

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, November 30, 2011, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Paul Egbert, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle 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 November 25, 2011. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Chrisann Smith Mandy Morgan
Ryan Rhodes Earl Glenn Glenna Petersen
Jonathan Cook

Opening Ceremony: Paul Egbert

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

YEA 4 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held October 26, 2011. After review, Russell Glenn made a motion, seconded by M. Kent Larsen, that the minutes of the October 26, 2011 meeting be approved as presented.

YEA 4 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
M. Kent Larsen

At 6:03 p.m., Planning Commission member John Spence arrived at the meeting.

At 6:05 p.m., conduct a public hearing to receive public input and consider for approval a request from Chrisann Smith for a conditional use for a Level 1 "Home Occupation" for cooking and selling homemade pastries from her home at 20 North 900 East. Ms. Smith handed out a brochure about her business. She will be delivering locally and shipping via UPS and FedEx. The ordering is done on-line, so no customers will be coming to her home. Ms. Smith stated that she bakes everything inside of her home. Loyal Green asked if there is any licensing that is required for this type of business. Ms. Smith stated that she has to be licensed through the health department, and is in the process of doing that now. M. Kent Larsen asked about acquiring a food handler's permit. Ms. Smith stated that it is part of the licensing process through the health department. Russell Glenn asked if there would be any other employees. Ms. Smith stated no. Paul Egbert asked about signage. Ms. Smith stated no. After discussion, M. Kent Larsen made a motion, seconded by Paul Egbert, to approve a request from Chrisann Smith for a conditional use for a Level 1 "Home Occupation" for cooking and selling homemade pastries from her home at 20 North 900 East.

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

Planning Commissioner Russell Glenn removed himself from the Planning Commission due to a conflict of interest.

The Planning Commission reviewed for approval the final plat for the Glenn Family Trust Subdivision consisting of a total of 4 lots (2 additional building lots) on property at 381 South Center. City Engineer Chris Breinholt issued the following memorandum concerning the Glenn Family Trust Subdivision. Our office has completed a review of the final plat for the above mentioned subdivision. Prior to granting approval to this project, we recommend the following issues be addressed: 1) The bearing distance labels on the lots are tagged with the unit “sft”, which indicates square feet. This should be changed to “ft”. 2) The final bearing in the written legal description needs to have the distance included. 3) Lot 2 of the Wellsville City Survey is referenced in the legal description and needs to be shown on the plat. 4) Two random lines are shown crossing Lot 1 and are labeled 10’ P.U.D. These should be removed. 5) In the Legend, the public utility easement is labeled as 10’ P.U.D. This should be changed to 10’ P.U.E. 6) The drainage ditch should be labeled in the drawing. 7) GPS Coordinates should be provided for the ends of the Basis of Bearing. 8) In the Narrative, Lot 2 should be identified as Lot 2 of the Wellsville City Survey. 9) “Acreage” is misspelled in the “Table of Acreage”. 10) The north arrow should be placed closer to the drawing portion of the plat. 11) Existing buildings should be shown on the plat. 12) A “high ground water” warning note needs to be added to the plat. The wording should be as follows: “High groundwater levels may be present in the area. Wellsville City’s approval of this development does not constitute any assumption of liability for high water table issues. The buyer of each individual lot is solely responsible for all risks involved in purchasing and building on these lots.” Russell Glenn read through the memorandum issued by City Engineer Chris Breinholt. Mr. Glenn stated that comment #11 concerning existing buildings should be shown on the plat isn’t addressed in the Wellsville City code, but can easily be added if needed. Mr. Glenn stated that comment #4 concerning two random lines are shown crossing Lot 1 and are labeled 10’ P.U.D. are existing overhead public utilities for power, telephone, and cable. Don Hartle suggested that this be added to the legend. Mr. Glenn stated that the rest of the comments are non-controversial. Paul Egbert stated that the City Council changed something, and asked what was changed. Mr. Glenn stated that Wellsville City required sewer and water to Lot #4. Mr. Glenn asked that the City Council waive this requirement because it is unsure what lot #4 will be used for. Lot #4 may be a building lot or it may be used for agriculture. Mr. Glenn stated that the City Council would not waive the requirement, so the Glenn Family Trust will have to bond for the sewer and water to lot #4. Mr. Egbert asked why different things were removed from the preliminary plat to the final plat. He thought that the preliminary plat was added to in order to create the final plat. Mr. Hartle stated that the County Recorder wants only the data on the final plat that allows for the lots to be legal lots. Mr. Egbert asked if water pools on lot #1. Mr. Glenn stated that it does ever since the lot was filled in and the road was paved. Mr. Hartle stated that Wellsville City will review it. Mr. Egbert asked if the property has irrigation shares, and if they have been split between the lots. Mr. Glenn stated that there are irrigation shares with the property, but they haven’t been split yet. Mr. Hartle stated that it is up to the property owners, within the parameters of the irrigation company, on how the irrigation shares are split. Mr. Glenn suggested that the final plat be approved with the exception to comment #11 and comment #4 be clarified. Mr. Glenn has discussed this subdivision with the president of the irrigation company. After discussion, John Spence made a motion, seconded by Paul Egbert, that the final plat for the Glenn Family Trust Subdivision consisting of a total of 4 lots (2 additional building lots) on property at 381 South Center be approved conditional upon the completion of the comment by City Engineer Chris Breinholt, with the exception of comment #11, and that comment #4 be clarified and not removed.

YEA 4

Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Planning Commissioner Russell Glenn resumed his seat on the Planning Commission Board.

At 6:24 p.m., M. Kent Larsen made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5

Russell Glenn
Paul Egbert

NAY 0

Loyal Green
John Spence
M. Kent Larsen

Loyal Green
Chairman