

**MEETING MINUTES  
PUBLIC HEARING &  
ALTA PLANNING COMMISSION MEETING  
Wednesday, August 28, 2024, 3:00 PM  
Alta Community Center, 10351 E. Highway 210, Alta, Utah**

**PUBLIC HEARING – 3:00 PM**

**PRESENT:** Jon Nepstad, Chair (Virtual)  
Jeff Niermeyer, Vice-Chair  
Rob Voyer (Virtual)  
Dave Abraham (Joined at 3:02 - Virtual)  
Maren Askins  
Roger Bourke, Town of Alta Mayor (ex-officio)

**STAFF PRESENT:** Chris Cawley, Town Manager  
Molly Austin, Assistant Town Manager  
Polly McLean, Town Attorney (Virtual)  
Jen Clancy, Town Clerk (Virtual)

**ALSO PRESENT:** John Guldner, Cottonwood Lands Advisory (Virtual)  
Todd Godfrey, HGB Law (Virtual)

**NOT PRESENT:**

**1. CALL THE PUBLIC HEARING TO ORDER**

Planning Commission Vice-Chair Jeff Niermeyer opened the August 28, 2024 Public Hearing at 3:00 PM. He introduced the topic by explaining that the provisions and amendments have been put in place as a result of recent State of Utah Legislature mandates on municipalities to implement some clarifications and standardizations for what is required for subdivision approvals. The proposed amendments have been vetted by legal counsel to ensure compliance with state requirements and best practices.

**2. PUBLIC HEARINGS TO RECEIVE PUBLIC COMMENT REGARDING  
PROPOSED AMENDMENTS TO TOWN OF ALTA CODE SECTION 10-11-1  
SUBDIVISIONS**

No public comments received.

**3. MOTION TO ADJOURN**

Planning Commission member Maren Askins moved to adjourn the Public Hearing. Planning Commission Chair Jon Nepstad seconded the motion, and the motion was carried with unanimous consent of the commission.

## **ALTA PLANNING COMMISSION MEETING – 3:05 PM**

**PRESENT:** Jon Nepstad, Chair (Virtual)  
Jeff Niermeyer, Vice-Chair  
Rob Voyer (Virtual)  
Dave Abraham (Virtual)  
Maren Askins  
Roger Bourke, Town of Alta Mayor (ex-officio)

**STAFF PRESENT:** Chris Cawley, Town Manager  
Molly Austin, Assistant Town Manager  
Polly McLean, Town Attorney (Virtual)  
Jen Clancy, Town Clerk (Virtual)

**ALSO PRESENT:** John Guldner, Cottonwood Lands Advisory  
Todd Godfrey, HGB Law (Virtual)

**NOT PRESENT:**

### **1. INTRODUCTION AND WELCOME FROM THE CHAIR**

Planning Commission Vice-Chair Jeff Niermeyer opened the August 28, 2024 meeting at 3:06 PM.

### **2. PUBLIC COMMENT**

No public comments received.

### **3. APPROVAL OF MINUTES FROM THE May 22, 2024, MEETING**

Maren Askins noted that her name was misspelled and asked that it be updated.

Chris Cawley stated that the first version of the minutes shared with the commission incorrectly indicated that they would be approved by Chris Otto, but a new version has been posted on our website with an updated signature block for Chris Cawley to approve the minutes. He went on to explain that Chris Otto has moved away from his role with the Town of Alta as has started a new job with Salt Lake County Parks and Recreation. Chris then shared that Molly Austin will be taking over shortly as the new Assistant Town Manager. Due to this personnel change, Chris Cawley will attest the approval of the May 22, 2024, minutes.

Jeff Niermeyer entertained a motion to approve the minutes from the May 22, 2024 meeting with the two amendments described above. Planning commission Chair Jon Nepstad motioned to approve the minutes as described. Planning Commission member Rob Voyer seconded the motion, and it was carried out with unanimous consent of the commission.

#### **4. DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE TOWN OF ALTA CODE SECTION 10-11-1 SUBDIVISIONS**

Jeff Niermeyer described that if a water system is going to be expanded by a certain size of more than 500 feet of culinary pipeline, or by the addition of a water tank or a pump station, or other major infrastructure, that approval is required from the state of Utah. Approval is granted via a letter from the Utah Division of Drinking Water (DDW). Not every project will require it, but certain classes of improvements for subdivisions may necessitate this level of approval. Jeff opined that gaining approval from DDW can entail a laborious process and inquired about the best point in the process to require it. He asked if Polly Mclean had a suggestion for the best place to insert this in the ordinance.

Polly deferred to Todd Godfrey, who developed the draft ordinance. She continued to explain that she has spoken with Chris about whether the Planning Commission wanted the requirement to apply to all water systems in the Town of Alta or just ones which are public water systems.

Jeff Niermeyer explained that a public water system is defined as anything that serves more than 25 customers and is connected to a public water system. Because any water line feeding into a subdivision is attached to the Town of Alta system, it would qualify as a public water system.

Polly offered the clarification that the Planning Commission is going to be making a recommendation to the Town Council for the ordinance change (as opposed to approving it here in this meeting) as only the Council can vote on ordinances.

Todd Godfrey recommended adding the following language requiring DDW approval to the end of 10-11-4 Subsection 3(a): "The requirements of the state Division of Drinking Water must be satisfied and Division approval, where required, shall be obtained by the applicant before a final plat is approved."

Jeff Niermeyer asked for any additional comments or suggestions before moving to vote on forwarding the recommendations to the Town Council for their consideration and approval.

Chris Cawley apologized for not providing a memo for the commission summarizing all of the changes contained in the amended ordinance, which Chris summarized as the following:

- The Planning Commission does preliminary plat approval
- The Planning Commission will hold a public hearing
- The Planning Commission will require a preliminary title report
- Town Staff does the final application approval with the updated title report

Polly inquired about the appeals process in the case that someone would want to appeal a subdivision approval. Todd recommended that an internal appeals process be created and strongly recommended that appeals go to a law-trained hearing officer. Polly observed that currently the Alta Town Council is the land use decision appeal authority but described that State statute does not allow for subdivision appeals to go before a local council. Todd agreed and reinforced his recommendation that these cases do not go before the council but rather to a law-

trained hearing officer. Jeff Niermeyer asked who the authority would be if it is not the Town Council. Todd offered that many communities designate a law-trained hearing officer who is independent of the City or Town. Chris Cawley asked for clarification that if the Town does not have a specific appeal process designated for subdivision approvals, that appeals would go directly to court, and Todd confirmed that is in fact the case.

Polly explained that if the Town of Alta wanted to have law-trained hearing officer, the process would start with submitting a request for proposal for such services. Todd Godfrey elaborated that depending on the stringency of Town procurement processes, the Town of Alta could just hire someone for that role based on prior knowledge or good references.

The commission agreed on the need to provide an appeals process specific to subdivision approvals in section 10-5-1 of the Town of Alta's land use ordinance.

Dave Abraham inquired about the fees and fee table mentioned in the document and if the fees are defined. Chris Cawley confirmed it is listed in the fee schedule as \$100 per application plus \$25 per lot.

Jeff Niermeyer asked if the Town of Alta had a set of standards on hand of what materials would be required to bring to a subdivision pre-application meeting. John Guldner recommended we defer to the requirements for a Land Use Application. Chris mentioned that the requirements may vary based on the zoning district. Jeff noted that the Town may have to start preparing such standards and can adopt the Association of Public Works "Orange Book" as a resource.

Jeff entertained a motion to forward the proposed revisions to Subdivision Code 10-11-1 with the amendment to include at the end of section 3a requirement of the State Division of Drinking water language (as provided by legal counsel) along with a recommendation to the council that there be a separate section for an appeals process or subdivision approvals in section 10-5-10.

Dave Abraham noted some grammatical errors in the current version that should be revised. Most notably consistency with capitalization of "Planning Commission" and the omission of a distance qualifier ("feet") following the text "500" at the bottom of page 6. Polly pointed out that capitalization of "Town Manager" is also inconsistent.

Planning Commission Vice-Chair Jeff Niermeyer entertained a motion that the additional amendments be forwarded to the Town Council for approval. Planning Commission Chair Jon Nepstad motioned to approve with Planning Commission member Maren Askins seconding the motion. The motion passed with unanimous consent of the commission.

## **5. PRESENTATION: TOWN OF ALTA CULINARY WATER, WASTEWATER, AND FACILITIES MASTER PLANNING PROJECTS**

Chris introduced that the Town of Alta is working on some exciting capital improvement planning projects that are peripheral to the Planning Commission responsibilities.

Chris described that the starting point for these projects was the Town Council retreat held in January 2024. At that meeting, the Town recognized 4 primary strategic outcomes:

1. Stabilize the Alta Marshals Office
2. **Capital Assets Master Planning**
3. Governance
4. Long-Term Planning

Chris summarized that the Town has 3 primary categories of capital assets: buildings, utilities, and equipment.

The 4 buildings outlined in the master plan are:

- The Town of Alta Administrative Office
- Alta Central
- The Alta Community Center
- The Tom Moore Historic Structure

Chris continued to detail that the primary project goals are to assess the condition of existing facilities, facilitate decision making about upcoming investments in TOA buildings, and prepare the Town to replace any buildings in the future if necessary. Next, Chris gave an overview of the water and sewer systems, and a discussion ensued about history, significance, and status of these systems. The project goals for the Water and Sewer Master Plan are to assess the existing infrastructure, identify opportunities for improvements, and provide a detailed capital improvement plan. Chris identified that the sewer system is of less concern than the capacity and availability of the culinary water system, especially as it relates to fire flows. It was noted that the Town has secured a vendor for the Water and Sewer Master Plan project and is in the final stages of procurement for the Facilities Master Plan. Chris will continue to keep the Planning Commission informed of the progress and developments of these projects.

Maren Askins inquired about the status of planning for a new community center. Chris described that the Town was able to acquire some land (located in the North Flagstaff area between the photohaus and the Tom Moore mine) from the federal government 11 years ago for such a facility. A feasibility study was conducted to build a new community center on that site, but the designs that resulted did not go over positively with the community, and the Town holds concerns about the risk of avalanche exposure on that site. In addition, the costs of building on that site would be substantial. The Town is curious to see the results of the current facilities master planning project on options for the community center. John Guldner highlighted that a previous study provided concepts of rebuilding the community center on its current footprint, which were more realistic.

Rob Voyer recollected that the Planning Commission was able to tour the Town's drinking water system roughly 11 years ago and expressed interest in doing so again as it would be beneficial to the newer members of the commission. A further discussion ensued about some improvements to the Bay City Mine since the last tour.

**6. NEW BUSINESS**

Chris brought attention to the staffing update mentioned previously in the meeting.

**7. DATE OF NEXT MEETING**

The next meeting is scheduled for September 25, 2024, at 3:00 PM assuming there is business to bring before the commission.

The following meeting is scheduled for October 23, 2024, and the commission discussed conducting a walking tour of future Alta project sites or a tour of the Bay City Tunnel.

**8. MOTION TO ADJOURN**

Planning Commission Chair Jon Nepstad moved to adjourn the meeting. Planning Commission Member Rob Voye seconded the motion, and the motion was carried with unanimous consent of the commission.

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Minutes Approved on *December 18, 2024*

  
Chris Cawley, Town Manager