

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, August 10, 2011, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Paul Egbert, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, Mayor Thomas G. Bailey, 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 5, 2011. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Larry Leckenby Karma Leatham
Kate DuHadway Jonathan Cook

Opening Ceremony: John Spence

Loyal Green reviewed the agenda with the Commission. After review, John Spence made a motion, seconded by M. Kent Larsen, that the agenda be approved as presented.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held July 27, 2011. There were word changes on lines 53 and 198. After review, Russell Glenn made a motion, seconded by John Spence, that the minutes of the July 27, 2011 meeting be approved with the corrections.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

At 6:05 p.m., M. Kent Larsen made a motion, seconded by Paul Egbert, to go into a public hearing.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

Receive public input and consider for approval a request from Larry Leckenby at 119 East 200 North for a conditional use for a 3 dog kennel. Larry Leckenby stated that he owns 3 boxer dogs that are inside dogs. Loyal Green asked about Mr. Leckenby's yard. Mr. Leckenby stated that he has a good-sized yard and a kennel in the back that is approximately 50 feet by 20 feet. Russell Glenn asked if the yard is fenced. Mr. Leckenby stated no. Mr. Leckenby stated that if the dogs go outside, he is outside with them. Mr. Green asked how often the yard and kennel is cleaned. Mr. Leckenby stated weekly.

At 6:08 p.m., John Spence made a motion, seconded by M. Kent Larsen, to go out of public hearing.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence

M. Kent Larsen

After discussion, Russell Glenn made a motion, seconded by John Spence, to approve the request from Larry Leckenby at 110 East 200 North for a conditional use for a 3 dog kennel with the condition that when the dogs are outside, Mr. Leckenby is in direct control or they are in the kennel.

YEA 5

NAY 0

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Planning Commission discussed Goodtimber signage. Don Hartle stated that he sent a copy of the Planning Commission meeting minutes from March 24, 2010 in the packets. Mr. Hartle stated that Tom Jewkes called and asked where they stood on the signage. Mr. Hartle asked Mr. Jewkes to attend the Planning Commission meeting. Mr. Jewkes stated that he thought it was approved when the conditional use permit was approved. Mr. Hartle stated that this issue needs to be discussed so that the concerns can be addressed. Loyal Green asked Mr. Hartle to briefly review what was discussed in the on March 24, 2010 meeting. Mr. Hartle stated that the meeting was recorded, and any member of the Planning Commission can come in and listen to it. Mr. Hartle stated that the official record of the meeting is the written minutes. M. Kent Larsen stated that the sign code needs to be reviewed as to what Mr. Jewkes is allowed and what he currently has. Russell Glenn stated that one of the conditions was to abide by the signage code. Mr. Green stated that one of the conditions was that the conditional use permit expired within 30 days unless Mr. Jewkes attended a Planning Commission meeting. Mr. Green asked that the Planning Commission review the sign code so that they are unified when Mr. Jewkes does attend a Planning Commission meeting. Mr. Hartle reviewed previous minutes of the Planning Commission meetings and found that Mr. Jewkes attended a Planning Commission meeting on October 27, 2010. Mr. Hartle reviewed Mr. Jewkes' file and found that his conditional use permit was approved on December 8, 2010. Mr. Larsen stated that Mr. Jewkes hasn't complied with any of the conditions that were placed on his business. Mr. Larsen suggested that Mr. Jewkes lose his conditional use permit. Mr. Green stated that Mr. Jewkes didn't comply within the 30 day time limit, and that he should be required to start over. Mr. Larsen agreed. Paul Egbert asked if Mr. Jewkes should lose his business license and conditional use permit. Mr. Hartle handed out copies of the Planning Commission meeting minutes from October 27, 2010 and December 8, 2010. Mr. Green stated that in both set of minutes, Jay Nielson stated that banner signs are allowed. Jay Nielson stated that the Wellsville City code 10-16-21 table A allows banner signs. Mr. Green stated that Mr. Jewkes has not complied, so he must re-apply and start over. Mr. Nielson stated that Mr. Jewkes has allowed the time limit on the temporary signs to lapse, which would trigger a review of all conditions placed on Mr. Jewkes. Mr. Hartle will invite Mr. Jewkes to a Planning Commission meeting, review all conditions, and notify Mr. Jewkes that all permits are subject to being withdrawn unless Mr. Jewkes comes into compliance. Mr. Hartle will contact Mr. Jewkes and notify him that he is to appear before the Planning Commission within the next two (2) Planning Commission meetings or he will lose his permits. Mr. Green suggested that the letter be sent certified mail.

Mayor Thomas G. Bailey and Councilman Carl Leatham discussed the South Cache Corridor study. Mr. Leatham presented a document/slide presentation of the South Cache Corridor study.

Planning Commission Member Russell Glenn left the meeting at 7:27 p.m.

The Planning Commission discussed the required setback requirements on a corner lot when the entrance to the garage is on the street that is not the street that has the required frontage. Don Hartle stated that Mark Anderson, who lives on the corner of Center Street and Main Street, would like to build a garage that faces Main Street. Mr. Hartle would like some advise as to how close to Main Street is he allowed to build the garage. Paul Egbert stated that Wellsville City code 10-6C-6-A and B stated that the minimum setback is 20 feet on Main Street, and that there is a minimum setback of 10 feet on the side yard, Mr. Anderson's west property line. Mr. Hartle stated that this answers his question and he will pass the information on to

Mr. Anderson.

At 7.47 p.m., M. Kent Larsen made a motion, seconded by John Spence, to adjourn the meeting.

YEA 4

Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Loyal Green
Chairman