

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, October 12, 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, Councilmen Carl Leatham, and Gary Bates. A copy of the Notice and Agenda was posted, faxed and emailed to the Herald Journal, and mailed to the Planning Commission on October 7, 2011. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman                      Cristine Price                      Jared Nielson  
Helene Poppleton                      Allie Jeppson                      Landon Brenchley  
Dalan Speth                      Scott Okelberry                      Jonathan Cook  
Glenna Petersen

Opening Ceremony: Don Hartle

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 September 28, 2011. There were word changes on line 150. After review, John Spence made a motion, seconded by Russell Glenn, that the minutes of the September 28, 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

First, receive public input and consider for approval a request from Cristine Price for a conditional use for a Level 1 "Home Occupation" for professional counseling, life coaching, education testing and related activities from her home at 1215 South Center. Ms. Price stated that she sees 1 person at a time, has a half-circle driveway that can fit 6 cars, and there is additional parking on the second lot that they have purchased. Ms. Price stated that the parking is all off of the street. Loyal Green asked about office space. Ms. Price stated that she does have an office off the entrance to her home, and uses the front room of her home as a waiting area. Mr. Green asked if Ms. Price used more than 25% of the living space of the home for her business. Ms. Price stated no, she uses about 8% of the living space of her home. John Spence stated that the application said mostly 1 car, but will there be other times when there will be more than 1 car. Ms. Price stated that she may teach seminars a few times during the year, and may have up to 20 people attend the seminars, but not have 20 cars.

At 6:10 p.m., Russell Glenn made a motion, seconded by John Spence, to go out of public hearing.

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

After discussion, M. Kent Larsen made a motion, seconded by Paul Egbert, to approve a request from Cristine Price for a conditional use for a Level 1 “Home Occupation” for professional counseling, life coaching, education testing and related activities from her home at 1215 South Center. All parking has to be off of the street.

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

Don Hartle stated that when the City Council returned from the League of Cities and Towns Convention, it is no longer necessary to go in and out of public hearings.

Second, receive public input and consider for approval a request from Jennifer Nielson for a conditional use for a Level 1 “Home Occupation” for making chocolates from her home at 327 West 285 North. Mr. Nielson stated that he was attending this meeting because his wife is teaching at Bridgerland Applied Technology College. Mr. Nielson stated that Jennifer Nielson would like to dip and sell chocolates from her home. There will be no additional employee. There will be deliveries to their home for the materials. This business will be mainly seasonal, during the holidays and Valentine’s Day. Mr. Nielson stated that Jennifer Nielson has preliminary approval from the USDA on the ingredients of the chocolates. The corporation is registered with the State of Utah. Loyal Green asked if Mrs. Nielson has her food handler’s permit. Mr. Nielson stated yes, and that there is a course above what is required for a food handler’s permit which she is taking also. John Spence asked how the product will be dispensed. Mr. Nielson stated that she will sell it to stores in Logan, corporations, and website. M. Kent Larsen asked about UPS/FedEx deliveries to the home. Mr. Nielson stated that UPS will deliver to their home approximately twice a month. Mr. Nielson stated that she hopes most of the sales will be locally. Mr. Nielson stated that when she ships, she will take it to the UPS store. Mr. Spence asked if there is a kitchen in the basement of the home. Mr. Nielson stated yes. After discussion, John Spence made a motion, seconded by M. Kent Larsen, to approve a request from Jennifer Nielson for a conditional use for a Level 1 “Home Occupation” for making chocolates from her home at 327 West 285 North.

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

Third, receive public input and consider for approval a request from Helene Poppleton for a conditional use for a Level 1 “Home Occupation” to teach natural childbirth classes from her home at 260 South 300 East. Ms. Poppleton stated that she teaches the Bradley method of natural childbirth. It is a 2-hour class, once a week for 12 weeks. Ms. Poppleton stated that she is allowed to teach up to 8 couples at one time. Ms. Poppleton stated that she has plenty of parking so that all cars will be off of the street. Ms. Poppleton stated that she uses her front room, which is less than 25% of the living space of her home. Loyal Green asked about training for this type of business. Ms. Poppleton stated that a teacher has had to have at least 1

natural childbirth. She has attended a 4-day workshop. She has had to read, study, and be interviewed by the hospital. Mr. Green asked if there is any state certification that is required for this type of business. Ms. Poppleton stated no, but she is certified through the American Academy of Husband-Coached Childbirth. After discussion, John Spence made a motion, seconded by Russell Glenn, to approve a request from Helene Poppleton for a conditional use for a Level 1 "Home Occupation" to teach natural childbirth classes from her home at 260 South 300 East.

**YEA 5**

**NAY 0**

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

Carl Leatham stated that Mr. Dave Church with the League of Cities and Towns discussed procedure of how to conduct public meetings. Mr. Leatham stated that Mayor Thomas G. Bailey is in the process of drafting those procedures.

Carl Leatham stated that Mayor Thomas G. Bailey took the concerns about not having a City Planner for 1 ½ years back to the City Council. After much discussion, the City Council has decided to wait for Jay Nielson to return. If a situation arises that a City Planner is needed, Wellsville City will hire a planner for that specific project. Russell Glenn stated that when the Planning Commission finds out there is a problem with the current code, it is usually too late. Mr. Leatham stated that part of the consideration of hiring another City Planner was cost.

Carl Leatham informed the Planning Commission that they are moving forward with establishing an Economic Development Committee.

M. Kent Larsen left the meeting at 6:50 p.m.

John Spence discussed the complaint that was brought before the Planning Commission 2 weeks ago concerning the home occupation of Lindsay Landscaping and the neighbor. Mr. Spence drove past the operation and feels that this is an issue of the neighbors not caring for each other. The area is 225 South 200 West. Mr. Spence discussed having a business return if it grows more than a certain percentage.

John Spence stated that he had an individual approach him about a yard that is filled with junk. Mr. Spence asked what Wellsville City does in those cases. Carl Leatham asked if it was the Johnson residence that Mr. Spence was referring to. Mr. Spence stated yes. Mr. Leatham stated that Wellsville City does have a nuisance code and Don Hartle is meeting with City Attorney Bruce Jorgensen to have him draft a letter.

At 7:10 p.m., Paul Egbert made a motion, seconded by John Spence, to adjourn the meeting.

**YEA 5**

**NAY 0**

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

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Loyal Green  
Chairman