



Planning Department

Powell County Planning Department · 409 Missouri Ave., Suite 114 ·
Deer Lodge, Montana 59722 · 406.846.9795 · shazelton@powellcountymt.gov

MINUTES **PLANNING BOARD**

The Powell County Planning Board met in a regular session on Thursday, December 10th, 2020 at 1 PM.

Members Present: Bill Pierce, Justin Williams, Tracy Manley, Rick Hirsch, Randy Mannix, & John Beck

Members Absent: John Hollenback, Earl Hall, & John Wagner

Staff: Scott Hazelton, Ann O'Toole & Kathryn McEnery

Public: None

President Hirsch called the regular meeting to order at 1:11 PM.

Agenda Item #1 - Attendance

With six members being present, a quorum was established.

Agenda Item #2 Approval of Agenda

The Board made no changes to the Agenda and approved by overall consent.

Agenda Item #3 - Approval of Minutes

The minutes were discussed with the proposed alteration from Calli Michaels, representation for the Saari family. The discussion was tabled until Ms. McEnery arrived. After discussion with Ms. McEnery the board voted to accept Ms. Michaels alteration and the board voted six to zero to approve the Minutes.

Agenda Item #4 - Non-Public Hearings

None

Agenda Item #5 - Public Hearings

Rock Creek Cattle Company (RCCC) Amended Plat Phase 3

President Hirsch opened the hearing and explained the procedures that the Board would follow. President Hirsch explained that the hearing had been noticed twice in the Silver State Post. President Hirsch asked Mr. Hazelton to provide his report.

Mr. Hazelton gave a brief description of the project, which included the expansion of one lot and moving six (6) other lots north of Pintler View Road. Mr. Hazelton explained that the proposal complied with all of the requirements of the County Zoning Regulations. There was no addition of new lots from this proposal, only moving and resizing of existing lots.

Mike Stenberg of Hyalite Engineering, who represents RCCC, fielded questions from the Planning Board. Also supporting the RCCC application was Mark Linehan, Member of RCCC Development Committee, and Sarah Johnson, PE with Hyalite Engineering.

Member Beck asked the RCCC about the location of the moved lots. Mr. Stenberg responded that the lots would be moved north of Pintler View Rd.

Member Manley asked if the lots would be created from the set aside. Mr. Stenberg responded that the lots were preexisting and would not lower the set aside amounts as the set asides are located outside of the PUD.

Member Williams and President Hirsch asked the RCCC representatives about the sewage systems that would be in place. Mr. Stenberg responded that the plan is to locate the drainage basin in open space and stated that the exact system will still need DEQ and Tri County Sanitarian Review which is in process.

There were no public comments.

Member Manley moved that the amended plat application be accepted with the proposed conditions of the Planning Department. The motion was seconded by Member Pierce. The board voted to approve the application 6-0.

Rock Creek Cattle Company (RCCC) Amended Plat Phase 4

President Hirsch open the hearing and explained the procedures that the Board would follow. President Hirsch explained that the hearing had been noticed twice in the Silver State Post. President Hirsch asked Mr. Hazelton to provide his report.

Mr. Hazelton gave a brief description of the project, which consist of the reestablishment of three lots that had been aggregated into one lot by RCCC. For ease of sale, RCCC would like to reestablish the previous three lots with a slightly different configuration. Mr. Hazelton explained that the proposal complied with all of the requirements of the County Zoning Regulations.

Mike Stenberg of Hyalite Engineering, agent for RCCC, provided a history of the lots and fielded questions from the Planning Board. Also supporting the RCCC application was Mark Linehan and Sarah Johnson.

Member Mannix asked about the size of the lots. Mr. Stenberg and Mr. Linehan stated that the lots would be approximately 2 to4-acres. The submitted application shows that two of the lots will be 3 acres and the other will be 2.8-acres.

Member Mannix also inquired about how this would affect the set aside acreage. Mr. Stenberg answered that since the lot acreage will not increase from the reestablishment of the lots it does not affect the set aside acreage. Member Mannix then inquired whether there would be enough set aside to create lots in the future. Mr. Stenberg and staff concurred that given the present makeup of RCCC that there is not. Mr. Stenberg went on to say that aggregation of lots is planned for the future.

There were no comments from the public.

Vice President Pierce made a motion that the board approve with staff recommendations. Member Manley seconded and the application was accepted unanimously (6-0).

Rock Creek Cattle Company (RCCC) Conditional Use Permit "Staff Housing"

President Hirsch opened the hearing and explained the procedures that the Board would follow. President Hirsch explained that the hearing had been noticed twice in the Silver State Post. President Hirsch asked Mr. Hazelton to provide his report.

Mr. Hazelton gave a brief description of the project, which includes the creation of two, eight bedroom buildings for RCCC staff housing. Mr. Hazelton explained that the proposal complied with all of the requirements of the

County Zoning Regulations. Mr. Hazelton also stated that the proposed buildings do not interfere with current agricultural operations or waterways. Mr. Hazelton also stated that the plans have been reviewed by the Tri-County Sanitarian, Chad Lanes, and that he has no concerns at this time.

Mike Stenberg of Hyalite Engineering, who represents RCCC, fielded questions from the Planning Board. Also present for the RCCC application were Mr. Linehan and Ms. Johnson.

Mr. Stenberg raised the issue that the buildings are eight bedrooms and not ten bedrooms as was presented in the Departments report. Mr. Hazelton noted that he would fix this in the report.

Member Hall submitted comments to Mr. Hazelton to present to the RCCC representation. He was concerned about use of candles in the housing units and provided a link to Mr. Hazelton to pass along and confirmation that the building materials would be fire resistant. Mr. Stenberg said he would appreciate the further information and stated that exterior materials will be fire resistant.

Member Hirsch asked if this pertained to the set aside acreage and Mr. Stenberg stated since the housing was outside of the PUD that it did not.

Member Mannix asked for clarification on RCCC future plans as the submitted application had several other structures drawn. Mr. Linehan stated that if there was a need to expand that RCCC understood they would have to submit another CUP and that, outside of the two proposed structures, the plans were for future considerations only.

There were no public comments.

Member Pierce moved to accept the CUP with staff recommendations and an amendment to the staff report that there would be eight bedrooms and not ten in the structures. Member Manley seconded and the motion passed 6-0.

Rock Creek Cattle Company (RCCC) Conditional Use Permit Fish Camp

President Hirsch open the hearing and explained the procedures that the Board would follow. President Hirsch explained that the hearing had been noticed twice in the Silver State Post. President Hirsch asked Mr. Hazelton to provide his report.

Mr. Hazelton provided a brief description of the project, which consists of building a day use pavilion with restroom facilities. Mr. Hazelton explained that the proposal complied with all of the requirements of the County Zoning Regulations. Mr. Hazelton confirmed that the proposed structure does not interfere with the current agricultural operations nor any waterways. Mr. Hazelton also stated that the plans have been reviewed by the Tri-County Sanitarian, Chad Lanes, and that he has approved the plans.

Mike Stenberg of Hyalite Engineering, who represents RCCC, fielded questions from the Planning Board. Also supporting the RCCC application was Mark Linehan and Sarah Johnson.

Member Pierce asked about the location of the project and Mr. Stenberg stated that it is within the PUD.

There were no public comments.

Member Mannix moved to approve the petitioner's request for a CUP with Staffs recommended conditions, striking recommendation number 4 as it was unneeded for a non-residential structure. Member Williams seconded and the motion passed 6-0.

Agenda Item #6 - Continued or Tabled Business

None

Agenda Item #7 - Planning Board Comments

Board members in attendance with expiring terms expressed intentions to serve for another term. Written and signed acceptance will be handled by staff, but a verbal confirmation was given by: Rick Hirsch, Bill Pierce, Randy Mannix, and Justin Williams. Members not present whose term expires end of December include members, John Wagner and John Hollenback.

Agenda Item #8 - Staff Comments

Mr. Hazelton offered his thanks to the board for allowing him to be the new planning director for Powell County and that he is excited to begin working for the county.

The County Attorney explained her work on the Old Yellowstone Trail project related to the County road going from Washington Street in Deer Lodge, through Grant-Kohrs NHS and into the Rock Creek Ranch. The County road will serve as a connection route between the existing trail and the City of Deer Lodge. The National Park Service is questioning the County ownership of the road through the NHS. The County Attorney said she would keep the Board in the loop at her work progressed.

The County Attorney also provided the board an update on the road through Spotted Dog (Jake Creek Road) ownership project. The County Attorney stated that the county is drafting a letter to be submitted to a district court judge regarding the road, as by Montana State Law district court shall make the decision on the road.

Chad Lanes, the Tri-County Sanitarian, was in attendance to answer any questions the board may have concerning septic approval and permit issuance. Mr. Lanes answered several questions on his process and informed the board that they could contact him at any time with questions and concerns. Mr. Lanes also stated he would attend board meetings on occasion to stay up to date and available to the board.

Agenda Item #9 - Public Comments

None

Agenda Item #10 - Announcement of the September Meeting

President Hirsch announced the Planning Board would hold their next meeting on January 7th at 1 PM.

Agenda Item #11 - Adjourn

President Hirsch adjourned the meeting at 3:00 PM.

Respectfully Submitted,
Scott Hazelton
Powell County Planning Director