

WALLSBURG TOWN PLANNING COMMISSION MEETING

August 20, 2024 – 7:00 pm

1. Call to Order 7:05PM

a. Roll Call Carrie Mecham, Travis Defibaugh, Trevor Pulham, Tammy Graham, Lucille O'Driscoll, Alisha O'Driscoll

2. Consent Calendar: Be it hereby moved that the following consent calendar items stand approved:

a. Agenda of the August 20, 2024 Planning Commission Meeting

b. Minutes of the May 21, 2024 Planning Commission Meeting

Agenda stands approved.

Minutes will be presented at the next meeting, they were not completed yet

3. Agenda Items:

a. Upcoming To-Do List, Priority List – Information and Discussion Only

- i. Catch up meeting to discuss known upcoming items, things to research, make a plan for development code revisions.

-Alisha O'Driscoll briefly explained the printed packet: a greenhouse application, a new build proposition, and annexation request coming down the pipeline.

-Lucille O'Driscoll – Craig Keyser called Lucille and Carrie Mecham, said he was previously approved for a building permit for a garage. He or his wife got sick and time went on, that permit is now expired. He is wondering if he needs to do a new permit or if he is good to go. He did say that his plans are changing to a pole structure. Carrie Mecham commented that we haven't seen the new plans yet. Trevor Pulham asked for clarification if he had his permit and just didn't act on it for 6 months so it went away. Lucille O'Driscoll confirmed. Tammy Graham commented she thinks he needs to come back in. Trevor Pulham and Carrie Mecham agreed. Lucille O'Driscoll will reach back out to him with the checklist.

-Lucille O'Driscoll – Wants to discuss which lots are lots of record. Carrie Mecham commented that we would go along with the county, they property owner would need to provide documentation but the Town will use county guidelines. Travis Defibaugh and Lucille O'Driscoll agreed.

-Lucille O'Driscoll – Troy and Lillian Thompson have the piece where their house sits and the vacant lot next to it and wonder if they can build there. Lucille O'Driscoll looked into it and when they bought that piece you could build on a ½ acre, so they built on ½ of their one acre parcel. Travis Defibaugh commented that it is two parcels now, but Lucille O'Driscoll confirmed that was split after 1965. Lucille O'Driscoll commented that it stinks, but the planning commission voted on it and it was presented to the Town. Carrie Mecham commented that even the Health Department won't perc on a ½ acre. Trevor Pulham commented that there are other systems that could pass on a smaller piece of property, but it is much more expensive. Trevor Pulham explained that the Health Department isn't interested in the new chamber septic system and explained how they work. They are state approved, but the county doesn't like them. General discussion and Q/A about the difference in the systems. Carrie Mecham commented that even the guy with the store wouldn't have enough land for that type of system. Trevor Pulham commented that there could be some options for him.

-Tammy Graham commented she would like to add impact fees to the to-do list, and where the money will go to. Alisha O'Driscoll commented that the state mandates where that money can be used. Trevor Pulham commented that he thinks road maintenance would be a great use for that. All agreed. Carrie Mecham talked about the fence around Rusty and Lucy O'Driscoll's fence and that it was put up for construction traffic.

-Carrie Mecham would like to talk about "Concept Plan" 6.11 in the code.

-As a side note, Alisha O'Driscoll explained that MAG has a new liaison that will help with Subdivision Regulations and the Town meeting state regulations for new laws that are passed.

-Carrie Mecham commented that having a "Concept Meeting" with the Brown's has some requirements that must be met before he can come before the Planning Commission, so that won't need to be added to the

code, it's already in there. He sent what he thought was adequate but it wasn't enough yet. Trevor Pulham said that he thinks he can come in and ask questions before he starts spending money. Carrie Mecham agreed and said he just needs to provide the information required in the criteria as a jumping off point. Alisha O'Driscoll explained that the Brown's sent in a little bit more information, they all reviewed. Carrie Mecham proposed sending him the checklist from 6.11 items 1-5 and then schedule him to come before the planning commission. Tammy Graham commented is that even buildable, because it will need to be subdivided. Trevor Pulham commented that its just a concept meeting, not a building permit. He may not even know he needs to subdivide. Trevor Pulham commented that it would be two flag lots stacked on top of each other. He commented that it will block access from the Muir's (adjacent property owner). Tammy Graham asked where the Town road ends? Travis Defibaugh pulled up the county map as reference to show where the road ends. Trevor Pulham commented that the Town should make wise decisions to the Town's growth. Either the county will grow around it and landlock the Town or the Town control's the growth. It would solve the problem if Haderlie's ever want to do something with that sometime. That is a prime example of a dead end piece of property, and is a perfect opportunity for the Town to annex that property in some day. The thought of two flag lots on top of each other and not solving and egress right there. Carrie Mecham asked if by stacking two flag lots that means they share the same road or what that means? Lucille O'Driscoll commented with the printed photo of where their proposed road/driveway will be compared to Coby and MarDee Brown's driveway/road. Carrie Mecham clarified that they are proposing a driveway to give them frontage to build? Trevor Pulham commented that the town has a 99' frontage requirement. Lucille O'Driscoll asked Trevor Pulham if two flag lots would land lock or patchwork the development or what his thoughts are. Trevor Pulham commented that growth is going to happen no matter what. You either control the growth, that's the issue with a lot of the dead spots in town- would you rather someone build an affordable house on a small parcel or digging up another farmer's field to build on the required acreage. If you think about a long time ago, it was built into the hill to save the farmland. If the Brown's want frontage, you could make them put a road in there, which would open up for future growth in a wise manner. Lucille O'Driscoll compared it to when Coby and MarDee Brown came in, they were required to extend center street, it would be similar to that. Trevor Pulham commented that often times other places will make them put half of the road in, and the other property owner would have to put the rest of the road in. Trevor Pulham commented that the fire marshall may make them put a round about in. Lucille O'Driscoll clarified that they would have to give that road to the Town. Lucille O'Driscoll commented that there is give and take from the Town and this road would be comparable to an impact fee. Trevor Pulham commented that putting that road in will allow for planned growth, if not- what happens to Center Street, it just turns into a driveway. Lucille O'Driscoll also commented that is going to be a big cost for putting a road in there. Trevor Pulham commented that the Town should consider only making him do half the road, and the next property owner would have to finish it in the future. Lucille O'Driscoll also commented where the irrigation and stream bed lines are – that would be impacted. Carrie Mecham commented that is on the property owner. Lucille O'Driscoll commented the Town should require a letter from the irrigation company(ies). Carrie Mecham commented that the adjacent piece came before the town previously and the Town asked for a parking lot for the arena and they backed out at that point. Carrie Mecham commented if asking them to do the road is being greedy, we need to be careful and thoughtful of what we are requiring of people. When you look at other pieces, they are money grabs and not thoughtful. Trevor Pulham commented that they need to have a concept meeting. Carrie Mecham asked for 6.11 steps 1-5 for him to schedule a meeting. Trevor Pulham, Tammy Graham, Lucille O'Driscoll commented that they have enough information provided to be on the next agenda.

-Carrie Mecham referenced Chapter 6 (subdivisions) in the code, said to pass this section along to the Brown's so they are aware of what the next steps will be after the concept meeting. Alisha O'Driscoll commented that having MAG come to review the subdivision code at the next meeting would be helpful.

-Lucy O'Driscoll brought up Mailet Adams' greenhouse request. Commented that it is over 200 square feet, so she will need to come in for a permit. Trevor Pulham commented that she should have to come to the Town, but shouldn't have to go through the county if she won't have water or power. Tammy Graham and Carrie

Mecham commented that she may have power and water. Tammy Graham commented that they need to come in for the building permit process. Discussion went back and forth on whether or not they need to go through the county. It was ultimately decided that due diligence should be to send them through the county.

- Misc discussion of what order the next meeting will go in. Discussed sending the building permit checklist to Mailet Adams and Keyser family to be prepared to schedule a review meeting.
- Alisha O'Driscoll commented to add short term rentals to the to do list.
- Tammy Graham commented to add impact fees to the to do list.
- Tammy Graham commented to replace members of the commission that do not come.
- Suggested Aubri Buehler. Making Trevor Pulham a regular member, adding Aubri Buehler as an alternate.

4. Commission Member Reports (questions, general discussion, assignments)

Assignments:

- Review and come prepared with knowledge of Chapter 6
- See if MAG can review Chapter 6 and potentially attend the next meeting
- Carrie Mecham will look into the county and comparable codes for what they have
- Lucy O'Driscoll will look into short term rental comparable codes
- Impact fees, invite Callie Trotter to come and have a Q&A session at a future meeting
- These to-do's will be addressed in October or later

Reports:

-Trevor Pulham – in 2019 a senate bill 34 - affordable housing act was passed, making it illegal for municipalities to not allow detached accessory building units. The current code bans detached accessory building units. You can regulate detached accessory building units, but cannot ban them. Right now, anyone could come with a detached accessory building and whatever they said could be passed because the Town code would be thrown out. Travis Defibaugh commented that since it is not addressed in the current code, we would fall back to the county code. Trevor Pulham commented that it was above his paygrade but something to look into. Trevor Pulham commented that low income housing must be defined, Carrie Mecham commented that is done by percentage and it may not apply.

5. Schedule Next Planning Commission Meeting

a. Schedule Next Meeting

3rd Tuesday in September is September 17th. 7:00PM

b. Call for Agenda items for next Planning Commission Meeting

- Brown's building (with MAG), Adam's greenhouse, Keyser's garage permit, Callie Trotter Impact Fees Q&A

6. Adjourn

Motion: Carrie Mecham motions to adjourn **Second:** Lucille O'Driscoll **Vote:** Unanimous
Time: 8:17PM