



Planning Department

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MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, October 5, 2017 at 1 PM.

Members Present: John Hollenback, Tracy Manley, Rick Hirsch, Earl Hall, John Beck, Randy Mannix

Members Absent: John Wagner, Bill Pierce

Staff: Carl Hamming

Public: Joanne Johnson, Darlene Kent, Dean Dutton, Jamie Mongoven

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

Agenda Item #1 – Attendance

Six members being present established a quorum.

Agenda Item #2 – Approval of Agenda

The Board approved the Agenda as presented.

Agenda Item #3 – Approval of Minutes

Member Hall motioned with Member Randy seconding to approve the August Minutes with the edit to the Mobilitie CUP (#4) that the first motion to deny the CUP, voted three to zero (with four abstaining), effectively denied the request for the CUP. The Planning Board approved the motion through a vote of six to zero.

Agenda Item #4 – Non-Public Hearings

Johnson/Kent BR COS – Elliston

Mr. Hamming opened the discussion with a presentation of PowerPoint slides showing the current four tracts that are going to be consolidated into three tracts. For the three smaller tracts, acreages would increase for all three with the difference being made up from Tract C-1 that would shrink from ~15.7-acres to 15-acres. The purpose of the boundary relocation was to clean up property boundaries between two neighbors. The Board asked the petitioners a few questions about the ownership of each tract and how the new boundaries would line up with various structures. (There was some confusion due to Montana Cadastral not aligning with aerial imagery). The Board discussed how desirable it was for neighboring properties to professionally establish their boundaries and get them surveyed to avoid conflicts.

Member Hall motioned with Member Beck seconding, that the proposed Boundary Relocation is not an attempt to evade subdivision review. The motion included the conditions recommended in the Staff Report. The motion passed with a vote of six to zero.

WWC/FWP/Dutton BR COS

Mr. Hamming opened the discussion with a brief presentation displaying the proposed boundary relocation. Mr. Hamming further clarified that this Boundary Relocation needs to be reviewed first and then for the Board to hold the public hearing for the Conditional Use Permit application. FWP is interested in purchasing 6.2-acres from Mr. Dutton to establish an official Fishing Access Site on the Clark Fork River using NRDP funds. The Boundary Relocation would remove the boundary creating a 9-acre tract and move it along the Clark Fork River to create a tract of roughly 6.2-acres.

Member Hollenback motioned with Member Hall seconding that the boundary relocation is not an attempt to evade subdivision review. The motion included the recommended conditions stated in the Staff Report. The Board voted six to zero in favor of the relocation.

Agenda Item #5 – Public Hearings

WWC/FWP CUP

After approval of the Boundary Relocation, the Board next moved onto the CUP application. Mr. Hamming stated that certified mailings went out to all neighboring landowners and the notice was published in the Silver State Post for the past two weeks. There have been no comments or inquiries regarding the CUP application.

Mr. Hamming presented additional pictures of the property detailing the current use of the land as an unofficial access site. Mr. Hamming also showed the layout of the future FAS as proposed by FWP that will include a vault toilet and parking spaces for trailers and vehicles. The eastern portion of the FAS will be fenced off and camping will not be permitted. FWP will work coordinate with the County Road Crew to improve the proposed approach onto Gold Creek Road and to remove the currently utilized approach just before the bridge across the Clark Fork River on Gold Creek Road. The Board discussed the layout of the fencing and asked Mr. Dutton about issues with property and if people have interfered with his headgate. He stated that the unofficial access has not been a big problem, but use has grown every year. He has more issues with his property surrounding the County dump on the west side of Gold Creek Road.

Mr. Mongoven of FWP stated that they hope to close on the property in the next several weeks and then begin construction work this spring. Mr. Mongoven also discussed that the parking lot will be gravel and intends for the boat ramp to also be gravel. They will remove the current approach and drop the grade so that public will use the proper approach on the northern edge of the property.

Member Hall motioned with Member Mannix seconding to approve the CUP with Staff recommended conditions to FWP to install an official Fishing Access Site at Gold Creek.

Agenda Item #6 – Continued or Tabled Business

LHC, Inc/Deer Creek Excavating

Mr. Hamming informed the Board that the Court Appeal took place in early September and the parties are waiting for a decision from Judge Dayton. Mr. Hamming also discussed a phone call from the Board for the homeowner’s association of the Double Arrow and they expressed interest in submitting a formal request to amend the conditions stipulated in the CUP regarding the haul route. They would like to

permit hauling along Evergreen Drive for projects occurring within the Double Arrow Ranch subdivision. If a request is submitted, a public hearing would be held to discuss the possible CUP amendment.

Mobilitie

As established by the Board in the minutes from August, the CUP was effectively denied by the three to zero vote (with four abstaining). Mr. Hamming has not heard anything from Mr. Moore since she informed the Board that Sprint was bringing the project in-house.

Growth Policy

Mr. Hamming will initiate the process to officially seek public comment and eventually adopt the updated document.

Agenda Item #7 – Planning Board Comments

None

Agenda Item #8 – Staff Comments

a. County Attorney

None

b. Planning Director

None

c. Other

None

Agenda Item #9 – Public Comments

None

Agenda Item #10 – Announcement of the October 5th meeting

President Manley announced the Planning Board will hold their next meeting on November 9th at 1 PM.

Agenda Item #11 – Adjourn

President Manley adjourned the meeting at 3:15 PM.

Respectfully Submitted,
Carl Hamming
Powell County Planning Director

Tracy Manley, President

Date