

MINUTES of the Wellsville City Planning Commission meeting held Tuesday, July 23, 2013, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman John Spence, Paul Egbert, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielsen, 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 19, 2013. The meeting was called to order at 6:00 p.m. by Chairman John Spence.

Others Present: Jennifer Leishman Travis Taylor Fred Brasfield  
Jane Brasfield Tim Parkinson

Opening Ceremony: John Spence

Planning Commission members Ruth P. Maughan and M Kent Larsen were excused from this meeting.

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

YEA 3 NAY 0  
Paul Egbert  
Brian Pattee  
John Spence

The Commission reviewed the minutes for the Commission meeting which was held July 10, 2013. There were word changes on lines 45, 57, and 68. After review, Brian Pattee made a motion, seconded by Paul Egbert, to approve the minutes of the July 10, 2013 meeting with the corrections.

YEA 3 NAY 0  
Paul Egbert  
Brian Pattee  
John Spence

The Planning Commission reviewed for approval the Preliminary/Final Plat for Phases 3 and 4 (a total of 21 additional building lots) of the Sterling Ridge Subdivision on property on the east side of Center Street at 1450 South Center. Travis Taylor stated that he received a copy of the memorandum from City Engineer Chris Breinholt dated July 23, 2013. Mr. Taylor stated that his point of contention is the right-of-way on 1600 South. Paul Egbert stated that this issue was discussed in a previous meeting. Any property that borders a street, ½ of the street width has to be dedicated to Wellsville City. Mr. Taylor stated that dedicating the street width of Center Street will be difficult because of the way that it looks. Mr. Taylor stated that 1600 South has a 60-foot right-of-way. Mr. Taylor stated that the concept plan and utility design was reviewed before, and this dedication of the street came out of nowhere. Mr. Taylor stated that if he as to dedicate 49 ½ feet for the street right-of-way, it will cause a complete redesign of a subdivision that is ½ completed. Mr. Taylor stated that a 66-foot right-of-way would cause him to dedicate 3 feet out of the subdivision. Mr. Taylor stated that he is a little shy on some lots, but could balance them out to keep all of the lots at least 20,000 square feet. Mr. Taylor stated that he has discussed this issue with City Engineer Chris Breinholt and he seemed to be fine with the 66-foot right-of-way. Mr. Egbert stated that at some point, it was an oversight that was missed on previous approvals. Mr. Egbert stated that in his experience, 1600 South could be a major collector road and that half of the expense is the right-of-way. Mr. Taylor stated that it would be easy to give up 3 feet as long as it doesn't mess with the existing lines. John Spence asked if there were any comments from City Planner Jay Nielson. City Planner Jay Nielson stated that it is difficult to change the requirements in the middle of the project. Mr. Nielson stated that this subdivision was designed under different standards. Mr. Nielson stated that there would be legal jeopardy if different standards were required now. Brian Pattee asked how the street dedication went from 99 feet to 60 feet. Don Hartle stated that it used to be 99 feet, and then Wellsville City required 66 feet with curb and gutter. After about 5 years, Wellsville City decided that 66 feet is not what they wanted, so the standards were changed back to 99 feet. Mr. Egbert stated that a 66-foot right-of-way works inside of a subdivision. Mr. Egbert stated that the property owner on the opposite side of the street doesn't want to give any more

property then he has to. Mr. Nielson stated that if Wellsville City doesn't have the right-of-way or approval for a right-of-way, they will have to acquire it. Mr. Egbert stated that the maximum Wellsville City could get from this subdivision without changing any lines is 4 to 5 feet. Mr. Taylor stated that 4 or 5 feet is better than nothing. Mr. Taylor asked if the preliminary plat and final plat could be approved together tonight. Mr. Hartle stated that the Planning Commission asked that they be approved separate. Mr. Taylor stated that nothing has changed. Mr. Taylor stated that he will adjust lots 31 through 3 to give 4.5 feet for the street right-of-way. Mr. Taylor stated that he will also adjust the southeast corner on lot 30. Mr. Taylor stated that he will work with City Engineer Chris Breinholt on the issue. Mr. Egbert asked about working on lot 21. Mr. Taylor stated that is an easy fix. Mr. Egbert stated that by doing this, the subdivision will have nice easy lines around it. Mr. Taylor stated that he doesn't want to go through 4 meetings to get approval. He would like to start construction as soon as possible. Mr. Hartle stated that the next City Council meeting will be held on August 7, 2013. Mr. Hartle asked if Mr. Taylor could have all of the corrections to him by July 31, 2013. Mr. Taylor stated yes. Mr. Egbert stated that his concern is that there are so many comments from City Engineer Chris Breinholt. Mr. Taylor stated that the preliminary plat and final plat could be approved contingent on the corrections being made to those plats. Mr. Egbert asked about landscaping and screening. Mr. Nielson stated that the Planning Commission minutes of August 26, 2009 are very precise with what is required. Mr. Nielson stated that Mr. Taylor should refer to the top of page 5 of those minutes. Mr. Nielson stated that the motion lists 5 items concerning landscaping and screening of the subdivision. Mr. Hartle asked who is mowing the lawn in the retention pond. Mr. Taylor stated that a company that they have a contract with does it. Mr. Hartle stated that several people are concerned that the berm is not being maintained. Mr. Taylor asked when Center Street will be completed. Mr. Hartle stated that he hope to have the road paved by August 15, 2013. Mr. Taylor stated that they will repair and replace what needs to be done then. Mr. Hartle asked who will make the improvements to phases 3 and 4 of the subdivision. Mr. Taylor stated that it is a company out of Ogden that they have a contract with. Mr. Hartle asked if Mr. Taylor will request from the City Council to bond. Mr. Taylor stated that they will start phases 3 and 4 and go as far as they can. Mr. Egbert asked if the landscaping and screening will be shown on the final plat. Mr. Hartle stated that it is not shown on the final plat. Mr. Nielson stated that it is clear what the requirements for the landscaping and screening are. Mr. Egbert stated that a fence has been built on the berm, and asked if it is 25 feet off of the property line. Mr. Taylor stated that he can measure it. Mr. Pattee asked if Mr. Taylor is giving 3, 4, or 5 feet. Mr. Pattee stated that it should be specified. Mr. Taylor stated that he will give as much as he can without cutting into the 20,000 square feet for the lots. Mr. Hartle asked that Mr. Taylor keep a straight line. Mr. Egbert reviewed the issues that have been discussed. They are: 1) landscaping and screening requirements, 2) maximizing 1600 South and Center Street for street dedication, 3) number of lots the same and stay above 20,000 square feet, 4) City Engineer Chris Breinholt's comment are addressed and the preliminary and final plats are signed by Mr. Breinholt prior to final approval from the City Council, 5) 10% endowment for the HOA, and 6) fee in lieu of open space paid. Mr. Pattee asked about curb and gutter. Mr. Hartle stated that this was discussed with Mr. Breinholt and he stated that he can live with what the Planning Commission and City Council approve. Mr. Pattee stated that curb and gutter doesn't serve a purpose and it affects the storm water. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve the Preliminary/Final Plat for Phases 3 and 4 (a total of 21 additional building lots) of the Sterling Ridge Subdivision on property on the east side of Center Street at 1450 South Center with the following conditions: 1) landscaping and screening requirements, 2) maximizing 1600 South and Center Street for street dedication, 3) number of lots the same and stay above 20,000 square feet, 4) City Engineer Chris Breinholt's comment are addressed and the preliminary and final plats are signed by Mr. Breinholt prior to final approval from the City Council, 5) 10% endowment for the HOA, and 6) fee in lieu of open space paid.

**YEA 3**

Paul Egbert  
Brian Pattee  
John Spence

**NAY 0**

The Planning Commission reviewed for approval the Preliminary Plat 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 there is no preliminary plat in front of the Planning Commission because he is waiting for the surveyor to engineer the sewer line. Mr. Parkinson asked for a tentative approval so that

he can have the preliminary plat ready for the next City Council meeting which is scheduled for August 7, 2013. Mr. Parkinson stated that he is also working on an easement for Millicent Parkinson's water line to run through the new building lot. John Spence stated that Mr. Parkinson is asking for approval of the preliminary plat on the condition that it is completed. Paul Egbert stated that the preliminary plat shows information that the final plat doesn't. Mr. Egbert stated that is part of the reason to have multiple stages. Mr. Egbert asked what the rush is to have this approved. Mr. Parkinson stated that his daughter is building on the new lot and would like to get started as soon as possible. Brian Pattee stated that if the preliminary plat is approved tonight, the Planning Commission wouldn't see it again. Mr. Egbert stated that the Planning Commission would see the final plat. Don Hartle stated that he is working on easement on 600 North. Mr. Hartle stated that approval of the preliminary plat could be given tonight subject to the City Council approving the preliminary plat. Mr. Egbert asked when the final plat comes in for approval, a copy of the preliminary plat also be attached. Mr. Parkinson stated that he will do what is necessary. After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to approve the Preliminary Plat for the Millicent Parkinson Subdivision, consisting of a total of 2 lots (1 additional building lot) on property at 620 North 200 East based on the concept plan that the Planning Commission has approved, subject to approval by the City Council and conditions set forth, and that a copy of the preliminary plat come back at the final plat approval.

**YEA 3**

Paul Egbert  
Brian Pattee  
John Spence

**NAY 0**

Paul Egbert asked for an update on the proposal made by Gary Hansen. Don Hartle stated it was scheduled for July 17, 2013. Mr. Hansen called and stated that he would be out of town that day. Mr. Hartle stated that it is been rescheduled for August 7, 2013

At 6:50 p.m., Paul Egbert made a motion, seconded by Brian Pattee, to adjourn the meeting.

**YEA 3**

Paul Egbert  
Brian Pattee  
John Spence

**NAY 0**

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John Spence  
Chairman