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dutchjohn.org

NOTICE OF PUBLIC MEETING
Town of Dutch John
Planning Commission
Dutch John Conference Hall
April 17, 2024 7:00 P.M.

NOTICE OF PUBLIC MEETING AND AGENDA

Electronic participation will be available. See <https://dutchjohn.org/electronic-meetings> for more details.

CALL TO ORDER ATTENDANCE

Commision Members

Jared Marquis
James McGuirk
Rachel Albritton
Amanda Lucas (Alternate)

Public Audience

Matt Lucas
Harriet Dickerson
Kat Mueller
Jeff Mueller
Al Pulham

Online

Andrew Morse

ESTABLISHMENT OF VOTING MEMBERS

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

The Consent portion of the Agenda is a means of expediting routine matters that must be acted on by the Commission. All items approved will be done by one undebatable motion passed unanimously. Any item may be removed for debate on request of any Commission member. Items removed from the Consent portion become the first item of business of the regular agenda.

1.1 Minutes of meeting: April 2, 2024

Motion

James McGuirk made a motion to accept the minutes as presented. Jared Marquis seconded.

1.2 Review Building Permit List

- Amy McDonald has requested a permit extension
- John Morton submitted a new permit for his garage. Assigned to Jared.
- Kat Mueller - has Matt Tate done an inspection?
- Brian Hunt - James McGuirk checked for property corners. All four are there.
- No updates have been received from Matt Tate regarding pending final inspections or on the Mueller building permit application.

Action Items

- Rachel Albritton will follow up with Matt Tate on the three permits that should have a final inspection as well as the permit application for the Muellers.
- Jared Marquis will send John Morton's application to Matt Tate.

1.3 Correspondence:

Allen Parker reached out to Rick Carter to confirm where the curb and cutter should be placed.

Motion

Jared Marquis motioned to accept the consent agenda. James McGuirk second. All in favor.

2. PUBLIC COMMENT

Limited to 5 minutes per individual or group spokesperson. Members of the public may address the Planning and Zoning Commission on matters that are not listed on the meeting agenda. The Commission cannot discuss or take legal action on any matters during the Public Comment, unless the matters are properly noticed for discussion and legal action. Commission members may or may not respond to those who have addressed the Commission or may ask that a matter be put on a future agenda. All Planning & Zoning Commission meetings are recorded.

Al Pulham saw that there were bluestakes on the old hospital property and wanted to know if the property had been sold. It was confirmed that the property has been sold, but nothing has been submitted to Planning and Zoning for review.

Kat Mueller wanted to confirm that their contractor can dig but not pour foundation without the final building permit. They are still waiting for Matt Tate to review their building permit application. Jared Marquis did confirm that they can dig but they cannot pour foundation. Also, Kat needed clarification on what constitutes an improved lot. The ordinance does not mention natural gas as a requirement for an improved lot and she wants to confirm her interpretation and ask if a propane tank was an appropriate alternative. Jared confirmed that natural gas is not a requirement and that a propane tank is acceptable. Jared also mentioned that the Dicksons property on First Avenue might have an easement that they can connect to if desired, but this is not necessary.

Matt Lucas was interested in whether the ordinance had been revised to mandate that newcomers connecting to an existing utility bear a portion of the cost of that utility. Jared Marquis says no, it's up to the utility to regulate that, and that he is fairly certain that the Town does not have the authority to mandate that. As a side note, Jared mentioned that we should check with the lawyers.

There was an extended conversation among the public and the Commission regarding the water and electric lines along Guide Row (South Blvd.). Kat Mueller began the discussion, by informing the Committee that both the water and electric lines are daisy chained which means anyone West of a current construction area along guide row (ie Kat Mueller's new lot) would temporarily lose water and electricity when construction begins. The utility companies need to figure out the best way to do this and who will pay the fee. Some discussion ensued about what the utility companies could and/or should do. Ultimately, the point of the conversation was to make the Town aware that this may become an issue as construction begins along Guide Row.

3. OLD BUSINESS

3.1 Morse Lot Line Adjustment - Discussion and Possible Action

Discussion

The state code for this (10-9a-608 (5)) outlines a fairly simple process. Mr. Morse will need to submit a notice (which Allen Parker, Dutch John Land Use Administrator, will assist in creating) that will outline the legal description of the adjustment. Once the legal description is completed the notice will be given to the Committee to review. Planning and Zoning can sign off on the legal description, and then Mr. Morse will need to have the final plan submitted stamped by an engineer. Lastly, Mr. Morse will need to then record the "Notice of Lot Line Adjustment" with the recorder's office as well as giving us a copy.

Motion

None Needed

Action

Amanda Lucas will follow up with Allen Parker tomorrow to make sure the discussed summary of the states guidance and next steps are correct. Once confirmed, Amanda will email the Committee with any further details.

3.2 Guide Row Easement - Discussion

Followup from last week's action items:

Allen Parker was going to continue to look into this issue. Butch Johns (mayor) as well as James McGuirk were to follow up with options and information as it came.

Discussion

Butch is waiting to talk with the attorney. Nothing to report.

James McGuirk did provide clarification on the grant the Town is pursuing would be used to build a Master Plan for roads.

The Committee briefly discussed the impact for those building on Guide Row and agreed that since precedent has been set to treat the current sidewalk as the boundary, setbacks should be placed from this line in order to avoid potential future issues.

Action Items

None

3.3 Rogers, CUP Approved - Discussion

Follow up on recommendation from Town Council and identify next steps.

Discussion

Town council approved the CUP. The next step is for the Committee to review the current building permit application and send the necessary documentation to Matt Tate for review.

Action Items

Jared Marquis will review the application and email Matt Tate

4. NEW BUSINESS

4.1 Officer Elections - Discussion and Possible Action

Discussion

There was a short discussion to confirm previously decided positions since the committee has recently gained new members and lost previous ones. Officer elections are to be the following:

- Jared Marquis - Chair
- James McGuirk - Chair Protem
- Rachel Albritton - Planning & Zoning Secretary

Motion

Jared motioned that he would be the newly elected chair, James McGuirk would be the Chair Protem and Rachel Albritton would be the Planning and Zoning Secretary.

James McGuirk second. All in favor.

MEETINGS / TRAINING / INFORMATION REPORT OUT

PUD Administrator - Allen Parker

Building Inspector - Matt Tate

Fire Chief - JayDee Guymon

5. Executive Session, if necessary* Pursuant to 52-4-204

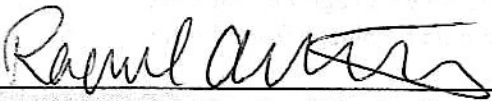
5.1 Discussion

*Closed session is for the purpose of discussing the character, professional competence, or physical or mental health of an individual; Collective Bargaining; Litigation, Purchase, Exchange or lease of real property.

6. Adjournment

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communication aid and services) during the meeting should call 435-880-8042 at least 48 hours before the meeting.

Requests for items to be added to the agenda must be submitted by 5pm the Wednesday prior to the scheduled meeting. Submittals must include details of agenda item and any documents etc. that pertain to subject item. Requests can be emailed to clerk@dutchiohn.org and must be received by the above noted deadline. The Planning Commission may modify the agenda order, if necessary. This agenda may be subject to change up to 24 hours prior to the meeting.



Rachel Albritton , Planning & Zoning Secretary