

POWELL COUNTY PLANNING BOARD MINUTES

Regular Meeting – Thursday, April 14, 2022 – 1 PM

1. **Attendance:** With eight members being present at the onset of the meeting, a quorum was established.
Members present: John Beck, Bill Pierce, Randy Mannix, Justin Williams, Rick Hirsch, John Wagner, Tracy Manley, and Earl Hall
Members absent: John Hollenbeck
Staff: Amanda Cooley, Ann O'Toole, County Attorney Katheryn McEnery
Public: Eric Selby, Jolene Selby, Dan Senecal, Rod Sheppard

Meeting called to order at 1:00p.m.

2. **Approval of Agenda:** Member Pierce motioned to approve the agenda. Member Beck seconded the motion and the motion was carried unanimously.
3. **Approval of Minutes**
 - a. **March 10th minutes** Member Manley motioned to approve the March 10th minutes. Member Hall seconded the motion and the motion was carried 8-0.
4. **Non-Public Hearings**
 - a. **Pieper-Briggs Boundary Relocation**

Planning Director Cooley presented the request by Mary Anne Briggs, the Jensen' and the Piepers' to relocate common boundaries between three parcels in Elliston. The Piepers' are purchasing additional land from the Jensen' and Mary Anne Briggs and this relocation will accommodate that purchase. The parcels are located in Section 2, T9N, R7W which lies within the Rural Community Zoning District.

Member Mannix questioned where the access is for Parcel B. Mr. Senecal explained that the only access is through parcel A, which should not pose an issue at this point because parcels A and B are under mutual ownership. He acknowledged that future sale of the property will need to address the issue of legal access.

With no further inquiries, Vice-President Pierce motioned to approve the boundary relocation. Member Mannix seconded the motion and the vote was carried 8-0.
5. **Public Hearings**
 - a) **Selby Conditional Use Permit**

President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the March 30th and April 6th editions. Director Cooley presented the planning office's report.

The petitioners, Eric and Jolene Selby, request permission to build a second home on their property that will be their primary residence. The current home is a manufactured home and they would like to build a new home with a garage.

Rod Sheppard submitted one public comment on April 12 via email. His concern was that the Selby home may be constructed within his viewshed. He requested that the Selbys keep their home near the existing buildings where they stated they planned on locating their home. The Selby's agreed that their home would be located where they had previously indicated.

Member Mannix questioned which property belonged to Mr. Sheppard. The parcels to the South of the Selby's are the parcels owned by Mr. Sheppard. The planning board questioned whether a fire mitigation plan had been submitted and Admin O'Toole confirmed that there had and the Fire Warden, Andy Scharf, had no concerns. Member Hall asked what would be done with the existing mobile home. Mrs. Selby replied that the home will be occupied by their son who will also inherit the property. Member Hall also encouraged the use of fire-resistant building material and the incorporation of defensible space. President Hirsch encouraged the use of bear-proof containers if they intended on storing trash outside.

With no further public comments, the public hearing closed.

Member Hall moved to approve the Selby's Conditional Use Permit with the conditions listed by the planning staff. Member Beck seconded the motion. The motion was carried 8-0.

b) Williams Conditional Use Permit

Member Williams recused himself from the hearing, as he is the agent for the petitioner. He took a seat at the front of the room, away from the planning board, to indicate his position as petitioner. President Hirsch opened the public hearing. He noted that the hearing had been noticed twice in the Silver State Post in the March 30th and April 6th editions. Director Cooley presented the planning office's report.

The petitioner, Laura Williams (trustee), requests permission to build a ranch headquarters, which will be a second residence on the property.

Member Hall questioned where the existing home was on the property. Mr. Williams indicated on the projected map where the home was currently located, and where the new home will be located. It will be located on an area of the property with higher elevation.

With no comments from the public, President Hirsch closed the public hearing.

Member Mannix motioned to approve the CUP with conditions listed by the planning board.

Member Pierce seconded the motion. The motion was carried unanimously.

6. Continued Business

a. None

7. Planning Board Comments Vice-President Pierce will be having a meeting to discuss how builders should be adopting WUI standards. He will report back to the planning board with any recommendations.

8. Staff Updates

a. County Attorney Miss McEnery provided the planning board with updates on the Ovando community meeting, her potential appointment to judge in Sanders County, a quiet title action filed against the federal government concerning ownership over the Old County Road #9, and construction progress on the Old Yellowstone Trail.

b. Planning Staff

• **County Regulations RE: Rental Structures**

Director Cooley briefed the planning board on some items in the zoning code that need to be addressed or updated. These will be further discussed at the next meeting. Primary issues are how many residences should be allowed on a parcel in each zoning district and how to handle rental structures.

• **Address requirements RE: Utility Companies**

- A discussion was held on whether it would be beneficial to request that electric companies require an address before they start work. This would help the county track new builds, but may be a burden to developers.

c. Other

9. Public Comments

10. Announcement of the May 5th Meeting

- 11. Adjourn** A motion to adjourn the meeting was made by Mr. Manley at 3:13p.m. Member Pierce seconded the motion and the motion passed 8-0.

Respectfully Submitted,
Amanda Cooley
Powell County Planning Director

President Rick Hirsch

Date

**The Planning Board will meet at the Powell County Community Center
416 Cottonwood Ave., Deer Lodge, MT 59722
For Further Information Contact:
The Powell County Planning Department**