

Public Hearing

Meeting minutes

June 5, 2024

6:30 pm

Opening Business

Meeting started at 7:35 pm

Welcome

The meeting commenced with a welcome given by Nathan Washer, Chairman of the Planning Commission.

Present at Meeting: Planning Commissioners Nathan Washer, Conner Lunt, and Jesse Carter, Town Council Representative Rachel Goates. Meeting Recorders Chantal Rowley and Christine Carrigan. Also present: Robert Shepherd, Holly Thomas, Alexa Greenhalgh, Tyler Shepherd, Nick Childs, Carol Bennett, Taylor and Taelyn Squire, Bret and Deana Ballow, Judy Smith

The meeting commenced at 6:35 PM. The purpose of the public hearing was clarified, which was to receive public comment regarding the adoption of the Adequate Public Facilities Ordinance for the Town of Levan.

Public Comment on the Adoption of the Adequate Public Facilities Ordinance for the Town of Levan

Speakers discussed the draft of the Adequate Public Facilities Ordinance. There were concerns and clarifications requested about the responsibilities concerning adequate public facilities in territories of new developments, especially in terms of water flows, pressure, and electrical supply. The conversation continued focusing on the detailed content of the Adequate Public Facilities Ordinance, covering multiple public utility systems (e.g., water, secondary water, sanitary/septic, stormwater, streets and transportation).

Responsibilities Clarification

It was clarified that while it appeared the responsibility to ensure proper facilities could seem individual-dependent, it essentially rested on the town to ensure public utilities provision and adequacies. A suggestion was made to explicitly detail the responsibilities to avoid ambiguity.

Ordinance Wording and Implementation Concerns

Several speakers pointed out that some sections of the Ordinance were worded complexly, potentially causing misinterpretations. Calls were made for simplification and specificity regarding burdens of proof and exact requirements permit applicants needed to meet.

Several goals were emphasized, including making sure the ordinance specified timeframes and mandates for the city to act to provide and maintain facilities, thus not indefinitely curtailing development. Two speakers felt that the Town might use this ordinance to prohibit any new construction. Nathan explained that an AFPO was to protect the current residents and the Town if there were any permit applications that exceeded the ability of the Town to provide the requested utilities and infrastructure. There was no intent to simply stop new development.

Water Peak Flow Right

The moratorium on new building permits requiring a water connection was not part of the agenda but was a prime concern for several individuals attending the hearing. The discussion revolved around the town's current

state and issues with peak flow rate, pressure, and supply adequacies, particularly in relation to the state's standards and directives. The overall sentiment expressed pertained to understanding actual water usage and ensuring water flow (GPM) within the Town's Water Right. It was noted that the primary issue arose with state assessments of peak water usage.

The Commissioners and Clerk assured the attendees that the Town Council was diligently researching solutions to resolve the Peak Flow Right issue.

Adjourn

A motion was made to adjourn by Jesse Carter, Seconded by Conner Lunt

Meeting adjourned at 7:45 pm.

Christine Carrigan, Clerk