

MINUTES OF THE
LAND, USE AND DEVELOPMENT MEETING
OF THE TOWN OF CLARKSTON

October 11, 2021
7:00 PM

Clarkston Land, Use and Development Meeting held at the Clarkston Town Hall, 50 South Main,
Clarkston, UT

Attendance: Chairman: Wayne Cooper
Commissioners: Mike Kelly, Richie Calderwood
Councilmember: Nichole Sparks

Deputy Clerk: Holly Jones

Public Attendance: Darrin Michaelis

1. CALL TO ORDER

Chairman W. Cooper began the meeting at 7:00 pm.

Chairman W Cooper stated the minutes from September 13, 2021, will be approved at the next meeting.

2. NEW BUSINESS

Darrin Michaelis – Subdivision of Parcel #15-026-0011: Chairman W. Cooper recognized Mr. Michaelis to discuss the subdivision plans he submitted to the LUDM Commission. Mr. Michaelis stated that he wanted to subdivide the lot at 400 North and Main, across the street from his home, into building lots. On the plan, there are half-acre lots down the dirt road (400 North) to 100 East, which is undeveloped. Chairman W. Cooper asked how big the lot is now. Mr. Michaelis responded that it is ten acres. Councilmember N. Sparks stated that the question Clarkson has is the Town's grid system of roads. The county has a plat map showing a right-of-way for 300 North going all the way through. She stated that it needs to be verified before proceeding. Mr. Michaelis said that county ownership shows that the parcel owner owns the whole ten acres; it doesn't include a right-of-way. Councilmember N. Sparks stated that is what the problem is. The county has contradicting information, which needs to be resolved before proceeding. Clarkston has a county map that shows 300 North has a right-of-way all the way through. The parcel finder does not show that. Everything else was looking good, size and setting, but the road issue needs to be figured out first. She asked Mr. Michaelis how he would like to proceed. He stated that he would like to move forward in getting the survey done. He could go over to the county, and they could help him research the disputed right-of-way and get it figured out. He said that usually it would be in the ownership description of the plat, but this description says the Thompsons own the whole thing. Councilmember N. Sparks concurred that something wasn't matching up because the map showing the right-of-way is also from the county.

Once the road issue is resolved, moving forward Mr. Michaelis needs to contact the city engineer, Scott Archibald at Sunrise Engineering, for drainage and other issues. That is all at Mr. Michaelis' expense.

He asked if his surveyor could work with Sunrise and the commission told him they could. Mr. Michaelis will work with Mr. Archibald to get a preliminary plan together. Councilmember N. Sparks stated the commission would like to see the drainage for septic systems from the Health Department. Chairman W. Cooper concurred as it is a heavier concentration of homes, with fourteen lots. Councilmember N. Sparks asked Mr. Michaelis about a PERK test, and he stated that they don't do those anymore; they do soil samples tests. He has already dug seven holes and had soil samples taken. Councilmember R. Calderwood said that once the home is bought, Bear River Health Department will design the [septic] system at that time.

Chairman W. Cooper asked about 400 North, because that will have to be upgraded. Councilmember N. Sparks stated that we also need to find out about that road because it might be a private driveway; we don't plow it. Chairman W. Cooper said that six of the lots of the subdivision are using that road as frontage. It would need to be upgraded to meet current road requirements. Mr. Michaelis said that was fine but wanted to know if the Commission was requiring the Gibbons to do the same thing. Councilmember N. Sparks stated that if it is an existing road, that Clarkston recognizes as an existing road, then it is not required to bring the road up to code. Mr. Michaelis stated that whether it is an existing road or not he would like to help improve that road. Councilmember N. Sparks informed him that the double chip seal is a two-year process, so he would need a bond to ensure the process is completed. Mr. Michaelis was fine with that.

She asked if Mr. Michaelis was good with waiting until next month's LUDM meeting to get the road issue cleared up. He could keep working on his preliminary plan with the engineer. Mr. Michaelis asked if any of them knew what it was costing the city to chip seal so he could budget for it. The commission did not know; however, Councilmember N. Sparks said that Clair Cole Construction was the one that does it for Clarkston. He was told that he also needed to talk to the Clarkston Road, Water, and Fire Departments.

Other Permits:

- Troy Godfrey – Accessory Building - 241 W 100 N: Approved
- Chad and Kennie Thompson –Residential Building Permit – 41 W 200 S: Pending. There were issues with the plot plan and septic plan.
- David Hale - Carport – 145 E 100 S: Pending. Inspector requires engineering.
- Kevin Buttars – Accessory Building – 408 N 200 E: Pending

The commission discussed what plans were acceptable for submission. It was deemed that any plan, hand drawn or otherwise, was acceptable - if it clearly shows everything that needs to be seen. The inspector is the one to determine if the building requires engineering. The document checklist, found on the town website, will be updated to reflect that permits require "architectural building plans."

Further discussion was had on the distance between buildings. It was decided that, as long as the setbacks are met from the property lines and 10 feet back from the main building, there are not specified setbacks between buildings, provided they are not attached. Side yards are designated at 1 foot, unless at a property line with the slope of the roof toward the property line then it is 5 feet.

Violation letters need to be sent to 95 S 200 E and 87 North Main. Discussion ensued on when letters need to be sent. It was felt that as long as it is a structure that is 50 sq ft or more without a permit, a letter should be sent to ensure fairness.

Commissioner R. Calderwood stated that he preferred looking at the permits with the other commissioners in the LUDM meetings. He felt like City Inspect works, as far as being faster, but feels more is looked at when they view them the meetings.

Deputy Clerk H. Jones asked about public works on City Inspect. Councilmember N. Sparks clarified that, since the public works departments are not approving via City Inspect yet, citizens submitting a permit application should continue to get signatures on the permit application paper. Deputy Clerk H. Jones can then approve the public works under her login with a comment showing the signature of the department head. Public works will be approved on City Inspect in this manner until such time as the different departments get trained on City Inspect.

It was also decided that City Inspect is not the forum to have a back-and-forth conversation about a permit. The commission will decide to approve or reject, and if there is a need for discussion Deputy Clerk H. Jones will invite the citizen to come to the next LUDM meeting.

3. OTHER BUSINESS

New LUDM Commissioner: Chairman W. Cooper asked for a motion to nominate Councilmember N. Sparks as a LUDM Commissioner beginning in January 2022, as her Councilmember term will conclude in December 2021. Commissioner R. Calderwood made a motion to nominate Councilmember N. Sparks as the next LUDM Commissioner. Commissioner M. Kelly seconded the motion. Councilmember N. Sparks wanted to put it out on the town newsletter so that if anyone else was interested they would have a chance. The commission decided that they will put Councilmember N. Sparks' name forward unless anyone else declares an interest. If anyone else comes forward the commission will discuss it then.

Roads Master Plan: Deputy Clerk H. Jones got a large map from the county that included the annexation area and parcels for the Commissioners to draw a grid for roads on. Commissioner R. Calderwood felt that the grid pattern, set out from the beginning of Clarkston, should be followed, even if it does not already show on the parcel map. If someone develops property, right-of-ways should be deeded over to the town to maintain the grid pattern, for snow removal, and also for utilities. There was a question as to why right-of-ways would show on one map and not another. Commissioner R. Calderwood felt that it was possible to have a discrepancy in recording. He stated that there are also lots of land disputes going back to the 1870s. When the Mormon pioneers came to Utah, they were in essence squatters on the US Government's land. When they set up their towns and roads, there were surveys done, but there are disputes between those and the official surveys done when Utah became a state. Councilmember N. Sparks pointed out areas that already have houses in the right-of-ways, such as 200 North. Commissioner R. Calderwood replied that is why we need to do it now, to maintain what we can and avoid as many of those situations as possible going forward. Part of the Clarkston City Master Plan states we are going to set up our roads in a grid pattern and, therefore, we should. Ultimately, it is the Town Council's decision but the LUDM Commission favors maintaining the grid pattern.

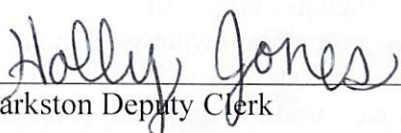
Commissioner W. Cooper felt that the Town should also look at their impact fees, in comparison to other towns in Cache Valley, we aren't charging enough. Councilmember N. Sparks stated that water impact is done by the engineer, based on a number of things. He gives us a range of what we can legally charge. Commissioner R. Calderwood thought that brought up another question. The last water analysis that was done said that Clarkston's water system could only handle a growth of 4% a year over the next 40 years, and we are well above that. Councilmember N. Sparks stated that is why we make the engineer look at things to make sure our water system can handle it. Commissioner R. Calderwood felt that if we are outpacing our growth projection in 20 years rather than 40 years, we can start telling people they can't build. Councilmember N. Sparks wanted to know if that projection was part of our impact analysis fee. Impact fees were raised 3 ½ years ago; it was thought the projection was part of that. Water pressure issues were also discussed as possible problems to adding more homes. Water supply to fire hydrants was discussed. Fire flow checks on all our fire hydrants are done periodically, they have to for insurance purposes.

It was decided Commissioner M. Kelly would take the new map and work on it.

City Inspect Review: It was felt enough discussion was had previously when talking about the individual permits.

4. ADJOURN

There being no further business to come before the LUDM Commission, Commissioner R. Calderwood motioned that the Clarkston Town LUDM meeting be adjourned. Councilmember N. Sparks seconded the motion. The meeting adjourned at 8:24 p.m.


Clarkston Deputy Clerk

