

# LAKE COUNTY PLANNING BOARD

August 10, 2005

## Meeting Minutes

**MEMBERS PRESENT:** Bob Kormann, Steve Hughes, Fred Mueller, Jerry Winkley, Clarence Brazil, Ken Miller, Lisa Perry (formerly DuMontier).

**STAFF PRESENT:** Sue Shannon

Bob Kormann called the meeting to order at 7:03pm

Jack Meuli moved to approve the July Meeting Minutes.

Fred Mueller seconded.

Vote unanimous to approve minutes.

### RUNGBORG

Sue Shannon presented the staff report and recommended conditional approval.

Jack Meuli questioned the covenants restricting grazing cows to 1 cow per acre and a half. Tami Carstens asked to strike that language from the covenants and reported that the irrigation would all remain on lot 1. Brian Byes has been working on the irrigation.

Lauren Clarey spoke in support of the project on behalf of the Church.

Janet Camel reported that the highway access had already been approved by MDOT but Leon Road would be better in the long run.

Pat Hurley, Bill West (USF&WS), Marie Dinwoodie, and Richard Agert spoke against the approach from Hwy 93 and listed other minor concerns as well.

Bob Kormann questioned MDOT's safety determination. Sue Shannon said that should not be part of this Board's review process.

Jack Meuli moved to strike the animal verbiage and to move the irrigation to lot 2.

Fred Mueller seconded.

Unanimous in favor.

Janet Camel recommends the Board, Tribes, and MDOT find a cooperative system for approving highway accesses to avoid future miscommunications. She feels strongly that what might be best today will not be best for the long run.

### ZAVALA

Sue Shannon provided the staff report. MDOT approved the approach and the old approach is to be removed.

The 60% impervious surface sounded excessive to the Board and Sue Shannon reported that DEQ approves 80%.

Shawn Rowland said the client drafted the covenants and they will work to clean them up. Zavala has heavy equipment and the buffer & terrain will hide the equipment and they don't really need customer type parking for his excavating business. DEQ requires stormwater designed by a consultant and they will work with the fire department. Curbing doesn't make sense for this type of business and the impervious surface for the equipment should be adequate for off street parking. Clarence Brazil wants parking for potentially different commercial use.

Jack Meuli moved to approve the variance. Jerry Winkly seconded. Vote 5-2 for variance approval. (Steve Hughes and Clarence Brazil opposed)

Jack Meuli moved to approve the subdivision. Steve Hughes seconded. Vote unanimous in favor.

### **ROLLINS HEIGHTS**

Sue Shannon presented the staff report recommending conditional approval.

Dave DeGrandpre addressed two issues. Page 15 includes a covenant which limits disturbance to slopes of 25% to 2,000 square feet and would make four lots undevelopable. Also, the variance to minimize visual impact – all disturbed slopes will be revegetated and the fire department doesn't have issues with the road they are proposing. He drew a picture to illustrate the grade of the roads.

Jerry Winkley felt that an attempt should be made to improve the steep section to something short of full reconstruction.

**Deleted:** is concerned with the 13% road grade but would compromise at 10%

The Board asked about run off spots, defensible space, and roofing materials and were satisfied with the developer's answers.

Joyce Fondot asked several questions of the developer and got answers.

Virgene Travis encouraged the commissioners to not allow 13% grade because the buyers need to access their properties when it snows.

Steve Hughes moved to approve the variance. Fred Mueller seconded. Ken Miller encouraged discussion because he was concerned about public & firefighter safety and access. Vote 5-2 in favor of the variance. (Ken Miller and Jerry Winkley opposed)

The Board, Staff, and Developer again discussed the 2000' impervious surface restriction and Dave DeGrandpre suggested maybe a percentage rather than a specific number should be the limit.

Jack Meuli move to accept the subdivision removing condition #2. Fred Mueller seconded. Vote 6-1 in favor. (Ken Miller opposed)

## **BIG HAWK**

Sue Shannon provided the staff report synopsis.

Jerry Winkley expressed concern about the construction waste, Fred Mueller and Ken Miller want break-away gates.

Plum Creek will keep the remainder as there are too many easements across the property to make it usable.

Dave DeGrandpre asked if a variance was necessary since there was a secondary emergency egress. Sue Shannon thought so and Peter Strellinger said his interpretation of the rule for cul-de-sacs is met because only 11 units are served per cul-de-sac. Sue interprets the whole subdivision as being on a cul-de-sac. Peter Strellinger also said that Plum Creek was done logging that property and any further logging would be done by individual property owners.

Melinda Stivers asked if the homeowners could use the remainder parcel and Peter Strellinger answered that Plum Creek has an open land policy so anyone could use it.

Ron Stuber asked if the radio tower area would stay the same and Strellinger answered yes. Stuber asked if Plum Creek had considered the gun range on one side of the property and hunting area on the other side and Strellinger advised the Board that there were no-shooting covenants in place for this property. Stuber wanted to know if the rumor of a golf course were true and learned it was not.

Sue Laverty felt that the development with this low density is good but urged Lake County to develop better standards in development to protect the whole Swan Valley from being overrun by subdivision.

Jerry Winkley has misgivings about the cumulative effect of recent development along that area of Highway 83 and Ken Miller thought this area had one of the best lines of sight locally.

Steve Hughes suggested a boundary line adjustment to keep the remainder out of the subdivision so that it would clarify use issues concerning the remainder.

## **BENSON MINOR**

Staff recommends approval. The development is similar to Hoveland division earlier this year.

Jesse Benson said he is using the same consultant as Hoveland and is just waiting for approval.

Steve Hughes moved to approve the subdivision. Jerry Winkley seconded. Ken Miller clarified \$100.00 per lot to the fire department and the vote was unanimous to approve.

**HARTUNG**

Sue Shannon presented the staff report and said the easement was for legal and physical access. Condition #4 on p.9 was to remove a mobile home from the smaller property or restricting development on the 36-acre tract to maintain both properties in the appropriate density.

Bob Fulton reported that this is the same as the two parcels reviewed by the Board two months ago. Debra Thomas says she wants it subdivided so she can buy it.

Steve Hughes moved to approve with the provisions as discussed. Jack Meuli seconded. Vote unanimous in favor.

**HARTUNG**

No public discussion as it's the same as the previous division.

Jack Meuli moved to approve with two corrections. Fred Mueller seconded. Vote unanimous to approve.

**OTHER BUSINESS**

Steve Hughes addressed set-asides. Fred Mueller suggested that the Board would need to move and vote to keep set-asides permanent without recreational use. Sue will get the verbiage together for the board. Steve Hughes recommends contacting the Montana Land Reliance to help with the verbiage. Steve Hughes has an issue with density clustering with no mention of longevity. Development rights is a trade received for land set aside and that set-asides should be forever. Specific time for the set-aside that could be re-evaluated in the future was discussed and found lacking. He suggests getting more input and making a policy. Sue Shannon suggested making the policy part of the density map and regulations at the one-year review.

Ken Miller moved to adjourn. Bob Kormann seconded. Vote unanimous.