

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, July 11, 2012, 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 and Councilman 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 July 6, 2012. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Tom Horlacher Jonathan Cook
Steve Kyriopoulos Alan Sorensen

Opening Ceremony: M. Kent Larsen

Loyal Green reviewed the agenda with the Commission. After discussion, Russell Glenn 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 June 13, 2012. There was a word change on line 73. After review, Russell Glenn made a motion, seconded by Paul Egbert, that the minutes of the June 13, 2012 meeting be approved with the change.

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 June 27, 2012. There were word changes on lines 44 and 56. After review, M. Kent Larsen made a motion, seconded by Paul Egbert, that the minutes of the June 27, 2012 meeting be approved with the changes.

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

The Planning Commission continued discussion, then a possible recommendation to the City Council, on a request from Tom Horlacher that the code be amended to allow some type of multi-family dwellings in the RA-1 zone. Loyal Green stated that this issue was discussed in depth 2 weeks ago. Mr. Green stated that he would hear comments from the Planning Commission, and then vote on the issue. Russell Glenn stated his understanding that the commissioners, as a group, felt that, while the request is worthy on Mr. Horlacher's part, they are reluctant to open up the RA-1 zone to multi-family dwellings at the time. Mr. Glenn stated that another concern is that it is difficult to enforce. Paul Egbert stated that he is opened to amending the code. Mr. Egbert stated that some concerns are parking, which could be addressed the same as it is in the R-1-12 zone. Density is another concern which could be limited to 1 per block. Another concern is enforcement, which Mr. Egbert acknowledges is a concern, but that the same can be said for every code on the books. Mr. Egbert gave a brief example with speed limits. Out of the general public, 85% will drive the speed limit. The other 15% is left to enforcement issues. A majority of the citizens will

follow the code, but there will always be violators. Mr. Egbert stated that he is in favor of amending the code. M. Kent Larsen stated that if this is approved for this home, it takes away the opportunity for the block to have a duplex or a 4-plex, which Mr. Larsen feels that Wellsville needs housing for young couples and senior citizens. Mr. Larsen stated that his concerns are enforcement, as well as the health and safety of the unit. Mr. Larsen stated that the home needs to have a valid unit, not just a door or wall that has been blocked off. Mr. Larsen stated that managing the utilities will be difficult. Mr. Larsen stated that if the owner does leave the residence, it would create a different situation. John Spence stated that he feels the current ordinance is adequate. Mr. Spence stated that there does need to be more enforcement. Mr. Spence believes that people need to pay for hook-ups and everyone needs to pay their fair share. Mr. Spence stated that the home should be checked before it is occupied. Mr. Green stated that there needs to be a more in-depth study of the issue. There are complications with the issue, as well as enforcement issues. Mr. Glenn stated that the current code contains a paragraph now that provides most of the requirements to turn a single-family dwelling in the multi-family dwelling. Mr. Glenn stated that residents that are renting out their home now may not be aware of the code. Don Hartle stated that Wellsville City has 184 street lights. The only way he knows if one of them is out is if someone calls and says something, or if someone drives around at night to check the lights. If people are aware that 2 families are living in the same home and are not related, call the office and he will proceed from there. Mr. Glenn stated that the only way to find out if this is happening is if the neighbors complain because it is out of control. Mr. Egbert stated that it doesn't inherently make things worse. Mr. Larsen stated that he believes this issue would have a big enough impact on the community and neighborhoods that if it moves ahead, the community should have input. Mr. Hartle stated that the public hearings have already been completed. Mr. Larsen stated that the issue needs to be reviewed and looked into more thoroughly. After discussion, Russell Glenn made a motion to recommend to the City Council on a request from Tom Horlacher that the code be amended to allow some type of multi-family dwellings in the RA-1 zone. Mr. Glenn later retracted his motion. Mr. Larsen asked why multi-family dwellings would only be allowed in the RA-1 zone and not in all of the residential areas of Wellsville City. Mr. Spence stated that the code should be consistent for all of the residential zones. After discussion, Paul Egbert made a motion, seconded by Russell Glenn, to recommend to the City Council that the code be amended to allow some type of multi-family dwellings in all residential zones.

YEA 5

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

NAY 0

The Planning Commission considered for approval a lot line adjustment at 381 South Center for Earl G Glenn and Russell Glenn, Co-Successor Trustees of the Lowell R Glenn and Alice Aston Glenn Family Trust. Russell Glenn recused himself from the Planning Commission. Russell Glenn gave some history concerning this issue. When Mr. Glenn came to the Planning Commission with the proposal for the subdivision, he had to go before the Board of Adjustments because the lot 4 had less than the required 82 ½ feet of frontage. The Board of Adjustments gave their approval for 80 feet of frontage on lot 4 and Mr. Glenn proceeded through the phases of subdividing the property. When the subdivision was recorded, it showed lot 4 having 82.02 feet of frontage. The problem now is that this does not allow for the required 10-foot side yard between the home on lot 1 and the property line between lots 1 and 4. With the 10-foot side yard requirement, the frontage for lot 4 is only 81 feet. Mr. Glenn stated that doing a property line adjustment now, while he and his brother still own both lots, would be the best for this situation. John Spence stated that with 81 feet of frontage, the new lot is considered to be a non-conforming lot. Don Hartle stated yes. Mr. Spence asked how much frontage the lot with the existing home has. Mr. Glenn stated that it has 166 ½ feet of frontage. Mr. Glenn stated that the reason for the lot line adjustment is for the side yard of the existing home. After discussion, John Spence made a motion, seconded by M. Kent Larsen, to approve a lot line adjustment at 381 South Center for Earl G Glenn and Russell Glenn, Co-Successor Trustees of the Lowell R Glenn and Alice Aston Glenn Family Trust.

YEA 5
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

NAY 0

ABSTAIN 1
Russell Glenn

The Planning Commission held a workshop on the proposed road master plan and regulation in the CH Highway Commercial zone. Carl Leatham stated that he has nothing more at this time. Don Hartle stated that he added this item to the agenda not knowing if there would be anything to discuss. Mr. Hartle asked that Mr. Leatham call him if he does have anything to discuss with the Planning Commission concerning the proposed road master plan and regulation in the CH Highway Commercial zone so that he can add it to the agenda.

At 6:38 p.m., John Spence made a motion, seconded by Paul Egbert, to adjourn the meeting.

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

NAY 0

Loyal Green
Chairman