

POWELL COUNTY PLANNING BOARD Minutes

Regular Meeting – Thursday, March 10th, 2022 – 1 PM

1. **Attendance:** With eight members being present at the onset of the meeting, a quorum was established.
Members present: John Hollenback, Bill Pierce, Randy Mannix, Justin Williams, Rick Hirsch, John Wagner, Tracey Manley, and Earl Hall
Members absent: John Beck
Staff: Amanda Cooley, Ann O'Toole
Public: Mike Newhouse, Cynthia Montagne

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

2. **Approval of Agenda** A motion was made to approve the agenda by Member Pierce. Seconded by member Hollenbeck. Approved with unanimous consent.
3. **Approval of Minutes**
 - a. February 10th minutes: A motion was made to approve the minutes by Member Hollenbeck. Seconded by Member Mannix. Approved with unanimous consent.
4. **Non-Public Hearings**
 - a. Yoder Amended Plat with b. GC Christian Fellowship Amended Plat
The Yoder and GC Christian Fellowship submissions are a single boundary relocation. Since the legal descriptions for two separate subdivisions are being altered, Hochstetler C-609 tract 2-A-2 and Miller C-616 tract 11A3, the planning staff requested that the petitioner submit an application for each subdivision.
Director Cooley presented the request by Mike Newhouse, representative of the applicants, to amend the Hochstetler and Miller subdivisions by relocating a common boundary between the two plats. The relocation consists of an even swap of 10 acres. The parcels are located in Section 11 of Township 9N, Range 11W which lies within zoning district 1.
Member Mannix questioned whether the pre-existing approach would be used or whether a new one would be made. Mr. Newhouse explained that the existing approach would be used and would now legally be part of the tract, whereas it was just an easement before. Member Pierce questioned whether the county had any part in regulating the development of a cemetery on the resulting tract 2-A-2 of the Hochstetler Subdivision. Director Cooley informed the board that no action needed to be taken on the county's behalf, and that all regulation would be done at a state level. With no further inquiries, Member Hall motioned to approve the request to amend the Miller Subdivision plat. Member Manly seconded the motion and the motion was carried unanimously. Member Manly motioned to approve the request to amend the Hochstetler Subdivision plat. Member Williams seconded the motion and the motion was carried unanimously.
 - c. Dippold, et. Al. Boundary Relocation
Anna Vickers, on behalf of Martin Dippold and Cynthia Montagne (132nd Street Associates LLC & Taylors Landing LLC) submitted a request to relocate common boundaries between the two

property owners. Miss Cooley presented the request to the planning board. The parcels under consideration for boundary relocation are located in Sections 13 and 14 of Township 10N Range 10W. The petitioners request to do a “10 acre swap to address encroachment by a structure of Dippold’s and some mining piles.” This request does reduce one of the parcels below the required 160 acre minimum for the zoning district; however, Section V-E-3(d)(v) of the County’s Zoning & Development Regulations allows for this to be an exception.

President Hirsch questioned whether additional lots would be created through this relocation. Director Cooley demonstrated that this request would not create additional parcels. Member Pierce questioned whether this could be used as a loophole to create small or additional lots. Miss Cooley explained that there is no way that additional lots could be created but that boundaries could be moved such that very small lots are a result. The board does have the ability to deny such a request if it appears to be an attempt to evade subdivision regulations. Member Hall questioned how the buildings came to be on another landowner’s property. Ms. Montagne explained the Mr. Dippold has a subsurface mining claim that transects her property. The board also verified the ownership of all of the parcels in question. With no further questions, Vice-President Pierce moved to approve the boundary relocation request and Member Hollenbeck seconded the motion. The motion passed 8-0.

5. Public Hearings

- a) None

6. Continued Business

- a. None

7. Planning Board Comments

8. Staff Updates

- a. County Attorney
- b. Planning Staff
- c. Other

9. Public Comments

- a. None

10. Announcement of the April 14th Meeting

11. Adjourn Member Mannix moved to adjourn the meeting at 1:36p.m. Member Hollenbeck seconded the motion.

Respectfully Submitted,
Amanda Cooley
Powell County Planning Director

President Rick Hirsch

Date

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