



# Planning Department

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## MINUTES

### PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, April 7, 2016 at 1 PM.

**Members Present:** John Beck, Earl Hall, Rick Hirsch, John Hollenback, Tracy Manley, & Bill Pierce

**Members Absent:** Kenneth Martin, Randy Mannix, & Bruce Thomas

**Staff:** Brian Bender, & Patrick Moody

**Public:** Tim Sommers, & David Yoder

President Manley called the meeting to order at 1:08 PM.

#### Agenda Item #1 – Attendance

Six members being present established a quorum.

#### Agenda Item #2 – Approval of Agenda

President Manley asked if there are any changes to the agenda.

Planning Director Bender explained he spoke with Pat Clinch, the Deputy State Fire Marshall, and he said the petitioner did not submit any plans for review.

Planning Director Bender advised the Planning Board to keep the item tabled. He continued by saying he will send a letter to the petitioner asking what are their intentions with the request.

### **Agenda Item #3 – Approval of Minutes**

Member Hollenback motioned, with Member Hall seconding, to approve the March 10<sup>th</sup> Minutes as submitted.

President Hirsch asked if the minutes correctly described the situation with the Garrison Conditional Use Permit.

Planning Director Bender confirmed the applicant has all the necessary approvals.

The Planning Board after accepting the explanation approved the motion through a vote of six to zero.

### **Agenda Item #4 – Continued or Tabled Business**

#### a. Will Pauley's CUP for a Commercial Propane Facility

Member Hall expressed concerns with the quality of the information provided by the petitioner on the application.

The Planning Board agreed before they hear the request, the petitioner needs to revise the application to include additional information.

#### b. David Yoder Minor Subdivision (Public Hearing)

President Manley opened the proceedings by announcing a public notice ran in the February 24<sup>th</sup> and March 2<sup>nd</sup> editions of the *Silver State Post*. He continued by asking if any members have a conflict of interest with the request. He acknowledged there were no conflicts.

Planning Director Bender explained the purpose of the land division is to have the church / school facility on its own lot. He continued by outlining the proposed division on the PowerPoint's Mapping Exhibits.

David Yoder explained church officials are acting on advice to separate the facility for tax purposes. He continued by describing the ownership of the two lots.

President Manley closed the public hearing, as there was no further comments from the audience.

President Manley accepted a motion from Member Hollenback and seconded by Vice President Hirsch to forward the subdivision to the County Commissioners with a favorable recommendation. The recommendation contained a condition requiring the petitioner to pay the associated hearing costs. The Planning Board approved the motion through a vote of six to zero.

Planning Director Bender explained to Mr. Yoder the item should go before the County Commissioners in early May.

### **Agenda Item #5 - Public Hearings**

#### a. Tim Sommers' Minor Subdivision

President Manley opened the hearing by announcing a public notice ran in the March 23<sup>rd</sup> and 30<sup>th</sup> editions of the *Silver State Post*. He also acknowledged no member had a conflict of interest.

Planning Director Bender described the request and advised the Planning Board the petitioner also has an accompanying Boundary Relocation. Mr. Bender suggested the Board hears both items simultaneously but takes action on each one through separate motions.

Tim Sommers explained he wants to have the woodworking shop on a separate lot. He continued by saying the Boundary Relocation corrects the situation when the contractors installed the driveway, they did not place it entirely on his property.

Tim Sommers answered questions relating to the access easement.

Member Beck asked of the access to the existing lot.

Planning Director Bender noted the lot has access from Gold Creek Road.

Tim Sommers confirmed there is a fence between the properties.

President Manley closed the public hearing.

Member Hall moved with Member Pierce seconding to send the Sommers' Minor Subdivision to the County Commissioners with a favorable recommendation. The recommendation contained a condition requiring the petitioner to pay the associated hearing costs.

President Manley accepted the motion.

The Planning Board approved the motion through a vote of six to zero.

#### **Agenda Item #6 – Non-public Hearing Items**

a. Tim Sommers' Boundary Relocation COS

Member Hall moved with Member Pierce seconding accepting Tim Sommers' Boundary Relocation is not an attempt to evade subdivision review. The Planning Board approved the motion through a vote of six to zero.

b. Growth Policy Update

Planning Director Bender explained Joe Willauer of Headwaters RC&D incorporated the corrections the Planning Board sought in the Rural Residential Overlay, Modified Goals, Objectives, & Policies, and language supporting the value of Town Centers.

Mr. Bender continued by noting Mr. Willauer and himself intend to dedicate the June 9<sup>th</sup> session to review draft portions of the Growth Policy. He also noted on

June 9<sup>th</sup>, the Planning Board will have the opportunity to amend the boundaries of the Town Centers.

c. Draft Sign Provisions

Planning Director Bender introduced the proposed changes to Sign Standards contained in Section #IV-D-3 of the County's Zoning & Development Regulations.

The Planning Board wanted to know how the proposed changes would affect existing signs, the height of pylon signs, the enforcement of illegal signs, the number of signs per individual segment of highway, and permitting coordination with the Montana Department of Transportation.

Member Hall proposed the Planning Board consider prohibiting billboards along specific highway segments.

President Manley suggested the regulations may want to prohibit portable signs placed on trailers as over time they become eyesores with flat tires.

The Planning Board requested an explanation of how Montana DOT regulates signs.

**Agenda Item #7 – Planning Board Comments**

Member Hollenback expressed concerns with comments contained in County Attorney Smith's March 10<sup>th</sup> Memo.

The Planning Board generally discussed the Memo and decided it its best to continue the discussion when Mr. Smith is present.

**Agenda Item #8 – Staff Comments**

- a. County Attorney
- b. None.

b. Planning Director

Mr. Bender explained the Deer Lodge Planning Board started their review of the City's Annexation and Extension of Services Plan.

- c. Other
- None.

**Agenda Item #9 – Public Comments**

None.

**Agenda Item #10 – Announcement of the May 5<sup>th</sup> meeting**

The Planning Board decided to cancel their May 5<sup>th</sup> meeting if there are no new business items. Making June 9<sup>th</sup> at 1 PM as the next meeting date.

**Agenda Item #11 – Adjourn**

The Planning Board through consensus adjourned the meeting with Vice President Hirsch noting the time as 3:31 PM.

Respectfully Submitted,  
Brian P. Bender, AICP CEP, CFM  
Powell County Planning Director

  
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Rick Hirsch, Vice President

6/9/16  
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Date