

Commission decides how to proceed on this issue. Mr. Spence stated that David Kurek applied for a rezone and it was denied. Paul Egbert stated that a lot line adjustment could be considered. Mr. Hartle stated that residential would then be in a commercial zone and the rezone was denied. Mr. Spence stated that a condition was that there would be no more than 5 trailers and it was agreed to. Mr. Hartle stated that he drove by the address today and there were 13 to 15 trailers parked at the address. Mr. Spence stated that he doesn't take this issue lightly. The neighborhood is against it. Mr. Spence stated that Wellsville City should listen to the neighbors. Ruth P. Maughan asked if David Kurek is using the property and nothing has been done about it. Mr. Egbert stated that a lot line adjustment has been filed through Cache County Recorder's Office. Mr. Egbert stated that Wellsville City could approve a lot line adjustment because Wellsville City code allows it. Mr. Hartle stated that he doesn't know if a lot line adjustment could be completed because it would be allowing the expansion of the commercial zone which was already denied. Mr. Egbert asked about using the property between the building and the fence that borders Highway 89/91. Mr. Hartle stated that issue had been discussed before as 1 way of getting trailers into the facility. Mr. Egbert stated that there needs to be a good appearance from the Highway 89/91 side. Brian Pattee asked about a permit for a fence. Mr. Hartle stated that Wellsville City doesn't require a permit for a fence. Mr. Spence stated that some of the chicken coops were torn down because of the lot line adjustment. Mr. Egbert stated that David Kurek is in violation of conditional use, lot line adjustment, and a denied rezone. Ms. Maughan asked what the complaints are concerning this business. Mr. Hartle stated that the complaints are because of the expanded use. Elizabeth Davis, a neighbor of the business, stated that David Kurek performs quick jobs in front of the business which backs up traffic because there are trailers parked on both sides of the road. Mr. Spence stated that the conditions for this business were very clean, and that David Kurek has blatantly ignored them to do what he wants to do. Mr. Hartle stated that the owner of the property is the same way. Ms. Maughan asked for a copy of the minutes from 8/11/2010 for herself and Mr. Pattee to review because this conditional use was approved before they became members of the Planning Commission. Mr. Spence stated that this issue will be continued until such a time as City Attorney Bruce Jorgensen can attend a Planning Commission meeting to discuss this issue.

Carl Leatham updated the Planning Commission concerning the 52 townhomes as proposed by Gary Hansen. Mr. Leatham stated that Mr. Hansen presented his appeal and emailed information to the City Council. The information that was mailed was from the League of Cities and Towns. It included a checklist, which listed procedures for Wellsville City to review. Mr. Leatham stated that after the discussion, there was a vote of 3 to 2 in favor of having City Attorney Bruce Jorgensen review all of the information. The City Council will then take action. John Spence stated that he and Ruth P. Maughan attended the meeting. There have been no actual statistics presented, only opinions. M. Kent Larsen stated that Mr. Hansen should show statistics of how this project would not be detrimental to Wellsville City.

John Spence stated that the property for the proposed truck stop has been surveyed and some stakes have been placed. Don Hartle stated that Steven Kyriopoulos has to submit a new application, which he is against. Mr. Hartle stated that he discussed this issue with City Attorney Bruce Jorgensen, and it has been recommended that Mr. Kyriopoulos submit an amendment to the first application. Paul Egbert stated that discussions have begun or will soon begin with UDOT concerning the truck stop. Brian Pattee stated that Mr. Kyriopoulos was to submit studies to the Planning Commission concerning air pollution, traffic studies, and environmental studies.

At 6:50 p.m., M. Kent Larsen made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5
Paul Egbert
M. Kent Larsen
Ruth P. Maughan
Brian Pattee
John Spence

NAY 0

John Spence
Chairman