



# Planning Department

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## MINUTES

### PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, December 7, 2017 at 1 PM.

**Members Present:** Tracy Manley, Earl Hall, John Wagner, Bill Pierce

**Members Absent:** John Hollenback, Rick Hirsch, John Beck, Randy Mannix

**Staff:** Carl Hamming, Lewis Smith

**Public:** None

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

**Agenda Item #1 – Attendance**

Four members being present did not establish a quorum.

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

The Board did not change the agenda.

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

The Board Members voiced no concerns with the minutes, but without a quorum, could not vote to approve the November minutes.

**Agenda Item #4 – Non-Public Hearings**

None

**Agenda Item #5 – Public Hearings**

None

**Agenda Item #6 – Continued or Tabled Business**

**Davis/Senecal Minor Subdivision**

Mr. Hamming summarized the original petition from Mr. and Mrs. Davis with Mr. Senecal acting as their agent at the November, 2017, meeting when the request for subdivision approval was tabled by the Board. Since the meeting, Mr. Hamming spoke with Mr. Senecal who requested confirmation that the Planning Board is requiring the proposed tracts to be officially surveyed and marked before they vote to recommend approval to the County Commissioners. The Planning Board was concerned that recommending approval of the subdivision without proper property boundaries could set a bad precedent for future applications. Mr. Hamming will inform Mr. Senecal of the Board’s position.

### **Deer Creek Excavating/DARLOA – Amendment Request to Condition #3**

Mr. Hamming passed out a letter submitted on December 6<sup>th</sup> to the Planning Board from Mr. Elliott and Mr. Mondul. Mr. Smith voiced his legal opinion on the matter that the Planning Board has the right and authority to restrict operations within Powell County. The Board is unable to dictate how Missoula County should regulate roads or property within Powell County, but the Board does have the authority to restrict operations in such a manner to limit adverse effects to neighboring properties whether they are in Missoula or Powell County.

The Board discussed their options and their desire to extract themselves from being entangled in a disagreement between residents of Evergreen Drive and DARLOA. The Board also discussed their hope that if Condition #3 is amended, that Deer Creek Excavating and DARLOA would come to an agreement about operations and road-use within the Double Arrow Ranch that would lessen the impacts on the residents of Evergreen Drive. The Board understand the concerns of the residents along Evergreen Drive and hoped that their landowner association would hear their concerns and act accordingly to mitigate potential adverse effects. The Board discussed different restrictions they could place on Deer Creek Excavating such as a maximum number of truckloads permissible on Evergreen Drive within Powell County, but determined that enforcement would be difficult. The Board also discussed their belief that Deer Creek Excavating would generally prefer not to use Evergreen Drive for hauling unless hauling to sites within the Double Arrow Ranch due to the length of the route to Highway 83 as well as the roads being curvier and narrower than Cottonwood Lakes Road.

Mr. Hamming discussed drafting different options for potential amendments to Condition #3 and can consult with the County Attorney before sending them out to the Board Members for their January, 2018 meeting. Member Pierce stated that it may be beneficial to include notes in the Findings and Minutes about the Powell County Planning Board’s desire for Deer Creek Excavating and DARLOA to strike an agreement about use on Evergreen Drive and other DAR roads that would limit the adverse impacts to residents of Evergreen Drive.

### **Growth Policy**

Mr. Hamming has scheduled several public meetings throughout the County in mid-December and early January. Mr. Hamming will send out an email with the finalized dates and times as well as advertise the meetings in post offices and restaurants throughout the County. Mr. Hamming is unsure how many people will attend the meetings as the update to the Growth Policy does not contain controversial changes from the last Growth Policy document.

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

None

### **Agenda Item #8 – Staff Comments**

a. County Attorney

None

b. Planning Director

Mr. Hamming will try to setup a visit to Rock Creek Cattle Company for the Planning Board for the new members to see the ongoing development.

c. Other

None

**Agenda Item #9 – Public Comments**

None

**Agenda Item #10 – Announcement of the December 7th meeting**

President Manley announced the Planning Board will hold their next meeting on January 11<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

President Manley adjourned the meeting at 3:35 PM.

Respectfully Submitted,  
Carl Hamming  
Powell County Planning Director

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Tracy Manley, President

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Date