



Planning Department

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MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, January 9, 2014 at 1 PM.

- Members Present:** John Beck, Rick Hirsch, John Hollenback, Tracy Manley, Randy Mannix, Kenneth Martin, & Bill Pierce
- Members Absent:** Earl Hall, & Bruce Thomas
- Staff:** Brian Bender, David Corcoran, & Lewis Smith
- Public:** Rex Kendal, Kevin Marks, Mike Stenberg, & Bob Stone

President Manley called the meeting to order at 1:03 PM.

Agenda Item #1 – Attendance

Seven Members being present established a quorum.

Agenda Item #2 – Approval of the Agenda

Member Mannix moved, with Member Martin seconding, to approve the agenda as presented.

Agenda Item #3 – Approval of Minutes

Member Hollenback moved, with Member Martin seconding, to approve the December 5th Minutes as presented. The Board approved the motion through a vote of seven to zero.

Agenda Item #4 – Election of officers

Member Hollenback moved, with Member Pierce seconding, for the Planning Board to keep the existing officers (Tracy Manley as President and Rick Hirsch as Vice President). The Board approved the motion through a vote of seven to zero.

Agenda Item #5 Continued or Tabled Business

a. None.

Agenda Item #6 Public Hearing

- a. Amendment to Rock Creek Cattle Company's Planned Unit Development
President Manley opened the public hearing by describing the request.

Planning Director Bender gave an overview of the request and noted the lot line subject to amendment on the PowerPoint's Mapping Exhibit.

Member Mannix asked if this was not the PUD's perimeter boundary, then no public hearing would be necessary.

Planning Director responded that is correct.

Member Beck asked if there is a hill or ridge on the lot.

Mike Stenberg pointed out the topography on the Mapping Exhibit.

Member Pierce asked how the amendment effects the set aside requirement.

Mike Stenberg replied there is sufficient acreage in the reserve.

Vice President Hirsch asked of the limitations to build on ridgetops.

Mike Stenberg explained the intent of the PUD is to keep the development in the lower elevations.

President Manley closed the public hearing.

Member Pierce asked if the PUD boundary has a legal metes and bounds description.

Mike Stenberg answered by saying no.

Planning Director Bender explained the boundary is similar to a zoning district and they do not have metes and bounds description.

Member Pierce moved, with Vice President Hirsch seconding, to approve the PUD amendment as presented with the four conditions recommended by staff. The Board approved the motion through a vote of seven to zero.

Agenda Item #7 – Non-public Hearing Items

- a. Rock Creek Cattle Company's Boundary Relocation
President Manley opened the discussion and explained this is the second part of the PUD amendment.

Planning Director Bender summarized the request and confirmed Lot #86's boundary mirrors the PUD amendment the Planning Board just considered and approved.

Mike Stenberg answered questions regarding the lot's septic provisions.

The Planning Board held a general discussion relating to the PUD's set aside requirements.

Member Pierce moved, with Member Mannix seconding, to affirm the Rock Creek Cattle Company's Boundary Relocation is not an attempt to evade formal subdivision review and attached one condition to their decision. The Board approved the motion through a vote of seven to zero.

b. Ovando Cell Tower

Planning Director Bender informed the Planning Board received a letter from Mike Grayson, an attorney for Clearview Tower regarding the status of the Ovando cell tower.

County Attorney Smith explained his thoughts of the situation and told the Planning Board he sent Mike Grayson an email reply (the Board received a copy of that message).

Member Martin asked if the Planning Board has the authority to see a contract between Clearview and AT&T stating the AT&T intends to use the tower.

County Attorney Smith answered the Planning Board has the right to see such contract.

The Planning Board held a general discussion on the matter and agreed Clearview Tower should submit an extension for their Conditional Use Permit for the February 6th meeting. The Board also acknowledged they will consider the extension as a public hearing (as required by the Zoning and Development Regulations for a second permit extension).

Agenda Item #8 – Planning Board Comments

None.

Agenda Item #9 – Staff Comments

a. County Attorney

County Attorney Smith advised the Planning Board he is preparing revisions to the Zoning and Development Regulations and Subdivision Regulations that are consistent with the decision of the State Legislature regarding man camps.

b. Planning Director

Planning Director Bender informed the Planning Board the County Commissioners approved the revised Fee Schedule on January 6th and Montana Department of Environmental Quality agreed to fund revisions to the Growth Policy and regulations relating to the Clark Fork River Superfund.

Member Hollenback expressed concerns that any revisions to the Clark Fork River Superfund Overlay District include comments made by individuals who own property within the District.

c. Other

Bob Stone informed the Planning Board of the consequences of Agenda 21 and stressed they read the doctrine.

Kevin Marks agreed Agenda 21 contains portions that are intimidating but, also noted it has value to guide planning efforts.

Kevin Marks spoke of the problems the City of Deer Lodge is facing.

Agenda Item #10 – Public Comments

None.

Agenda Item #11 – Announcement of the February 6th meeting

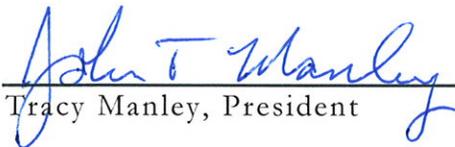
The Planning Board set their next meeting for February 6th at 1 PM.

Agenda Item #12 – Adjourn

Vice President Hirsch moved, with Member Beck seconding, to adjourn the meeting. The Board approved the motion through a vote seven to zero.

President Manley declared the meeting adjourned at 2:25 PM.

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



Tracy Manley, President



Date