Epic will say something if they see something. Right now there's four active permits so it makes it easier to catch something if they're up here for an inspection on any site. Goodall reiterated that the issue he was raising was determining what is the expectation for Epic's role in these matters.

St. Moritz gas line extension – Epic Engineering.

Ryan had a conversation with Questar and told them we are happy to approve the permit, but this is what I need from you and no one has emailed him back. His office followed up and told them if you want to get it done this season, you better get on it and still heard nothing back. This is for the house that is under the County permit. Questar will hire it out to Tempest, one of their normal subs. Cropper – if they start digging, we'll fine them, because they've been told what they need to do.

These were the terms that Bill posted in the agenda:

- Road will be saw cut to minimize disturbed area.
- Asphalt patch will consist of 9 inches of road base and 3 inches of asphalt or match existing whichever is greater.
- Traffic control will be provided to allow residents to ingress and egress with minimal delays.
- Contractor will contact Epic engineering for inspections prior to asphalt.

Rydalch Application – Bill - they were told that they had to pay fees, the app would get processed but it probably wouldn't get approved by the Planning Commission and it was also unlikely that it would get approved through an appeal. They haven't submitted anything to Epic. Ryan – Rydalch's argument for the project was that he wanted to make it so the snow wouldn't pile up against the building and the windows, and if he couldn't fix it for all the windows, there was no point in doing it. Goodall – we did get back to him and give him an alternative way to do it, but haven't heard his response.

The discussion turned to a general conversation about the permit process. In Rydalch's case, the applicant was saved time and money through an informal review. Goodall mentioned that Epic should be the one to decide whether to charge for a review, eg a site plan review. Ryan agreed. If he can tell in 30 seconds that the permit wouldn't get approved, there's no need to charge \$200 for a site plan review. Cropper – this brings up a process question. Can you jump straight ahead to a variance application before you've been denied? He knows that in Cottonwood Heights, for example, you can't. You have to go through the normal process before you have the right to go to the Board of Adjustment for a variance. But in Park City, their process allowed you to jump ahead. This is an issue we should put forward to our Town Attorney. Goodall suggested that for now, until we know otherwise, we should just follow the process. Cropper mentioned that in some situations an applicant was told by the Park City planning commission to make a request writing for a decision now. Then the PC could deny that application based on lack of information. This is a way to expedite the process for an appeal. Marshall suggested we speak to Rich Miller, our Appeal Authority, and ask him how it worked in Park City, then possibly incorporate it into our process. Cropper – does the Board of Adjustment person get paid? Goodall – it's not in the code. Cropper - and there's no provision in the Ordinance to pay Rich. It wasn't clear whether Rich was expecting to get paid. Cropper will ask him.

#### **9. Open Permit Applications – Epic Engineering.**

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and there's no provision in the Ordinance to pay Rich. It wasn't clear whether Rich was expecting to get paid. Cropper will ask him.

Ryan on the issue of whether Epic charges fees for an application - if it comes before the Town Council, he needs to charge for all the review fees – structural review, code review. He has to narrow down the issue for the Council to approve it. Goodall disagreed – if you're in the process of doing a review, and you see the site plan and say nope, I think it's fine for you to stop right there and come to us and say we have this issue with the site plan. Cropper – the Board of Adjustment can limit their review to one issue and say this doesn't approve the project, but just this one issue, eg the side yard issue, then it goes back for full review. Rich may be able to tell us if we can do this. Ryan agreed that this was a kinder and friendlier approach. Cropper – this is a Town Attorney issue, and a Town Council issue if they decide to amend the Ordinance to provide for that. Goodall thinks we should wait on this issue because there is already a lot of work to do. Ryan accepted the direction to start the review and if he finds a problem, stop, and discuss the issue here with the Planning Commission.

#### **10. Letter to Utilities.**

Goodall – who writes the letter to the utilities? Cropper – it's a mayor thing. The next Town Council meeting is next Thurs. Cropper – the 3 possibilities are you (PC Chair), the mayor, or the Town Planner – getting a form letter out to all the providers. Ideally the letter would be from the mayor on the town letterhead. A simple letter stating the permit requirement through the Town Planner and reference to the town ordinances, which govern building in the town. Ryan – we're going to require an excavation permit. Goodall – we don't have an excavation permit for the road right-of-way. Cropper – any construction within the town requires a permit. Goodall will compose a draft letter. Smith mentioned that there are remaining titles that need to be revised. Goodall mentioned that there are companies that will do this for a town. Amazon may have a service that does this. Goodall will send Smith a link to a company that does this.

Ryan mentioned that the standards Epic uses are the ones listed above in these minutes for the Moritz gas line road cut. Cropper mentioned that the applicant should contact Epic prior to work and find out what the current standards are.

#### **11. Building Permit Application Revisions:**

- Need to add Questar contact information to building permit instructions. Smith will add this to the building permit application. Marshall asked if we need to include Century Link. Their lines are overhead and wouldn't require digging.
- Revise the list of do's and don'ts for the owner and builder and excavator to read and sign. Our current building permit application has a list of things that the owner must agree to before beginning construction in Interlaken. Goodall asked if the people who are actually doing the work are made aware of this list. Smith stated that it is the homeowner who is ultimately responsible, and Cropper mentioned that a lot of times the contractor is not even on board yet at this stage of the process. When the owner signs the agreement, he is signing for everyone who works under the permit. Goodall suggested that all the things that have to happen at the construction site should be posted. Ryan mentioned that after you get the owner to sign, there's a fine line when we start doing the

owner's job. If the owner signed it, and he didn't do his job, we have a process for that – a stop work order and a \$1,000 per day fine. Cropper – if the list of do's and don'ts is adequate and the owner signs it, that's good. When professionals come to us, they can see that list as well. Goodall – I'd like to see the contractor sign it. When a contractor is engaged, they have to confirm they have a license, and at that time, they can also present the rules and regulations. Cropper – they wouldn't need to sign it, since they work for the owner. Ryan – I'm less concerned about getting the signature, but we could attach it to the building permit. Cropper – the issuance of this permit means that you've read them and you understand them. The question was also raised whether our current list of do's and don'ts is adequate. Ryan will attach the current list, and update it as the list changes. Ryan suggested that we should put as much as we can in the permit and design documents, keeping that information out of the codes, so it's easier to revise them.

- Reminder to park off street during winter months because of snow plowing. Should we send a letter to remind owners and contractors? Smith – we haven't established a communication link with the contractors. At dig time, we could send a reminder to the owner and contractor about the list. Smith read two items from the current agreement:

2. The owner will provide the name and phone number of their contractor/builder (if used) on the application. The owner will further agree to provide their contractor/builder with a copy of this document. The property owner agrees that they, the property owner, are the ultimate responsible party for compliance with all Land Use and Building Ordinances of the Interlaken Town.

6. The property owner must advise contractors that their vehicles must be parked off the road, especially in winter months.

Cropper asked if the earlier parking issues at job sites have been resolved. Ryan's take was that the Howard site was in compliance after resuming work, and at the Connor site, now that they've put in a driveway, they wouldn't be parking on the street anymore. To summarize, Goodall asked, should we send the contractors/owners a letter, do we have Ryan's folks remind them that winter's coming and you need to be ready to be off the road? Cropper mentioned that in the past the IMWC sent out an email reminding folks and especially construction crews not to park on the roads during the winter months, at least 3 feet off the asphalt. (Smith – commented 11/23/16 - Note that Municipal Ordinance, enacted on 11-7-16 is even more restrictive – prohibiting parking in the road right of way from November 1<sup>st</sup> through April 1st.) Smith will send out a reminder to the town.

#### **6. Title 9 and 11 Code Review Status, Building Application/Permit Instructions.**

Goodall handed out a chapter list for Titles 9 and 11. He noted that there are references in Title 9 Building and Construction for permit fees, a site disturbance permit, and a final completion deposit, but the building permit is buried in Title 11 Land Use. You really have to study this to find what you're looking for. His question is what should be in each

of these titles, and how do we figure that out? He doesn't think anything other than the zones and the land use administration should be in Title 11. Cropper – once you get your project approved, Title 11 shouldn't have anything to do with anything that comes after approval of council. Goodall – right now there's a lot of rules within Title 11 – residential zone, municipal zone, supplementary requirements, sensitive lands overlay zone about setbacks and corner lots. Cropper – that's proper. It goes in the zoning stuff. Goodall – there are more supplemental requirements than residential or municipal requirements. Some of the supplemental requirements and sensitive lands overlay zone requirements apply to the residential and municipal zones as well – they should go in there. There's a bunch of them, not just a couple. Goodall organized references to section titles into an excel spreadsheet. He discovered that about 85% of the subjects fall into 17 headings, but the part on signs is the longest part of the entire code. There's more detail about signs in our code than anything else. Smith – we could have spent two months editing this or just go with the way it was, using the Midway code. Goodall's concern is that there's no chapter on building permits, and you have to dig for this information. Smith – some things were left out intentionally, because they're dynamic, like what's the process for getting a building permit. Goodall – it's in here, it's just buried in different chapters. Cropper brought up his concern that we need legal advice in these matters, e.g. what can we put in rules and regulations vs. what belongs in the code. He feels we are vulnerable as a town to litigious parties. He noted that in other towns, the town lawyer is present at all the town council meetings. He's seen cities in court, all the way up to the supreme court and it's cost them \$250,000 and the insurance didn't pay, because they screwed it up, they were being capricious or arbitrary, or violating their own ordinances. We need to know what we don't know, and right now we don't know what we don't know, but I have a sense, and we need some guidance. Ryan – for smaller towns, like Daniels, they don't have money in the budget for a lawyer to be present at the meetings. We can go to ULCT for free advice or our lawyer to review the work done here, and get answers to the questions that have come up. Marshall – we don't have spending authority, but we could bring these issues up to the council and have them decide whether to spend the money. Cropper – right now it's particularly important because we're building our codes, our processes, and procedures. Goodall – how do we get this done? Maybe we want to separate out action items for the attorney. Cropper – we can't call the attorney without the authority of the council. Smith – we need a list of questions – that will tell us how much attorney time we are talking about. Goodall – can we ask questions as we go along, or do we need to finish our edits of the titles and present the suggestions all at once to the attorney? If someone could just tell me here's what needs to be in Title 11, and all the rest of this could be someplace else, I would take Land Use and make it simple as possible. And then there's a whole bunch of rules about construction and permits – I'd put it under Building and Construction, and I'd be sure they weren't duplicated. Cropper – that's what we're doing here with our Title 9 & 11 reviews – as long as it's in an ordinance somewhere, we can organize it how we want to. Smith – what's your goal here, is it to make it more elegant? Because I don't think we have \$1000 to make it more elegant. Is it to ensure legality? I think that would be the more important question – to make sure what we have is in good legal standing. I understand the drive towards simplification, but to what extent? I'm not just talking about legal expense, but your time as well. Goodall – I don't mind putting my time into it. Ryan – a question we could ask now is a guidance question – we're going through and simplifying the chapters, we'd like

to move a lot of things out of the ordinances and into resolutions, and documents that could be modified over time, what do I need to leave in the code and what can I take out of the code? Goodall – my question is about what goes in Title 9 and what goes in Title 11? Can we get guidance as to a general overview – land use is about this kind of stuff, and building and construction is about this kind of stuff, so we don't have it in two places. Cropper – we could give the lawyer a redline of the title and say here's what we're planning on deleting and here's what we're planning on putting in rules and regulations on a website that's more fluid. And they can easily identify that and may say don't mess with that, there's a case on that, instead of just giving them our books and saying what do you think? Marshall – does it matter what we're moving between 9 and 11? Cropper – As long as it's in the ordinance it doesn't matter where it is. Marshall – so can we move all that stuff that Bill mentioned. Cropper – yes, the question is taking it out of the ordinance and putting it on the website only as a rule. Smith – what if you asked the council if you could invite the town lawyer to a PC meeting for 2 hours? After you've gone through the documents and have a list of issues to address, you are all here, the lawyer is here, ask him a bunch of questions. It's a fixed cost for the council to consider. Cropper – or get him on the phone, he's in Salt Lake Valley. Bart – yes, you don't want to pay for travel time. I'm guessing that approach with a fixed number would go over easier. Goodall – I'm there. I don't want to waste another 20 hours without getting some kind of answer. Cropper – as long as it's in the ordinance, you're okay. Cropper – a couple questions we need to ask the lawyer is the zoning map question that came up last meeting. We have to have a zoning map and I think there's a time limit and if you don't it, your ordinances aren't valid. We need a zoning map that has residential and municipal zones, as well as the sensitive overlay zone. Smith – I can look into whether we have that map. I'm certain we have a map with all the municipal lots on it – I just have to find it. I could take a picture of it. The sensitive overlay zone is based on slope. Goodall – right now we are saying any lot that's over 25% is in the sensitive overlay zone. Ryan – the way I was doing it was, if you're disturbing an area over 25%, the sensitive overlay applies. As long as you're not touching the portion of your lot that's 25% or greater, the sensitive overlay doesn't apply. Goodall – how about springs and wells, and sensitive overlay in terms of water flow. And we're supposed to look at a 100-year flood plain, water-fall, and determine which of our drainage ditches really are for drainage. Ryan – we looked into that and according to records we don't have any floodplains. Goodall – my point is that embedded in here are references to go to different maps and references but they're not included. Let's start with the zoning map and the slope map. Cropper – we want some big ones here hanging on the wall and available on line. Ryan – I have the updated slope study map done, but let's add the source protection zone, and the zoning map and put it all on one map. Cropper – the overlay could be a different color on the same map. Ryan – do you want me to put it all on one map? Goodall – why don't you take a look at it, recommend something to us and we'll take a look at it. Cropper – whether it's a one or two pager, if it gets too complicated on a single page. Goodall to Ryan – how you described your implementation of the 25% sensitive overlay zone is not how it's worded in the ordinance. Cropper – all planning commission review, town council review, and board of adjustment review has to go into our ordinances, up to the point where you start to pound nails. Anything that occurs after that, you can take out. Goodall – I'm going to start by putting the chunks that deal with the same things in one

place. Right now we have rules that are reiterated 2 or 3 times, or in some cases are conflicting.

## **7. Excavation Permit.**

Goodall - We do not have an excavation permit in any of our codes. We have a site disturbance permit and yet we used an excavation permit with Watts. Our Town attorney pulled it out of someplace. Do we want an excavation permit, or do we want one building permit which covers excavation, site disturbance, and building? Cropper – to Ryan, do you have one general permit that covers everything? Ryan – if you want to do something in the public right-of-way, it's called an excavation permit, and a land disturbance permit is something that happens on your property. If you're building a house, a land disturbance permit is built in to the building permit, because you're disturbing land to build a house. You don't need 2 permits to build a house. Cropper – but if you're not building a house, you don't need that full thing. Ryan – if you're building a retaining wall that's a certain size, you need a site disturbance permit, as the code is written now. Goodall – we don't have a form for a site disturbance permit. Cropper – we used that one for Watts because it was an emergency – I didn't love that form. Ryan – I had some issues with it too, but it worked. Cropper – the council doesn't have to worry about that one, I think that's administrative, not legislative. Goodall – I want to suggest then that we develop a right-of-way work permit, whether it's excavation or not. If you want to work on our right of ways, you have to do something. Ryan – I would agree, although I don't know what else you would do besides excavation. Goodall – could you find an excavation permit that you like that you could recommend to us? Ryan – okay. I would recommend that if someone is not excavating, there's nothing else they could be doing that would require a permit. He considers excavation as any time you move a shovel of dirt. Daniels did a large resurfacing project on their roads. They asked Ryan if they should require a permit for the contractor. Ryan's response was that whatever they charge for the permit would just bump up the price of the bid. Cropper – what permits do we provide? A building permit, a site disturbance permit? Goodall – just building, one for new buildings, and one for renovation and demolition, but they're the same. I was thinking you may want to break out site disturbance. But if someone has already built their house, do we want to control whether they dig in their yard or not? Cropper – every other town does, if it's significant. Smith – Connor wanted to dump tons of dirt in a neighbors yard, and the way we prevented it was by saying the person accepting the dirt would need a site disturbance permit. They could have a 10 foot pile of dirt, and it would be on the roads before you know it. The question was raised – what are the criteria for requiring a site disturbance permit? Should it be based on square footage or cubic yards of dirt moved or other criteria? Right now, it sounds overly restrictive – if you disturb 10 sq feet of dirt, you need a permit. How about a driveway? If they don't extend the driveway into our right of way, do we care? Goodall – if they've already put in a driveway, according to code, and they want to pave it, do we care? Smith – what if they want to put in a 600 sq foot concrete patio? Goodall thought this case was covered. He suggested we make a list and felt it would be much clearer than what we have now. The group agreed that the 100 sq foot criteria was too restrictive. Cropper mentioned his future plans for a patio, and felt that he shouldn't be able to do it without going before the planning commission because it's going to be a huge cut into the mountainside. Goodall – can we decide what needs to go into the site disturbance permit and can we make it a subsection of the building permit

or do we need another document? Ryan – Riverton has a pretty good site disturbance permit and explanations of when you need it and when you don't. Ryan previously sent out another document related to this topic that is known to be in compliance regarding water drainage. Marshall brought up the issue of whether a permit would be required to resurface a driveway. It's not clear in the code. Goodall suggested that we create a site disturbance permit while we're creating an excavation (right-of-way) permit. Smith recommended that the code be changed as well to conform to the permit requirements. Ryan's take on the driveway issue was that if you dig it out, you need a permit. If you're not disturbing it, just covering it, you don't need a permit.

**8. Other Business.** Town Attorney and Town Planner Consultation.

Cropper brought up the importance of getting council from our attorney. We don't need him to attend the meeting, but right now we need advice. Cropper - when we're redoing our ordinances, when we're talking about our procedures, talking about the zoning map, these kinds of questions – we do have to consult with these people otherwise we're just guessing. Ryan – call David Church and the ULCT and see how far you can get with them. They can answer a lot of these questions, up to a point. Smith - It's not clear whether we joined yet. Cropper – did we ever accept the engagement letter from Tim Bywater's firm? The group discussed the need to add line items to the budget for monthly fees for Ryan as well as the Town attorney for Planning Commission consultations. This should be brought before the town council. Goodall – until we get a proper review from a lawyer, we should go with what we have in codes. Cropper – and what we have right now is problematic may be illegal. Smith – we currently have \$4500 in the budget for our Town Attorney for our fiscal year, July 1, 2106 through June 30, 2017. We didn't budget for a town engineer, we only accounted for the fees paid by those who are building. The issue was raised whether permit application fees paid to the town could in part pay for Ryan's time. We should have a line item for Town Planner or Town Engineer. Cropper – once we've developed all the systems and forms, the Town Planner should be paid out of each project. It's the upfront items. Goodall proposed we ask for \$2000 for the next 6 months for Epic's consultation fees. Ryan – for \$2,000 over 6 months, he could come to meetings and provide some guidance. For \$2,000/month for 3 months, they could produce the forms. Smith to Goodall – you should come to the council meeting to discuss. If you can't come, send me a list of things you want Ryan to be able to do. I can advocate for it, but they will want to know what we're asking him to do.

**9. Review of Planning Commission Calendar.**

The commission agreed to the following dates, the 4<sup>th</sup> Wednesday of the month:

November 30<sup>th</sup>, Wed., 5:30pm

December 28<sup>th</sup>, Wed., 5:30pm

January 25<sup>th</sup>, Wed., 5:30pm

The cutoff date for a building application review would be the 2<sup>nd</sup> Wednesday of the month.

**10. Summary of Action Items.**

- Smith will research and find out if Blaisell, Church, and Johnson have completed the transfer of water rights from the IMWC to the Town.
- Ryan Taylor will inspect the Connor road patch and see if it was done correctly.

- Town attorney – can a building applicant skip ahead to an appeals judgment without having their application denied? This is allowed in Park City but not other municipalities.
- Cropper will ask Rich Miller if he was expecting to be paid as the Board of Adjustment.
- Goodall will compose a draft letter to the Utilities.
- Smith – add Questar contact information to the building permit application.
- Ryan Taylor – attach the list of do's and don'ts to the building permit.
- Smith – send a reminder to the town regarding parking regulations during winter months.
- Lawyer – what can we move out of our code (Titles 9 & 11) and put in rules and regulations?
- Lawyer – what needs to go into Title 9 Building and what can go in Title 11?
- Smith – research whether we have an existing zoning map on paper.
- Ryan – put together a map (1-3 pages) containing our zones, slope study, and water source protection for the commission to review.
- Ryan – find an excavation permit (for road right-of-ways) that you can recommend.
- Ryan- forward the Riverton, UT site disturbance permit to the group for review.
- Smith – add an agenda item at the next council meeting discussing the importance of getting advice from our attorney as we review our codes and permits as well as input from our Town Engineer. Should the budget be modified to include attorney fees as well as Epic Engineering consultations fees as Town Planner, eg add a line item for Town Planner/Town Engineer?
- Smith – look into joining the ULCT in order to get legal advice on land use codes, permits, and procedures.
- Smith – post the Planning Commission calendar on the website.

## **11. Adjournment.**

Commission Member Marshall moved to adjourn the meeting. Commission Member Cropper seconded the motion. The motion passed unanimously.

The meeting was adjourned at 7:46 PM.