



Town of Alpine
Board of Adjustment / Planning & Zoning Commission
MINUTES

DATE: August 10, 2004

Attending: Board members: Dave Gustafson, Scott Reed, Don Sherman, Steve Fusco and Paula Stevens. Business owners: Jeanne Barr, Aron Kendall; Home/Property Owners: Dave & Robin Pellagatto, and BofA /P&Z secretary.

Board of Adjustment
MINUTES

- 1 - CALLED TO ORDER at 7:18pm
- 2 - ROLL CALL & ESTABLISHED A QUORUM
- 3 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **Variance Request- review** - *Public Hearing is advertised for August 24th, 2004.* - Aron Kendall (proposed owner) and Jeanne Barr (property owner) discussed a proposed plan for a living area in or attached to the existing business building. This is regarding Lots# 55 & 56 PalisPark Subdivision. Variance would be necessary, as this is a B1 zone. Aron was given a copy of the W.S.S. 15-1-608 on how the Board makes their decisions using the states criteria for variances. Steve read the 89-2003-2 Ordinance regarding residential on a business lot. *Enclosed with these minutes. Scott asked about a leach field. Aron advised that he is working with Vince Kramer Excavation and would have all the septic paperwork in hand prior to the public hearing. Aron had drawn a proposed area for the septic system on the drawing he submitted to the Board. The drawing showed the two proposed areas to put the apartment. The Board discussed the two proposed areas. Jeanne advised there is no plumbing at this time. Aron said the business will be a small construction company. Don said that Aron needs to meet the State Statute criteria. Paula advised the three standards under the State Statute, which indicates they'd (the Board) would be able to make these findings for Aron. Paula read section A, B, & C of the 15-1-608 W.S.S.

The Board advised Aron to have a list of items ready for the public hearing, including: septic, building heights/dimensions, setbacks-meet the minimum, and parking. Secretary is to get Aron the Parking requirements as per Town Codes.

- 4 - **ADJOURNED MEETING- 7:35pm.** *Don Sherman motioned to adjourn Board of Adjustment meeting, Dave Gustafson seconded. All in favor.*
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Planning & Zoning
MINUTES

- 1 - CALLED TO ORDER at 7:36pm
- 2 - ROLL CALL & ESTABLISHED A QUORUM
- 3 - **P&Z MINUTES:** July 27th, 2004 (*tabled- waiting on approval*)
- 4 - **COUNCIL MINUTES:** June 15th, 2004 *Don Sherman motioned to approve June 15th Council minutes, Steve Fusco seconded, All in favor.*; July 6th, 2004 *Don Sherman motioned to approve July 6th Council minutes, Scott Reed seconded, All in favor.* & July 20th, 2004 *Don Sherman motioned to approve July 20th Council minutes, Steve Fusco seconded, All in favor.*
- 5 - TONIGHT'S APPOINTMENTS/ NEW BUSINESS:

- **7:05pm – Dave Pellagatto Shed Permit #R1-11-04-** Dave Pellagatto was originally requesting a building permit for a 12x16 shed with a lean to. Joe approved onsite inspection. Dave P. advised he has now changed the shed dimensions to 20x16 without a lean to. Dave asked if he has increased his footprint of the building to the size of the original roofline. Dave P. said yes. Asked what type of door he would use, Dave P. said it would be a shed door. He also advised there would be no electrical/lights at this time. Paula advised him if he is to use a metal roof material, it must be non-reflective. This will be a permanent structure so they reviewed the setbacks accordingly. Steve advised Dave P. must resubmit to the secretary a

revised set of plans indicating the new change to the shed so the Town has an accurate record of the building. *Paula Stevens motioned to approve Permit# R1-11-04 (with the condition that Dave P. resubmit an accurate set of plans of the revised shed design for the Town file), Don Sherman seconded, All in favor.*

- **Request from Clerk for review of July 20th Council Minutes portion regarding Fire Marshall's procedure** - The clerk requested the P&Z review the section in the minutes regarding the Fire Marshall's procedure that was discussed and agreed to by both boards as the Council felt she did not have the facts correct. P&Z members reread and reviewed the minutes and stated that indeed the minutes were completely accurate as to the new procedure.

Discussion began about the need for the new Fire Marshall's approval procedure. Paula stated the most important for them to focus on is the health, welfare and safety of the people, therefore it's critical to have the Fire Marshall's approval first before recommending/approving a permit.

- **Proposed Ad for P&Z**- Don Sherman would like to discuss putting an ad in the newspaper advising the public regarding lengths of time for acquiring a commercial and residential permit. Don explained the need for advising the public ahead of time. Don told the members how he was verbally attacked in public at a local bar by a person representing the JHRE&A new office. This person felt she should have received their building permit the same night it was presented (for the first time to the Board of Adjustment). Don attempted to explain to her, the Board's need and responsibility for reviewing issues such as parking and needing the Fire Marshall's approval first. The Board then discussed the fact that the public expects to receive the permit the first meeting as they do not realize there can be reasons, circumstances, reviews that need to be done prior to receiving the permit, especially on a commercial building. Residential permits are not as complex and do not need items such as a Fire Marshall's review/approval therefore they are easier and quicker to receive. Don felt P&Z needs to advertise in the newspaper and put in the post office and areas where people would be able to read it. The P&Z needs to give some sort of time frame and advise what the standards need to be for the permit process. All agreed. Steve added that the information on the time frame for the permit process should be given with the building applications. All agreed. The secretary added that the advertising of the time frames would help to lessen the constant negative attitudes, rudeness and unprofessional behavior of many who come into the office expecting the process to be rushed to their time schedule or wanting on the P&Z agenda immediately.

Discussion began on the time frame needed. It was tentative at 4-6wks for residential and 6-8wks or more for commercial, plus contingent on Fire Marshall's approval. Dave is putting together the procedures for P&Z that will be implemented. He will include the time frame information and then will give to the rest of the members for input and approval before presenting to Council. Paula advised as Planning and Zoning, they are the first line of offense for the Town. Paula also advised the members, that per W.S.S., P&Z has the right to decide their procedures.

- **Information Only**- Secretary created new permit checklists to be given for fence, deck and sign permits. Secretary requested the members review prior to this meeting and advise if any changes/corrections/deletions/additions they feel need to be on these checklists. All agreed no changes were necessary. Secretary advised these checklists are created to facilitate persons in understanding what is needed before inspections and being put on a P&Z agenda. This also helps the office personnel to know all items have been met/received and can be processed. *Steve Fusco motioned to approve fence, deck, sign permit checklists, Paula Stevens seconded, All in favor.*

During this conversation on the need for the checklists, the secretary advised that she has added to the instructions sheet a signature line for contractors. This way both the property owner and contractor are responsible since she found there to be more contractors handing in/doing the paperwork for the permits than the property owners. Therefore the contractors need to be held accountable, in addition to the property owners in submitting and requesting permits. All agreed was a good idea. Paula advised that Teton County has a "Letter of Authorization" that the property owner must sign giving the contractor the right to represent them. Paula will email this Letter to the secretary to add to the P&Z procedures that will be implemented and handed out with the building application after approved by P&Z.

- **Non-Compliance**- Scott Reed brought up a fence that was just built in Riverview Meadows along the highway that he does not recall having a building permit. He requested the secretary research it. Steve added that Bryan Pack still has not come in for a building permit for a fence he began building without a permit. After two letters sent to Bryan, still no permit request. Steve asked if we could send another and secretary advised it obviously is not working therefore we need to go the next step. Discussion then turned to penalties, fines and accountability for actions that are against Town Codes. Steve made a verbal list of the persons that need a letter or action taken regarding non-compliance. He advised: Bryan Pack- no fence permit; Frenchy's- still has flashing light after given letter to all business owners regarding no flashing lights; Bull Moose Saloon- electrical when stated there will be no electrical on roof addition; Gene & Maggie Bauer- lean to shed built without a permit. Dave agreed to send letters and then action should be taken for persons refusing to comply. Secretary will prepare the letters, email to Dave for approval and then mail.

- **Town Responsibility Issues-** Discussion on the fact that a Council member felt that P&Z is getting too strict or is not thinking about the individual's needs enough. Members felt the negativity towards their attempts were not helpful nor was stated with true knowledge of the real responsibility of the Town's Boards. They felt the personal agendas and good old boy network needs to stop and the Town should be concentrating on what is best for the Town and it's public, especially with the possibility of an annexation of a huge development. They discussed how the most important responsibility they have is for the health, welfare and safety of the people as a whole, and of this Town. This responsibility means there is definitely a need to become more strict and more thorough to protect the people and the Town. Unfortunately some members of the Council or the public may not agree, but P&Z feels they need to concentrate on what is really important and plan on doing so. They also expressed the need for the public to become more involved especially at Town meetings.

6 - UNFINISHED/ONGOING BUSINESS:

- **P&Z ATTENDING COUNCIL MEETINGS:**
 1) August 17th - Scott Reed 2) September 7th - Steve Fusco 3) September 21st - Paula Stevens

7 - ADJOURNED MEETING- at 8:25pm. *Paula Stevens motioned to adjourn meeting, Steve Fusco seconded, All in favor.*

-CODES/PROCEDURES RESEARCH SESSION- (After Meeting Session)

- **P&Z Procedures** - Continued discussion on procedures, implementing new procedures, annexation information from Paula Stevens who was present for the Halpin meeting.

- UNFINISHED - Town Codes Section:

- **Zoning Map** – Need to go through by subdivision to update/redo this map.
- **CODE NEEDING UPDATED:** New ordinance/code updated is needed, to add that New homeowners & businesses need to identify their physical address & they should also call Town to obtain their correct physical address first.
- **GREATER ALPINE AREA MASTER PLAN**
- **CERTIFICATE OF OCCUPANCY PERMITS (TABLED):** Commission has discussed process of issuing certificate of occupancy permits. Some new businesses and residential homes have been issued an occupancy permit without finishing their projects entirely. Dave Gustafson drafted an ordinance, similar to what Jackson utilizes. Currently, for when certificates of occupancy permits are issued. Action needs to be taken to write the draft code and forward to Council.
- **ACCESSORY BUILDING/ SHEDS (TABLED):** Current codes for accessory buildings/ sheds are too vague. Lots of questions re: how big a shed can be, whether it can be placed in setbacks, etc. There is no building permit application for a shed either. *This code will need to be rewritten/ modified.*
- **COMMERCIAL DEVELOPMENTS/LANDSCAPING PLANS (TABLED):** Commission discussed implementing landscaping plans for commercial and R-2 zoned properties. As many new businesses and R-2 zoned business for rental housing have done a great job completing their proposed landscaping, many businesses and apartment complexes have not. Dave Gustafson agreed to draft proposed landscaping requirements for B-1 and R-2 zoned properties for the August 26, 2003 Planning & Zoning Meeting. Item pending Dave Gustafson's completion of a draft code.

Items mailed to Board of Adjustment/P&Z prior to tonight's meeting:

- July 27th, 2004 Board of Adjustment/P&Z Minutes for corrections/deletions/changes
- June 22nd, 2004 P&Z Minutes for review of the Fire Marshall's new procedure
- Drafts for Fence, deck, sign permit checklists
- November 2003 P&Z/Council minutes regarding JHRE&A old parking variance
- Annexation statutes

Dave Gustafson, acting Chairman

Date

Attest:

BofA/ P&Z Secretary

Date