

MINUTES

ADLC Planning Board

ADLC Courthouse, 3rd Floor Courtroom



Audio was very difficult to hear.

Monday, May 1st, 2023, at 6:00 pm | Meeting called to order at 6:00 pm by Rose Nyman, Vice -Chairperson

Attendance

Members Present: Rose Nyman, Vice-Chairperson; Frank Fitzpatrick; Lacie Grosvold; Christine Klanecky; Dan Reardon; Colleen Riley; Annette Smith; Art Villasenor

Members Absent: Bob Wren, Chairperson

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, March 13th, 2023

Motion was made by Colleen Riley to approve the minutes of Monday, March 13th, 2023; seconded by Annette Smith. Motion passes 8-0.

Nomination and Vote for 2023 Chairperson of the Planning Board

Rose Nyman, Vice-Chairperson asked for a motion to move this agenda item to the end of the meeting.

Motion made by Art Villasenor to move this agenda item to the end of the agenda this evening; seconded by Frank Fitzpatrick. Motion passes 8-0.

Public Hearings

At this time, Ms. Nyman reviewed the procedure of running Public Hearings for those who are not familiar with the process.

Major Development Permit - SSGH2, LLC - John Hilton and Dan Harrington

PUBLIC HEARING on a subsequent minor subdivision application submitted by John Hilton and Dan Harrington of SSGH2, LLC will be held. The preliminary plat proposes the creation of a 3-lot subdivision on 6.42-acres within the Georgetown Lake Development District. Property is legally described as:

S20, T05 N, R13 W, C.O.S. 442D, ACRES 6.42, GEORGETOWN VISTA MINOR PHASE 2 REMAINDER (SEE COS442D)

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 as the applicants have submitted a subdivision

application to subdivide the Georgetown Vista Minor Phase 2 Remainder. SSGH2, LLC has hired Water & Environmental Technologies (WET) for engineering services to assist.

The Planning Department does recommend conditional approval of the TAC Vista Subsequent minor subdivision, and they ask for eleven (11) proposed recommendations and conditions of approval as stated in the staff report.

There were several comments received, one from Randy Arnold, Regional Supervisor, Region 2, MFWP, and one from Fred Bjorklund, Chief of the Georgetown Lake Volunteer Fire Department.

Questions from the Board

Frank Fitzpatrick asked about access roads, and this is covered under the Easements and Access portion of the Staff Report. Mr. Fitzpatrick noted that this grade will need to be 8% or less, which is the standard, and what is there now will need to be improved.

Applicant Report

Anthony Laslovich - Water & Environmental Technology

Mr. Laslovich is speaking on behalf of the applicants this evening. He states that he is working with a very impressive group of gentlemen heading up this project and he is basically here to answer any questions that the board may have this evening. He gave an overview of the project and gave some more facts regarding fire safety, and involving the ingress and egress roads, and how fires are fought from different directions.

Questions from the Board

Dan Reardon asked about the road coming off Denton's Road and the fact that there is a dip, or blind spot and he is asking about this and the safety factor of not being easy to see well. Mr. Laslovich stated that the new access road that would be used for this will cut through Elk Meadows and will go behind a new log home and over a knob on the hill. There was some clarification and discussion pointing out the various access and what will be happening with this in the future.

Rose Nyman did ask if Mr. Laslovich was speaking on behalf of the applicants or if the applicants would like to speak themselves. Mr. Laslovich is speaking on behalf of the applicants.

Public Hearing

Proponents

None

Opponents

Ms. Hess did receive two letters. One letter was from Kurt Unger from the Georgetown Lake Volunteer Fire Department and the other was from Pat Kenney, from Lincoln, MT, who has neighboring property to this proposed subdivision location. Both letters were read into the record. **Please see attachment.**

Board Discussion

Mr. Reardon asked Ms. Hess if the DEQ codes for Subdivision 3, 8, and 20 were omitted, according to Mr. Kenney, and he is wondering if there is something that the Board is missing regarding ground water contamination or anything of that nature. At this time, Ms. Hess stated that this project was started in 2005, and they have not seen anything regarding this project since that time.

Ms. Grosvold asked to have the applicant address the letter submitted by Mr. Kenney. Mr. Laslovich stated that this information originated in 2005 to lift the sanitation restrictions and they have confirmed this. This is also not going to be a mixed family type unit subdivision. He doesn't have the exact numbers on what Mr. Kenney was discussing. He states that this will be investigated but doesn't feel that any of this is really a concern at this time.

Ms. Riley then asked what kind of follow-up or if any updating of the impact study would be done. Again, Mr. Laslovich stated that he will have to look back and see what the subdivision sections are that Mr. Kenney is referencing, but he doesn't think that there is anything to update at this time.

Ms. Grosvold asked if Mr. Kenney is involved with DEQ directly and it is noted that he is a neighboring property owner.

Ms. Nyman asked if Chad Lanes, Tri-County Sanitarian has been involved with any of these discussions. From what Ms. Hess recalls there were no issues with Mr. Lanes.

Mr. Villasenor asked Mr. Hamming if there would be any alterations to the recommendations set forth by the Planning Board, and Mr. Hamming said there would be none.

Ms. Grosvold asked Mr. Hamming to explain Parkland Dedication to her and this was discussed.

Motion

Motion is made by Art Villasenor to approve this application by SSGH2, LLC with the eleven (11) recommendations and proposed conditions as noted by the Planning Department Staff, and move this on to the County Commission; seconded by Dan Reardon. Motion passes 8-0.

Old Business

None

New Business

Preapplication Meeting - Subdivision Application - John Atkerson

Carl Hamming, Planning Director, wanted to do a brief overview of this project. This is an informal pre-application meeting, and no action will need to be taken until the Public Hearing that will take place later this summer.

Mr. Hamming reviewed that Mr. and Mrs. John Atkerson own the property on which A&A Technical operates their business. The Ackerson's wish to subdivide the existing 1.3-acre tract into two lots to separate the car wash from the office and garage. They did initiate this project several years ago, but due to complications, the process did get interrupted, and they are wanting to start over at the beginning.

Questions from the Board

Mr. Fitzpatrick just wanted to verify exactly what this split entailed as far as that triangle of property down there. This was answered for him by Mr. Hamming.

Mrs. Riley asked about whether there would be privacy fencing put up around the property. Mr. Hamming stated that in the Light-Industrial Development District, this is allowed and urged to make the properties more appealing to those who must view them. At that point, Mr. Fitzpatrick also asked about the possibility of landscaping and the applicant stated that he would love to do some landscaping, and has tried this, but currently, he is having trouble finding things to hold up against the deer population in our county.

Applicant Report

John Atkerson, 314 Van Buren

Mr. Atkerson just wanted to introduce himself and give a brief insight into what he wants to do. They do not want to expand the business in anyway, and are, in fact, hoping to remove the carwash from their responsibility. Mr. Atkerson will be doing more in the way of getting more information for this application to proceed with the Public Hearing.

Mr. Reardon asked what the current use is for the old A&A business site at Alder and Park Streets. Mr. Atkerson stated that at this time, they are using this for the storage of impounds. He states that the state is very difficult to deal with when it comes to abandoned cars, and that it is not something he can just haul off. This is quite a process and when he ends up getting stuck with a vehicle, this is where he must store these vehicles until the paperwork is sorted out.

This will be seen on the agenda as a public hearing soon.

MDP Requirements

At the last meeting, Mr. Fitzpatrick asked us to take a small block of time at tonight's meeting to discuss the MDP process and the requirements that are needed for this, as he has felt in the past, that the applications are significantly lacking in this information.

Mr. Hamming went over how the process works and states that when trying to set dates for an agenda, and with the requirements for Public Hearings, it is hard to get the property owners to get all the information together in a timely manner, therefore, leading to the incomplete applications when they are turned into the Planning Department. The Department tries to work with the property owners to get these plans and questions answered, but sometimes this is deemed to be very difficult. Mr. Fitzpatrick has stated that from hereon, he will just review what he gets and contact Mr. Hamming or the Planning Department directly with any questions he may have.

At this time, Mr. Fitzpatrick is also asking for some sort of follow-up report on items after they have left the Planning Board and moved on to the Commission. He states that a lot of times, they won't hear any follow-up for months and this is rather bothersome since they all put in the time and effort to work on it, and a lot of times do not know what the result turns out to be. Mr. Hamming states that this can be done.

Nomination and Vote for 2023 Chairperson of the Planning Board

Ms. Nyman stated that she questioned this topic last week when she picked up her packet, and she has given this much thought over the weekend and has reached out to various staff members. She has researched open meeting laws, as well as other documents through the state regarding the situation that occurred at the last Planning Board meeting, that being that Bob Wren was nominated and voted in as Planning Board Chairperson, while not at the meeting to accept the nomination. It turns out that Mr. Wren is not interested in being the Planning Board Chairperson and has written a letter to that fact that is attached to the packets this evening. **Please see attachment.**

At this time, this vote will need to be formally rescinded before they can nominate or elect another Chairperson. There was a significant and detailed discussion regarding this issue. She is feeling that we need to table this agenda item, as well as wait until Mr. Wren can be at our meeting, and we will rescind the nomination and vote, and then move on with another nomination and vote for the Chairperson for 2023.

Motion

Motion is made by Art Villasenor to table this agenda item until the next meeting when Mr. Wren will be present to rescind the nomination and vote for him as Chairperson, and make a new nomination and take a new vote for the 2023 Chairperson; seconded by Lacie Grosvold. Motion passes 8-0.

Motion

Board Questions and Comments

Ms. Nyman just wanted to make sure that everyone reviewed the ordinance that was sent out by Ms. Hansen regarding the handling of the various board meetings.

Staff Questions and Comments

None

Public Comment

None

Next Meeting

TBD

Adjournment

Motion was made to adjourn by Art Villasenor; seconded by Lacie Grosvold.; Motion passes 7-0.

Finals Minutes Approved

Respectfully Submitted,
Carlye Hansen, ADLC Planning Department Secretary

Attachments: Guest Sign in Sheet
Comment Letters
Letter from Mr. Bob Wren

DRAFT