



1. Protective covenants shall be provided and approved by the County prior to final plat approval.
2. The final plat shall include any easements revealed after preparation of a title report.
3. A DEQ storm water permit shall be obtained if construction of 1250 South disturbs one acre or more of land.
4. Prior to final plat approval, that portion of 1250 South abutting this subdivision, including ditches and any required culverts, shall be improved to county standards and accepted by the Public Works Director, unless a bond is posted to guarantee such improvements.
5. Prior to occupancy of any homes within this subdivision, road improvements shall be accepted by the Road Department and a road sign installed at the intersection of 5000 West and 1250 South.
6. The final plat shall make provisions for a temporary cul de sac at the west end of 1250 South and 66 feet of right of way along the existing roadway to connect the subdivision to 5000 West. Michael and Rita Hullinger will need to sign the final plat to dedicate this right of way.
7. Developer agrees to fund the installation of a new fire hydrant to serve the subdivision, at a location approved by the Fire Department, prior to final plat approval, unless a bond is posted to guarantee such improvements.
8. Developers of each lot must provide an adequate driveway to allow for fire truck access and provide the required defensible space around new homes, prior to occupancy.
9. The proposed address for Lot 1 shall be corrected to be an even number.

Mr. Hyde stated the County road department has agreed to improve the road on the east side of the property and the developer must improve the road bordering the subdivision.

Mr. Hyde asked if there are any questions or comments.

Commissioner Jorgensen asked where the Hullinger home was in reference to the subdivision. Mr. Hyde stated their property was to the southeast and they would need to give a right of way to complete the road into the subdivision.

Commissioner Olsen asked if they would need to run a new water line for the fire hydrant. Mr. Hyde stated there is an eight inch line running along the south line of the property, but the applicants will need to install a new hydrant to be in compliance with Duchesne County fire codes.

Commissioner Sweat asked if the existing home on lot 1 is occupied and where the culinary water is. Mr. Hyde stated Shaunna Zubiata's brother Beno Penna lives at that residence on lot 1 and the existing home is on a well and not serviced by Johnson Water District but the water line does run along the south property line.

Chairman Mair asked if there any questions or comments.

Carl Zehna, Roosevelt, Utah has some concerns about the size of the subdivision lots and the county noise ordinance. Mr. Hyde clarified the lots will be from 4.5 and 6.23 acres and not the 1 acre size he feared. He referred Mr. Zehna to the Duchesne County Commissioners about amending the noise ordinances, if the current law does not protect him from the motorcycle noise during the day.

Chairman Mair asked if there were any questions. There were none, so the hearing was closed.

Commissioner Sweat recommended the Planning Commission approve the preliminary plat for Penna's Willow Subdivision subject to the 9 conditions as stated in the staff report. Commissioner Fabrizio seconded the motion and it passed unanimously.

### **NEW BUSINESS**

None.

### **Minutes: Approval of January 7, 2009**

Commissioner Fabrizio moved to approve the minutes of January 3, 2009  
Commissioner Burton seconded the motion and it passed unanimously.

### **Commission Comments and Staff Information Items**

Mr. Hyde stated the County Commission has approved the rezone application for Mr. Brockbank at the last meeting. He noted that there are two Conditional Use Permit hearings scheduled for March 4, 2009.

### **Adjournment:**

Meeting adjourned at 5.22 p.m.