

Genola Town Planning Commission meeting
Minutes –July 23, 2009

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4 Meeting called to order at 7:32 PM. present: Marty Larson, Mark Davis, Nikki Anderson and
5 Beth Coleman. Prayer was offered by Mr. Mark Davis. Chairman Larson led in the pledge. The
6 following were present: Joe Stubbs and Annette Pierce.

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8 The meeting was opened by Chairman Nikki asking Mr. Joe Stubbs if he minded if they
9 moved to the business item of swearing in Mrs. Beth Coleman before addressing his issues.
10 Mr. Joe Stubbs stated that it would be fine. Mrs. Beth Coleman was sworn in as the new
11 Planning Commission member replacing Mr. Danny Lundell who resigned in April of 2009.

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13 Chairman Anderson handed out to each member, information on Conflict of Interest and
14 Duties and Responsibilities of the Planning Commission. She asked that this be reviewed to
15 discuss at a later meeting.

16
17 Mr. Joe Stubbs addressed the Planning Commission. It was stated that the zone change on
18 the land in question was never completed. Mr. Stubbs stated that he has researched this.
19 He stated that he was fully aware of the process because of the 80 acre zone change for the
20 Reva Stubbs Family Trust back in 2005. He stated that in June and July of 2007 Reid Stubbs
21 and Dencil Gold were perusing the zone change on the 20 acre parcel from A1 to R1. Mr.
22 Stubbs stated that the records show that they were on agendas and was following steps for
23 the zone change. He stated that they were told they did not need to be at the public hearing
24 but the petition for zone change would be presented along with Mr. Greg Osborn and Mr. Val
25 Martin's zone changes. Mr. Stubbs stated in the research he has done, it seems that the
26 paper trail was lacking information. Mrs. Greg Osborn stated to Mr. Stubbs that she
27 remembered that this item was completed at the same time.

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29 Mrs. Coleman asked if it was possible to reapply for the zone change. Mr. Stubbs stated that
30 they had it in place and would like to show it was in place before the petition for referendum
31 came about.

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33 Mrs. Nikki Anderson stated that she had been at the meeting when the zone change was
34 addressed and remembered it had been approved. Mr. Marty Larson, Mrs. Beth Coleman and
35 Mr. Mark Davis all stated that they also recalled this being approved.

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37 Chairman Anderson stated that it might be in Mr. Stubbs best interest to get signed affidavits
38 from those who were in attendance at the meeting when it was approved.

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40 Mr. Stubbs stated that Mr. Reid Stubbs and Mr. Dencil Gold did everything they were asked
41 and does not believe they should be punished for the towns slip up.

42
43 Mr. Marty Larson stated that Mr. Stubbs petition was in place and paid for before the
44 referendum was presented so that should not be an issue.

45
46 Mr. Stubbs said that a statement has been made that since he had filed for the petition,

47 nothing more has been done. He stated he has complied with everything he has been asked
48 to do, and believes that there has been stall tactics from some of the Planning Commission
49 Members. Chairman Anderson stated she appreciates his comments but there has been a lot
50 of coming and going with members.

51
52 Mr. Stubbs stated this is the second time he has shown the documents that proves he has
53 the right to speak on behalf of the other land owners and the legal documents of land
54 ownership.

55
56 Mr. Stubbs asked for clarification of how the referendum will affect him. Mr. Larson said that
57 the Town Attorney stated the Planning commission could go forward with this subdivision
58 request; the question is what version of the subdivision ordinance to follow.

59
60 It was asked when Mr. Scott Peterson petitioned for a subdivision. It was stated that it was
61 around the same time and that Mr. Peterson had decided to take the path of least resistance
62 and gave road dedication. Mr. Stubbs stated that he should not be compared with Mr.
63 Peterson.

64
65 It was shown that Mr. Stubbs applied and paid for the subdivision back in July of 2008.

66
67 Motion by Mr. Larson to ask the Town Council to review the Stubbs vicinity plan for road
68 placement and road dedication.

69
70 Mr. Mark Davis seconded the motion, all voted aye and the motion carried.

71
72 Chairman Anderson moved on to the next item. Chairman Anderson stated that Mrs. Annette
73 Pierce was not on the agenda but had requested to be. The Planning Commission listened
74 while Mrs. Pierce presented her issue. She stated she would like to sell 8 acres out of her 35
75 acres. The lots being sold would be for agriculture use only. Mrs. Pierce requested a letter
76 from the Planning Commission to present to the title company that would state that selling
77 this land would not adversely affect the remaining 27 acres or her neighbors. Chairman
78 Anderson stated that they would have a statement submitted in the minutes that she could
79 provide to the title company.

80
81 "The subject property at 410 East 800 North will not adversely effect with a home on the
82 remaining acres by the sale of approximately 8 acres on either side or behind the property of
83 lot 1 and 2 of the Lazy Dog Subdivision providing it is purchased by a continues land owner
84 as for as the Planning Commission is discerned."

85
86 Business

87 Chairman Anderson stated that she would like to continue the business next month. She
88 asked that the members review the development standards chapter 2005, 20-05-06. She
89 also stated that the building permits procedure needs to be reviewed and stated that she
90 feels that when the Council took the reviewing of permits away from the Planning
91 Commission this was done illegally. She would like to ask the Town Council to return this as
92 the ordinance states. She stated that there have been problems with Ag. Buildings being

93 listed on R-1 zoning.
94
95 Chairman Anderson asked that the Planning Commission think about these issues and discuss
96 it next month.
97
98 Chairman Anderson went on to discuss other items for the next month. She stated that she
99 does not believe that we have an SOB Ordinance in place. She asked that these ordinances
100 be reviewed off the internet and return to discuss it next month.
101
102 The Planning Commission discussed regulating the use of the Rail Road. It was asked if the
103 Town can require the Rail Road to move through Town without parking any cars on the right
104 of way. Chairman Anderson stated that this is a concern of residents, having the box cars
105 parked on the tracks could allow homeless people to reside there.
106
107 Conditional uses in various zoning areas were also discussed. Chairman Anderson gave the
108 example of Mrs. Beverly Thomas' son wanting to build an apartment in the cabinet shop.
109 Chairman Larson stated that she had received a letter requesting this be changed.
110 She stated that the Thomas' were denied this because we have no ordinance on this. It was
111 stated that if this change was made, it would change the general plan. Mrs. Anderson stated
112 that this is a growing need and it needs to be looked at.
113
114 Motion to adjourn the meeting by Mr. Larson.
115 Seconded by Mrs. Coleman. All voted aye, motion carried.
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117 Meeting ended at 10.06
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119 Minutes were written and recorded by Penny Thompson
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121 Approved by *Nellie Anderson* Date *19 Nov 2009*.