

**MINUTES**  
**ELWOOD TOWN PLANNING COMMISSION**  
**Tuesday June 1, 2021**

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall, 5235 West 8800 North, Elwood, Utah, at 7:00 P.M. on Tuesday June 1, 2021.

The following members were present constituting a quorum: William Call, Dakota Nelson, Curtis Crouch, Quinn Hamson, Phil Shimek.

OTHERS PRESENT: Mark Lay, Michael Udy, Steve Woerner, Amy Hugie, Devere Hansen, Jim Flint, Lacy Richards, Steve Anderson

**Welcome**

Meeting started at 7 pm. Commissioner Call offered a prayer and Commissioner Crouch led with the pledge.

**Minutes**

- May 4, 2021- Commissioner Nelson made a motion to accept minutes with corrections, Commissioner Crouch seconded, all in favor, motion passed.
- May 18, 2021 - .Commissioner Nelson motioned to accept minutes with corrections, Commissioner Crouch seconded, all in favor, motion passed.

**Town Council Update – Mark Lay**

- Stanger get water outside town service area. Owen Udy Minor Subdivision was approved. Sign Ordinance was tabled, an executive breakout was held, then later approved. Policy tabled, Budget tabled..

**Zoning Administrator Update –**

- Steve Anderson issued BP for 2 houses for sheds/barns/accessory buildings/units in RD1-20 zone. Maverick submitted on sign. They are a little over on square footage so Steve is working with them on it.

**Public Hearing**

- Commissioner Shimek motioned to open the public hearing for Residential Zone Ordinances RD-1 and RD-2 and Commissioner Hamson seconded, all in favor, motion passed. There was no discussion. Commissioner Nelson motioned to close the public hearing and Commissioner Crouch seconded, all in favor and motion passed.

### **Commissioner Business**

- Action Item A - Commissioner Shimek motioned to recommend Residential Zone Ordinances RD-1 and RD-2 to the Town Council. Commissioner Nelson seconded the motion, all were in favor. Motion passed.
- Action Item B - Garth Day/Sierra Homes - Cottonwood Landing Phase 1 Subdivision. Garth Day was not present.
  - Secondary Water - Amy Hugie, Elwood Town Attorney presented material referencing Subdivision Ordinance Chapter 11.10.070 Secondary Water. If town has no pressurized water system available, and no secondary water system, then the developer will provide sufficient water shares to each lot prior to recordation. There was discussion on culinary vs secondary water with Steve Woerner and Jim Flint adding into the discussion. There was discussion about the 113 shares to state for municipal use and how Elwood is currently dealing with that. Water Attorney, Craig Smith, from SLC is currently working with Elwood Town Council on this issue and they are getting exaction rates for culinary and working on how Elwood will use it, and submit an application to the state for use of the 113 shares. Move discussion between Steve Anderson and others about culinary vs secondary water shares. Jim Flint added to the discussion that right now Elwood's system is culinary commingled with pressurized secondary water system. Amy stated it is not economically feasible to do so right now in Elwood, and Craig Smith is working with it. Friday there was Sierra Homes and Town discussion on putting in dry lines for pressurized water system coming in the future. Jim Flint added it is a principle of physicality What 'is actually' possible rules over ordinances. Steve Woerner added that the town is working on getting a system in place where residences will have a secondary system in place with a tie into a pressurized secondary system in the next year. Lacy and Steve added comments on working with developers to do a pressurized system in this special area/district, in subdivisions of town. Commissioner Shimek moved to recommend to Town Council regarding secondary water for Cottonwood Landing Subdivision Phase 1, to stay compliant with current Elwood Town Ordinance 11.10.070 and require the developer provide appropriate water shares to each lot prior to recordation; also recommend to Town Council to negotiate a pressurized system that will be coming in short future, but not a legal requirement at this time. Commissioner Crouch seconded it, all in favor, motion passed.

- Final Subdivision Plan Approval - Lacy Richards read notes that Hansen & Associates emailed.
  - Thanks for providing the Cottonwood Landing plat - here are review comments:
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  - (1) Boundary & 4800 West: From the title report legal description, I can tell that Brian must have had an interesting time establishing the boundary. Brian, I appreciate you documenting how each boundary line was established. Could you show found monumentation along the north line? Does the south line run along the center of a ditch - how do you want to handle that, does ditch need to remain active for south neighbor? Was 4800 West Street established by item 12 in title report? I was surprised that it was already fully dedicated to 66 feet. Could you show found monumentation along west side of 4800 West and document distances to east RW line? We've had some difficulties in the past with street right-of-ways when both sides aren't ascertained.
  - (2) Survey Narrative/Notes: Coordinate notes 8 & 10. My understanding is that there will be no basements - Garth, is that accurate or were you contemplating daylight basements?
  - (3) Owners Dedication: Insert proper subdivision name. The dedication is kind of verbose and vague - could you add verbiage that streets are specifically dedicated to the Town? Add notation that "Plat notes are hereby declared effective and binding."
  - (4) Signature blocks: Chris: Does the Elwood Drainage District and Health Department need to sign the plat? We probably need a block for Town Attorney.
  - (5) Plat easements: Add storm drain easement on lot 13, and verbiage that pond will be owned and maintained by lot 13 owner. Provide 15' rear PUE along south line of lot 12 for pond piping traversing to 4800 West. Do north, east and southside ditches go away? Also, verify that Highline Canal doesn't have any prescriptive access road across east lots.
  - (6) Plat notes: Provide a note to the effect: "Lot areas are in many cases lower than subdivision roads. Each lot will be encumbered with handling it's own on-lot drainage. Sideyard and backyard drainage cannot flow onto a neighbor's property but must be maintained on-site." Also, a note: "Each homeowner is responsible for properly elevating his/her home - the Town of Elwood is not responsible for individual finish floor elevation establishment, nor for soil, flooding, and groundwater aspects in regards to house construction."
  - (7) Minor: Add north arrow and scale. Add verbiage regarding curb pins; show open circles for set monumentation at all property corners. Reference soils report.

- Call/email if you have any questions.
- Jim Flint

Commissioner Hamson inquired about having sidewalk, curb and gutter for internal streets with Jim Flint comments. Commissioner Hamson motioned to approve Final Subdivision Plan for Cottonwood Landing Phase 1 pending compliance with town engineer notes. Commissioner Shimek seconded, all in favor, motion passed.

- Discussion Item A - Subdivision Ordinance Chapter 11.07 Subdivision Ordinance Amendments. Amy Hugie, Town Attorney, recommended that we repeal this ordinance because Right now, this would allow anyone (including developers) to be able to file an application and request changing our Subdivision Ordinances
- Discussion Item B - Subdivision Ordinance Chapter 11.11 Special Exceptions. Amy Hugie, Town Attorney, revised this section to 6 pages and recommended that the planning commission repeal and replace. All commission members were in favor of setting up a public hearing for the next meeting.
- Action Item C - Mike Udy - Country Lane Estates Phase 2 Subdivision Concept Plan. Steve Anderson stated that a road extended to the property to the north(connectivity) is needed to extend sewer, utilities, etc. So recommends that the Planning Commission not approve this plan until there is connectivity. Mike Udy referenced the streets and connector streets Definitions 11.10 Streets #2. Mike wants protection strips for rights to hook onto the sewer/utility. Steve Anderson disagrees, saying you have a requirement to stubb your property to the next owner. Amy Hugie, Town Attorney, referenced section 11.10.020 ordinance lot requirement. In 11.10.030 Integrated streets sewer-alternative, water-no alternative. Curb, gutter and sidewalk-to property line. The drainage ditch will empty into the retention pond owned by lot 13, out along road. Mike Udy asked and Steve Woerner said not a problem for lift station to become a road. In Phase 1 the road was accepted at 59.5 ft instead of 60 ft. This modified road can be accepted in Phase 2 also. Lacy Richards brought up the Mayor Keenan Nelson's email to require that Country Lane Estates pipe the Combined Elwood Ditch on the east side of the subdivision. Mike Udy commented that he doesn't own that property with the ditch on it. After these points, Commissioner Shimek motioned to table this item and wait for another plan that complies with the requirements stated at tonight's meeting. Commissioner Crouch seconded it, and all in favor, motion passed.
- Action Item D - JLF Properties Final Subdivision Approval. After reviewing the final plan, Commissioner Crouch motioned to approve and Commissioner Hamson seconded it, all in favor, motion passed.

## **Work Meeting**

- General Plan Zones - Reviewed map that was printed with color coding for different zoning. Suggested to change the colors to make more distinction. Lacy suggested thinking about changing the zones back to agricultural.
- 10.09 Schedule of Uses table homework, Reminder.

## **Adjourn Meeting**

Commissioner Shimek motioned to adjourn the meeting at 8:59 pm, Commissioner Crouch seconded, all in favor, motion passed.