

Genola Town Planning Commission meeting  
Minutes –May 1<sup>st</sup>, 2008

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4 Meeting called to order at 6:06 PM. present: Marty Larson, Danny Lundell, James Bertschi, ,  
5 Nikki Anderson. Rex Barney arrived late. Prayer was offered by and Chairman Marty Larson  
6 and Danny Lundell led the pledge. Chairman Larson conducted the meeting and welcomed  
7 those present: Dennis Carlisle, Sandra Greenwood, Steve Greenwood Chris Greenwood,  
8 Carolyn Greenwood, Martin Clinger, Emily Clinger, Marc Halliday, Kendell Ewell, Burt and June  
9 Stewart and Brett Rich.

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11 Chairman Larson reminded all residents that attended the meeting that this was not a public  
12 hearing and the Planning Commission would only be discussing items between the members.  
13 Mr. Brett Rich commented that he was here to listen to the discussion and answer questions.

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15 The Planning Commission held this special meeting to discuss subdivision ordinances and to  
16 clarify if there is a need to hold public hearings on this and to also make a recommendation  
17 to the Town Council on this item.

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19 Mr. Rich suggested that in this discussion the Planning Commission should consider what the  
20 General Plan states and what is best for the town.

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22 Mr. Rich stated that notices for public hearings should be posted 10 days in advance and  
23 posted in 3 public places or on a town website. A notice of a public hearing for a subdivision  
24 must be mailed out to property owners of bordering property. Mr. Rich also commented that  
25 the purpose of a public hearing is to give purpose and gather comments, not to debate. After  
26 the public hearing, action can be taken. The Town Council takes the recommendation and  
27 considers it. The Town Council can accept or reject it, or comment and make changes as they  
28 wish.

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30 Chairman Larson asked Mr. Rich if subdivisions in process now will be affected by this  
31 discussion or any new subdivision ordinance changes. Mr. Rich stated that the subdivisions  
32 that are in process will not be affected.

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34 Mr. James Bertschi commented that he had personally contacted other cities on road  
35 dedication. No one that he checked with uses the road dedication as part of their lot size.  
36 The county said that to their knowledge they don't use the road dedication either.

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38 Chairman Larson stated that the planning commission had addressed this item some time ago  
39 because some citizens that had 5.25 acres would not have enough to subdivide. He also  
40 stated that when Roy Carrol was in the Planning commission he was assigned to this and had  
41 run into many road blocks. It was then given to Ray Zeeman. Chairman Larson stated to his  
42 knowledge that the Planning Commission had voted unanimously that the road dedication be  
43 included in the acreage required. Chairman Larson stated that because of a difference of  
44 opinion now, we are having this discussion again.

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46 Mrs. Nikki Anderson stated that she too had been in on the discussion with Roy Carrol and

47remembers it different than Mr. Larson. Mrs. Anderson stated that she believed that it was  
48never intended for lots to be less than 2.5 acres after the road dedication.

49

50Mr. Bertschi and Mrs. Anderson believed that there was a conflict, not by themselves but by  
51other members. Mr. Rich asked the Planning Commission members if there was a conflict of  
52interest by anyone attending this meeting.

53

54Chairman Larson stated that he has several lots in a subdivision, two that have already sold  
55and four others that he does not intend to sell at this time.

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57Mr. Rich commented that it is safe to state any possible conflicts and to have in the minutes.

58

59Mr. Bertschi commented that it is clear in the subdivision ordinance that the lot size is 2.5  
60acres without the road dedication. Mr. Bertschi stated he has a copy with a line crossed  
61through "road dedication" but there are no initials of accountability or why it was crossed off.

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63Mr. Bertschi asked Mr. Rich if the subdivision ordinance was changed, would it be retroactive.

64Mr. Rich stated no and that he suggested going forward from here.

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66Chairman Larson asked Mr. Rich if there was a legal way to write the ordinance to go from  
67the center of the road when calculating road size or the edge of the road. Mr. Rich replied  
68yes, that the towns ordinances can state what the council wants, but make sure that the  
69ordinance is stated or drafted clearly. In making the ordinances, the Planning Commission  
70must look at the general plan closely and go along with it. Mr. Rich also stated that if you  
71want a major change, you may want to adjust the general plan.

72

73Mrs. Anderson commented that she feels that the Town Council generally ignores the  
74Planning Commission recommendations. Mr. Rich stated that it is the Town Councils right.

75Mr. Rich has seen it in many other towns and cities.

76

77Chairman Larson asked Mr. Rich if every time that there is a new Town Council member or  
78Planning Commission member if this all needs to be done over again. Mr. Rich replied that  
79no, it is not generally done.

80

81Mr. Bertschi asked if Genola Meadows is the only subdivision in question. Mr. Danny Lundell  
82stated that Genola Meadows was not the only one and that there were others.

83

84Mr. Lundell stated that he would like to see no changes to the lot sizes but to make sure  
85things are stated legally and correctly.

86

87Chairman Larson asked Mr. Rich what his recommendations are as per most towns on  
88determining lot sizes. Mr. Rich stated that what ever the Town Council accepts or modifies is  
89what it will be. Every town has groups of citizens with different interests. Mr. Rich then  
90referred back to the general plan.

91

92Chairman Larson stated to the Planning Commission that he would like to review the general

93plan before making any recommendations to the Town Council.

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95Mr. Lundell asked Mr. Rich if it is required to have a public hearing on non conforming lots  
96and if so can it be passed that same night after the public hearing. Mr. Rich stated yes  
97although it is sometimes better to take time to consider the comments at the public hearing  
98before recommending it to the Town Council. He also stated that there should be a public  
99hearing on every subdivision petition.

100

101Chairman Larson commented that he believes it is important that the town codes match with  
102the state codes on what is required on subdivision ordinances and public hearing.

103

104The Planning Commission discussed the R-1 zone 81-40 on livestock. It currently is in the  
105conditional use classification. Chairman Larson feels it should be in the permitted use.

106Chairman Larson asked Mr. Rich if the Commission has to hold a public hearing to move it  
107from conditional use to permitted use. Mr. Rich stated that the Planning Commission does  
108need to hold a public hearing.

109

110Chairman Larson brought up concerns on changing this. If there is a change does the  
111Commission grandfather in the existing parcels with these situations. Mr. Rich stated as a  
112general rule, if the health, safety and welfare use is an issue we won't grandfather them in.

113

114Discussion on approval of minutes.

115Chairman Larson asked Mr. Rich about approving minutes and if the people that were present  
116at the meeting must be the only ones to approve those minutes. Mr. Rich replied that no,  
117they do not have to be there when they are approved, although we should do everything we  
118can to make them aware of the printed minutes. He also recommended that minutes don't go  
119any longer than 2 months before being approved.

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121There were no minutes approved at this meeting.

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123Motion by James Bertschi to adjourn meeting. Seconded by Chairman Larson. All voted aye.

124Motion carried.

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126Meeting adjourned at 7:28 pm.

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128Minutes were written and recorded by Claudia MacNaughtan

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130Minutes approved by \_\_\_\_\_ Dated \_\_\_\_\_