

LAKE COUNTY PLANNING BOARD
APRIL 18, 2005

Meeting Minutes

MEMBERS PRESENT: Steve Hughes, Lisa Dumontier, Fred Mueller, Bob Kormann, John Fleming, Jerry Winkley, Clarence Brazil, Jack Meuli, Ken Miller

STAFF PRESENT: Sean Conrad, Sue Shannon, Pam Repnak

7:00 p.m. John Fleming opened the meeting

ARTISAN CENTER

Sue Shannon presented the staff report and discussed road approaches.

Jerry Winkley thinks the 50' building height is excessive and inappropriate. He requested to see the proposed covenants.

Bob Kormann asked if this land use is residential? The only lighting mentioned was sign lighting. He would like to see uniform fencing on all lots.

Sue Shannon reported that the lighting and fencing were addressed in the covenants.

Jack Meuli reiterated the request to see the covenants.

Steve Hughes asked about the function of the surrounding properties and Sue Shannon said they are all commercial.

Mitch Kopsic is the owner and agrees with all the proposals. He has a wood products business and wants residential and commercial options.

Jerry Winkley says the building height is a problem. Mitch Kopsic wants at least 40'.

Shawn Rowland explained the 50' height of the buildings next door. He is willing for conditions if they're over 30' and Mitch Kopsic agreed.

Steve Hughes asked that if it's commercial how could it become residential later. Discussion.

Jack Meuli moved to accept changing the commercial building height up to 30' or sprinklers installed. Fred Mueller seconded. Vote unanimous.

HOVELAND

Sue Shannon presented the Staff Report and informed the Planning Board that the Board of Adjustment okayed the split. She highlighted recommendation #9.

John Fleming asked what the basis was for the variance? Sue Shannon explained the Swan Sites zoning regarding lot splits.

Jerry Winkley moved to approve as received. Ken Miller seconded. Vote Unanimous.

PINE MEADOWS

John Fleming introduced Pine Meadows as an introductory meeting only and that the public hearing will be in May.

Sean Conrad presented the introductory staff report exhibiting access as a major issue and the cul-de-sac.

Jack Meuli asked if zoning was tried there once. Sue Shannon said yes, and was shot down.

John Fleming asked if the nearby RV park was adjacent. Sean Conrad answered yes, they share 1000' of property line.

Jerry Winkley understands that water is an issue in that area.

Fred Mueller asked if a sand mound is okay for 25 units.

Jerry Winkley wants a vicinity map.

Fred Mueller questioned the topography; his topo map is showing the road may be too steep. He asked if it was going to be a 26' driving surface and Sean Conrad answered yes.

Steve Hughes requested an engineer report for the road before the next meeting.

Ken Miler said that a fire engine would have to turn 180 degrees from Hwy 35 to get onto that driveway.

Shawn Rowland addressed the road issues. He & Bob Fulton spent a lot of time on the roads and requested the Staff provide the road information to the Board. He continued that this area is well documented regarding hydrology and is not a wet area. He says the waste in an RV park is around 100 gallons per day so it's not that big of a load for a sand mound. He also pointed out on site storage units for the RV space owners.

Fred Mueller has faith in Bob Fulton's ability with engineering roads.

Jerry Winkley readdressed the water issue. Shawn Rowland said they would do more work between now & then

Jerry Winkley requested the road information from the Staff.

Kathy Iverson from Outback Montana Campground is concerned about 3 motor homes at a time at the junction of Hwy 35 and the entrance road claiming it is a potential safety hazard.

Sean Conrad reported that the Montana Department of Transportation gave an approach permit. Kathy Iverson responded that the approach is mine and MDOT won't give him one.

Quenten Witt said that if two motor homes meet one's going to be stuck on the highway and that is a real safety concern. If this is approved, someone's going to die.

Kirby Campbell, a neighbor, did a siphon project and discharged Potato Lake into a gravel pit. It was a clay pit and washed sand. The put in three test wells and water moves through that area quickly. He is concerned about the devaluation of his land and is concerned that his adjoining property – through the woods – will become a dog poop area. He wants to know what they are going to do to keep people off his land. He also says that highway corner is not good and besides motor homes there are chip trucks, too, and they don't stop on a dime.

Fred Mueller asked about road access and Kirby Campbell said it is through the Outback.

Mel Soon is the developer and doesn't want to kill anyone. He is willing to fence the property.

Bob Kormann addressed public health & safety. He encouraged the board to stop passing the buck to MDOT or DEQ.

Jack Meuli said it looks dangerous to him, too, but concedes that MDOT knows more than he does.

Jerry Winkley should ask MDOT if they would voice any safety concerns and Sean Conrad agreed to look into it.

Lisa Dumontier asked how thorough is MDOT and Sean Conrad explained that Ken Lambeth works the area but Conrad doesn't know how much he puts into his diagnoses.

General discussion and speculation about MDOT standards.

Sue Shannon said the variance request is for 25 lots. Less lots may mean less accidents.

Fred Mueller suggested that if the stop line were further back and RV would never get onto Hwy 35.

Jerry Winkley suggested that the developers in the Swan offered to improve access but the MDOT said they didn't need it.

Sean Conrad will provide the Board with vicinity map, approach map, MDOT process and Bob Fulton's full letter for the next Board meeting.

MOUNTAIN MEADOWS ESTATES

Sean Conrad provided an overview of the staff report. He thought the set backs may allow the vegetative buffer to regenerate and recommended conditional approval.

Fred Mueller said that is the biggest knapweed patch in Lake County and definitely needs to be sprayed. He recommended no final plat until the weeds are taken care of.

Steve Hughes asked if Mueller meant that if the developer doesn't spray they couldn't move forward with this subdivision?

Sean Conrad interjected that they should at least start the process prior to final plat.

General discussion about the Weed District authority and follow up.

Ken Miller addressed the covenants and asked about the guest house and primary house size limits. He was concerned about the difference in lake setbacks.

Gene Garrison reported that no weed assessment has been done yet, concedes the presence of knapweed and declares water will make them recede. He is amenable to weed control. The setbacks are due to a natural drop off nearer to the lake that is an unbuildable area. There would be no significant impact to wildlife and the subdivision would actually enhance the bald eagle habitat. The bio stationer questioned the impact per square foot of bare land. I don't know. Houses? Unknown. Maddy subdivision impact? No information. When the campground is full I still gets visits from endangered species. I am using law and common sense to make this happen.

Ken Miller inquired whether Garrison would be amenable to covenants restricting further subdivision on Lot 1 to one more split. Gene Garrison said it was okay with him.

Bob Kormann asked about storage tanks. Garrison said he has underground water cisterns. Kormann also asked for a clarifying limitation to commercial enterprises.

Ken Miller asked about building height restriction. Garrison said 6000' footprint.

Jack Meuli said a height restriction should be in the covenants.

Shawn Rowland gave an overview of the weed plan. He asked that the Board address weed treatment as opposed to weed spraying because there are alternatives to spraying. He thinks that taking out the RV park is making the area better.

Steve Hughes asked who sets the weed fees and Shawn Roland answered that the County Commissioners do. Assessment, however, doesn't provide for follow up.

Bob Lambeth reiterated the position of the Friends of Lake Mary Ronan by providing a lake prognosis, discussing issues such as degradation, reduced water level flow rates, re-charge challenges and nutrients.

Jack Meuli says there is no problem with small changes and allows that there would be less use of the lake with this proposal.

John Fleming asked Bob if in his opinion this project was more or less detrimental than the property's present use. Bob said he didn't know. Gene Garrison said that in the summer he has a full campground. Obviously there will be reduced impact with less people.

Jack Meuli moved to accept with a 30' height restriction or sprinklers and Lot one only allowed one further split. Steve Hughes seconded.

Weed discussion commenced and Fred Mueller moved for proof of weed treatment prior to final platting. Ken Miller seconded. Unanimous on amendment.

Question called for with three changes. Vote unanimous.

HACKMAN

Sue Shannon presented the staff report. Board pointed out that it should be two residential lots, not four commercial lots.

Fred Mueller asked if the Board had maintained 20-acre density in that area?

Sue Shannon said it's not irrigated, not good soil. There is nothing that affects the primary review criteria.

Bob Kormann points out that the staff report says it will have negative impact on agriculture because of the size of the split. Lisa Dumontier questioned the surrounding parcel sizes and Sue Shannon mentioned that they are generally larger.

John Fleming asked about the smaller parcels that came about because of family transfers and that was discussed.

Steve Hughes noted that on page 7 it mentions a 40' right of way and wondered if that was the driveway? It should be a 60' easement. Access & easement discussion followed.

Miles Hackman agrees with the staff report. He kept the same road for safety issues – there's a big dip in the road that limits visibility.

Steve Hughes asked Hackman why he was splitting and Hackman answered he would like to build another house and live on the 15.

Jack Meuli noted that a previous condition says it may be split one time without size limitation.

Steve Robinson, an adjacent landowner doesn't have any problem with the subdivision. He described nearby parcels as about 10 acres each, not 20 acres as per the density recommends.

Lisa Dumontier asked for clarification about the 40-acre division, did the Commissioners approve another split or is it just in the covenants?

John Fleming thought that the remembers how it may have gotten translated to that through the commissioners and explained.

General discussion involved soil, prime soil ad irrigation.

Jerry Winkley moved to approve as staff recommends with a verbiage change.

Jack Meuli & Ken Miller seconded.

Steve Hughes against because of density, John Fleming agrees. After Hughes explained, Fred Mueller agreed also.

The question was called for and the vote 5-4 for denial. (Steve Hughes, Lisa Dumontier, Fred Mueller, Bob Kormann, John Fleming denied, Jerry Winkley, Clarence Brazil, Jack Meuli, Ken Miller approved.

SCHENK

Sue Shannon presented the public hearing staff report and included the irrigation plan. The preliminary plat doesn't show easement and should. Staff recommended approval.

Jerry Winkley talked about the address and lighting and Sue Shannon indicated it was driveway lighting. Discussion about reflective numbers being okay to find building.

Bryan Byes requested change to entering the driveway with reflective numbering. Irrigation has been revised again. Easements are on the plat now, the irrigation agreement between 4 lots. He requests p. 4 be revised to indicate \$400.00 total to the fire department.

Public Comment: Excited because goes along with what density map recommends in that area.

Fred Mueller moved to approve with staff recommendations. Jack Meuli seconded. Vote Unanimous.

PAULSON

Sue Shannon presented the staff report. The big issue is irrigation and the items the irrigation plan needs to address. There are two pumps and one mainline. There needs to be an easement across the property to the north to get water to tract A.

Steve Hughes questioned the size of the pipeline and Brian Byes could not recall the diameter.

Bob Kormann asked about future subdivision of the 60-acre parcel and lighting in the covenants. Marc Carstens says it's a balancing of densities.

Steve Hughes suggesting restricting the 20-acre piece from further subdivision. Marc Carstens says it matches today's density.

Ken Miller asked if building heights are in covenants. Marc Carstens said they would accept 30' on residences.

Jerry Winkley stated that he would like to see 30' set as a standard on all subdivisions.

Brian Byes reports that the irrigation is already in place, it is pre-existing and the tribes are already a part of it. He can't guarantee the easements. The land is in trust. He has plans to approach the tribes and will proposed FIP approval prior to final plat and request Lake County's approval also. The physical addresses should be reflective and not illuminated as in previous subdivision. He also said the electric power exists overhead and would like to see condition \$11 amended to future services will be underground.

Jack Meuli moved to approve with staff recommendations. Steve Hughes seconded. Vote unanimous.

OTHER

Public hearing on density is required. Discussion about June 1, 2005 at 7:00pm seemed to be fine with all Board members.

Sue Shannon reported that Janet Camel drove the steering committee last week and the other two guys just want it adopted. Shannon talked to the Commissioners and Paddy Trusler wants grizzlies addressed in the final proposal because there's not much private there and the land is mostly tribal.

Discussion revolved around whether or not the Board would increase density to 40 acres in the grizzly management zones.

Ken Miller moved to adjourn. Jack Meuli seconded. Vote unanimous.