



Planning Department

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MINUTES

PLANNING BOARD

The Powell County Planning Board met in a regular session on Thursday, July 10, 2014 at 1 PM.

Members Present: John Beck, Rick Hirsch, John Hollenback, Tracy Manley, Kenneth Martin, Randy Mannix, Bill Pierce, & Bruce Thomas

Members Absent: Earl Hall

Staff: Brian Bender, David Corcoran, & Lewis Smith

Public: Don Despain, Brian Haines, Lloyd & Ruth Koehler, Scott & Joleen Koehler, Bill Perry, Jeff Pinkhard, Larry Spangberg, David Yoder, & John Wilson

President Manley called the meeting to order at 12:58 PM.

Agenda Item #1 – Attendance

Eight Members being present established a quorum.

Agenda Item #2 – Approval of Agenda

President Manley announced a change in the agenda's order to hear the Koehler COS and Yoder Subdivision before reopening the Shooting Sports Association Conditional Use Permit. The Planning Board agreed to the change.

Agenda Item #3 – Approval of Minutes

Member Martin moved, with Member Thomas seconding, to approve the June 12th Minutes as presented. The Board approved the motion through a vote of eight to zero.

Agenda Item #4 – Continued or Tabled Business

- a. Powell County Shooting Sports Association – Conditional Use Permit
President Manley started the proceedings and noted the need to open the public hearing.

President Manley explained the Board met at 11 AM at Mastodon Gravel Pit to toured the property and listen how the Association intends to improve the site. The Board then visited properties at 140 and 788 Lake Hill Road as Association members conducted firing exercises.

Member Martin moved, with Vice President Hirsch seconding, to open the public hearing. The Board approved the motion through a vote of eight to zero.

Planning Director Bender noted there were no new items of information, and the Planning Board should have documents from the County Attorney.

Planning Director Bender explained the benefit of the site visit and how to consider the influence of noise in the decision as this is a Conditional Use Permit, and the Board needs to consider all impacts on the neighborhood.

Vice President Hirsch asked if the Planning Board has the ability to place hour limits on the Permit.

Planning Director Bender replied the Board can if they are addressing a specific impact.

President Manley asked of the lease terms.

John Wilson described the terms of the lease as it runs a maximum of nine years.

County Attorney Smith announced his conflict of interest but acknowledged the lease terms since he reviewed the document.

Vice President Hirsch would like to see limited hours on the weekends such as start at noon on Saturdays and Sundays.

Member Martin agreed there is a need for hour limitations.

Member Hollenback stated he trusts the Association to monitor themselves, and ideally the neighbors and Association should work out the details together.

Don Despain expressed concerns with the ability to resale property after talking with an appraiser.

Vice President Hirsch asked if the Planning Board wants to discuss hours.

Member Martin said the Board should ask the Association since they have an idea.

John Wilson explained the Association favors 9 AM to 5 PM Monday thru Saturday in the winter; 9 AM to 8 PM Monday thru Saturday in the summer; and a block of four hours on Sunday agreed upon between the neighbors and Association.

Member Martin asked since there is additional hours on Saturday, would the Association be willing to concede hours on Sunday.

Jeff Pinkhard noted longer hours on the weekdays could compensate for weekend hours.

John Wilson expressed the importance of having a range available on Sundays.

Vice President Hirsch questioned if Sundays could be flexible depending on neighborhood activities.

Jeff Pinkhard agreed the Association can work around neighborhood activities on Sundays.

Member Mannix asked what the demand for early hours at the range is.

Jeff Pinkhard explained there is an interest due to the calmness of the weather.

President Manley moved, with Vice President Hirsch seconding, to close the public hearing. The Board approved the motion through a vote of eight to zero.

The Planning Board discussed how to review the Permit in the future.

Jeff Pinkhard acknowledged the Association can accept a three-year review timeframe.

Member Hollenback asked for clarification of acceptable hours from the Association.

Don Despain expressed concerns how the enforcement of hours will occur if a different group takes over.

Member Martin moved, with Member Thomas seconding, to issue a Conditional Use Permit to Powell County Shooting Sports Association to operate a range on a portion of the Mastodon Gravel Pit. The motion contained the nine conditions suggested by staff, and three new ones: (1) Hours of operation consist of 9 AM to 5 PM Monday thru Saturday in the winter; 9 AM to 8 PM Monday thru Saturday in the summer; and a block of four hours on Sunday agreed upon between the neighbors and Association; (2) The Permit is only valid to the Association (non-transferable); and (3) The Planning Board will review the Permit in three years. The Board approved the motion through a vote of eight to zero.

Agenda Item #5 - Public Hearings

a. Yoder Minor Subdivision

Environmental & GIS Technician Corcoran gave an overview of the request and noted the previous Conditional Use Permit required plantings for screening however, not all the trees went in.

David Yoder explained the trees went in unfortunately some died, and now the other shop building acts a screen.

Vice President Hirsch asked if the legal notice had a date.

Environmental & GIS Technician Corcoran said he was unsure.

Planning Director Bender confirmed the notice still described the request and staff did not receive any remonstrance.

Member Thomas moved, with Member Hollenback seconding, to forward the David Yoder Minor Subdivision to the County Commissioners with a favorable recommendation. The motion contained the one condition suggested by staff. The Board approved the motion through a vote of eight to zero.

Agenda Item #6 – Non-public Hearing Items

- a. Koehler Family Conveyance COS
GIS & Environmental Technician Corcoran summarized the request and noted County Sanitarian Lanes accepts the COS.

Member Beck asked where the site is.

GIS & Environmental Technician Corcoran described the location and noted its presence on the Mapping Exhibit.

Member Mannix asked of road access.

Environmental & GIS Technician Corcoran explained the lot is on both sides of the private road.

Vice President Hirsch asked if the road is the only access for the land beyond this lot.

Environmental & GIS Technician Corcoran replied yes and there is an access easement with notation on the plat.

Member Thomas moved, with Member Hollenback seconding, acknowledging the request is not attempt to evade formal subdivision review. The motion contained the one condition as suggested by staff. The Board approved the motion through a vote eight to zero.

- b. Pipeline Development Permit
Environmental & GIS Technician Corcoran explained the purpose of the Permit as a means to collect additional information for GIS.

Planning Director Bender noted the intent is not to inform the operators of how to upgrade their facilities. He continued by explaining grant opportunities like this help the County fund GIS.

Member Pierce asked what the uses for the new equipment are.

Environmental & GIS Technician Corcoran explained how he will use the new laptop with GPS to map items throughout the County.

The Planning Board discussed value of the Permit and possible fees.

The Planning Board advised Staff to proceed with creating the Permit and establishing a fee.

- c. Review of Chapter III of the Growth Policy (Issues, Concerns, Opportunities and Constraints)

Planning Director Bender summarized the revisions.

The Planning Board discussed the importance of reevaluating the 160-acre, minimum lot size requirement for Zoning District #3. The Board also expressed an interest to review alternatives or options at a forthcoming meeting.

Agenda Item #7 – Planning Board Comments

The Planning Board discussed the impacts of Floodplain Regulations on rural property-owners.

Agenda Item #8 – Staff Comments

- a. County Attorney

County Attorney Smith informed the Planning Board that organizations are preparing for the 2015 Legislature.

- b. Planning Director

None.

- a. Other

None.

Agenda Item #9 – Public Comments

None.

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

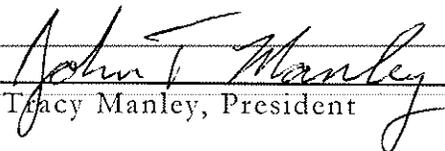
President Manley announced the next meeting is set for August 7th at 1 PM.

Agenda Item #11 – Adjourn

Member Pierce moved, with Member Martin seconding, to adjourn the meeting. The Board approved the motion through a vote eight to zero.

President Manley declared the meeting adjourned at 2:59 PM.

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


Tracy Manley, President

9-11-14
Date