



Planning Department

Powell County Planning Department • Missouri Avenue • Suite 101 • Deer Lodge, Montana 59722
406.846.9729 / bbender@co.powell.mt.us

MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, April 11, 2013 at 1 PM.

Members Present: John Beck, Earl Hall, Rick Hirsch, John Hollenback, Tracy Manley, Randy Mannix, & Kenneth Martin

Members Absent: Bill Pierce, & Bruce Thomas

Staff: Brian Bender, David Corcoran, & Lewis Smith

Public: Greg Carrison (via Skype), Peter Miller, Fred Nadeau, Mike Stenberg, & David Yoder

President Manley called the meeting to order at 1:15 PM.

Agenda Item #1 – Attendance

Seven Members being present established a quorum.

Agenda Item #2 – Approval of the Agenda

The Board agreed to amend the agenda to hear the Carrison request first since he was attending the meeting via Skype.

Agenda Item #3 – Approval of Minutes

Member Hall moved, with Member Hollenback seconding, to approve the March 11th Minutes as presented. The Board approved the motion through a vote of seven to zero.

Agenda Item #4 – Continued or Tabled Business

None.

Agenda Item #5 Public Hearings

- a. Conditional Use Permit request submitted by Greg Carrison to construct a third residence on a parcel in Zoning District #3.

President Manley noted to the Board that the petitioner is unable to attend the hearing in person; however, he is able to participate via Skype.

Greg Carrison introduced himself and thanked the Board for their willingness to proceed with the hearing. He continued by explaining how his brother and himself own the property, and their intent to operate it as a cattle ranch. He also noted that he is approaching retirement age and this ranch constitutes his chosen retirement.

Member Mannix asked about the driveway.

Planning Director Bender highlighted the proposed driveway on the Mapping Exhibit.

Member Hirsch asked about the existing homes and the need to ensure the new home is on a 160-acre lot.

Greg Carrison explained his intention to divide the acreage to accommodate the home. He continued by saying the possible division may have his brother having 179-acres and him owning the remaining.

Member Mannix moved, with Member Hirsch seconding, to grant a Conditional Use Permit to Greg Carrison to construct a residence on a 632-acre parcel already containing two dwellings. The motion contained the four conditions listed in the April 1st Staff Report. The Board approved the motion through a vote of seven to zero.

- b. Conditional Use Permit request submitted by Peter Miller to construct a shop building in Zoning District #1 of Gold Creek.

Planning Director Bender provided the Planning Board an overview of the request and noted the receipt of two letters of opposition to the request. He also noted an email from NorthWest Energy stating there is sufficient electricity to supply the proposed use.

Member Hollenback acknowledged he spoke to a neighbor who opposes the request. He continued by explaining that Member Thomas does not have a business relationship with the petitioner.

Planning Director Bender explained the comments described in the Staff Report.

Member Hall stated this is a manufacturing use with a high fire potential. He continued by explaining how a fire suppression is designed and implemented for such a use.

Member Hirsch expressed concerns regarding the Planning Board's authority to place State Building Codes on applicants.

County Attorney Smith recommends the Planning Board not to disregard State and Fire Building Codes.

Planning Director Bender noted the authority of the Planning Board to place conditions on a Permit to mitigate the use.

Member Hirsch conveyed frustration with the lack of consistency with Board actions.

County Attorney Smith remarked the Planning Board needs to be consistent.

Peter Miller explained his request and agreed that fire suppression is very important in a wood working shop.

Member Mannix asked of road and traffic conditions.

Peter Miller answered there will be some traffic associated with the use. He also described the presence of at least one semi per month, and a gooseneck trailer accessing the site during the week.

County Attorney Smith asked of the number of employees.

Peter Miller responded by saying three – himself, his business partner, and his son.

Member Mannix asked of screening.

Peter Miller envisioned the planting of evergreens of six to eight feet tall.

Member Hollenback stated the neighbors have legitimate concerns especially regarding lighting, and that Harry Allen has a right to express his opinions.

President Manley acknowledged the Board does like to receive comments from neighbors.

Member Hirsch noted that change is going to happen, and the buildings are applicable in a ranching area.

Member Hollenback said there is always a difference of opinions regarding change.

Member Mannix recognized the use is a plus for a rural community. He also noted diversity is good for a community.

Member Hollenback raised concerns about the Planning Department's track record of enforcing conditions on previously approved permits.

Member Hollenback asked how will the building be heated.

Peter Miller responded by describing a wood fired heater situated on the outside of the building.

Member Hollenback asked how much a fire suppression will cost.

Peter Miller replied by saying he is unsure and he will work with the State.

Member Hall explained he could not vote in favor of the request until the petitioner addresses the State code issues.

Member Hirsch also expressed an interest to see additional information on the request.

Member Hirsch moved, with Member Hall seconding, to table the request by Peter Miller for a Conditional Use Permit until next month to allow the petitioner the opportunity to provide additional information relating to parking, screening, lighting, State codes, and the vacuum system. The Board approved the motion through a vote of seven to zero.

Agenda Item #6 Non-public Hearing Items

a. Rock Creek Cattle Company amended plat

Planning Director Bender explained the request and how the Planning Board makes a recommendation for the County Commissioners to consider.

Mike Stenberg gave the Planning Board an overview of the request.

Member Hall spoke of potential of fire protection and the need for the possible use of fire sprinklers in the residences.

Mike Stenberg responded by noting up to half of the units already have them.

Member Hirsch sought clarification on the lot configuration and numbering.

Member Hollenback moved, with Member Beck seconding, to forward a favorable recommendation for the proposed plat amendment to the County Commissioners. The Board approved the motion through a vote of seven to zero.

b. Conservation Easements Map

Environmental & GIS Technician Corcoran explained the map as well as his attendance at the Blackfoot Challenge's recent conservation workshop.

c. FW&P's draft Environmental Assessment for three conservation easements (Murray Douglas, Murray Creek, and Douglas Creek)

The Planning Board instructed Planning Director Bender to compose a letter to the agency relating to the grazing management of these easements.

Agenda Item #7 – Planning Board Comments

None.

Agenda Item #8 – Staff Updates

a. County Attorney

None.

- b. Planning Director
Brian Bender updated the Board of the Ovando and Garrison cell towers and acknowledged the latter is functioning with a service provider.
- c. Other
None.

Agenda Item #9 – Public Comments

None.

Agenda Item #10 – Announcement of the May 9th meeting

Planning Director Bender noted the Department is going to accept a Conditional Use Permit petition to operate a children’s horse camp outside of Ovando.

Agenda Item #11 – Adjourn

Member Mannix moved, with Member Hall seconding, to adjourn the meeting. The Board approved the motion through a vote seven to zero.

President Manley declared the meeting adjourned at 3:15 PM.

Respectfully Submitted,
Brian P. Bender, AICP, CFM
Powell County Planning Director



Tracy Manley, President



Date