

1 MINUTES of the Wellsville City Planning Commission meeting held Wednesday, July 22, 2009 at the
2 Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal
3 Green, Jaye Colling, Carl Leatham and John Spence. Also present were City Manager/Recorder Don
4 Hartle, City Councilman Ron Case, and City Planner Jay Nielson. A copy of the Notice and Agenda was
5 faxed and emailed to the Herald Journal and mailed to the Planning Commission on July 17, 2009. The
6 meeting was called to order at 6:00 p.m.

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8 Others Present: Jennifer Leishman Rees J. Roundy
9 Steve Jenson Tom Smith

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11 Opening Ceremony: John Spence

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13 Loyal Green reviewed the agenda with the Commission. Don Hartle stated that he needed to discuss the
14 Sterling Ridge subdivision with the Planning Commission. After review, Jaye Colling made a motion,
15 seconded by John Spence, that the agenda be approved with the addition.

16
17 Yea 4 Nay 0
18 Jaye Colling
19 Loyal Green
20 Carl Leatham
21 John Spence
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23 The Commission reviewed the minutes for the Commission meeting which was held on June 24, 2009.
24 After review, John Spence made a motion, seconded by Jaye Colling, that the minutes of the June 24,
25 2009 meeting be approved as presented.

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27 Yea 4 Nay 0
28 Jaye Colling
29 Loyal Green
30 Carl Leatham
31 John Spence
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33 The Commission reviewed the minutes for the Commission meeting which was held on July 8, 2009.
34 After review, Carl Leatham made a motion, seconded by Jaye Colling, that the minutes of the July 8,
35 2009 meeting be approved as presented.

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37 Yea 4 Nay 0
38 Jaye Colling
39 Loyal Green
40 Carl Leatham
41 John Spence
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43 At 6:05 p.m., the Planning Commission conducted the following public hearings:

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45 First, receive public input and consider making a recommendation to the City Council on a request from
46 Rees Roundy that property at 305 East 100 North and 190 North 300 East be rezoned from RA-1 to R-1-
47 12, identified by County Tax Identification numbers 11-086-0062 and 11-086-0063. Mr. Roundy stated
48 that his son built a home behind his home, and in the RA-1 zone, if an individual owns 1 ½ times the
49 width of the property and 1 ½ times he square feet required, the Board of Adjustments can divide the
50 property in half to make 2 equal lots. Mr. Roundy stated that he would like to build an addition onto his
51 home to accommodate his daughter that is handi-capped. Mr. Roundy stated that he was going to trade
52 some property that he owns to his son for some property that his son owns. City Attorney Bruce
53 Jorgensen stated that it would be best to rezone the property to R-1-12 rather than to trade property with
54 his son. John Spence asked if he had already traded property with his son. Mr. Roundy stated that his
55 son has deeded the property to him, but he doesn't know if it was done legally. Don Hartle stated that it
56 can be reversed. Mr. Spence asked if there are other lots in the neighborhood that are zoned R-1-12.

57 Carl Leatham stated that a majority of the lots in the neighborhood are zoned R-1-12. Loyal Green stated
58 that the land use map shows that the property can be zoned R-1-12. Mr. Spence stated that he read in the
59 previous minutes about a concern with the exterior door. Mr. Green stated that a public hearing will be
60 held at the next Planning Commission meeting to amend the code concerning the exterior door issue.
61 After discussion, Carl Leatham made a motion, seconded by John Spence, to recommend to the City
62 Council that the request from Reese Roundy concerning property at 305 East 100 North and 190 North
63 300 East be rezoned from RA-1 to R-1-12, identified by County Tax Identification numbers 11-086-0062
64 and 11-086-0063.

65
66 Yea 4

Nay 0

67 Jaye Colling

68 Loyal Green

69 Carl Leatham

70 John Spence

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72 Second, receive public input and consider for approval the preliminary plat for the Steve Jenson
73 subdivision at 226 South 300 East, consisting of a total of 2 lots (1 additional building lot). Mr. Jenson
74 stated that he purchased a piece of property from Frank Poppleton, which was done illegal because he
75 didn't go through the subdivision process. Mr. Jenson stated that he is trying to make it right by going
76 through the subdivision process. Don Hartle handed out an updated version of the preliminary plat with
77 Mr. Jenson's engineer addressing the concerns of the memo from JUB Engineering dated June 29, 2009.
78 Mr. Hartle stated that the water and sewer lines are shown, the easement for the ditch/canal, and the
79 sensitive areas are identified. Carl Leatham asked what house is Mr. Jenson's. Mr. Jenson identified his
80 home on the preliminary plat. Mr. Leatham asked if Mr. Jenson still owns the home. Mr. Jenson has sold
81 his home. Mr. Leatham asked how Mr. Jenson can subdivide property he doesn't own. Mr. Jenson stated
82 that the property is lot #2, which is a different county tax identification number than his home. After
83 discussion, Carl Leatham made a motion, seconded by John Spence, to approve the preliminary plat for
84 the Steve Jenson subdivision at 226 South 300 East, consisting of a total of 2 lots (1 additional building
85 lot).

86
87 Yea 4

Nay 0

88 Jaye Colling

89 Loyal Green

90 Carl Leatham

91 John Spence

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93 The Planning Commission reviewed for approval the final plat for the Smith subdivision at 111 South 450
94 East, containing a total of 3 lots (2 additional building lots). Don Hartle stated that the mylar has been
95 signed by the City engineer. After discussion, Jaye Colling made a motion, seconded by Carl Leatham, to
96 approve the final plat for the Smith subdivision at 111 South 450 East, containing a total of 3 lots (2
97 additional building lots).

98
99 Yea 4

Nay 0

100 Jaye Colling

101 Loyal Green

102 Carl Leatham

103 John Spence

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105 Jay Nielson discussed the Sterling Ridge subdivision with the Planning Commission. Mr. Nielson stated
106 that he has 2 concerns about the screening. The screening setback is 30 feet, but they are leaving a lot of
107 property that is useable to the property owners. The other concern is that there is no property line shown
108 on the map. Mr. Nielson stated that Wellsville City receives screening along the public streets, but there
109 is no landscaping. Mr. Nielson stated that Westates Development needs to show a landscape plan. With
110 the current plan, they will be able to sell more real estate. Mr. Nielson stated that this is the first
111 subdivision to be completed this way in Wellsville City, and that if Wellsville City trips on this one, they
112 will do the rest of them the same way forever. The current plan shows a 2-foot burm with a 6-foot fence.

113 This is adequate screening because you don't see into the backyards, but additional screening is needed
114 from the property line to the fence. Mr. Nielson stated that he is very skeptical about the plan, and feels
115 that Wellsville City needs to hold them to what has been discussed so that it is done correctly. Carl
116 Leatham asked if the screening is pushed back, who will maintain the property. Mr. Nielson stated that
117 the HOA will maintain the property on both sides of the fence. Mr. Nielson stated that some water-wise
118 landscaping in the 40-foot screening strip could be used. Loyal Green asked if Wellsville City is selling
119 the open space back to the developer, is a HOA required. Mr. Nielson stated yes. Mr. Nielson stated that
120 Westates Development chose to put the backs of the houses facing the City streets. Don Hartle asked if
121 Mr. Nielson would call Travis Taylor tomorrow. Mr. Nielson stated that he would. John Spence asked
122 since the first phase is only 9 lots, is Wellsville City requiring all of the screening up front. Mr. Nielson
123 stated that as a phase is proposed against a public street, the screening strip will be required. Mr. Green is
124 concerned if the development is sold before it is completed, that the new developer will continue to
125 follow through with the development plan that is in place. Mr. Nielson stated that a change could only
126 happen in that development with the approval of the Planning Commission. Mr. Nielson stated that each
127 phase would need to have the same standards to follow. Mr. Nielson thinks that Wellsville City is
128 protected by the code. Mr. Hartle stated that they plan to begin work on the improvements a week from
129 this coming Monday.
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131 The Planning Commission continued the workshop on the land use tables.
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133 At 7:30 p.m., Jaye Colling made a motion, seconded by Carl Leatham, to adjourn the meeting.
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135 Yea 4

135 Nay 0

136 Jaye Colling

137 Loyal Green

138 Carl Leatham

139 John Spence
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143 Loyal Green

144 Chairman
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