

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, May 13, 2009 at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Jaye Colling, Carl Leatham, and Richard Rawlinson. Also present were City Manager/Recorder Don Hartle, Mayor Ruth P. Maughan, City Councilman Ron Case and City Planner Jay Nielson. A copy of the Notice and Agenda was faxed and emailed to the Herald Journal and mailed to the Planning Commission on May 8, 2009. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Aaron Klopfenstein
Dean H. Parker Brandon Jones
Dean Bolton Rob Summers
Kamee Summers

Opening Ceremony: Richard Rawlinson

Loyal Green reviewed the agenda with the Commission. Don Hartle stated that he would like to give the Planning Commission an update on Sherwood Hills and Sterling Ridge subdivision. After review, Jaye Colling made a motion, seconded by Carl Leatham, that the agenda be approved with the additions.

Yea 5 Nay 0
Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

The Commission reviewed the minutes for the Commission meeting which was held on March 25, 2009. After review, Richard Rawlinson made a motion, seconded by Russell Glenn, that the minutes of the March 25, 2009 meeting be approved as presented.

Yea 5 Nay 0
Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

The Commission reviewed the minutes for the Commission meeting which was held on April 8, 2009. There were word changes on lines 75 and 99. After review, Russell Glenn made a motion, seconded by Jaye Colling, that the minutes of the April 8, 2009 meeting be approved with the changes.

Yea 5 Nay 0
Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

The Commission reviewed the minutes for the Commission meeting which was held on April 22, 2009. There were word changes on lines 46, 48, 92, 112, and 189. The Commission decided to review these minutes again with the changes and will approve them at a future meeting.

At 6:05 p.m., the Planning Commission conducted the following public hearings:

First, receive public input and consider for approval a request from Aaron Klopfenstein at 655 South Center for a conditional use for a Level 2 "Home Occupation" for hobby gunsmithing at said address. Mr. Klopfenstein stated that he needs a business license in order for him to receive his FFL license to

work on fire arms. Mr. Klopfenstein stated that this is a part-time hobby. Mr. Klopfenstein stated that he uses hand tools and a small lathe that are located in his shop. Mr. Klopfenstein stated that he has 1 to 2 cars a week at his home. Mr. Klopfenstein stated that there is no noise pollution beyond the noise of a hand tool. Mr. Klopfenstein stated that there are no chemicals other than a cleaning solution. Russell Glenn asked if this hobby has turned into a business. Mr. Klopfenstein stated yes. Mr. Glenn asked if he would be working in the home or the shop. Mr. Klopfenstein stated that he would work in the shop. Mr. Glenn asked why Mr. Klopfenstein was applying for a Level 2 “Home Occupation” instead of a Level 1 “Home Occupation”. Loyal Green stated that it was because he is operating the business out of an accessory building. Richard Rawlinson asked if there would be any practice shooting in the backyard. Mr. Klopfenstein stated that there would not be. After discussion, Carl Leatham made a motion, seconded by Richard Rawlinson, to approve the request from Aaron Klopfenstein at 655 South Center for a conditional use for a Level 2 “Home Occupation” for hobby gunsmithing at said address.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

Nay 0

Second, receive public input and consider for approval a request from Jones Brothers Property Maintenance LLC at 811 East 675 North for a conditional use for a Level 1 “Home Occupation” to operate a property maintenance company from said address. Brandon Jones stated that he and his brother own the Jones Brothers Property Maintenance LLC. He would like to obtain a business license in order to park an enclosed trailer on a 75-foot RV pad next to his home. Mr. Jones stated that he also has an office inside his home that he works out of. Mr. Jones stated that his brother lives in Malad Idaho, and that 85% of their work is in Logan, with the other 15% being in Malad. Russell Glenn asked if the RV pad that is next to his home has room for both the RV trailer and the enclosed trailer. Mr. Jones stated yes. Loyal Green stated that the code requires the enclosed trailer to be parked behind the front of the home. Mr. Jones stated that they would be parked on the RV pad behind the fence that is currently being installed. Richard Rawlinson asked if Mr. Jones has any employees. Mr. Jones stated that the employees show up on-site, so there will be no cars parked at his home. Carl Leatham asked about the size and height of both the RV trailer and the enclosed trailer. Mr. Jones stated that the enclosed trailer is shorter than the RV trailer. Jay Nielson stated that he would recommend to the Planning Commission that the paved RV pad not go to the curb, and that it comes off at an angle or more than 2/3 of the frontage of the home will be paved. Mr. Jones stated that the RV pad is already installed, and that he has to come in on an angle to access it. Mr. Glenn asked if there is room on the RV pad to park the RV trailer and 2 enclosed trailers. Mr. Jones stated that if the business does get that big, 1 enclosed trailer will be parked at his residence in Wellsville and the other enclosed trailer will be parked at his brother’s residence in Malad. After discussion, Russell Glenn made a motion, seconded by Jaye Colling, to approve the request from Jones Brothers Property Maintenance LLC at 811 East 675 North for a conditional use for a Level 1 “Home Occupation” to operate a property maintenance company from said address.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

Nay 0

Third, receive public input and consider for approval a request from The Church of Jesus Christ of Latter Day Saints for a conditional use for a religious facility (church) to be located in the Sterling Ridge subdivision which is located on the west side of Center Street from approximately 1400 South to 1600 South. Dean Bolton representing The Church of Jesus Christ of Latter Day Saints stated that they would like to purchase a lot in the Sterling Ridge subdivision. Mr. Bolton stated that the drawings that he provided show that 37% of the lot will be landscaped. There are 202 parking stalls. This is a standard

ward building. He doesn't know when the construction will start. Don Hartle asked if they would be using water-wise landscaping. Mr. Bolton stated yes, they would be using water-wise landscaping. Mr. Bolton stated that the LDS Church has gotten away from having grass everywhere. Carl Leatham asked if the LDS Church would be constructing a storm retention pond on their property. Mr. Bolton stated that they were told by the developer that they would be allowed to use the storm retention pond that is being created for the subdivision. Mr. Hartle stated that this conditional use is subject to the subdivision being approved. There will be no building or occupancy permits issued until Wellsville City files the subdivision at the County Recorder's office. Mr. Hartle stated that he has heard that Westates Development is going to request bonding for the improvements so that the final plat can be filed. Mr. Hartle stated that the subdivision will be completed in 2 phases. Mr. Bolton stated that the LDS Church can't purchase the property until the final plat has been filed. Jay Nielson asked where the retention pond for the subdivision is located. Carl Leatham stated that it is located on the northeast lot. Mr. Nielson stated that Wellsville City needs to make sure that the retention pond has the capacity since it is next to a city street. Mr. Leatham stated that the stream bed is next to the retention pond, which he thought they would try to stay away from the stream bed. Mr. Hartle stated that the plan is to discharge into the swale and go down to the creek. Loyal Green stated that page 2 of the design shows the LDS Church in an old design that the Planning Commission disapproved. There are to be no cul-de-sacs in this subdivision. Mr. Nielson stated that the church will be located on the same lot. Mr. Green stated that he wanted Mr. Bolton to be aware that there are no cul-de-sacs in this subdivision. Mr. Nielson stated that the new plan shows the LDS Church purchasing 3.508 acres, and Mr. Bolton's plan shows the LDS Church purchasing 3.52 acres. There is a 2/100's of an acre difference, which is 871.2 square feet less. Mr. Bolton stated that the LDS Church would tweak their design to fit the 3.508 acres. Mr. Green asked if the LDS Church would be responsible for their own construction drawings, water, and sewer. Mr. Hartle stated that the developer would be responsible for providing all of the utilities; the LDS Church is building a church building. Mr. Hartle stated that the application for the building permit would be for a commercial building, so it will be reviewed by the Planning Commission. Mr. Green stated that this should be approved subject to the final plat being approved and the subdivision being filed at the County Recorder's office. Mr. Hartle stated that that was correct. Mr. Green asked if the CC&R's will be taken care of before the subdivision is filed at the County Recorder's office. Mr. Hartle stated that that is correct. After discussion, Richard Rawlinson made a motion, seconded by Russell Glenn, to approve a request from The Church of Jesus Christ of Latter Day Saints for a conditional use for a religious facility (church) to be located in the Sterling Ridge subdivision which is located on the west side of Center Street from approximately 1400 South to 1600 South subject to the final plat being approved and the final plat being recorded at the County Recorder's office.

Yea 5

Nay 0

Russell Glenn

Jaye Colling

Loyal Green

Carl Leatham

Richard Rawlinson

Don Hartle stated that a gentleman came into his office who is working on remodeling Sherwood Hills. This man is wondering what type of development can be done at Sherwood Hills. Mr. Hartle stated that he told the man to discuss the issue with the Planning Commission. This individual is on the agenda in 2 weeks. Loyal Green asked if it would be possible for the Planning Commission to receive information that has been discussed in previous meetings about Sherwood Hills. Jay Nielson stated that the current owner has paid to have the buildable and unbuildable areas defined. Mr. Nielson stated that this individual will need to be schooled on the code. Mr. Nielson stated that he will come prepared with the information and direct him to the code.

Don Hartle stated that a gentleman from B.R.A.G. paid him a visit and brought with him a document on disaster. This man also brought several maps. One map shows a fault line right in the middle of the Sterling Ridge subdivision. Jay Nielson stated that some research needs to be done with enough information to show that the fault line is not going to be a problem. The code states that Wellsville City will avoid geologic hazards. Mr. Nielson suggests that Don Hartle call Travis Taylor representing

Westates Development and tell him that Wellsville City has been given new information and that additional engineering studies will have to be preformed to address the issue.

Jay Nielson stated that in 1 month, he will have the first phase of the pages of the code for the Planning Commission to review.

At 7:02 p.m., Carl Leatham made a motion, seconded by Jaye Colling, to adjourn the meeting.

Yea 5

Russell Glenn
Jaye Colling
Loyal Green
Carl Leatham
Richard Rawlinson

Nay 0

Loyal Green
Chairman