

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, October 27, 2010, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Jaye Colling, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, Mayor Thomas G. Bailey, and City 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 October 22, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Tom Jewkes  
Teresa Jewkes Jeff Maughan  
Cindy Maughan Kimberlee Foulger  
Angela Jones

Opening Ceremony: Cindy Maughan

Loyal Green reviewed the agenda with the Commission. After review, Jaye Colling made a motion, seconded by Russell Glenn, that the agenda be approved as presented.

YEA 5 NAY 0  
Russell Glenn  
Jaye Colling  
Loyal Green  
John Spence  
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held October 13, 2010. After review, John Spence made a motion, seconded by Jaye Colling, that the minutes of the October 13, 2010 meeting be approved as presented.

YEA 5 NAY 0  
Russell Glenn  
Jaye Colling  
Loyal Green  
John Spence  
M. Kent Larsen

Tom Jewkes met with the Planning Commission to discuss the sign code and conditions of his conditional use permit. Tom Jewkes stated that he misunderstood the sign code. In Logan City, a business is allowed to have a banner. When he and his wife read the sign code, he stated that it was over their heads. Mr. Jewkes asked for permission to leave up the banner that is 13 feet by 8 ½ feet to cover the sign of the previous business. Loyal Green stated that an application has to be made for a sign. Mr. Jewkes asked if it was any sign. Mr. Green stated yes. Mr. Jewkes asked if signs include banners. Mr. Green stated yes. Teresa Jewkes asked where they could get a copy of the application. Mr. Green stated that an application can be obtained from Don Hartle. Mrs. Jewkes asked if there was a fee for a sign. Don Hartle stated that there is a fee. It is \$100, plus \$5 for each property owner within 300 feet that has to be notified. Mrs. Jewkes asked if that was for each sign. Mr. Hartle stated that they are limited on the square footage of signs. Mr. Jewkes stated that he has 2 banners and a small “wood for sale” sign that is located on the fenced area with scrap wood in it. Mike Leishman, the owner of the property, has his horses in the back of the building. Mr. Jewkes stores logs for their business, and it takes up all of the space in the back. Russell Glenn asked if the fenced area is still in front of the building. Mr. Jewkes stated yes. Mr. Jewkes stated that there is not much outside storage, and he needs outside storage. Mr. Green stated that there were established conditions for the business. Mr. Jewkes stated that there is a cardboard recycle bin on the premises, which is where Logan City wants it so that it is easy to pick up. Mr. Green asked what the conditions of the business are. Jay Nielson read the conditions from the March 24, 2010 Planning Commission meeting. They are as follows: 1) no storage of equipment, materials, or products in the front setback, 2) abide by the signage code, 3) any product displayed on the outside of the building is prohibited, 4) hours of operation are limited to 9:00 a.m. to 5:00 p.m., 5) Mr. Jewkes’ outstanding utility bill is to be

paid in full before the conditional use becomes effective, 6) UDOT is to be contacted concerning access to the building, 7) any outside storage is to be screened with a fence. Mr. Green stated that there are 2 issues that Mr. Jewkes is unable to comply with because of the recycle bin. They are: 1) the banners stay up until he has applied for a conditional use for a sign, and 2) the fence area for the scrap wood. Mr. Jewkes stated that the recycle bin has to be placed so that it can be accessed. There is no other place to put it. Mr. Jewkes understands that he needs to apply for a conditional use for a sign permit, but would like to leave the banners up until he is issued the permit. Mrs. Jewkes asked when they would need to submit their application for the conditional use for the sign permit. Mr. Hartle stated that in order to appear on the December 8, 2010 agenda, he would need the application by November 15, 2010. Jaye Colling asked if Mr. Jewkes is asking permission to leave the banners up until the sign process is complete. Russell Glenn asked if the building is in a commercial zone. Mrs. Jewkes stated that it is in a residential zone. Mr. Glenn stated that temporary signs are not allowed in residential zones. Mr. Nielson stated that this is a non-conforming use within a residential zone, and that the Planning Commission can expand on the conditional use so that temporary signs could be allowed. Banners would not be prohibited, and the Planning Commission could issue a temporary sign permit based on code 10-16-10 and specify a length of time. Mr. Green suggested that the time limit be based on the Planning Commission meeting schedule. Mr. Jewkes stated that the banner is 20 feet by 3 ½ feet, another banner is 13 feet by 8 ½ feet, and the small 'wood for sale' sign is 3 feet by 3 feet. Mr. Green stated that based on the discussion, the Planning Commission should use table B. Mr. Glenn stated that banners are not allowed in any zone. Mr. Nielson stated that based on table C, banners are allowed. Mr. Colling stated that a banner should be considered part of the total calculation. Mr. Nielson stated that any advertizing is considered a sign. Mr. Green stated that Mr. Jewkes will need to calculate the amount of signage all 3 ways listed in the code, and will use the smallest number. Mr. Hartle suggested that Mr. Jewkes show all 3 calculations with his application. Mr. Green stated that a drawing will also need to be submitted as to where the sign on the building will be located. After discussion, Russell Glenn made a motion, seconded by Jaye Colling, to issue a temporary sign permit for the existing banners that expires on January 31, 2011.

**YEA 5**

Russell Glenn  
Jaye Colling  
Loyal Green  
John Spence  
M. Kent Larsen

**NAY 0**

Mr. Jewkes then asked about the fenced area for firewood and the recycle bin. Jaye Colling stated that it is the only area that it can be in. Mr. Jewkes stated that it is the best area because it is the least visible and can still be serviced. Russell Glenn asked if the recycle bin can be fenced in and the driver of the truck has to open a gate. Don Hartle stated that he doesn't know if the driver will open any gates. Jay Nielson stated that there are places that have a gate. The owner rolls the recycle bin out so that the truck can unload it. Loyal Green stated that Mr. Jewkes is asking for permission for the conditions to change by allowing outside storage in the front of the building. Mr. Nielson stated that the condition states not in the front setback. Mr. Nielson asked about the area that is south of the driveway. Mr. Jewkes stated that it has a small access, and there is a green waste dumpster located there. Mr. Green suggested that Don Hartle go look at the area and advise the group when they come back in for their sign permit. Mrs. Jewkes asked if the conditions could be read again. Mr. Nielson read the conditions that were place on the business from the minutes of the Planning Commission meeting that was held March 24, 2010. Mr. Nielson stated that the intention of the conditions was not to include a dumpster. Mr. Colling stated that a dumpster is a necessity. Mr. Green stated that the Planning Commission will wait to hear Mr. Hartle's opinion. Mr. Jewkes asked about the small fence for scrap wood. Mr. Green asked if Mr. Hartle will look at that issue also. Mr. Hartle stated that the lot is very organized, and that parking stripes have been painted so that the employees know where they can park.

Cindy Maughan met with the Planning Commission to discuss trailers, commercial, and manufacturing. Ms. Maughan stated that because 4-wheeler trailer is parked in front of her home, she received a letter from the City. Her truck is at Wilson Ford being fixed, and as soon as she gets the truck back, she will move the trailer. Ms. Maughan stated that she has discussed the issue with Don Hartle. Ms. Maughan stated that

she would like to expand her business. Ms. Maughan would like to go into the manufacturing business. Ms. Maughan stated that she would like to keep her business at home, or may have to move to another part of the valley. Ms. Maughan stated that with the manufacturing business, she would need several buildings, as well as a lot of storage area. Loyal Green stated that Wellsville City does have an industrial area that is out by Highway 89/91 next to the Caine Dairy. Ms. Maughan stated that there is 22 acres for sale that is adjacent to the industrial zone. Ms. Maughan stated that she doesn't want to be anywhere near subdivisions. Mr. Green stated that a lot of thought was put into the land use map, and feels that Wellsville City would benefit from having good commercial businesses along Highway 89/91. Ms. Maughan stated that she is concerned with the width of the road that the Caine Dairy is located on. Jay Nielson stated that the road has adequate width. Ms. Maughan asked who owns property in the industrial zone. Mr. Green stated that she can get that information from the County Recorder's office. John Spence stated that the tongues of the trailers that Ms. Maughan owns are right on the city street. M. Kent Larsen asked what Ms. Maughan's address is. Ms. Maughan stated that she lives at 855 South 200 East. Mr. Green stated that when the trailer is moved, to please contact Mr. Hartle. Ms. Maughan stated that she would.

The Planning Commission continued the discussion of the sign code as it relates to signs for subdivisions. Don Hartle stated 2 weeks ago, a sign code for subdivisions was discussed. There is nothing in the code that allows a subdivision to have a sign. Mr. Hartle stated that a workshop needs to be held to discuss this issue. Mr. Hartle stated that the rocks and trees at the entrance of the SW Heritage Estates look very nice. Mr. Hartle stated that this subdivision is in the growing stage. When all of the lots have homes built on them and people are living in them, there will not be weed patches throughout the subdivision. A discussion was held last week as to whether or not Wellsville City wants signs allowed for subdivisions, and if an area should be defined by a subdivision name or Wellsville City. Mr. Hartle stated that it was also discussed defining subdivisions by a number instead of a name. Loyal Green asked the opinions of the Planning Commission. Jaye Colling stated that he disagrees with signs on subdivisions. Mr. Colling stated that it shows that the subdivision is an individual instead of being part of Wellsville City. John Spence stated that he agrees with Mr. Colling. Mr. Spence stated that road signs need to be updated, and Wellsville City needs to work on keeping it a united place. Mr. Spence is not in favor of subdivision signs. Kimberlee Foulger stated that she thought a lot about this issue over the past 2 weeks. Ms. Foulger stated that they need something that identifies where they live. Ms. Foulger stated that if signs at subdivisions are allowed, have the signs all be the same with the mountain man logo on it. Mr. Colling asked what Ms. Foulger's mailing address is. Ms. Foulger stated that it is 621 North 800 East. Mr. Green stated that he has had 2 weeks to think about this issue, and his concern is where the boundaries of Wellsville City are. Mr. Spence stated that 2 weeks ago, after Ms. Foulger left, if a sign is allowed, Wellsville is to be written on the sign. Jay Nielson stated that he would like to give his advice to the Planning Commission. Mr. Nielson stated that after Mr. Hartle told him about this issue, Mr. Nielson stated that his response to Mr. Hartle is that he was flabbergasted. Mr. Nielson stated that developments want their own identity, and other communities are letting them do it. Here again, Wellsville City is out pioneering new territory again. Mr. Nielson stated that Wellsville City can build total community unity by having "of Wellsville" as part of the sign. Don Hartle gave the example of Cobblestone, and how people do not know if that development is part of Providence or River Heights. Mr. Hartle agrees that something needs to be done, but it needs to be relatively simple because boundaries change all the time. Mr. Green stated that the focus needs to be on uniting the community and make it a better place. M. Kent Larsen stated that an effort needs to be made to mark the boundaries of Wellsville City. Subdivisions need to be identified as an address and not as superior to another subdivision. Mr. Larsen stated that Wellsville needs to be in big letters, while the name of the subdivision needs to be in smaller letters. Mr. Nielson suggested having a standard design, size, and location of a subdivision sign which will show unity of the community. Mayor Thomas G. Bailey stated that there are HOA rules and regulations that a subdivision is bound by that the rest of the community is not. There are a lot of things that go against bringing unity into a community. Mr. Green agrees with doing away with superiority. Mr. Larsen stated that a first generation HOA works well, but by the third generation of homeowners, an HOA may be non-existent. Mayor Bailey stated that as far as updating street signs, every street that enters Wellsville is a state highway. Mayor Bailey stated that is something that the City can work on. Mayor Bailey stated that the entry signs to Wellsville are where they are because Wellsville City owns the property that they are on. Ms. Foulger stated that the SW Heritage Estates has to have a HOA. Ms. Foulger discussed paying for water, but doesn't receive any secondary water. Ms. Foulger stated that when the subdivision worked on the entrance to the subdivision, it was all different

kinds of people that came together as a subdivision to work on the project. Mr. Nielson stated that reality today is that there will never be a subdivision without an HOA. Every subdivision is responsible for the storm water on their property. Mr. Nielson stated that this is a federal mandate. Mr. Hartle stated that he meets with the City Engineer every week, and the federal government is now telling people when and where they can wash their cars, and how to mow their lawns. Mr. Nielson stated that it is a reality of life, and an HOA will be standard. Mr. Colling stated that they want a rock that is similar to the rock used by Wellsville City at the entry sign, which is a monument and is not allowed by code. Mr. Colling stated that the code will need to be modified. Mr. Spence asked who owns the property on each side of the road going into the SW Heritage Estates. Angela Jones stated that she is still investigating. She has gone to the County Assessor, who shows it was donated to the AWHC, and the AWHC donated it to USU. Mayor Bailey stated that he remember the north side belonging to USU, and the south side belonging to HOA, with the small piece being for storm water. Ms. Foulger stated that they are paying \$2,500 per year for water. Mr. Nielson asked if that is to pump the water. Mayor Bailey stated that there is a secondary water system for the subdivision, and that all of the water goes into the pond that belongs to USU. Ms. Foulger stated that they have enough water to water 6 lots. Ms. Jones stated that they were supposed to be able to water 3 days a week, in the evening with the secondary water. Mr. Nielson suggested that Wellsville City, the HOA, and he sit down with the representatives from AWHC and USU to improve this situation. Ms. Foulger stated that she remember paying \$1,000 extra for each lot for the secondary water system.

Russell Glenn left the meeting at 7:30 p.m.

Mr. Green stated that he found out that the water rights have been turned over to USU, and that each share has 7 acre feet of water. Mr. Nielson stated that the last 5 or 6 subdivisions that Wellsville City has done look good, and he can't imagine going back to the old ways of doing subdivisions. Mayor Bailey stated that there is a lot of new move-ins that have never lived in Wellsville City before, and that it will take time to build unity in the community. Ms. Foulger discussed being videotapes by Tracy Bodrero. Mr. Hartle stated that is a legal matter, and to discuss it with an attorney. Mr. Green suggested talking to Jim Anderson who is the secretary for the Eastfield Irrigation Company. He would have a copy of the by-laws for the irrigation company, and would know about the right-of-way for the ditch. Mr. Spence stated that he has said how he feels about allowing signs at subdivision entrances. Mr. Spence does like what they did in the open space at the entrance of the subdivision. Mr. Larsen stated that the code would need to be modified and written to reflect the feelings of the Planning Commission and the City Council. Mr. Larsen would like to see a standard sign with the words "Wellsville City" included on it. Mr. Colling stated that he agrees with Mr. Spence. Mr. Colling stated that the subdivision signs would need to have standards, but he is concerned about everyone having a sign. Mr. Green stated that he agrees with a subdivision sign if it enhances or beautifies the area. Mr. Green agrees that Wellsville City needs to be unified. Mr. Green would like to see Wellsville City signs along the major highways into Wellsville. Mr. Green stated that "Wellsville City" should be on a subdivision sign as the header. Mayor Bailey suggested that Loyal Green attend the meeting with Jay Nielson, Mayor Bailey, and the HOA representatives from the SW Heritage Estates involving AWHC and USU. Mr. Nielson suggested replacing the sign code because it has been 7 years since it was reviewed. Mr. Nielson stated that he will bring in the sign code section to use as a starting point.

The Planning Commission continued the workshop on revisions to the land use tables and code.

At 8:20 p.m., Jaye Colling made a motion, seconded by M. Kent Larsen, to adjourn the meeting.

**YEA 4**  
Jaye Colling  
Loyal Green  
John Spence  
M. Kent Larsen

**NAY 0**

---

Loyal Green  
Chairman