

## **Alta Planning Commission Meeting Packet February 26, 2025**

*Document Tips: The sections below are each hyperlinked to help you navigate straight to a section of interest. Page numbers refer to the header numbers on the top right of the page in blue.*

### **Table of Contents**

2	<a href="#">Agenda</a>
3 - 9	<a href="#">Draft January 22, 2025 Meeting Minutes</a>
10 - 15	<a href="#">Presentation: Shrontz Estate Proposal to Develop a Condominium Project on Patsey Marley Hill Property</a>
16 - 30	<a href="#">Presentation: Open Public Meetings Act Training</a>

**AGENDA**  
**ALTA PLANNING COMMISSION MEETING**  
**WEDNESDAY FEBRUARY 26<sup>th</sup>, 2025 3:00 PM**  
**ALTA COMMUNITY CENTER**  
**ALTA, UTAH**

We encourage you to join us in person. This will be a hybrid meeting. For information about how to view the meeting online, please visit <https://townofalta.utah.gov/events/> or watch live <https://townofalta.utah.gov/live-stream/>

Public comment - please note, each person will be able to speak for up to 3 minutes. Written public input can be submitted in advance to Chris Cawley via email ([ccawley@townofalta.utah.gov](mailto:ccawley@townofalta.utah.gov))

To make a public comment virtually we recommend notifying Molly Austin via email ([molly@townofalta.utah.gov](mailto:molly@townofalta.utah.gov)) in advance of the meeting.

**3:00 PM Alta Planning Commission Meeting Agenda**  
**Alta Community Center**

- 1 Call the meeting to order
- 2 Public comment
- 3 Approval of the minutes of the January 22, 2025 meeting
- 4 Presentation and Discussion: Shrontz Estate Proposal to Develop a Condominium Project on Patsey Marley Hill Property
- 5 Open and Public Meetings Act Training
- 6 New business
- 7 Date of next meeting
- 8 Motion to adjourn

**Notice Provisions:**

- Motions relating to any of the foregoing including final action may be taken at the meeting.
- One or more members of the Alta Planning Commission may attend by electronic means, including telephonically. Such members may fully participate in the proceedings as if physically present. The anchor location for purposes of the electronic meeting is the ALTA COMMUNITY CENTER, 10361 EAST HWY 210, ALTA, UTAH
- Reasonable accommodations (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days' notice. For assistance, please call the Alta Town Office at 801-363-5105

**MEETING MINUTES  
SITE VISIT &  
ALTA PLANNING COMMISSION MEETING  
Wednesday, January 22, 2025, 2:00 PM  
Alta Community Center, 10351 E. Highway 210, Alta, Utah**

**SITE VISIT – 2:00 PM**

**PRESENT:** Jon Nepstad, Chair  
Jeff Niermeyer, Vice-Chair  
David Abraham  
Maren Askins  
Roger Bourke, Town of Alta Mayor, *Ex Officio Member*

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

**ALSO PRESENT:** John Guldner, Cottonwood Lands Advisory

**NOT PRESENT:** Rob Voyer

**1. SITE VISIT – PATSY MARLEY HILL PROPERTY – 2:00 PM**

Representatives of the Shrontz Estate hosted a site visit to the Patsy Marley Hill Property.

Attendees walked from the meeting location at the end of the Albion Basin parking lot to the proposed building site.

Doug Ogilvy gave a brief overview of the Estate’s proposal and showed exhibits depicting the footprint, mass, and elevation of the proposed building.

A drone conducted multiple flights to demonstrate the height of the proposed building at 3 different elevations.

The site visit concluded at 2:40 PM and participants made their way up to the Alta Community Center for the regularly scheduled business meeting.

**ALTA PLANNING COMMISSION MEETING – 3:00 PM**

**PRESENT:** Jon Nepstad, Chair  
Jeff Niermeyer, Vice-Chair

Rob Voyer (joined at 2:59 PM, virtual)  
David Abraham  
Maren Askins  
Roger Bourke, Town of Alta Mayor (joined 3:18 PM, virtual)

**STAFF PRESENT:** Chris Cawley, Town Manager  
Molly Austin, Assistant Town Manager  
Polly McLean, Town Attorney

**ALSO PRESENT:** John Guldner, Cottonwood Lands Advisory

**NOT PRESENT:**

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

Planning Commission Chair Jon Nepstad opened the January 22, 2025 meeting at 2:55 PM.

**2. SITE VISIT RECAP**

Jon Nepstad described that the commission just returned from a site visit hosted by representatives of the Shrontz Estate to Estate's Patsey Marley Hill Property, which included the use of a drone to depict the height of a condominium building the Estate proposes to develop. He noted that it assisted in giving him an overall idea of the proposal, but didn't provide a clear visual representation of the proposed development from multiple perspectives.

Doug Ogilvy noted that he had some slides to share that could help orient those who were not present at the site visit. The commission agreed to defer that presentation to later in the meeting.

Chris Cawley noted that there were a few members of the public that joined for the site visit as well.

**3. PUBLIC COMMENT**

No public comments received.

**4. APPROVAL OF MINUTES FROM THE DECEMBER 18, 2024, MEETING**

Jeff Niermeyer moved to approve the minutes from the December 18, 2024 meeting. David Abraham seconded. All in favor.

**5. DISCUSSION AND POSSIBLE ACTION TO APPROVE A 2025 MEETING SCHEDULE**

Jon Nepstad described that meetings are typically held on the 4<sup>th</sup> Wednesday of the month at 3:00 PM. A proposed schedule was shared and Chris Cawley noted that the July, November, and

December meetings are proposed to be on the 3<sup>rd</sup> Wednesday to adjust for potential conflicts with observed holidays. Maren Askins moved to approve the proposed 2025 Alta Planning Commission meeting schedule. Jeff Niermeyer seconded. All were in favor and the 2025 Alta Planning Commission Meeting Schedule was adopted.

## **6. NEW BUSINESS**

Jon Nepstad introduced Doug Ogilvy who described himself as a representative of the Shrontz Estate. Doug introduced Wade Budge and Zack Hartman to provide a follow up presentation to the site visit that took place directly before the meeting.

Doug presented a few slides that gave a brief overview of the proposed development and conservation easement, noting that the presentation was almost identical to what was shared with the commission at the December 2024 meeting. Doug highlighted a new graphic that depicted the property footprint along with the sites where the drone was flown. He described that the drone was unable to fly to the locations of the building corners due to trees on tall trees on the site interrupting the drone's flight path, so instead they flew the drone to other points highlighted on the exhibit. Doug continued to give a more detailed account of the site visit.

Doug said that the trees give a good sense of scale, as the height of the building would be below the tree line and observed that the development would be surrounded by evergreen forest. Doug then noted that the rendering provided in the presentation doesn't provide an accurate representation as it shows the trees being shorter than the building. Doug then summarized three key components of the condominium development proposal that require additional follow-up from the Estate that they see as next steps:

1. Access Alternatives
  - The current development agreement for at 10-lot subdivision would require paving of a portion of the Summer Road and displacing over-snow vehicle (OSV) parking. This concept has not been well received by the commission or the Alta community at large.
  - Included in the concept for a condominium development is a proposed separate driveway that would be distinct from the Summer Road, thus eliminating the need to displace OSV parking and maintain skier access. Commission members generally expressed a preference for this alternative and the Estate will pursue this concept further with the Forest Service and report back to the commission.
2. Water
  - The Estate is working with SLC Public Utilities to evaluate the water needs and assess what the real water demands would be. Jeff Niermeyer noted that there are also state-level requirements that will have to be addressed.
3. Conservation Easement
  - Doug highlighted that one of the major community benefits of the proposal is a 20-acre conservation easement, but the details of how that would be executed are to be determined. The Estate will continue dialogue with the Town on this topic.

Wade Budge elaborated on some of the additional potential community benefits included in the proposal.

- A completely publicly available restroom (available to all members of the public, not just condominium owners or visitors). Wade noted that there would need to be further conversation with SLC Public Utilities on what would be necessary to facilitate a restroom of that type. Wade welcomed comments or thoughts from the commission on the inclusion of such a public restroom in the proposal.
- The Estate offered they would conduct a tax revenue analysis. He stated that they would engage a consultant to provide calculations of how much Property Tax revenue could be generated with this type of development opportunity.
- Conservation Easement
  - Details about the existing rights and encumbrances on the project that the Estate would continue to uphold, which include easements for utilities, access, and various encumbrances in favor of Alta Ski Lifts.
  - Wade clarified that they would engage with a qualified donee, noting that Friends of Alta is an interested party, but expressed they want to include SLC Public Utilities and the Town of Alta as part of that discussion and decision making process. He noted the wildlife and wildflowers that are enjoyed in the area and the shared commitment to preserving them.

Jon Nepstad asked if the tax revenue analysis would include comparisons of the three potential outcomes: 1) no new development, 2) a 10-lot subdivision, and 3) the newly proposed condominium development. Wade stated that they have already done the work to identify the tax revenue for the 10 single family homes and would include that in the new analysis as a point of comparison.

Jeff Niermeyer asked if the 29 units included the 3 workforce housing units or if they were separate. Doug clarified that they are proposing a maximum of 29 residential units and a minimum of 3 workforce housing units, so all in all at least 32 units that could be occupied for the purposes of water usage.

John Guldner asked about the inclusion of an ADA accessible unit in the building. Doug Ogilvy stated that to be compliant with the Americans with Disabilities Act that an appropriately accessible unit would have to be included in the building, and it would be owned by the HOA (not sold to an individual owner), and would be considered part of the HOA common area, much like the parking lot.

Jon Nepstad asked for clarification on the parking situation. Doug said that the concept as it is drawn is slightly under the mark in terms of the 2 stalls per unit required in the town code, and depending on the final number of units proposed, they may need to add a second level for parking below. It was not clear if the 3 workforce housing units would need to meet that requirement. Polly McLean stated that a further analysis of the town code would be necessary to make that determination.

Maren Askins asked about the length of stay requirements. Chris Cawley clarified that short-term rentals are a conditional use in this zone, so units could be rented for fewer than 30 days at a time.

Jeff Niermeyer asked if there would be a retaining wall or fill-slope that would essentially be an addition to the building that is not included in the provided schematic, which might visually give the appearance of an additional story. He also noted that they anticipate some HVAC equipment would be installed on top of the building, thus increasing the actual height of the building. Doug clarified that they have not engaged with any mechanical engineers yet, but noted that town code does have provisions that allow for mechanical appurtenances.

Jeff Niermeyer asked that more information be provided to address how the driveway alternatives would handle the crossing of existing waterways. Jeff then noted that at the last meeting it was stated that the estate received a letter from SLC Public Utilities expressing support of the project, but that his personal contacts at the utility had no record of having issued such a letter, so Jeff asked for the estate to provide some clarification at the next meeting.

Jeff continued to discuss the issue of water usage and noted a discrepancy between the Estate's estimates of the water usage and state source capacity regulations. It is known that the 10 single family homes would each be allotted 800 gallons per day, resulting in roughly 240,000 gallons a month. Yet, if each of the 32 proposed condominium units is allotted 800 gallons a day, the resulting usage could surpass 750,000 gallons a month. Doug reiterated that further calculations are needed to determine anticipated water usage.

David Abraham asked about the massing of the building and noted that he agreed with Jon Nepstad that the drone presentation made it difficult to determine the building corners and heights. David stated that the renderings provided did not match up with what was depicted during the site visit in terms of the building height in relation to the tree line – the renderings show the building as much taller than most of the trees in the area, but the drone presentation demonstrated that the building would be well below the tree tops. Doug Ogilvy agreed that the rendering provided appears to be over-representing the size of the building and they would work on getting a corrected version drawn up.

David Abraham stated that he prefers any solution that would avoid paving the summer road and displacing OSV parking as well as the development of an additional parking structure. Doug Ogilvy inquired if it would be preferable to explore a solution that would allow for public restrooms to be accessible via the Summer Road. Jeff Niermeyer emphasized that with that type of public access, the long-term operation and maintenance of the facility is paramount. Doug stated the responsibility and obligation of maintaining the restroom would fall on the condominium building, and the Town would bear no responsibility.

Maren Askins asked about how they plan to address the skier/snow cat access that would be impacted by the paving of a driveway. Doug recognized that the installation of any driveway would interrupt the current usage, and they hoped to work with Alta Ski Lifts on an alternative alignment.

David Abraham reiterated that there are some benefits in the consolidated density of the building proposal, but that there are still several outstanding factors that could impact the total height or massing of the building that need to be addressed. He expressed interest in any possible alternative that might result in the first level of the building being lower than what is currently proposed.

Rob Voye asked about the planned usage of the garage, indicating the need for large machinery like snow blowers and snowplows that would be required to maintain the driveway. He also wanted to ensure that Alta Ski Area can maintain access for their snow cats to get to and from the summer road. Doug reiterated that a solution for over-snow access will need to be addressed further.

Mike Maughan asked about the plan for fire suppression in the building. Doug said that the proposed water tank would provide sufficient fire flows.

Jon Nepstad asked if the Estate wanted to come back in February or if they would need more time. Doug Ogilvy indicated that another meeting would be beneficial to start addressing some of the outstanding items.

Jon requested a checklist be provided with outstanding items. Here is a summary of what was discussed throughout the meeting as follow-up items:

- Water requirements
- Road access
- Additional information on community benefits, including the conservation easement
- Future site visit to get a better visual representation of the building corners
- Additional renderings that would depict the building from multiple angles and perspectives
- Corrected visual renderings to more accurately reflect the building size in relation to the surrounding trees
- Tax revenue analysis

## **7. DATE OF NEXT MEETING**

The next meeting is scheduled for February 26, at 3:00 PM assuming there is business to bring before the commission. Mike Maughan requested that he also be put on the next agenda to discuss planned Alta Ski Lifts projects. Jon Nepstad stated that he might want to adjust the start time of the February meeting to 2:00 PM to accommodate a lengthier agenda, but that the town should proceed with the meeting schedule as published for the time being.

## **8. MOTION TO ADJOURN**

Planning Commission member Jeff Niermeyer moved to adjourn the meeting. Planning Commission Member David Abraham seconded the motion, and the motion was carried with unanimous consent of the commission.



---

Minutes Approved on *February 26, 2025*

---

Chris Cawley, Town Manager

DRAFT





### Aerial South Massing View (Condo Bldg)

Alta Patsey Marley, Alta UT February 13, 2025





### Aerial South Massing View (Houses)

Alta Patsey Marley, Alta UT February 13, 2025







## South Massing View (Condo)

Alta Patsey Marley, Alta UT February 13, 2025





## South Massing View (Houses)

Alta Patsey Marley, Alta UT February 13, 2025









OSV PARKING - SEPARATE CONDO DRIVEWAY

Snowcats line north side of ABSM for >700'

Property Line (approx)

200'



# *Open and Public Meetings Act* **Annual Training**

---

**Alta Planning Commission**  
**February 26, 2025**



# Purpose of the Act

- Act Openly
- Make Decisions Openly
- Deliberate Openly  
(the hardest part)
- Conduct the People's Business Openly
- Openly = In a Public Meeting
- Based on Utah Code 52-4 *et seq*



Jeff Parker / Florida Today

# When Does the Act Apply?

- Any local administrative, advisory, executive, or legislative body which:
  - Two or more individuals
  - Spends, distributes, or is supported by tax money
  - Has authority to make decisions about the public's business (which has been interpreted to include advisory groups)



Mr. Lightman / FreeDigitalPhotos.net

# *What is a Meeting?*

---

- **Quorum (3 members)**
- **Convene (not chance meetings – ok to get on the same lift chair with each other)**

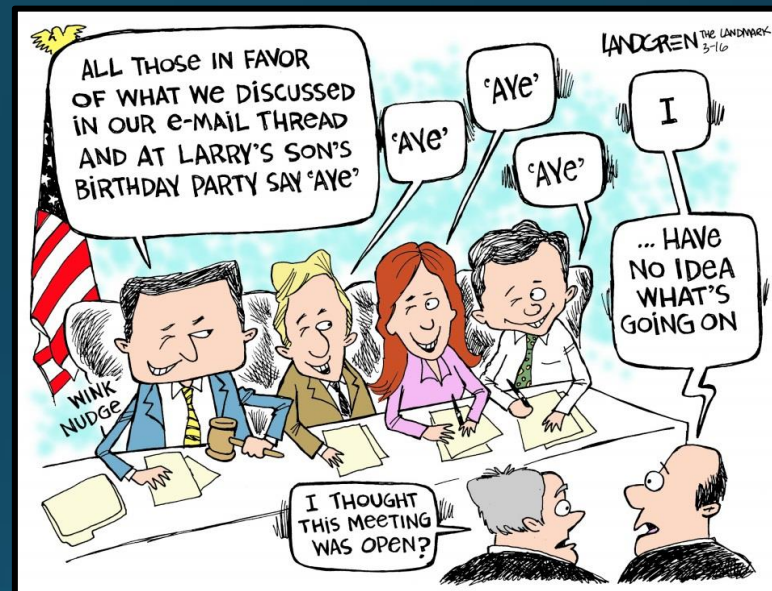
"Meeting" means the convening of a public body, with a quorum present, including a workshop or an executive session whether the meeting is held in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body has jurisdiction or advisory power
- **Email? *IM?* *Text?* *Chat?***

**OK if not sent to quorum or limited to non-substantive matters (i.e. scheduling). CAN'T act/deliberate behind the scenes.**

# What is a Meeting? (cont'd)

**Social Events:** OK for members to socialize, just can't discuss/act on matters under their official jurisdiction.

**“Meeting after the Meeting”:**  
Beware of rehashing the meeting with a quorum.



Don Landgren Jr. / *The Landmark*

**Conference Call:** It's a meeting if a quorum is involved.

# GRAMA implications

---

**Remember:** Email may be a public record under GRAMA.  
(U.C.A. § 63G-2-103).

- Note: any substantive emails regarding Town business are subject to GRAMA and OPMA.

**Bottom Line:** Citizens are entitled not only to *know what* government decides, but to *observe how and why* every decision is reached.

Communication by email is not entirely off-limits, but all deliberations must be done in public and recorded.

(U.C.A. § 52-4-210: “Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.”)



# Location of Meeting

**The Rule:** On the day of the regularly scheduled meeting, any work sessions or closed sessions must be held at the regular meeting location, unless:

- The regularly scheduled meeting is being held elsewhere;
- There is an emergency or other extraordinary circumstances;
- The meeting is being held electronically; or
- There is a site visit or traveling tour.



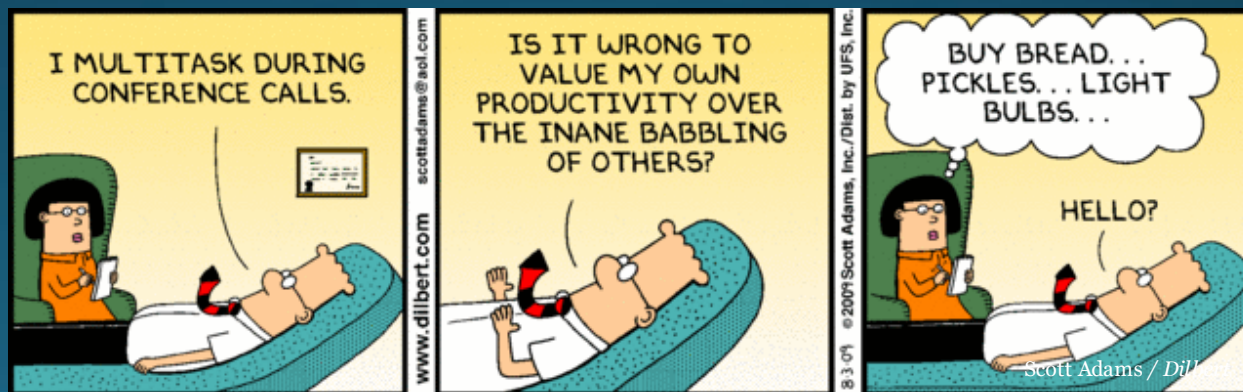
*Parks and Recreation*

**Notice:** Must provide public notice of the location.

# Electronic Meetings

**Electronic Meeting:** a public meeting convened or conducted by means of a conference using electronic communications.

- Must adopt Resolution which allows electronic meetings (2022-R-21 December 2022)
- Same notice requirements
- Requires single anchor location
- Requires procedure for identifying members and vote taking
- State Law allows for meetings without an anchor location with certain requirements.



# Reasons Meeting May be Closed

## Only Reasons a Meeting may Be Closed:

1. Discussing an individual's character, professional competence, or physical or mental health\*
2. Strategy sessions to discuss pending or reasonably imminent litigation (must be specific, not open ended threat)
3. Strategy sessions to discuss the purchase, exchange, lease or sale of real property if public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration; or prevent the public body from completing the transaction on the best possible terms AND for sale
  - (a) the public body previously gave public notice that the property would be offered for sale
  - (b) the terms of the sale are publicly disclosed before the public body approves the sale
4. Discussions regarding security personnel, devices or systems \*
5. Investigative proceedings regarding allegations of criminal misconduct

\*Does not require recording



# OPMA Notice Requirements

---

## Under OPMA:

- Must provide notice at least 24 hours before the meeting.
- Notice must include the agenda, date, time, and place of meeting.
  - Agenda must be specific enough for public to know what will be discussed.

## At a minimum, notice must be:

- Posted on the Utah Public Notice Website; and
- Posted on Town Website

In 2023, State Code has further requirements for land use noticing including certain requirements for affected areas, public hearings, etc.

## Annual Regular Meeting Schedule:

- a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule

# ***OPMA Notice***

---

## **OPMA requires:**

- **Notice must be given at least 24 hours before the meeting**
- **And state the agenda, date, time and place**
  - **agenda must be with enough specificity to know what will be discussed**
- **If an item is not listed on the agenda, the council may discuss it at the meeting but cannot take any action on it until it is presented at a meeting with proper notice.**

## **NOTICE MUST BE (AT A MINIMUM)**

- 1. Posted at the principal office of the public body or at the location of the meeting AND**
- 2. Posted on the Utah Public Notice Website AND**
- 3. Given to at least one local general circulation newspaper OR local media correspondent, OR posted on the Utah Public Notice Website**

# *Public Comment*

---

- “Open” means the public must be allowed to come and watch but no requirement to allow public to comment (in contrast to a public hearing, where opportunity for public comment is required)
  - Congress in action on the floor – open but no public input
- Topics not on the agenda can be raised by the public and discussed as long as no final action is taken on that topic

# Minutes and Recordings

---

## Required for all public meetings.

- Except for site visits.

## Recordings must be unedited, of entire meeting, clearly labeled, and available to the public.

- Must be made available within three business days.
- Public has right to record meeting, if they can do so without disrupting.

## Minutes: The official record of the meeting.

- Must be approved by the body.
- Can be released to the public before body approval, as long as they are marked “unapproved.”
- Draft minutes must be available to public within a 30 days after the meeting (and within three days of their approval).
- Must include:
  - Substance of all matters proposed, discussed, or decided
  - Names people giving testimony and substance of their testimony
  - Individual votes
  - Any additional information requested to be added by a member of the body

# Emergency Meetings

**Notice:** Must give best notice practicable as to the time and place of the emergency meeting, as well as the topics to be considered there.

- Must attempt to notify all members of the body.

**Convening:** Majority of the body must agree to hold the meeting because of an “emergency or urgent matter.”

**Minutes:** Should include a statement of the unforeseen circumstances that made the meeting necessary.



# Violations of the OPMA

## What happens if someone breaks the open-meetings laws?

- a member of a public body who knowingly or intentionally violates OR who knowingly or intentionally abets or advises a violation of any of the closed meeting provisions of this chapter is guilty of a **class B misdemeanor**.
- Action taken in the meeting is voidable if the body violated the Act.

## More information:

- <https://training.auditor.utah.gov/courses/open-and-public-meetings-act-training-2025>

