



Planning Department

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MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, November 10, 2016 at 1 PM.

- Members Present:** John Beck, Earl Hall, Rick Hirsch, John Hollenback, Tracy Manley, Randy Mannix, & Bill Pierce
- Members Absent:** Bruce Thomas, Kenneth Martin
- Staff:** Carl Hamming, Ricki Bauer, & Lewis Smith
- Public:** Joe Willauer, Ken Jenkins, Larry Spangberg, Wade Reistad, Mike Stenberg

President Manley called the regular meeting to order at 1:00 PM.

Agenda Item #1 – Attendance

Seven Members being present established a quorum.

Agenda Item #2 – Approval of Agenda

President Manley asked if there is a need to amend the agenda.

Agenda Item #3 – Approval of Minutes

A question was raised as to whether Jerry Grebenc (previous interim Planning Director) emailed a proposed agenda to the Board following the October 6th meeting. It was determined Jerry had not, but no board members expressed concern over this matter. Member Hirsch motioned, with Hall seconding, to approve the October 6th Minutes as submitted. The Planning Board approved the motion through a vote of seven to zero.

Agenda Item #4 – Continued or Tabled Business

a. None.

Agenda Item #5 - Public Hearings

a. Subsequent Minor Subdivision (Hochstetler: Gold Creek)

Planning Director Hamming prefaced the minor subdivision by explaining that because it was a subsequent subdivision, it required a public hearing.

As there was no representative for the Hochstetler application (agent: Jared Lay) the Planning Board interpreted the surveys and maps to determine road access and potential future developments. Member Hollenback mentioned that he believed he had seen some residential development taking place on the site being subdivided, but was not certain of the exact location.

Due to the number of questions being raised, the Planning Board discussed their desire to always have a representative present. The Planning Board questioned whether they should make it a future requirement to have a representative present to answer questions. As a side-note, it was decided that Planning Director Hamming would amend the subdivision application to make it clear that a representative is expected to be present at the Planning Board public hearing to answer the Board's questions.

GIS analyst Ricki Bauer was able to call Glen Hochstetler during the meeting and have him answer the Planning Board's questions. Mr. Hochstetler expressed frustration about the slowness of the subdivision application and explained that he wanted to place his modular home on location before the ground froze for the winter. He has not submitted a Development Certificate to the Planning Board. There were concerns raised about the lack of Chad Lanes' (county sanitarian) involvement or the DEQ.

After some discussion about the proper procedure to secure a subdivision and final plat, it was decided that the issue before the board was only the subsequent minor subdivision. 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 an additional condition, suggested by County Attorney Lewis, for the applicant to comply with all local and state regulations. The Planning Board approved the motion through a vote of seven to zero.

b. Phase 3 Amended Plat: Subdivision and Variance Application (Rock Creek Cattle Company)

RCCC Agent Mike Stenberg presented the Phase 3 amendment that would change 3 plats into 10 for smaller townhomes.

Mr. Stenberg explained the variance request to build a short access road for the new townhomes that would be 20' wide rather than the 24' required by the Road Standards. Member Hall asked why the variance was being requested and if emergency vehicles would still have sufficient room to maneuver the narrower street. Mr. Stenberg explained that the topography of the place constricted the room to build. Member Beck reminded the Board that the short road would have two access points which would offer additional flexibility to any emergency vehicles.

There was a short discussion about the footprint size of the townhomes versus the cabins and a reminder from Mr. Stenberg that the housing density requirement was still over the minimum threshold by 12 acres.

Mr. Stenberg also reminded the Board that he would be interested in adding an amendment to the PUD language to offer a little more flexibility to amend plats and alter the phases without requiring a public hearing before the Planning Board.

President Manley accepted a motion from Member Hall and seconded by Member Beck to forward the amended plat and variance request to the County Commissioners with a favorable recommendation. The Planning Board approved the motion through a vote of seven to zero.

Mr. Stenberg plans to visit with the County Commissioners during the last week of November.

Agenda Item #6 – Non-public Hearing Items

a. Spanberg Family Conveyance (Subdivision exemption)

Planning Director Hamming described the subdivision of 14.76 acres into two tracts for residential use. The property lies within zoning District #1 and is therefore in compliance with the 5-acre minimum size.

Agent Ken Jenkins explained that the subdivision would use the irrigation canal running through the middle of the property as the dividing boundary. The Board questioned how big the easement for the irrigation canal was and Mr. Jenkins explained he was not certain, but that his clients understood the necessary easement for access to the canal.

Mr. Jenkins explained that he requested Mr. Everly refrain from conducting his review of the property until the Planning Board had decided if the Family Conveyance was an attempt to evade subdivision review as he did not want his client to have to pay the ELS fee if the Planning Board did not approve the Transfer.

There was some discussion about roadway access and securing a formalized easement through a neighbor's or family member's property to ensure future access to the subdivided property.

President Manley accepted a motion from Member Hollenback and seconded by Member Hall that the application to subdivide the Spangberg property was not an attempt to evade the county's subdivision regulations.

b. Growth Policy Update

Joe Willauer from Headwaters RC&D reminded the Planning Board about their previous meeting in which he asked for feedback on the goals and objectives paperwork that he had handed out last time. There had been some miscommunication about follow up emails, therefore several members had not brought their paperwork and feedback, but will do so for the next meeting.

Mr. Willauer also plugged the economic development that Headwaters RC&D does and mentioned that the Deer Lodge community had recently been engaging the economic and lending divisions of the group and Mr. Willauer hopes to continue and further this trend.

Mr. Hamming and Mr. Willauer will coordinate in the near future, possibly between Nov. 21-23, about the future schedule and goals for the Growth Policy update.

Ricki Bauer also added that she will have some maps prepared for the Planning Board next month that will visually depict subdivisions in 160 acres parcels.

Agenda Item #7 – Planning Board Comments

None.

Agenda Item #8 – Staff Comments

a. County Attorney

County Attorney Smith gave an update on the propane tank installation on Mr. Pauley's property. Member Hall expressed concern about the tank being installed too closely to the railroad. Planning Director Hamming will look into the potential approval from the state Fire Marshal.

b. Planning Director

Mr. Hamming advised the Planning Board on the following topics: (1) Member Bruce Thomas sent in a resignation letter from the board as he can no longer attend meetings due to a newly elected position (2) Notice that the next Board Meeting may be very well attended due to a recently submitted CUP for a gravel pit near the county border with Missoula County and may therefore require a larger meeting space (3) Finally, Director Hamming introduced himself to the members and offered a little background information.

c. Other

None.

Agenda Item #9 – Public Comments

None.

Agenda Item #10 – Announcement of the December 8th meeting

President Manley announced the Planning Board will hold their next meeting on December 8th at 1 PM.

Agenda Item #11 – Adjourn

President Manley accepted a motion from Vice President Hirsch and seconded by Member Pierce to adjourn meeting.

President Manley adjourned meeting at 3:20 PM.

Respectfully Submitted,
Carl Hamming
Powell County Planning Director

Rick Hirsch, Vice President

Date