



Planning Department

Powell County Planning Department | Missouri Ave. | Suite 101 | Deer Lodge, Montana 59722
406.846.9729 | bbender@powellcountymt.gov

MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, June 12, 2014 at 1 PM.

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

Members Absent: Randy Mannix, & Bruce Thomas

Staff: Jeanine Badanes, Brian Bender, & David Corcoran

Public: Carol Abbott, Dennis Abbott, Janice Driskell, Don Despain, Dave Hayden, Nancy Kelly, Al Lowery, Don Lowery, Bill Perry, Jeff Pinkhard, George Reistad, Larry Spangberg, & John Wilson

President Manley called the meeting to order at 1:02 PM.

Agenda Item #1 – Attendance

Seven Members being present established a quorum.

Agenda Item #2 – Approval of Agenda

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

Agenda Item #3 – Approval of Minutes

Member Hall moved, with Member Hollenback seconding, to approve the March 6th 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. Powell County Shooting Sports Association – Conditional Use Permit
President Manley opened the proceedings.

Planning Director Bender summarized the request.

Larry Spangberg introduced the members of the Association present.

Jeff Pinkhard described the Association's request and noted the benefits of the request to the community. He continued by explaining this property is a short-term solution as the Association only has a lease, how the facility will operate, and the necessary safety elements.

Larry Pinkhard noted with only 48-members that the Association should not create traffic congestion entering or leaving the site. He explained the shooting range should not depress adjacent property values or generate noise problems worse than a gravel pit.

Planning Director Bender clarified the Ordinance's provisions regarding emergency access.

Larry Spangberg confirmed the Association is willing to comply with all conditions listed in the Staff Report.

Member Hall asked how the Association will collect lead.

Larry Spangberg noted the Association will follow EPA and NRA guidelines.

Member Beck asked for the hours of operation.

Larry Spangberg replied that the Association is not sure at this point.

Member Pierce asked about the proximity to residences.

John Wilson described the locations of the residences on the Mapping Exhibit shown on the PowerPoint.

Member Pierce asked of the effects of shooting on the residents.

John Wilson explained the effects of shooting on his property on East Side Road from neighbors and commented that a gravel pit would generate more noise. He continued by noting that the residences were built when the pit operated.

Larry Spangberg confirmed the Association will work with the site's topography.

Member Pierce asked what the noise propagation is.

Larry Spangberg described his online research and how there are few examples.

Planning Director Bender explained how other ordinances have specific decibel thresholds measured at property lines.

Member Beck asked if those measurements are at the property lines of the proposed ranges.

Member Hall asked of the possibility of shot shells and fragments leaving the site.

Larry Spangberg confirmed the Association will collect all shell materials

Vice President Hirsch asked of the design of the berms.

Larry Spangberg described how the berms will separate the ranges, and the Association will install side berms to create a tunnel-like avenues.

Member Beck asked of the location of the berms

John Wilson pointed out the potential placement of berms on the Mapping Exhibit.

Member Beck asked of a Fire Plan.

Larry Spangberg described there is a small chance of fires due to the site's topography, and lack of vegetation.

Member Beck asked of the acreage connected with the range.

Larry Spangberg noted the acreage on the Mapping Exhibit.

Member Pierce asked if the Planning Board has the authority to require berming.

Planning Director Bender responded by saying yes if the Board approves the request, the Association will need to submit a more accurate site plan.

Member Hall asked if it is appropriate to conduct a site experiment to determine the sound.

Planning Director Bender confirmed the Planning Board can table the hearing to view the site and test sound propagation.

Member Martin expressed concerns with the earlier comments regarding property values as all uses have impacts on property values.

Member Beck asked if the range would have exploding targets.

Larry Spangberg confirmed the Association will not use exploding targets and are willing to agree to a condition to that item.

Don Despain noted he resides in close proximity to the range and he has concerns with noise and a decrease in property values.

Janet Driscoll expressed concerns with the proposal especially with sound. She continued by describing a situation with sound of a motorcycle in the bottom of the pit. She also noted the bottom of the pit fills with water.

John Wilson explained the Association's willingness to conduct tests. Vice President Hirsch said he would like to conduct a shooting example.

Dave Hayden explained the Association did a similar test for Grant Kohrs Ranch, and the results returned minimal at best.

Don Lowery expressed concerns with the proposal relating to the safety of his kids and grandkids. He continued by saying he supports the Association but prefers the range is not in his neighborhood. He also worries regarding property values.

Don Lowery pointed out the location of his residence on the Mapping Exhibit and noted it was built eight years ago.

Dennis Abbott voiced similar concerns relating to noise and effects on property values for his residence built 23 years ago. He continued by saying he has heard shooting in the pit in the past. He is also worried for the safety of his grandkids.

George Reistad expressed concerns with noise and safety, and questioned if the Association has insurance.

John Wilson responded the Association has a policy for one million dollars.

George Reistad questioned if guns are allowed that close to Prison property.

Al Lowery expressed concerns with the hours of operation, security, and the need to have a lock gate.

John Wilson described the existing fences around the property's perimeter.

Nancy Kelly noted the presence of irrigation pivots and hay stacking on her property north of the pit.

Member Beck asked where the hay is stacked.

Nancy Kelly pointed out the area on the Mapping Exhibit.

President Manley closed the public hearing.

Planning Director Bender explained how a site visit would work and how the Association and Planning Board will need to agree to possible noise limiting language as a condition.

Deputy County Attorney Badanes noted the State has laws limiting the ability of the Planning Board to place controls on shooting range noises.

Vice President Hirsch wants to conduct a site visit to check out the noises. He continued by questioning how the Planning Board should consider property values.

Member Hall wants to see a condition to prohibit exploding targets. He continued by saying he would like to see the Association meet with the residents to discuss their concerns.

Planning Director clarified how the Planning Board should consider the role of property values in their deliberations.

Member Hall asked what the length of the lease is.

The Planning Board held a general discussion regarding the option of placing a time limit on the Permit.

Member Hollenback asked of the reference to DEQ in the Report.

Planning Director Bender explained the agency's borrow area is west of the site and Brian Bartkowiak's comments.

The Planning Board discussed the feasibility of conducting a site visit.

Member Martin moved, with Member Hall seconding, to table the hearing to allow for the scheduling of a site visit. The Board approved the motion through a vote seven to zero.

Agenda Item #6 – Non-public Hearing Items

- a. Planning Board Review of Conditional Use Permit #03-13 (Lone Ram Ranch)
Planning Director Bender explained the status of the property, and the improvements authorized through the Conditional Use Permit and Development Certificate.

The Planning Board discussed the situation and advised the Planning Director to compose a letter to Big Horn Ministries asking them to explain what their intent with the site is.

- b. Review of Chapter II of the Growth Policy (Goals, Objectives, and Policies)
Planning Director Bender described the purpose of the revisions.

Member Pierce expressed concerns with the Growth Policy having language that directly contains code references. He continued by pointing out the proposed language relating to the Wildland Urban Interface.

Planning Director Bender agreed to make changes.

Member Beck asked of the change contained on Page #4, No: 6.

Member Hall asked of the change contained on Page #1. He continued by saying his preference is to have the edits shown as a strike thru document.

c. Growth Policy Discussion

Planning Director Bender displayed a proposed cover for the revised Policy and asked them if they can provide pictures for the document.

Agenda Item #7 – Planning Board Comments

President Manley asked if staff is aware of a cellular communications for a site west of Ovando, just north of Highway 200.

Planning Director Bender replied staff recently became aware of the proposal however, staff has not received any applications for the project.

Agenda Item #8 – Staff Comments

a. County Attorney
None.

b. Planning Director
None.

a. Other
None.

Agenda Item #9 – Public Comments

None.

Agenda Item #10 – Announcement of the July 10th meeting

President Manley announced the next meeting is set for July 10th at 1 PM.

Agenda Item #11 – Adjourn

Member Beck 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 3:40 PM.

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



Tracy Manley, President



Date