



# Planning Department

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## MINUTES

### PLANNING BOARD

**The Powell County Planning Board met in a regular session on Thursday, May 3, 2018 at 1 PM.**

**Members Present:** Earl Hall, Bill Pierce, Randy Mannix, John Wagner, Justin Williams, Tracy Manley, Rick Hirsch, John Beck

**Members Absent:** John Hollenback

**Staff:** Carl Hamming, Lewis Smith

**Public:** William Danforth

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

**Agenda Item #1 – Attendance**

Eight members being present established a quorum.

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

The Board did not change the agenda.

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

Member Pierce motioned with Member Hall seconding to approve the January minutes as presented. The Planning Board approved the motion through a vote of eight to zero.

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

**4a. Deer Lodge Landfill Expansion – Boundary Relocation**

Mr. Smith presented the Board with the proposed plan of the Deer Lodge landfill to expand its property by roughly 106-acres. Currently, the County landfill controls 61-acres and is projected to run out of capacity within twelve years. Mr. Smith informed the Board that the County is planning to use eminent domain to acquire the private property. Though all parties are in agreement about the terms, eminent domain is required to remove the conservation easement from the land.

The Board discussed the status of the rural disposal districts and the costs associated with each one as well as where the trash is hauled and dumped. The Board questioned the natural gas line running through the property and the precautionary measures that will be required by the landfill operators. Mr. Danforth is doing the survey work and answered questions about acreage of the associated properties. Mr. Hamming stated that all associated parcels adhere to County zoning.

Member Hall motioned with Vice President Hirsch seconding the motion that the proposed boundary relocation was not an attempt to evade subdivision review. The Board voted eight to zero in favor of the motion. The Board also waived the Planning Department application fee for the Boundary relocation.

**Agenda Item #5 – Public Hearings**

**5a. Recommendation to County Commissioners to adopt the Update to the Powell County Growth Policy**

Mr. Hamming presented what is required by Montana Code to recommend adoption of the Growth Policy. President Manley then opened up the Public Hearing by stating that notice of the proposed adoption ran in the Silver State Post on April 18<sup>th</sup>. There was no public comment. President Manley closed the public hearing and asked if the Board had any questions or comments. Mr. Hamming discussed his hope to update the Zoning and Development Regulations with assistance from a CDBG grant. An application was recently submitted highlighting the northern part of the County as an area that would like to discuss and possibly change the zoning around the rural town centers.

Member Mannix motioned with Member Wagner seconding to recommend the County Commissioners draft a resolution to adopt the updated Powell County Growth Policy. The Board voted eight to zero to recommend adoption of the proposed Growth Policy to the County Commissioners.

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

**Swan Mountain Estates**

Mr. Hamming informed the Board about the proposed subdivision and the results of the variance request that was heard by the Board of Adjustments in late March. The Board ultimately decided to grant the variance after considering each criteria guiding their decision. They decided that there were numerous special circumstances and conditions of the land that they could grant the variance without eroding the integrity of Powell County’s zoning and setting a risky precedent.

Member Hall voiced his interest in seeking an assessment and comments from the Seeley Lake Fire Chief if the proposed subdivision goes before the Planning Board.

**Annexation of County Property on North Side of Deer Lodge**

Mr. Hamming showed the Planning Board the current plans for the City of Deer Lodge to annex several commercial properties on the north side of Deer Lodge. There was some discussion about the services provided and the status of the approved Family Dollar.

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

The Board asked about the status of the proposed gravel pit near Seeley Lake. Mr. Hamming stated that he had not heard of any change since the DEQ sent a deficiency letter to Deer Creek Excavating. Mr. Hamming intends to attend the Missoula County Commissioners meeting at which the Double Arrow Ranch Landowner’s Association and residents of Evergreen Drive within the Double Arrow Ranch will discuss the proposed amendment to the haul route conditioned in the Conditional Use Permit issued by Powell County.

**Agenda Item #8 – Staff Comments**

a. County Attorney

None

b. Planning Staff

None

c. Other

None

**Agenda Item #9 – Public Comments**

None

**Agenda Item #10 – Announcement of the June 7<sup>th</sup> Meeting**

President Manley announced the Planning Board will hold their next meeting on June 7<sup>th</sup> at 1 PM.

**Agenda Item #11 – Adjourn**

President Manley adjourned the meeting at 2:50 PM.

Respectfully Submitted,  
Carl Hamming  
Powell County Planning Director

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Tracy Manley, President

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Date