

Daniel Town Planning Commission Meeting
Wednesday, September 17, 2025 at 7:00 PM
Wasatch County Services Building, Conference Room B
55 South 500 East, Heber City, Utah

Meeting Minutes

Quorum present: Chair Gary Weight, Commissioners Heber Taylor, Byron Horner, T.J. McGeean, Kipp Bangerter, Bridger Wilde, and Pam Skinner.

Town Officers present: Planning Director Eric Bunker, and Deputy Clerk/Recorder Lynne Shindurling was present to record the minutes.

Members of the public present: Nacia Franco for JDCO LLC, Curt and Adrienne Clyde, Gary Walton, Gary Crabb, and Marcia Birch.

Chair Weight called the meeting to order at 7:00 PM

1. Public Comment (Please limit to 2 minutes)

There were no comments

2. Public Hearing for a Conditional Use Permit and possible action for an accessory building larger than 2500 square feet requested by Curt Clyde at 376 W 3000 S (Parcel 00-0021-2070)

Commissioner Byron Horner moved to open the public hearing for the Curt Clyde request for an accessory building, which was seconded by Commissioner Kipp Bangerter. The vote was: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes. The motion passed.

Mr. Clyde stated he has applied for a building that will be part agricultural and also for storage for his HVAC business. He said he will be moving all business activities to his home address, and will, therefore, need a business license, for which he will submit a license application to the Town.

Commissioner Pam Skinner asked if the building would have electricity and a bathroom. Mr. Clyde replied “yes” to the power, and he will have to work with the Health Department on whether he can use his home septic tank for the accessory building as well. Gary Walton stated he most likely could not get approved for a second septic tank. Planning Director Bunker stated the construction of an accessory building will require inspections not required of an ag building, and that the hearing is for approval of the conditional use permit for a building larger than 1500 square feet, as the Town Code states. This building will require sign-off by the County for electrical, fire, and health requirements.

Mr. Clyde stated it is the exact same building that Tyson Munford built behind his home on 3000 South.

Commissioner T.J. McGeean moved to close the public hearing, with a second by Commissioner Byron Horner. The motion passed with the following vote: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes.

Chair Weight asked for a motion to either accept or deny the permit.

Commissioner Kipp Bangerter moved to approve the conditional use permit for an accessory building larger than 2500 square feet. The motion was seconded by Commissioner T.J. McGeean and passed with the following vote: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes.

Planning Director Bunker stated the Planning Commission can issue the permit tonight, subject to the requirements on the staff report he has provided, and adding the health department’s review for a bathroom, which does not appear on the plans. After issuance of the CUP, it will go to the engineer. Commissioner Byron Horner asked about the acreage of the property. Mr. Clyde stated it is listed at 6.99 acres. Therefore, the health department may not approve a second septic tank.

Commissioner Kipp Bangerter moved to approve a building permit for the Clyde accessory building, with the 4 recommendations listed on the staff

report and with the addition of the health department. The motion was seconded by Commission T.J. McGeean and passed with the following vote: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes.

- 3. Public Hearing for a Rezone request for property located at 2530 S Daniels Rd from RA-5 to Industrial, requested by JDCO LLC represented by Mark Skousen (Parcels 00-0020-4319 and 00-0020-4320)**

Commissioner Pam Skinner moved to open the public hearing for the rezone request, which was seconded by Commissioner T.J. McGeean. The vote was: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes. The motion carried.

Nacia Franco stated that she is a consultant for JDCO LLC, and was asked by the applicant to appear on their behalf to request continuation of this item. She is present to get feedback and questions to take back to JDCO. She mentioned JDCO purchased the subject property from Scott Keele, which abuts the Coleman property with a concrete batch plant on their industrial piece. A home exists on the residential parcel of the property, and an industrial zone on the back parcel, and they would like the entire lot to be zoned industrial. They wish to build an office with equipment storage in the rear, and intend to landscape so it blends in with its surroundings. She explained that the trucks are dirt haulers. Commissioner McGeean asked if they planned to enter and exit on Daniels Road, and she answered “yes”, north and south driveways.

Commissioner Pam Skinner asked about the acreage of the parcels. Ms. Franco said the back piece is 3.6 acres and the front piece is 1.12 acres.

Marcia Birch stated she is totally against the rezone, having dealt with the businesses run by Keeles and Coleman. She said the Wheeler Park residents that she has spoken to do not want more truck traffic on Daniels Road with children walking to and from school.

Gary Walton said the buffer zone created on the west side of Daniels Road was the only protection provided to residents there in Wasatch County at

the time Daniel was formed to keep the industrial activity away from them. He doesn't feel Daniels Road is wide enough to protect residents on bikes and walking from increased truck traffic. With the Wheeler Park subdivision directly across Daniels Road, he mentioned that an industrial zone does not fit in the residential area.

With no further public comment, Chair Weight asked for a motion to continue the public hearing.

Commissioner Bridger Wilde moved to close the public hearing for a rezone request for property located at 2530 S Daniels Rd from RA-5 to Industrial. The motion was seconded by Commissioner Byron Horner.

Chair Weight stated that the matter still had to appear on October's agenda because the applicant had asked that it be continued. If the hearing is continued rather than closed, the public could come in October to make additional comments. If the hearing is closed, it would have to be renoticed and advertised.

After Commission discussion, Commissioner Byron Horner withdrew his second of the motion.

Commissioner Bridger Wilde did not want to delay the issue any longer, as he feels nothing has changed since public comment was made when the Keeles asked for a rezone and a public hearing was held several months ago.

Commissioner T.J. McGeean seconded Commissioner Wilde's original motion

Chair Weight stated that it does not change anything because the item has to be on next month's agenda at the request of the applicant. Anything said by residents during the comment period at the beginning of the agenda is different from comments during a public hearing. Planning Director Bunker stated that if a matter goes before the Court, they look at the record of information provided during comments at a hearing, but not at "public clamor."

Commissioner Bridger Wilde asked to withdraw his motion.

Ms. Franco asked for questions or comments from the Planning Commission that she can pass along to the applicant. Commissioners Byron Horner and Bridger Wilde suggested the applicant go back and read the minutes and/or listen to the audio recording of the public hearing at the time the Keeles requested a zone change, even though their request was withdrawn before any action by a Town board took place. Chair Weight said that if you check the agendas for meetings, you can locate the exact month when the prior public hearing was held. Commissioner Byron Horner said at the prior hearing that there was discussion of an ingress from a location different from Daniels Road, and that JDCO should consider that as the matter progresses.

Commissioner Bridger Wilde said it needs to be looked at as what is the value of the zone change to Daniel Town by pushing this type of traffic to Daniels Road.

Commissioner Bridger Wilde made a new motion to continue the public hearing for a rezone request to the October 15 Planning Commission meeting, which was seconded by Commissioner Byron Horner. After discussion, the motion passed by the following vote: Skinner, yes; Wilde, yes; McGeean, yes; Bangerter, yes; Horner, yes; Taylor, yes.

4. Discussion and possible action on a request from Geneva Rock to modify a Conditional Use permit issued to Geneva Rock for a concrete batch plant on parcel #00-0009-6276

Chair Weight stated he and Planning Director Bunker had reviewed the changes and discussed the matter, and came to the conclusion that Geneva either has to start over by applying for a Conditional Use permit, or appeal the CUP prepared by Daniel Town Planning Commission to the Daniel Town Council for modification. Since no one from Geneva was in attendance, Chair Weight said Geneva would have to be asked in which direction they want to proceed.

Commissioner Byron Horner asked about the 50 dbA or decibels of noise during operation of the plant, where 70 dbA is that of a vacuum cleaner. Where Geneva operates at 85, he's concerned about the level of noise. He wonders if it is constant at that level. Mr. Clyde said that based on the other plants currently in operation in the Daniel area, it probably is not constant. He stated CMC is much louder, from his standpoint, than American Eagle's operation.

Mr. Clyde asked how conditions in a CUP are enforced. Mr. Bunker, as the enforcement officer, stated that the nuisance law applies. If written complaints are made that someone is not following the conditions stated in a CUP, the Town Council can pull the operating permit. But if conditions are not contained in the initial CUP for a business, new conditions cannot be added in future years when the business operations are reviewed. A stipulation of an annual review should be placed on all CUPs. He also stated the EPA had made a site inspection of CMC's operation and found that they were in compliance. But Daniel Town has no say on operations which operate in Wasatch County.

To sum up, Planning Director Bunker reiterated that Geneva at this point needs to decide if they are going to reapply for a CUP or appeal to the Daniel Town Council as the appeal board. After that, they would have to go to Court. He said the Town code can be written for a particular use.

5. Summary of Daniel Town Council meeting held on September 8, 2025

Chair Weight reviewed the summary prepared by Deputy Clerk Goodrich, in particular item #2 regarding UDOT's presentation of two alternative routes for the bypass road through Wasatch County, looking at an end date of 2050. The routes can be found on UDOT's website.

Chair Weight also pointed out the cancellation of a municipal election and a road crack seal project happening throughout Daniel.

6. General Plan Review

Planning Director Bunker stated that Wasatch County is updating its General Plan. It is much more comprehensive than what Daniel needs. While attending a public hearing for updating of the County's General Plan, Mr. Bunker stated that what the County does affects Daniel, and what Daniel does affects the County, so this should be a county-wide collaboration. He said the framework for the plan is essential: preserving the character, enhancing the quality of life, fostering community engagement, and sharing our values. Mr. Bunker stated that the Land Use Plan and the General Plan are what guide the Town, and if something comes up that doesn't fit, it should be rejected. As applicants come forward with requests, the Planning Commission should follow these plans in approving or denying requests.

7. Planner Report for August 2025

Planning Director Bunker informed the P.C. that there will be construction activity on 3000 South and Daniels Road as the mobile home park has secured funds with Daniel Town to install 10 new water meters. The building permit for the work was issued on 9/16.

Violation letters have been sent to the owners of property located at 3000 S and Mill Rd, and 1220 E Little Sweden.

Letters to the owners of nightly rental homes are in the process of being sent from our attorneys.

The Rawlings home on Little Sweden was demolished by a new owner without a demolition permit. The new owner intends to apply for a subdivision on the property. Daniel Town will send them a violation letter and perhaps fine them. But they will need to be in compliance with the Town before a subdivision is approved by the Planning Commission.

8. Minute approval for the August 11, 2025, Town Hall meeting held at the Senior Center, and the August 20, 2025, Planning Commission meeting

Commissioner Pam Skinner moved to approve the August 11, 2025, Town Hall meeting minutes, with the correction of the name Kim Norris on the attendees. Commissioner Kipp Bangerter seconded the motion, which passed by the following vote: Skinner, yes; Wilde, yes; McGeean, abstain; Bangerter, yes; Horner, yes; Taylor, yes.

Commissioner Pam Skinner moved to approve the August 20, 2025, Planning Commission minutes, which was seconded by Commissioner Kipp Bangerter. The motion passed with the following vote: Skinner, yes; Wilder, yes; McGaen, abstain; Bangerter, yes; Horner, yes; Taylor, yes.

9. Adjourn

Commissioner Kipp Bangerter moved to adjourn the meeting. The motion was seconded by Commissioner Byron Horner and passed with the following vote: Skinner, yes; Wilde, yes; McGaen, yes; Bangerter, yes; Horner, yes; Taylor yes.

The meeting adjourned at 8:12 PM.

Lynne Shindurling,
Deputy Clerk/Recorder