

PUBLIC HEARING COMMENTS
ALTA PLANNING COMMISSION MEETING
Tuesday, March 26, 2019, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: John Nepstad, Chair
Roger Bourke, Vice Chair
Dave Abraham
Rob Voyer
Jeff Niermeyer
Mayor Harris Sondak (ex officio)

STAFF PRESENT: John Guldner, Town Administrator
Chris Cawley, Assistant Town Administrator
Polly Samuels McLean, Town Attorney

OTHERS: Byron and Joan Fischer
Del Draper
Karen Travis
Lincoln White
Paul W. Hayes
Margaret Allen
Fred S. Hayes
Kyle Maynard
Clark Knowlton
Kathy Knowlton
Kathleen Barret
Carol Browning
Dean Tanner-[illegible]
Mark Haik
Mike Maughan

PUBLIC HEARING TO RECEIVE INPUT ON THE PUBLISHED AND PROPOSED AMENDMENT TO TITLE 8 ABOUT UTILITIES, CHAPTER 3, SEWER SERVICE REGULATIONS, AND SECTIONS OF TITLE 10, LAND USE REGULATIONS OF THE ALTA CODE

Chair John Nepstad explained that the Planning Commission and staff had been working on the proposed amendments for a few years. Staff had received a few written comments, and those had been given to the Planning Commission for review before this meeting. He noted that the public hearing was not a question and answer period. The public comments period was to hear the public's concerns and questions. He opened the public comments period.

Fred Hayes, a property owner, requested that a map be created to show the 100-foot setback from waterways. The current map was unclear. It would be beneficial for the residents to have an accurate map rather than waiting for some sort of adjudication in the future. He noted that he

could not find the new definition of waterways with the presence of aquatic organisms. Mr. Hayes expressed concerns regarding Section 8.3.6.G2: holding tanks. The wording of the proposal makes it sound like there needs to be an automatic water shutoff feature to the building. It would be a lot easier for the owners to service automatic shutoffs if they have them inside the building, rather than being buried six to ten feet underground. It was also a lot to ask the owners to have alarms that notify the Town of Alta if there is an issue, as this would be a large expense. Mr. Hayes appreciated that they had included language recognizing the existing cabins in Albion Basin.

Byron Fischer, a property owner, said that when they consented to the annexation of the Cecret Lake Subdivision, they were promised that the Town would extend the sewer line into the Albion Basin so that the owners could make a connection into the Town system. However, that promise was never realized. The overlay zone suggests that any further construction in the Basin, including remodeling, must connect to the sewer. They cannot connect to the sewer line until the Town brings the line to the Basin. Mr. Fisher was concerned that the proposal doesn't allow any repairs or remodeling that increases the footprint of the existing building.

Lincoln White, a property owner, asked why the Town was proposing this change now. The cabin owners had faced a lot of obstacles over the past ten years, and this would just add to those difficulties.

Kathy Knowlton, a property owner, said that her husband was also promised that the sewer line would be extended to the Basin. She echoed Mr. White's questions and concerns.

Del Draper, a property owner, said that there was a new definition of "intensity of use", but he was not able to find that in the definitions section of the ordinance. He asked how many cabins would be impacted by the increased setback of 100 feet. The previous map showed that only two cabins would be affected, but he expected that it was more since the definition of waterways had changed. He asked if the ski lift facilities would be subject to this zoning ordinance as well, and what additional regulations would be imposed on the existing cabins within the setback. Mr. Draper stated that he had applied to expand his cabin a few year ago, and the Town said that he could expand by up to 20%; however, the County did not allow any expansion. He asked if the proposed code was trying to be compliant with the County, or if this was a new rule entirely. He believed there ought to be a very marginal limit for cabin owners to expand their cabins. He also felt that it was excessive to prohibit an owner from tearing down and rebuilding their cabins. Mr. Draper felt that the regulations regarding tanks didn't apply to anyone, so he didn't understand the need for that language. He said that the last cabin in their subdivision was built in 1976, and the last cabin built in the Basin was in 1980. If the Town was concerned about growth, their concern was misdirected. They should be focusing on Grizzly Gulch. Mr. Draper commented on the way the map was drawn for the proposed zone. He felt that the Town had gerrymandered the map.

Mike Maughan, General Manager of the Alta Ski Area, said that he had sent a letter to staff and Chair Nepstad acknowledged that they had received it. Mr. Maughan commented that many entities had been working together for years to protect the water shed and the environment in the Albion Basin. He was sure that the Town and the property owners could work together to come

up with something in everyone's best interest. Any changes made with this zoning ordinance should address specific problems in the Basin. His biggest concern was how this would affect the MOU that the Ski Area currently had with the Town of Alta.

Mark Haik, a property owner, asked what the Town was trying to protect with this ordinance. Early on in their discussions, a report from Steve Jensen in 1992 was proffered as a reason why the properties in the Basin should be included in a protection overlay. That report identified a large variety of wetlands all over Town. He didn't see why the Albion Basin was being treated differently from the other wetlands in Town. Mr. Haik felt that this proposal was premature. The Town should make a plan to extend the sewer line and compel current cabin owners to connect to that line before prohibiting any construction in the Basin. They should also have experts come and tell the Town the current status of the water in the Basin before jumping to conclusions. He was concerned that the amendments stemmed from a few long-term staff members rather than the property owners. If the Town desires to protect the wetlands, they should compel the removal of water diversions. He requested that the Town make a plan to have culinary water delivered to the Basin, as well as water for fire protection. Mr. Haik agreed with the comments about the map being gerrymandered.

Mr. Fisher expressed his appreciation for the Town in providing the services that they do. He assured the Commission that the property owners take very good care of the area.

Mr. White again asked why the amendment was being proposed.

Mr. Hayes asked why the Town was placing more restriction on the Basin. He again stated that the Town needs to bring the sewer line to the Basin.

Jeff Niermeyer moved to close the public hearing. Roger Bourke seconded the motion. The motion passed with unanimous consent of the Commission.

Minutes Approved on _____, 2019.

Chris Cawley, Assistant Town Administrator