



MINUTES

ADLC Planning Board

Community Center, 3rd Floor Conference Room

Monday, May 10th, 2021 at 6:00 pm | Meeting called to order at 6:03 pm by Rose Nyman, Chairperson

Attendance

Members Present: Rose Nyman, Chairperson; John Lombardi, Vice-Chairperson; Frank Fitzpatrick; Colleen Riley (via conference call) Annette Smith; Mary Kae Eldridge; Christine Klanecky; Bob Wren

Members Absent: Art Villasenor, excused

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

Guests Present: Please see sign-in sheet.

Approval of Minutes

March 22nd, 2021

Motion was made by John Lombardi to approve minutes from March 22nd, 2021, with corrections as noted; seconded by Annette Smith. Motion passes 8-0

Public Hearings

1. Alpha TeleCom Systems

A PUBLIC HEARING on a Major Development Permit (MDP) request by Alpha TeleCom Systems, Inc for a wireless communications site. Applicants propose to construct a 195' cell tower and supporting equipment on a 75'x75' leased area within the East Valley Development District. The project area is accessed from N Galen Loop and is approximately 1.5 miles west of I-90. Pursuant to Sec. 24-283, an MDP is required for any proposed special use in this development district. Property is legally described as:

S25, T06 N, R10 W, C.O.S. 332B, ACRES 180.019, TRACT 1A, IN S2

Staff Report

Carl Hamming, Planning Director reviewed and presented the staff report put together by he and his office. All content can be located on the ADLC website. Mr. Hamming reviewed the nature of the request by Alpha TeleCom as, "The applicant is proposing a special use for the EVDD and per Sec: 24-283 of the Development Permit System, a Major Development Permit (MDP) is required. Alpha TeleCom Systems, Inc. has submitted an application to install a 195' self-support communications tower site on a leased 75' x 75' area. The leased area is planned to include an 8' tall chain-link with barbed wire surrounding the tower (enclosing a 45' x 30' area and a smaller fenced area surrounding an electrical service panel. They will also create a 225' long access road to access the project area.

The Planning Department does have proposed conditions, and these were gone over in detail,

Applicant Report

John Mizelle from Alpha TelCom Systems, Inc was on this meeting remotely. Mr. Mizelle stated that all the conditions that he heard are agreeable. At this time, he has nothing to add.

Questions from the Board

Bob Wren wanted to ask an informational question. He wanted to ask Mr. Mizelle what the FAA requirement is for height before you would need a light for air traffic. Mr. Mizelle said that the FAA requires everything over 200' unless it is determined to be an obstruction to aviation and this has been determined not to be a hazard, so there would be no lighting on this tower.

Public Hearing

Proponents:

1. None

Opponents

1. None

Public Comment:

1. None

Board Discussion:

1. None

Motion is made by Colleen Riley to approve this Major Development Permit with the conditions given by the ADLC Planning Department and move this on to the ADLC Commission; seconded by John Lombardi. Motion passed 8-0.

2. Developmental District Map Amendment – Smelter City Estates, LLC

A PUBLIC HEARING on a Development District Map Amendment request by The Smelter City Estates, LLC to designate the remainder Lot13A of the Smelter City Estates Subdivision as Medium Density Residential Development District, a change from the current Anaconda Residential Estate District 1.0 designation. The subject property is bisected by Washoe Street and is accessed from Tamarack on the northwest and Juniper Street and Marcus Daly Drive from the southeast. Pursuant to Sec. 24-41 of the DPS, a public hearing is required before the Planning Board for their consideration to recommend approval to the ADLC Commission. Property is legally described as:

S04, T04 N, R11 W, LOT 13A, ACRES 12.208, COS 451C & 395A

Staff Report

Carl Hamming, Planning Director reviewed and presented the staff report put together by he and his office. All content can be located on the ADLC website. Mr. Hamming reviewed the nature of the request to “amend the development district designation from Anaconda Residential Estate District (ARED) 1.0 with a minimum lot size of 1 acre to Medium Density Residential Development District (MDRD) with a minimum lot size of 4200 square feet. This change would support Phase III of the Smelter City Estates Subdivision.

The Planning Department does have proposed conditions, and these were gone over this evening in detail,

Mr. Hamming wanted to state to all the attendees that this gives a little bit of overview and would be the first step in a long process with a lot of input and a lot of public comment. The Subdivision would eventually go through the Planning Board with a Public Hearing, the Commission with a Public Hearing, and a preliminary plat approval level, as well as final plat approval to fulfill all the conditions of preliminary plat approval. There would be three more public hearings for just this subdivision review, as well.

Applicant Report

Mr. Kevin Orrino, Smelter City Estates, LLC, was present at tonight's meeting. Sarah Jones, PE, from DeLuxe Engineering was also present. Mr. Orrino, as well as Ms. Jones, went over the history of the Smelter City Estates, LLC, and his plan for further develop the Estates. This would require amending the Anaconda Residential Estate District to the Medium Density Residential Development District. Tonight, will just be the first step in the future of this phase of the subdivision.

Due to a significant computer/recorder malfunction, the rest of this meeting was very inaudible and finally the machine quit recording entirely.

There were many items discussed this evening from size and location, surrounding land uses, the growth policy involvement, DPS regulations, etc. There were several letters read in opposition of this project, and those comments will be attached to this document.

Public Hearing

Proponents:

1. Letter from Dave and Susie Krueger in favor of proposed subdivision

Opponents

1. There were numerous opponents for this subdivision. These included:
 - a. Telephone call to the Planning Department from Thomas Hotalen in opposition of proposed subdivision map amendment
 - b. Email from Karen and Ed Smith in opposition of proposed subdivision map amendment
 - c. Planning Department visit from Larry and Kathy Parks in opposition of proposed subdivision map amendment
 - d. Ann Moreni – called in via conference call
 - e. Mary Stallings
 - f. Donna Capp
 - g. Joann Proxell
 - h. Denise Noyd
 - i. Mona Valdez
 - j. Terry Blaz
 - k. Janice Hagan-Delaney
 - l. Lynette Foulger
 - m. Sandy Beaudette
 - n. Stanley Beaudette
 - o. Karen Kunz

All of the concerns were similar based on the large number of homes proposed, maintenance of subdivision, significant increase in traffic, dust mitigation, and loss or privacy from folks living immediately below this area. There was also a huge concern over the numerous trees that have grown over the years, and the fact that no one wants these to be pulled out or cut down. There are several stop signs that were discussed as well as the speeding factor up and around the hill into the subdivision.

Public Comment

1. None other than the concerns and discussions that took place as above.

Board Discussion

Extensive discussion was held among the board members regarding all of the issues mentioned above, as well as their own feelings in regards to the subject.

Motion is made by **Frank** Fitzpatrick to deny a Development District Map Amendment request by The Smelter City Estates, LLC to designate the remainder Lot13A of the Smelter City Estate Subdivision as Medium Density Residential Development District, a change from the current Anaconda Residential Estate District 1.0 designation; seconded by Bob Wren. Motion denied 8-0.

New Business

1. Subdivision Pre-Application Meeting for Smelter City Estates, LLC – Kevin Orrino and Sara Jones, PE

Motion is made by Annette Smith to table the Subdivision Pre-Application Informative Meeting for Smelter View Estates, due to the denial of the Development District Map Amendment request by the Smelter City Estates, LLC; seconded by Frank Lombardi. Motion approved 8-0.

2. Montana Legislative Updates

Carl Hamming, Planning Director, just wanted to share information from the 2021 Legislative Session regarding the new requirements for conditions of approval for subdivision. Seeing that the meeting this evening has gone longer than he thought it would, he was just wanted to make the Board aware and ask that they look over the information provided to them in their packet.

Board Comments and Questions

None

Staff Comments and Questions

None

Miscellaneous/Public Comment

None

Next Meeting

Monday, June 14th, 2021

Adjournment

Motion was made by Frank Fitzpatrick to adjourn the meeting; seconded by Annette Smith. Motion passes 8-0.

Final Minutes Approved

Final minutes approved 06/14/2021.

Respectfully Submitted,

Carlye Hansen, ADLC Planning Department Secretary

Merri Stallings

1808 Haggin

05/07/2021

Phone Call

She just wanted to express that she is totally against changing the designation from low to medium density regarding the Smelter View Estates.

She feels that they are trying to put too many homes in that area and says that she and the neighbors are very against this. She went back to the 2005 paperwork and she states that they have never done a dust abatement, and there was never any follow-up on the recommendations and requirements that were originally decided on back when this all started about 2005.

She also does not want the dog park. She does not want this in a residential area that is supposed to be a people park. She is upset that the County has not done their due diligence in maintaining it. She feels that they must put the playground equipment back for children in the neighborhood. She states that they want a gazebo and benches, picnic area etc. She feels that this would be much better use of the area and that a dog park should not be in a residential neighborhood.

David & Susie Krueger
1013 Marcus Daly Drive
Anaconda, MT 59711

May 5, 2021

Anaconda Deer Lodge County
Planning Department
800 S. Main
Anaconda, MT 59711

RE: Smelter City Estates Phase III subdivision

Due to previously made family plans my wife and I are not able to attend the Planning Board meeting scheduled for May 10th. We would however like to submit our full support of the Phase III Smelter City Subdivision.

The first step in the process is to amend the current designation of ARED 1.0 to a Medium Density Residential Development District (MDRD) for this area. We both support the amending Phase III area into a MDRD. We feel that this area provides much needed housing sites in a very desirable location. Anaconda is witnessing a growth spurt and the demand for housing is out weighing the supply. The proposed subdivision will also provide needed tax base for Anaconda-Deer Lodge County.

Thank you for this opportunity.