

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, April 10, 2013, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman John Spence, Paul Egbert, Ruth P. Maughan, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, Councilwoman Glenna Petersen, 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 April 5, 2013. The meeting was called to order at 6:00 p.m. by Chairman John Spence.

Others Present: Jennifer Leishman Marci Larsen Kody Maughan
Kevin Maughan Candy Sorensen Jonathan Cook

Opening Ceremony: Paul Egbert

John Spence reviewed the agenda with the Commission. Don Hartle added a potential annexation. After discussion, Ruth P. Maughan made a motion, seconded by Paul Egbert, that the agenda be approved with the addition.

YEA 4 NAY 0
Paul Egbert
Ruth P. Maughan
Brian Pattee
John Spence

The Commission reviewed the minutes for the Commission meeting which was held March 27, 2013. There were word changes on lines 41, 49, 71, 79, and 83. After review, Paul Egbert made a motion, seconded by Brian Pattee, to approve the minutes of the March 27, 2013 meeting with the changes.

YEA 4 NAY 0
Paul Egbert
Ruth P. Maughan
Brian Pattee
John Spence

At 6:05 p.m., conduct a public hearing to receive public input, then consider for approval a request from Marci Larsen for a conditional use for a Level 1 "Home Occupation" for Marci's Sewing Shop to be operated from her home at 66 East 600 North. Ms. Larsen stated that she has sewed for many years and has recently started taking on contract work. She works out of her basement. She delivers the finished product to the stores. There will be no traffic to her home. John Spence asked if she does alterations. Ms. Larsen stated mostly. She sews seat cushions and formal wear. Mr. Spence asked if she has 1 customer at a time. Ms. Larsen stated yes. Ms. Larsen stated that the work is on and off over the year. She would like to pursue more work in the future, and feels that she needs a business license to do so. Ms. Larsen stated that it also depend on the amount of time that she has. Mr. Spence asked if she has any employees. Ms. Larsen stated no. Mr. Spence asked about advertising. Ms. Larsen stated no, she doesn't want a sign in her front yard. After discussion, Ruth P. Maughan made a motion, seconded by Paul Egbert, to approve a request from Marci Larsen for a conditional use for a Level 1 "Home Occupation" for Marci's Sewing Shop to be operated from her home at 66 East 600 North.

YEA 4 NAY 0
Paul Egbert
Ruth P. Maughan
Brian Pattee
John Spence

The Planning Commission reviewed for approval the Preliminary Plat for the Kody Maughan Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 396 East 200 South. Paul Egbert asked if there were any comments from City Engineer Chris Breinholt. Don Hartle stated that he tried to contact Mr. Breinholt today, but there was no answer. Mr. Egbert asked about the lot line adjustment.

Mr. Hartle stated that this issue was addressed at the City Council meeting. After doing some research, Mr. Hartle has reason to believe that you can have 2 parcels that are not contiguous under 1 tax identification number. City Attorney Bruce Jorgensen is out of the state until next Monday. Mr. Hartle stated that the City Council approved the concept plan on the condition that the issue be resolved. Mr. Egbert asked about setbacks and if the public utility easement should be around the boundary lines. Mr. Hartle stated that is correct. Mr. Egbert stated that the public utility easement is missing around the lots. Mr. Egbert stated that the FEMA flood zone is shown on the plat as sensitive lands. Mr. Egbert asked what is required on the plat for the flood zone. Mr. Hartle asked Kevin Maughan if he pays flood insurance as part of his home owner's insurance. Kevin Maughan stated no. Mr. Egbert stated that the home was built out of the flood zone. Mr. Hartle stated that you are not allowed to build in the flood zone. Mr. Egbert asked about identifying the flood zone. Mr. Hartle stated that it is sufficient. Mr. Egbert asked about the address of lot 2 and lot 1. Mr. Egbert asked who determines the address. Mr. Hartle stated that City Engineer Chris Breinholt determines the address of the home. Mr. Egbert asked if the City Council required that the road be built. Mr. Hartle stated that is the way that the City Council approved it. After discussion, Paul Egbert made a motion, seconded by Ruth P. Maughan, to approve the Preliminary Plat for the Kody Maughan Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 396 East 200 South with the conditions that lot 2B be resolved in a legal manner and subjected to City Engineer Chris Breinholt's review.

YEA 4

Paul Egbert
Ruth P. Maughan
Brian Pattee
John Spence

NAY 0

Don Hartle stated that there is a potential annexation that will be taking place. An annexation doesn't require any action by the Planning Commission. The Planning Commission is to be informed in case there is any input from the Planning Commission. Millicent Parkinson's well went dry last fall. The City Council agreed to let her connect to city water subject to annexing into Wellsville City. Mr. Hartle stated that he has received the annexation plat and will proceed. There are 2 ½ acres that will be annexed. A relative wants to build a home on the vacant lot. They would like to have both projects completed at the same time. City Attorney Bruce Jorgensen advised against it because it is too cumbersome. Any property that is annexed into Wellsville City comes in as RA-1, but the petition is requesting that the property comes in as R-1-12. Paul Egbert asked when the annexation will be completed. Mr. Hartle stated that it is about a 6-month process, so some time in the fall. Mr. Hartle asked if there was any input or objections from the Planning Commission. There were none.

Don Hartle stated that Gary Hansen has submitted an application to build 52 townhomes on the property where the cheese plant is located. The property is zoned M-1. Everything in that zone is by conditional use and is reviewed on an individual basis. Mr. Hartle stated that he gave a copy of the application to City Planner Jay Nielson, and asked for his input. Mr. Hartle stated that Gary Hansen requested a meeting with City Planner Jay Nielson. Mr. Nielson stated that anything Mr. Hansen has to say can be said in a public meeting. Mr. Hartle stated that he told Mr. Nielson he would discuss this issue with the Planning Commission. The Planning Commission agreed with Mr. Nielson. Mr. Hartle stated that Mr. Hansen is on the agenda in 2 weeks.

At 6:29 p.m., Ruth P. Maughan made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 4

Paul Egbert
Ruth P. Maughan
Brian Pattee
John Spence

NAY 0

John Spence
Chairman