

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, December 10, 2014, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Paul Egbert, and Jerald Leishman. 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 December 5, 2014. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

<u>Others Present:</u>	Jennifer Leishman	Carolee Hammel	Eldon Pierce
	Gordon Stuart	David Kurek	Sandie Kurek
	Dale Smith	Tina Smith	Robyn Bankhead
	Elizabeth Davis	Steve Kyriopoulos	Scott Gary
	Kendall Leishman	Janie Isaacson	Jonathan Cook

Opening Ceremony: Paul Egbert

Ruth P. Maughan reviewed the agenda with the Commission. After discussion, Paul Egbert made a motion, seconded by Jerald Leishman, that the agenda be approved as presented.

<u>YEA 3</u>	<u>NAY 0</u>
Paul Egbert	
Jerald Leishman	
Ruth P. Maughan	

The Commission reviewed the minutes for the Commission meeting which was held November 12, 2014. There was a word change on line 97. After review, Jerald Leishman made a motion, seconded by Paul Egbert, to approve the minutes of the November 12, 2014 meeting with the change.

<u>YEA 3</u>	<u>NAY 0</u>
Paul Egbert	
Jerald Leishman	
Ruth P. Maughan	

The Planning Commission considered for approval the Final Plat for the Murray Creek Subdivision, consisting of a total of 2 lots on property at 88 West 500 South. Paul Egbert stated that there is a note on the final plat that identifies a flood zone. Mr. Egbert asked how Wellsville City updates the plat. Don Hartle stated that he receives a notification, but it doesn't affect anything. Mr. Egbert asked if there had been an update from City Attorney Bruce Jorgensen or the Board of Adjustments. Mr. Hartle stated no, but that issue has nothing to do with the subdivision. Mr. Egbert stated that the Planning Commission asked that the utilities be identified on the plat. Mr. Hartle stated that they were identified on the Preliminary Plat. Mr. Hartle showed the Planning Commission the Preliminary Plat where the utilities had been identified. Mr. Hartle stated that the utilities aren't shown on the Final Plat. Mr. Egbert asked about a decision from the City Council concerning the sidewalk. Mr. Hartle stated that the City Council waived the sidewalk requirement. Ruth P. Maughan stated that this approval is for a division of a lot, not allowing a home on the lot. Carolee Hammel asked if it a division of a lot, why the utilities are required. Ms. Maughan stated that the code states that utilities are required when subdividing a lot. After discussion, Paul Egbert made a motion, seconded by Jerald Leishman, to approve the Final Plat for the Murray Creek Subdivision, consisting of a total of 2 lots on property at 88 West 500 South.

<u>YEA 3</u>	<u>NAY 0</u>
Paul Egbert	
Jerald Leishman	
Ruth P. Maughan	

The Planning Commission met with representatives from South Valley R.V. concerning possible violations of their conditional use. Ruth P. Maughan stated that there is a concern with the amount of trailers that are parked on the lot. The citizens that live in the area are concerned. The original permit was issued on August 11, 2010. It states that there will be no more than 5 trailers parked on the lot at a time. Ms. Maughan stated that she drove by today and there are at least 12. Dave Kurek, representing South Valley R.V., stated that he understood he could have 5 finished trailers parked on the lot and working on others. People bring their trailers in to be repaired, and he doesn't want to send anyone away because he is waiting on people to pick up their trailers. Mr. Kurek stated that there are 4 trailers on the lot that are finished and waiting for people to pick up. Ms. Maughan stated that there are always more than 5 trailers parked on the lot. Paul Egbert stated that the minutes of the August 11, 2010 meeting state that Mr. Kurek doesn't want to be in the business of storing trailers because it is a liability. Mr. Kurek stated that is correct. Mr. Kurek stated that if a trailer is left more than 10 days on the lot, there is a \$10 per day charge. Ms. Maughan stated that last winter, there were many trailers on the lot and asked if Mr. Kurek was storing trailers last winter. Mr. Kurek stated no. Mr. Egbert stated that Mr. Kurek has a great business. There can be so many trailers in the building, and so many trailers on the property. Mr. Egbert stated that parts of the stipulations are to protect the neighborhood. The overflow of trailers and performing work on trailers in the street is violating the conditions of the business. Mr. Kurek stated that when people come into his business to have their trailer repaired, he tries to get it off the street as soon as possible. Ms. Maughan stated that Mr. Kurek can't have that many trailers on the lot. The conditions that were set were 5 outside of the building and 3 inside the building. Mr. Kurek asked if he could modify the conditional use to have more than 5 trailers. Mr. Egbert stated that originally, the property was smaller. A request to expand the property was denied. A lot line adjustment was completed without input from Wellsville City. A lot line adjustment should be brought to the City for their input as well as a discussion to be held about the issue. A lot line adjustment did clean up some messes behind the business. There was a significant increase in property, and a business only needs property if they plan to increase their business. In this instance, the increase was in the number of trailers on the property. Mr. Kurek stated that he and Lance Gunnell approached the property owner that owns the property behind the business to purchase some additional property. It helped them, him, and cleaned up the chicken coop mess, so they figured it was okay. Mr. Egbert stated that by doing that, it expanded their property, expanded the commercial zone, and expanded the business. The lot line adjustment almost tripled the storage space, as well as a large increase of commercial property. The citizens have complained about the work being performed in the street. The trailers are packed on the lot very tight, and it is full most of the time. Mr. Kurek stated that after they acquired the property to the south, he closed it off and installed a screened fence. Ms. Maughan stated that it looks very nice, but Mr. Kurek is still in violation of the original conditional use permit. Jerald Leishman stated that he is glad that the messes are being cleaned up. Mr. Leishman is glad that people are supporting Mr. Kurek's business. Mr. Leishman stated that the Planning Commission wants to work with Mr. Kurek to help his business be successful. There have been complaints from the citizens. The Planning Commission will work with Mr. Kurek to come to an agreement. Ms. Maughan stated that with the increased usage, Mr. Kurek needs to make a new application. Don Hartle stated that the new application would need a public input. Mr. Egbert stated that he thinks that the new application needs to encompass all of the issues of this business, including the amount of property, what changed, what is different, and address any concerns. Mr. Kurek stated that last weekend, he surveyed people in the neighborhood and collected 90 signatures in just a couple of hours. Mr. Kurek stated that he doesn't want to turn any customers away. Mr. Egbert stated that he understands, but he may have to because of safety and liability issues. There have to be some limitation at some point. Mr. Leishman stated that part of the contract with customers could say to help support the business by having their trailers out as soon as possible. Ms. Maughan asked if Wellsville City needs to address the lot line adjustment. Mr. Hartle stated yes. Mr. Egbert asked what the process is. Mr. Hartle stated that the property owner contacts a title company, sends it to Wellsville City, Mr. Hartle makes copies, sends it to the Planning Commission, the Planning Commission approves it, and it is filed at the Cache County Clerk's Office. Mr. Hartle stated that legally, Wellsville City can't stop a lot line adjustment when it is completed. Mr. Hartle stated that an individual can do a lot line adjustment without Wellsville City's knowledge, but when something is wanted in the future, the lot line adjustment will be addressed then. Ms. Maughan suggested making an application for a new conditional use permit. Mr. Hartle stated that it should be all 1 package. Ms. Maughan thanked Mr. Kurek for attending the meeting.

The Planning Commission discussed the next regular scheduled meeting which is on December 24, 2014. Don Hartle asked the Planning Commission if they would like to cancel or reschedule the meeting. Mr. Hartle stated that as of now, there is nothing on the agenda for December 24, 2014. After discussion, Jerald Leishman made a motion, seconded by Paul Egbert, to cancel the regular scheduled meeting of the Planning Commission on December 24, 2014.

**YEA 3**  
Paul Egbert  
Jerald Leishman  
Ruth P. Maughan

**NAY 0**

Ruth P. Maughan asked about the new sign at the American West Heritage Center. Don Hartle stated that the sign is on their property. The fence is in the wrong place. Mr. Hartle stated that he called and left a message for the individual to return his call. AWHC doesn't have a sign permit from Wellsville City.

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

**YEA 3**  
Paul Egbert  
Jerald Leishman  
Ruth P. Maughan

**NAY 0**

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Ruth P. Maughan  
Chairperson