

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, June 26, 2013, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman John Spence, Ruth P. Maughan, M. Kent Larsen, Paul Egbert, and Brian Pattee. 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 June 21, 2013. The meeting was called to order at 6:00 p.m. by Chairman John Spence.

Others Present: Jennifer Leishman Tim Parkinson Joshua Francis
Sandra Francis Melissa DeWitt Kimberlee Kingsford
Kevin Maughan William Everitt

Opening Ceremony: Paul Egbert

John Spence reviewed the agenda with the Commission. After discussion, Paul Egbert made a motion, seconded by M. Kent Larsen, that the agenda be approved as presented.

YEA 5 NAY 0
Paul Egbert
M. Kent Larsen
Ruth P. Maughan
Brian Pattee
John Spence

The Commission reviewed the minutes for the Commission meeting which was held June 12, 2013. There was a word change on line 68. After review, Ruth P. Maughan made a motion, seconded by Brian Pattee, to approve the minutes of the June 12, 2013 meeting with the correction.

YEA 5 NAY 0
Paul Egbert
M. Kent Larsen
Ruth P. Maughan
Brian Pattee
John Spence

At 6:05 p.m. conduct a public hearing to receive public input, then consider for approval the Concept Plan for the Millicent Parkinson Subdivision consisting of a total of 2 lots (1 additional building lot) on property at 620 North 200 East. Tim Parkinson stated that his daughter, Sandra, and her husband would like to build a home. They have purchased the lot and are seeking approval of the concept plan. John Spence asked about the annexation of the property. Don Hartle stated that the annexation has been approved by the City Council, so the Planning Commission can take action on this issue. The paperwork has been sent to the Lt. Governor's office for 30 days for their approval. The property was annexed into Wellsville City under the R-1-12 zone. Mr. Hartle handed out copies of City Engineer Chris Breinholt's comments dated June 24, 2013. Mr. Hartle stated that he feels that the comments made by Mr. Breinholt deal with the annexation and road more than the subdivision itself. The road will become a city road, not a county road. Wellsville City is in the process of having JSH Surveying prepare a street dedication document. M. Kent Larsen asked what the amount of property that was annexed into Wellsville City. Mr. Hartle stated 2.45 acres. Paul Egbert stated that the property will contain 2 lots plus the county road. Mr. Egbert asked about widening the road to 99 feet. Mr. Hartle stated that the road will not be 99 feet yet, but it will be when the property on the other side of the road is annexed into Wellsville City. Mr. Hartle stated that the City Council will decide if the road will be 99 feet wide or 66 feet wide. Millicent Parkinson would then have to deed 33 feet or 49 ½ feet of property for the road. Mr. Parkinson stated that if Millicent Parkinson was to deed 49 ½ feet of property, it would leave approximately 15 feet of property between the road and the front porch. Mr. Hartle stated that Wellsville City agreed with Cache County to take the road that the width of the road will be decided by the City Council. Mr. Spence asked if the frontage for Millicent Parkinson's home read 58 feet on the Concept Plan. Mr. Egbert stated that it reads 110 feet. Kevin Maughan asked about the right-of-way for the irrigation ditch. Mr. Parkinson stated that the ditch is owned by the Northfield Irrigation

Company. Mr. Hartle stated that if an easement is not written, it would be a prescriptive easement. Ruth P. Maughan asked about item #7 on Mr. Breinholt's comments. Mr. Hartle stated that he believes that Mr. Breinholt is incorrect because the water is already to the property. Mr. Egbert asked about running the sewer out the back of the new lot and if there is a current easement. Mr. Hartle stated that it would be worked out with the current land owner. Mr. Parkinson stated that he is the current land owner. Mr. Egbert asked if there is a master plan for the sewer. Mr. Hartle stated no. Mr. Egbert asked if there was a master plan for the property to the south of Millicent Parkinson. Mr. Hartle stated that it is swamp area, and there would be no development. After discussion, M. Kent Larsen made a motion, seconded by Brian Pattee, to approve the Concept Plan for the Millicent Parkinson Subdivision consisting of a total of 2 lots (1 additional building lot) on property at 620 North 200 East.

YEA 5

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

NAY 0

The Planning Commission considered for approval a lot line adjustment of lots 15 and 4 in the Red Slide Subdivision. Property owners are Jereme DeWitt and Mark Benson. Melissa DeWitt stated that they are selling to Mark Benson a small section of their lot for Mr. Benson to have a garden. Ms. DeWitt stated that it is where Mr. Benson has always had his garden and would like to keep it there. John Spence stated that it makes sense to do a lot line adjustment. Jereme DeWitt is selling 3,570 square feet to Mark Benson. Paul Egbert asked if there is a PUE around the small section, or there is anything around the small section. Don Hartle stated that the PUE still remains as it is. Mr. Egbert asked if there would be an additional PUE. Mr. Hartle stated no because it still goes around the property and stays as it is. Mr. Hartle stated that he discussed this issue with City Attorney Bruce Jorgensen. Mr. Jorgensen stated that this is a minor issue and that a lot line adjustment would work fine. After discussion, Ruth P. Maughan made a motion, seconded by Paul Egbert, to approve a lot line adjustment of lots 15 and 4 in the Red Slide Subdivision. Property owners are Jereme DeWitt and Mark Benson

YEA 5

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

NAY 0

The Planning Commission continued consideration of a request from Kimberlee Kingsford for a conditional use for a Level 1 "Home Occupation" to operate an internet business for photography and clothing at 71 West 400 South. John Spence stated that the public hearing was held 2 weeks ago and there were no comment or questions from the neighbors. Ms. Kingsford stated that she will be making clothes and selling them online. The photography will be onsite. Mr. Spence asked what space in the home would be used for the business. Ms. Kingsford stated a bedroom. Paul Egbert asked about pick up and deliveries to the home. Ms. Kingsford stated that she will mail the clothing to the customer. M. Kent Larsen asked if UPS would be making any stops at the home related to the business. Ms. Kingsford stated no. Mr. Larsen asked what type of clothing would Ms. Kingsford be making. Ms. Kingsford stated that it is mostly women's clothing. Mr. Spence asked if Ms. Kingsford designs, constructs, and sells the clothing. Ms. Kingsford stated yes. Mr. Spence asked if Ms. Kingsford has a website. Ms. Kingsford stated yes. Mr. Spence stated that he would encourage Ms. Kingsford that the business is located in a residential area, and that the area needs to remain as such. There should be no signs advertising this business. After discussion, Paul Egbert made a motion, seconded by M. Kent Larsen, to approve the request from Kimberlee Kingsford for a conditional use for a Level 1 "Home Occupation" to operate an internet business for photography and clothing at 71 West 400 South.

YEA 5

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

NAY 0

The Planning Commission considered whether to cancel or reschedule July 24, 2013 Planning Commission meeting. Don Hartle stated that as of right now, there is nothing on the agenda. Ruth P. Maughan suggested that the meeting be canceled. After discussion, Ruth P. Maughan made a motion, seconded by M. Kent Larsen, to cancel the July 24, 2013 Planning Commission meeting.

YEA 5

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

NAY 0

Carl Leatham asked why a PUE would not be required on the lot line adjustment that took place earlier. Don Hartle stated that there is already an easement around the lot. There is property that is just changing ownership. Mr. Hartle stated that the parties would have to amend the subdivision plat in order to change the easements.

Don Hartle stated that Steve Kyriopoulos has had the road surveyed and stakes have been pounded into the ground. Mr. Hartle asked that the Planning Commission review the stakes before the crops get too much bigger.

At 7:02 p.m., Paul Egbert made a motion, seconded by Ruth P. Maughan, to adjourn the meeting.

YEA 5

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

NAY 0

John Spence
Chairman