

Interlaken Town Planning Commission Meeting Minutes

Entity: Interlaken Town

Body: Interlaken Planning Commission

Subject: Business

Notice Title: Interlaken Town Planning Commission Meeting

Notice Type: Meeting

Event Start Date & Time: August 22, 2019 @ 6:13 PM

Event End Date & Time: August 22, 2019 @ 7:45 PM

Location: Town Pump House, 236 Luzern Rd.

Description/Agenda:

1. **Call To Order.** Susanna Littell called meeting to order at 6:13 PM
2. **Roll Call:** Members Present:
 - Susanna Littell, Planning Commission Chair
 - Steve Wilson, Planning Commission Member
 - Robert Marshall, Planning Commission Alternate
 - Diana Duer, Planning Commission Alternate
3. **Presentations:** None
4. **Consent Agenda:** None
5. **Approval of 8/22/19 Agenda or Changes.**
 - *S. Littell had previously emailed/distributed Agenda, and Agenda was reviewed by current attendees*
 - *S. Littell motions to approve, S. Wilson seconds*
 - *Discussion: no discussion vote: The motion was approved with the Commission Members unanimously voting Aye.*
6. **Approval of 7/17/19 Planning Commission Meeting Minutes.**
 - *S. Littell had previously distributed Minutes, and Minutes were reviewed by current attendees, as well as Elizabeth Hora Cooke (7/17/19 PC meeting attendee who prepared the meeting minutes being discussed here).*
 - *S. Littell motions to approve, R. Marshall seconds.*
 - *Discussion: no discussion vote: The motion was approved with the Commission Members unanimously voting Aye.*
7. **Public Comment:** Comments taken on land use topics not scheduled for a Public Hearing. Speakers please limit your comments to a few minutes. The Commission cannot act on items not listed on the agenda, so it may not be able to respond. Total time for public comments will be 10 minutes unless Commission agrees to extend.
None (No public comment made)
8. **Town Engineer – Epic Project Status Update.** *S. Wilson requested that Epic Report include an address for each project listed (S. Littell will make this request of Epic for future reports).*
 - *Lot#112 - Daines Property Project Status. Project is located on Jung Frau Hill Rd. Project is progressing slowly, but workers were on site this week and last week. This is a 3-story, new build, that has been struggling with stormwater mitigation issues and construction debris management, and have periodically used a dump truck to store construction debris (instead of Dumpster), and piles placed next to the home. When the PC identified blowing debris they have had to bring this to Epic, in addition to sand, rock and mud runoff, and the Owner has been very responsive to addressing all identified concerns. S. Wilson stated that the building appears to be higher than that allowed by Town code. S. Littell and R. Marshall indicated that this was evaluated, and the*

- building meets Town code requirements for building height. Epic is also responsible for ensuring each building level is constructed to Permit and Town Code requirements (during their inspection).*
- *Lot#115 – Howard Property Project Status. Project is on Bern Rd., just past Jung Frau Hill Rd. spilt. This is a 3-Story new build, that has been ongoing past the last 2 or so years. Owner submitted compaction results (for ROW dirt subsidence issue, associated with new driveway grading) to Epic, and Epic recommended the Stop Work Order be removed. S. Littell informed the TC of this (during the 8/12/19 TC Meeting), and the TC agreed to remove the Stop Work Order during this TC Meeting.*
 - *S. Littell reviewed the responsibilities of the PC to inspect the projects for building construction-related code noncompliance issues and gave examples of the various conditions we should review and report any identified concerns to Epic Engineering, and if the matter is serious enough, to the TC.*
 - *Lot# 218 – Frank Property Project Status. (Not Discussed. Project is closed).*
 - *Lot# 11 - Sheldon Property Project Status. Project is up the road from R. Marshall. Brand new build which is now complete. However, during the progress of construction, during grading activities, they placed their fill on and adjacent property without submitting a grading permit application in advance. The Sheldons agreed to submit a Grading Permit Application to the Town on behalf of the Southwicks (owners of the property where the fill was placed) and did submit the Permit Application, but there was a deficiency on the Permit Application which is currently being address (property used to store dirt and rocks for some time now, so the PC asked that the natural grade and final grade be delineated on the site plan/map). Epic Report states “Topo has been submitted and is ready for Epic review. Checking on payment of fees.” S. Littell indicated that the Town Clerk (Bart Smith) indicated in the last (8/12/19) TC Meeting that these fees were paid. S. Littell will send email to Epic to inform them of this (fees were paid).*
 - *Lot#12 - Southwick Property Project Status. See report status for Lot #11 (Sheldon) above.*
 - *Lot #43 – New - Gladwin Garage Project Status. Project is located just East of Southwick lot. Epic Report indicates: “failed their final inspection due to powerline clearance issue. Contractor to remedy before next inspection (still waiting for contractor to fix).”*
 - *Lot#198 – New Ball Project @ 253 Interlaken Dr. Epic Report indicates “Passed underground plumbing inspection.” PC member indicated there is a “No Parking” sign in the Town ROW across from this project, in front of Penman Project. We should mention this matter to the TC (for the Clerk to address). S. Littell indicated that the concrete washout pool should be located outside the Town ROW when not in use. S. Wilson indicated that he will ask the Owner to address. S. Wilson indicated several property owners were concerned about blowing dirt from this project. However, the majority of the issue occurred several weeks ago, but has since been addressed with the use of water (to wet down exposed dirt). Dust does not appear to be an ongoing issue.*
 - *Lot# 129 - New Wilcox Project @ 333 Interlaken Dr. New home build, located above the Town pump house. Epic Report states: “Construction underway, roadway disturbance issue, recommend money be withheld from the deposit for damage due to tracked vehicle on road. Amount to be determined by Town.” S. Littell inform the TC of this issue during the 8/12/19 TC Meeting, and of her opinion that the damage appeared to be superficial. But R. Marshall also reviewed the damage. The PC asked Epic to review the damage. The TC will retain a portion of the deposit to address this matter. S. Wilson suggested that an asphalt overlay (of the affected area) may be an option to repair the damage. R. Marshall indicated the PC takes photos of the road and ROW in front of all new projects, as a reference to determine if and damage has occurred (as a result of project activities). S. Littell indicated that she needs to take rows & ROW photos for all 3 new projects.*
 - *Lot# 29 – New McNaughton/Beebe Garage Project @ 308 Interlaken Dr. New, small garage project. Epic Report states: Building Permit issued, construction to begin.”*
 - *Lot 161 – New Penman Remodel Project @ 252 Interlaken Dr.- Building Permit was approved*

by the TC during their 8/12/19 TC meeting. Interior remodel project (no landscaping or driveway work proposed). S. Littell indicated deposits were reduced for this project, based on reduced project scope, and informs new PC members that this can be done.

- Lot 39 – New Osborne Home Expansion/Remodel Project @ 275 St. Moritz Rd. - Building Permit was conditionally approved by the TC during their 8/12/19 TC meeting. Epic still has outstanding comments for this project, but all PC comments have been addressed. The TC also provided a provisional approval of Grading Permit activities (in advance of Building Permit approval), since the outstanding comments by Epic were related to structural matters (not grading). Epic Report states: Still working through structural comments, passed our Plan Review.” S. Littell had a concern about Epic indicating they passed their Plan Review. S. Littell will get clarification from Epic regarding the status of the Building Permit approval by Epic.
- Lot 172 – New Ekstrom Project Pavement & Landscaping Project @ 355 Bern Way – Driveway/Pavement project. Building Permit was conditionally approved by the TC during their 8/12/19 TC meeting. Epic still has outstanding comments for this project to address prior to final Building Permit approval (for all PC comments were satisfactorily addressed for this project).
- Lot 065 - New Barton Deck Extension & Carport Project @ 315 Jungfrau Rd. New (residence deck & carport) Project. This project has outstanding PC comments (Comment #6, Items 2-7) to address, and has Epic comments to address. The PC can recommend conditional approval of the Building Permit in our PC meeting. PC review the comments provided to the customer regarding this project.
 - S. Littell motions for the PC to recommend conditional approval of the Building Permit at the next TC meeting, provided the owner satisfactorily address all remaining PC and Epic comments. R. Marshall Second. Discussion: no discussion vote: The motion was approved with the Commission Members unanimously voting Aye.
 - S. Littell provides the PC Members an overview of where to find all PC comments made on all current and previous projects and the general PC plan review & customer communication procedure.

9. Other Business.

- PC Membership – New Members Welcome, positions discussion, & responsibilities. S. Littell indicates that we (PC) has new (PC) Members! Steve Wilson (full Member), and Diana Duer (Alternate Member). S. Littell also indicates that Elizabeth Hora-Cook has indicated that she needs to step down from her full PC Member status, but has indicated that she is interested in participating as an Alternate PC. S. Littell acknowledged all of Elizabeth’s contributions to the PC, including the preparation of the Town General Plan, and Town Code Amendment preparation and meeting minute preparation.
 - R. Marshall indicated that all PC Members needs to be sworn in by the Town Mayor. S. Littell stated that she will coordinate this activity.
 - S. Littell indicated that she will provide all new PC members a copy of the “Utah League of Cities & Towns” book, and the Town Code Binder (for their use/reference).

10. Action Item Update from Previous Meetings (7/17/19 meeting minutes).

- i. Review Maximum Building Height definition to include structures without walls. Currently building permit is not required for an enclosed building of fewer than n feet. This matter opens up concerns of large, three-sided buildings that do not conform to code (e.g., a three-sided structure that would protect a large RV).
 - S. Wilson indicated out code threshold is 200 square-feet (sq-ft). The concern is if a structure is larger than 200 sq-ft that the structure is properly constructed and secured to mitigate becoming a possible blowing hazard.

- *This matter requires research on how other nearby towns address this issue/concern. S. Wilson recommends researching any structure (including 1-, 2-, 3- sided structures) regarding this matter.*
- *S. Wilson believes that overhangs (with & without support structures) be included in the square-footage requirement, excluding a specified linear feet of overhang (to not be included in the square footage requirement).*
- *S. Wilson also indicated that a max building height should also be a consideration of the <200 square- foot exemption (for a 35-foot high shed that is < 200 sq-ft can possibly be a wind hazard - if not properly constructed). PC members agree this should be considered.*
- *S. Wilson indicated that there is no code requirement for ensuring a project's proposed maximum height (associated with a remodel or new garage project) does not obstruct the view of an existing residence. The PC indicated that we should research how other Towns address this matter and propose language for Public Hearing / public comment. R. Marshall suggested we should see if Sterling Codifiers can assist the Town with cleaning up our Town Codes. The PC discussed looking at the Building and Land Use codes for revision opportunities. S. Littell recommended that we also investigate how many existing property owners could be impacted by a new 35-ft home build, remodel or garage addition project.*

ii. *Addition of “Timeline on Construction Permits” code language for Public Hearing. S. Littell indicated that new draft code language was prepared in the July 17th, 2019 PC meeting.*

- *The PC reviewed Draft Language proposed in last PC Meeting.*
- *New PC members recommending changing the proposed 18-month period (of inactivity or failure to obtain an inspection by Epic) should be reduced to 6-month period, to be consistent with other communities. SEE APPENDIX A FOR PROPOSED DRAFT LANGUAGE.*
- *S. Littell Motions to bring this amended draft code language (Presented as the content highlighted in yellow in APPENDIX A of these PC Meeting Minutes) in the next PC Public Hearing. S. Wilson Second. The motion was approved with the Commission Members unanimously voting Aye.*

iii. *Revision of minimum (Landscaping) disturbance code language for Public Hearing. S. Littell indicated that new draft code language was prepared in the July 2019 PC Meeting to increase the minimum sq-ft area (from 100 to 500 sq-ft).*

- *There is no contingency for retaining walls, sheer walls, or sheer/retaining wall height constructed associated with landscaping projects that qualify for this exemption (which can be a hazard and impact property owners).*
- *S. Wilson to research the code language used by other towns for guidance on this concern.*

11. Adjournment. *Planning Commission Member S. Wilson motioned to adjourn the meeting. S. Littell Second: The motion was approved with the Commission Members unanimously voting Aye, meeting adjourned at 7:45 pm.*

Appendix:

Proposed changes to Interlaken Town Code (see Item 10 “Timeline on Construction Permits”)

Section 9.05.060 Site Disturbance Permit – Revocation or Suspension

A. Revocation or Suspension. A Site Disturbance Permit may be revoked or suspended by the Town upon the occurrence of any one of the following events:

1. Failure of a Permittee to comply with the Plan or any condition of the Permit; or
2. Failure of a Permittee to comply with any provision of this Chapter or any other applicable law, ordinance, rule or regulation related to site disturbance; or
3. A determination by the Town that the site disturbance measures implemented by a Permittee pursuant to the Plan are inadequate to prevent or minimize, to the maximum extent practicable, the discharge of sediment, dust, debris or other pollutants from the construction site by storm water or wind.

4. Failure of project progression within any contiguous 6 month period.

Any project that has not received an inspection for an 6 month period will be determined to have not progressed within that period.

The permittee may submit a written request for a permit extension. This extension must be received by the Town Clerk within 30 days of first notification of term violation.

Permit extension requests must contain a proposed project construction schedule for the following six month period. Activities must progress construction enough to result in a minimum of one inspection within that six month period. Inspection need not be passed.

The Town Council must approve permit extension requests.

If approval is not given by Town Council, then the permit will be revoked and all applicable, outstanding deposits will be remitted to permittee.

For the project to resume, a new permit application and all applicable fees must be submitted by the permittee and approved by the Town Council pursuant to all applicable procedures described in Title 9.

(NOTE: Newly-Proposed ode Language is Highlighted in Yellow above.)