



MINUTES

ADLC Planning Board

ADLC Courthouse, 3rd Floor Courtroom

Call To Order

Monday, January 8th, 2024, at 6 pm - Meeting called to order at 6:00 pm by Rose Nyman, Chairperson

Attendance

Members Present: Rose Nyman, Chairperson; Lacie Grosvold; Dan Reardon; Annette Smith; Art Villasenor

Members Absent: Frank Fitzpatrick, excused; Christine Klanecky, excused; Colleen Riley, excused; Bob Wren, excused

Staff Present: Carl Hamming, Planning Director; Gayla Hess, Planner II; Carlye Hansen Planning Department Secretary

Guests Present: Please see sign-in sheet. **Please see attachment.**

Approval of Minutes - Monday, December 11th, 2023

Motion

Motion was made by Art Villasenor to approve the minutes of Monday, December 11th, 2023, with an edit noted by Rose Nyman; seconded by Annette Smith. Motion passes 5-0

Nomination and Vote for 2024 Planning Board Chairperson

Rose Nyman, Chairperson, thought that it would be best if we table this nomination and vote due to the lack of Planning Board members this evening. All absences were excused this evening due to medical issues and travel issues with several members out of the state, it was felt best to put this off until the next meeting when all members can be present for the nominations and vote.

Motion

Motion was made by Art Villasenor to table the nominations and vote for the 2024 Planning Board Chairperson until the next scheduled meeting; seconded by Annette Smith. Motion passes 5-0.

Nomination and Vote for the 2024 Planning Board Vice-Chairperson

As noted above for the Planning Board Chairperson, this is the same scenario for the Vice-Chairperson.

Motion

Motion was made by Lacie Grosvold to table the nominations and vote for the 2024 Planning Board Vice-Chairperson until the next scheduled meeting; seconded by Art Villasenor. Motion passes 5-0.

Public Hearing

A PUBLIC HEARING on a subsequent minor subdivision application submitted by Rick Hamilton.

The preliminary plat proposes the creation of a 2-lot subdivision in the Opportunity Development District. The subdivision would include a 2.5-acre lot and a 5.85-acre lot. The legal description of the property prior to a recent boundary adjustment:

OPPORTUNITY ORIGINAL TOWNSITE, S15, T04 N, R10 W, Lot 46, ACRES 9

Pursuant to [Sec. 16-165](#) of the Code of Ordinances of ADLC, a public hearing is required before the Planning Board for consideration of the subdivision application.

Staff Report

Gayla Hess, Planner II, reviewed and presented the staff report put together by her and her office. All content can be located on the ADLC website. She discussed the nature of the request being Rick Hamilton, the applicant, proposing to subdivide an 8.35-acre parcel accessed from South Hauser Street. He wishes to create a 2-lot subdivision. There is an existing house with an address of 107 South Hauser Street and that would become 2.5-acres and a 5.85-acre tract would be created. The only comment that the Planning Department received back was from the Opportunity Volunteer Fire Department, and there were no issues noted.

The Planning Department does recommend conditional approval of the Amended Plat to Opportunity, and they ask for four (4) proposed recommendations and conditions of approval as listed in the staff report.

Questions from the Board

Ms. Nyman, Chairperson, asked if there was an agricultural report completed and Ms. Hess stated that it can be found on the ADLC website within the Document Center.

Applicant Report

Rick Hamilton, 109 S. Hauser

Mr. Hamilton and his wife are here this evening and had already presented their report at the last meeting in December of 2023. He stated that Dan Reardon had asked him about some easements on this property and Mr. Hamilton stated that these have all since been addressed.

Questions from the Board

None

PUBLIC HEARING

Proponents

Tim Hilmo, 207 South Leslie, Anaconda, MT

Mr. Hilmo and his wife are here this evening. They state that Mr. and Mrs. Hamilton are great neighbors, they are doing everything by the book, and they have no opposition to this subdivision at all.

Opponents

None

Public Comment

None. There were also no written comments received by the Planning Department.

Public hearing is closed.

Board Discussion

None

Motion

Motion is made by Art Villasenor, to approve the subsequent minor subdivision submitted by Rick Hamilton, and move this on to the Commission with the four (4) proposed recommendations and conditions as listed in the staff report; seconded by Dan Reardon. Motion passes 5-0.

Old Business

Subdivision Regulation Changes

Carl Hamming, Planning Director, explained that the Subdivision Regulations for the State of Montana have been updated and there are new regulations as determined through the past two legislative sessions. The three main items that we need to make these changes in our ordinances refer to Family Conveyances, Administrative Review, and Expedited Review. This concept will be pushed into Chapter 16 of the ADLC ordinances. Overall, there is not much changing, just some new language to add. This is what the law states we must do, so therefore there is not much wiggle room in any of these requirements.

Mr. Reardon feels that the Planning Board should defer all these changes and judgement to the Planning Department, as they better understand this, and he does not feel that they would have anything else to add.

There was some brief discussion and clarification about this on the part of Carl Hamming, Planning Director.

Motion

Motion is made by Art Villasenor to accept the red-line changes in the Chapter 16 Subdivision Regulations document and move this on to the Commission; seconded by Lacie Grosvold.
Motion passes 5-0.

New Business

None

Board Comments and Questions

Mr. Villasenor just wanted to verify that the vote for chairperson and vice-chairperson would, indeed, be taken at the next meeting, as he doesn't want this to extend on too farther into the year, as it did last year, and he believes that Ms. Nyman is probably ready to move on out of her seat as chairperson. It was discussed that at the next meeting, depending on the numbers, if there is a quorum, there will need to be a vote and decision made.

Mr. Reardon wanted to inquire about current activity in 2024. Ms. Hess stated that there are many calls fielded, but Mr. Hamming does not understand the bad stretch that we had last year and is hoping that things will be picking back up as we move into springtime.

Staff Comments and Questions

None

Miscellaneous/Public Comment

Janice Haggin-Delaney
1708 Copper Road

Ms. Haggin-Delaney stated that for every subdivision, a letter should go out to neighboring properties.

She is also asking questions about the subdivision regulations about family conveyances vs family transfers. Mr. Hamming tried to answer her questions and explained things about subdivision exemption reviews, which have existed for quite a few years. She asked where she could get a copy of these regulations and Mr. Hamming stated that this is all publicly available on the website within the document center.

Another question she has is whether there have been any land transfers since the new year? The only item that Mr. Hamming stated that he could think of was this public hearing that occurred earlier this evening. She asked what the criteria is to transfer land to the County vs another party, such as Discover Anaconda. She wants to know what the steps are in this process to acquire land. Mr. Hamming stated that he really cannot answer for Discover Anaconda, aka Local Development Corporation. He is not sure if they are trying to acquire any land right now. Right now, he states that he is not aware of anyone trying to acquire land other than some tax deeds occasionally that go through the Treasurer's Office. She then went on to ask who Mr. Hamilton was, and Mr. Hamming explained that this was the gentleman who had the prior public hearing earlier this evening, before she arrived at the meeting. She then asked if Mr. Hamming knew of other folks moving subdivisions within Anaconda. Mr. Hamming states that they talk to a lot of folks about the process and ask what land can be subdivided in the future, but there is not much out there at this time. S

She asked about MACO and Mr. Hamming stated that they have a Land Use Attorney who works in Helena and works with the legislature so they were helpful instrumentally in taking the Legislature's approved bills from the past two sessions to update the regulations and they put this into a template and offered the language to us in which we could utilize on the local level of the subdivision regulations.

Ms. Haggin-Delaney also wanted to know where the county was in terms of the lighting project going down Park Street. She feels that the weather has been nice and does not understand why this project was ended before completion. Mr. Hamming stated that this was due to the cold weather when it comes to laying asphalt and cement and that this is an issue in conjunction with the State of Montana. This is going to be started up again in the springtime.

Mr. Reardon did ask if that project is going to go West on Park Street, and Mr. Hamming stated that it is not.

Next Meeting

TBD

Adjournment

Motion

Motion is made by Annette Smith to adjourn this meeting; seconded by Dan Reardon. Motion passes 5-0. Meeting is adjourned at 6:39 pm.

Respectfully Submitted,
Carlye Hansen, ADLC Planning Department Secretary

Attachments: Guest Sign in Sheet

DRAFT