

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, August 24, 2016, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Chris Clark, Paul Egbert, Marcene Parker, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, and Councilmen Carl Leatham. A copy of the Notice and Agenda was posted, faxed, and emailed to the Herald Journal, and mailed to the Planning Commission on August 19, 2016. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

Others Present: Jennifer Leishman Nicholas Fisher Hyrum Lantz
Lorri Lantz Ephraim Lantz Mike Leishman
Mark Baldwin Harrison Maughan Patsy Maughan
Jeremy Woodward DeVon Parkinson Dora Parkinson
Jay Davis Laurel S. Maughan

Opening Ceremony: Paul Egbert

Ruth P. Maughan reviewed the agenda with the Commission. After discussion, Paul Egbert made a motion, seconded by Chris Clark to approve the agenda as presented.

YEA 5 NAY 0
Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

The Commission reviewed the minutes for the Commission meeting which was held July 13, 2016. There were word changes on lines 38, 62, and 110. After review, Marcene Parker a motion, seconded by Paul Egbert, to approve the minutes of the July 13, 2016 with the changes.

YEA 3 NAY 0 ABSTAIN 2
Paul Egbert Chris Clark
Ruth P. Maughan Brian Pattee
Marcene Parker

The Commission reviewed the minutes for the Commission meeting which was held August 10, 2016. After review, Brian Pattee a motion, seconded by Chris Clark, to approve the minutes of the August 10, 2016 as presented.

YEA 4 NAY 0 ABSTAIN 1
Chris Clark Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

At 6:05 p.m., conduct the following public hearings:

First, receive public input then consider for approval a request from Nicholas Fisher for a conditional use for a Level 2 “Home Occupation” for power washing to be operated out of his home at 664 North 850 East. Mr. Fisher stated that he operates a general pressure washing business. He operates a mobile business all over Cache Valley. Mr. Fisher stated that he has a 20-foot enclosed trailer that is towed by his truck. Paul Egbert asked if the trailer is parked off the street. Mr. Fisher stated that the trailer is parked in his driveway when not in use, and in his grandfather’s barn during the winter. Brian Pattee asked if Mr. Fisher does any pressure washing for clients from his home. Mr. Fisher stated no. Mr. Egbert asked what Mr. Fisher pressure washes. Mr. Fisher stated that it is surface washing, and his specialty is garbage cans.

At 6:08 p.m., the public hearing was closed.

After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve the request from Nicholas Fisher for a conditional use for a Level 2 “Home Occupation” for power washing to be operated out of his home at 664 North 850 East.

YEA 5

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

At 6:09 p.m., receive public input, then make a recommendation to the City Council on an application received from Hyrum Lantz that the code be amended to allow crematory services as a conditional use in the RA-1 zone. Hyrum Lantz handed out a booklet to each of the Planning Commission members. Hyrum Lantz stated that he and his brother have 15 years communitive experience with crematory services. Hyrum Lantz showed pictures of a crematorium on Redwood Road in Salt Lake City. Hyrum Lantz showed the three smoke stacks, and that all of them are in use when he took the picture. Hyrum Lantz stated that crematoriums are regulated so tightly, that there is zero tolerance. Hyrum Lantz stated that there are no visible emissions from these smoke stacks. Hyrum Lantz stated that the purpose of his crematorium is to be hidden in plain sight. Hyrum Lantz stated that crematoriums minimize all exposure. Hyrum Lantz stated that crematoriums are a necessity that doesn't exist in Cache Valley. This is a slow-growing business in Cache Valley. Hyrum Lantz stated that Utah is a state of 20% cremation and 80% burial. Hyrum Lantz stated that they have ordered a 2017 module machine. There will be no increase of traffic. Wellsville City may never see a car in the parking lot. Hyrum Lantz stated that this is an on-call business. Hyrum Lantz stated that this crematorium would be a benefit to the community without being flashy or exposed. Mark Baldwin stated that he lives next door to Mike Leishman. Mr. Baldwin asked if any of the Planning Commission members would want to live next to a crematorium. Mr. Baldwin is concerned about the value of his home and his property. Mr. Baldwin stated that Hyrum Lantz could take every precaution, but something will eventually happen. Mr. Baldwin stated that he is against this business, and doesn't want any part of it being in his neighborhood. Mr. Baldwin stated that when Mike Leishman purchased the property from his family, he was asked what he was going to do with the property. Mr. Baldwin stated that Mike Leishman told him he was going to build a shop for cabinets only, nothing else. Marcene Parker asked Hyrum Lantz if he owned the crematoriums that he showed to the Planning Commission in the pictures. Hyrum Lantz stated no. Hyrum Lantz stated that they were examples only. Ephraim Lantz stated that he understands Mr. Baldwin's concerns. Ephraim Lantz stated that the machine that they have purchased is a 2017 module. It is the best of the best, and has the highest environmental standards. Hyrum Lantz stated that he would never do any harm, wants to make friends, and have a long-term partnership with the community. Harrison Maughan stated that he doesn't want his children and grandchildren to know that they are burning human remains in his neighborhood. Ruth P. Maughan stated that the information states that the power pack runs even during visitations. Hyrum Lantz stated that a service could be held while a cremation is in progress. Ms. Maughan asked about maintenance of the machine. Hyrum Lantz stated that he has a full maintenance agreement for 10 years on the machine. Ms. Maughan reminded the Planning Commission that they are discussing amending the code, not a conditional use permit for business license. Paul Egbert stated that the discussion is not about a location, but amending the code can allow this to happen in the RA-1 zone anywhere in Wellsville City. Mr. Egbert stated that there are a variety of current uses allowed. Mr. Egbert stated that he has great concern with the location that was chosen. The lot has a non-conforming building and use, lack of setbacks, and lack of parking. Hyrum Lantz stated that there would be no traffic or parking issues. Hyrum Lantz stated that there are many issues with a cabinet shop that would cause an odor. Hyrum Lantz stated that the Planning Commission should consider the request and make a decision. A crematorium is common, but not common in Cache Valley. Mr. Egbert read from code 10-12-9. Mr. Egbert stated that if there is a change in the use, the building and use has to be conforming. Brian Pattee stated that his concern is that there is manufacturing and business in a residential zone. Mr. Pattee stated that he doesn't like the change in use, and that use be used in a residential zone. Mr. Pattee stated that he would like to see business in a business zone. Mr. Pattee stated that all businesses

have to be allowed by conditional use. Chris Clark stated that he agrees with Mr. Pattee. Mr. Clark asked about rezoning the property. Hyrum Lantz stated that they would not seek a rezone of the property. Hyrum Lantz stated that they would look into a conditional use permit, and move in that direction.

At 6:50 p.m., the public hearing was closed.

Marcene Parker stated that she is torn, and that is why she has some more questions. Ms. Parker stated that she understands the concern of the neighbors, but the property owner should be able to do what he would like with his property. A business in a residential zone requires a conditional use, but Ms. Parker stated that she is not sure what to do. Paul Egbert stated that he feels the same as Ms. Parker. Ruth P. Maughan stated that this business doesn't fit with the conditional users that are allowed in a residential zone. Ms. Maughan stated that she doesn't feel she would support this. After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to recommend to the City Council on an application received from Hyrum Lantz that the code not be amended to allow crematory services as a conditional use in the RA-1 zone

YEA 4

Chris Clark
Paul Egbert
Ruth P. Maughan
Brian Pattee

NAY 1

Marcene Parker

The Planning Commission reviewed for approval the Final Plat for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South. Ruth P. Maughan stated that this is the final plat, and that she believed everything had been discussed. Paul Egbert stated that on lot 3 at the bottom left, there is an easement, but it doesn't say what it is for. Jeremy Woodward stated that it is for a small gas line that runs to a pump. Carl Leatham stated that it is a private gas line that is owned by DeVon Parkinson. Mr. Egbert stated that additional documentation needs to be provided, or the easement may be confusing. Mr. Woodward asked what steps needed to be taken to document the easement. Mr. Egbert stated that the owner of the easement needs to be identified. Mr. Woodward stated that he doesn't think there is a need because the owner of lot 3 will own the easement. Mr. Egbert suggested that the easement be removed from the Final Plat, or identify the owner of the easement. After discussion, Paul Egbert made a motion, seconded by Chris Clark, to approve the Final Plat for the Parkinson Acres Subdivision consisting of a total of 3 lots on property on the west side of 200 East from 1135 South to approximately 1249 South, with the condition that the easement on lot 3, bottom left, be removed or an owner be identified.

YEA 5

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

City Planner Jay Nielson updated the Planning Commission on the conditions of the conditional use for the Public Works facilities. Mr. Nielson handed out a copy of the proposed findings for the landscape requirements. Mr. Nielson stated that the Planning Commission cannot choose to waive the requirements. The Planning Commission can only make decisions based on the code. Mr. Nielson stated that the landscape requirements with the findings are listed on the paper. Mr. Nielson stated that only the City Council can waive all of the requirements if they choose to do so. Mr. Nielson stated that his assignment was to check with City Engineer Chris Breinholt concerning a landscape plan. Mr. Nielson stated that Mr. Breinholt emailed him a copy of the landscape plan, but it is not ready to be submitted to the Planning Commission yet. Mr. Nielson stated that he was told by Mr. Breinholt that the City Council was having a meeting to make a decision based on cost in way of the landscape plan.

Ruth P. Maughan asked that Don Hartle invite Zan Sharp to the next Planning Commission meeting to discuss the northeast corner of 400 North that he owns. Mr. Hartle stated that he will contact him.

At 7:12 p.m., Marcene Parker made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

Ruth P Maughan
Chairperson