

LAKE COUNTY PLANNING BOARD
JANUARY 12, 2005

MEMBERS PRESENT: Steve Hughes, Fred Mueller, John Fleming, Bob Korman, Jerry Winkley, John Fleming, Clarence Brazil, Lisa Dumontier

STAFF PRESENT: Sue Shannon, Sean Conrad, Jamie Ludwig

December Meeting Minutes

Jerry Winkley called the Board to order at 7:05pm.
John Fleming moved to approve the minutes as written.
Bob Korman seconded. Unanimous.

Board Elections

Jerry Winkley introduced new Board member Lisa Dumontier. He related Jack's wishes to not be Chairman and declined to accept the job himself.

Steve Hughes nominated Bob Korman as Chairman and John Fleming as Vice-Chair then amended his motion to Fleming as Chairman and Korman as Vice-Chair.

Fred Mueller seconded. Vote is Unanimous.

Many Pines Major Subdivision

Sean Conrad made the staff presentation and recommendations. He addressed that at the preliminary hearing there were concerns about driveways and related access and the garage positioning.

Fred Mueller expressed concerns about the water and sewerage easements not being big enough to allow future possible excavation for repairs/replacement. Marc Carstens thought Northwood Road included a utility easement and finally agreed to amend each easement width to 15' for a total of 30'. Carstens and the Board agreed to the increased width as a condition of approval.

Bob Korman questioned mobile home setbacks as related to County standards. Sean Conrad & Sue Shannon found the County requirements were met.

Bob Korman further questioned the proximity of the garages as related to the neighbor's garage and the property line setbacks. Setbacks were determined adequate. Discussion turned to eaves and footings in relation to a homeowner's ability to maintain the building and Marc Carstens agreed with the Board and the Staff to note on the plat a two-foot setback for garages.

Bob Korman then addressed communal driveways and questioned whether they would be blacktopped. Carstens indicated crushed gravel with a driveway maintenance users agreement.

Marc Carstens requested nixing the curb. Fred Mueller suggested a rail fence and Carstens indicated he could put that into the homeowner's association fees to maintain the fence.

Marc Carstens assured Bob Korman that the property owners were going to leave the trees in the parkland as a buffer and that it wouldn't be clear-cut. Bob Korman clarified that lot 5 of Northwoods Subdivision has been dedicated by BIA as a road.

Bob Korman moved to accept this subdivision with the changes following changes: increase water/sewer easements to 15' each, fence instead of curb, garage separation of 2' at the footing and 1' at the eve with a two foot building separation, and the driveway users agreement.

Fred Mueller seconded. Vote unanimous.

Penfield Acres Major Subdivision

Sean Conrad presented staff report and recommended conditions of approval. He addressed road development on Penfield & Robertson as developer sponsored chip-seal.

Discussion addressed whether or not a subdivider should be responsible for developing a county road. John Fleming suggested having the County bring Robertson Road up to county standards and then having the developer chip seal it. Steve Hughes agreed and indicated that the County Commissioners will ultimately decide whether it is the appropriate course of action or not. Marc Carstens requested gravelling Penfield Lane and initiating an RSID.

Brian Byes updated the Board on the irrigation plan progression. Steve Hughes expressed his intrigue about the complexity of the irrigation draft. Marc Carstens provided an explanation on the difference between chip sealing and paving.

Jerry Winkley moved for subdivision approval with amendments on items 6 & 7. Steve Hughes motioned for approval amending #6 to read that the County bringing Robertson Road up to County Standards and the subdivider chip seal it from Back Road to Penfield Lane. Fred Mueller seconded Hughes' motion. Vote 6-1: approved.

Steve Hughes suggested changing #7 from chip seal to gravel with a 26' width. Bob Korman seconded. Vote was four to three in favor.

John Fleming noted that a motion had been made for approval with amendments to 6 & 7 as stated above and called for a vote. Vote is six to one in favor.

Murphy Flats - Informal work session [tape turned over]

Sean Conrad corrected the staff recommendations to read that water/sewer are on individual systems and will not be brought in by the developer. Staff recommends conditional approval.

Marc Carstens agrees with the recommendations "in every accord."

Bob Korman addressed school bus turnouts and mailboxes on Terrace Lake Road. It was determined that the school did not request a turnout and the US Postal Service only delivered one way on that road. Jerry Winkley moved to approve Murphy Flats with staff recommendations and amplify item 9 to the preferred location of the east side of the entry road into the subdivision and large enough to pull off the road and not interfere with people turning in. Bob Korman seconded. Unanimous.

Carney Creek Ranch -Informal work session

Sean Conrad once again introduced the staff report. Conrad suggested amending fencing verbiage to keep the fencing out of the wetlands.

There are presently docks on Loon Lake and there would be one dock to serve the subdivision. There would be no individual docks on proposed lots 5 & 6.

Bob Korman addressed silt fencing and Conrad agreed to make that a recommended condition during construction. Jerry Winkley wanted to assure that buildings remain in the proposed envelopes. Shawn Rowland provided background on the parcel and the project. The road will be chip sealed and meet county standards. There is logging on the parcel, but it will not be clear-cut. There is a trail to the proposed dock through the parkland but the road will not be developed.

Sunny Hills - informational work session

Sean Conrad provided an overview of the subdivision. He pointed out that the developer did not complete a soil profile on the three commercial lots citing an exemption that is allowed under the Administrative Rules of Montana, however the planning staff recommend requiring the soil profile prior to subdivision approval. Traffic concerns on Hwy 93 were addressed with MDOT and that MDOT didn't see a problem. The Polson Fire Department is requesting a \$250.00 per lot fee and 18' driveways due to actual cost of a new subdivision concerns and fireman safety. The Fire Department is also requesting that the commercial structures be required to have a fire sprinkler system.

Bob Korman requested information about the Commissioner's response to Penfield Acres before addressing road construction at this development. Sean Conrad agreed. Mr. Korman also addressed school bus turnouts compared to another subdivision and it was determined that different school districts had different requirements and that this area was only a place for children to stand off the road while they wait for the bus.

Marc Carstens pointed out the rather costly walk path to keep the children off the road. He explained the double use of the parkland as a water retention area for storm water runoff. Carstens is requesting a 40' access easement and an 18' road finish to serve lots 11 & 12 and 1 & 2 because the first lot owner should be pulling into his driveway soon after entering the road and that would leave one residence being served by the majority of the road. Carstens offered a waiver of RSID on Baypoint Road also.

End of tape I, side II.

Marc Carstens wanted to discuss sanitary restrictions, but the Board said next time.

Darrell Lindsey, a neighbor, voiced concerns about a school bus stop and Hwy 93 traffic at the commercial lots. He also doesn't want his views blocked or the school busses causing traffic issues on Baypoint. Marc Carstens explained to Lindsey how the traffic was proposed to work and spent some time reviewing the plans. The Board continued.

Sue Shannon welcomed Lisa Dumontier from Arlee as our newest Board Member and Jamie Ludwig as our newest planner. Shannon gave an overview of the Commissioners Hearing on the Density Map & Regulations and that the Commissioners ultimately decided to give the public an additional 120-day comment period and hold more meetings in the evenings. Shannon outlined what she expected might happen and began recruiting Board Members to sit on the Steering Committee. Steve Hughes questioned what this “Land Alliance” was wanting, what they were protesting and she indicated that the only thing she’s been able to determine is that they want more time to comment on the proposal. Steve Hughes commented that all spring and summer wasn’t enough, huh? Sue indicated that the committee’s responsibilities haven’t really been defined as of yet. Sue Shannon said many members of the audience attending the Commissioner’s Hearing, when asked if they had read the document said no. John Fleming confirmed to Steve Hughes that the Tribe hadn’t even commented on the Density Proposal at all.

Sue Shannon indicated that there had been changes to what the Board had originally recommended to the County Commissioners and said she would compile information for them to review concerning the changes. Shannon passed out the current Density Map and Regulations for the Board to review.

John Fleming was concerned about the Board’s lack of recent input and reiterated that the Board voted unanimously – twice – in support of the proposal. He questioned if they should do anything further.

Sue Shannon feels that the meetings need to encompass more of the reason that the Density Map and regulations came about at these meetings – the tool that the Planning Board chose to use to meet the regulations in the Lake County Growth Policy.

Jerry Winkley reportedly called the County Commissioners earlier this week and reminded them that the Planning Board voted unanimously for the Density Map & Regulations and advised them not to start over from scratch.

Sue Shannon, working with an insurance attorney, is getting information on how to legally proceed. She feels that any changes that will be made will be presented to the Planning Board for recommendation to the County Commissioners.

Steve Hughes reflected on people’s apathy until the final hearing and then they get all excited. He related an incident with the “Land Alliance” dissidents in a Ronan Café one morning.

Conversation turned to previous variances granted Joe Brooks, and speculation suggested that Brooks just wants to subdivide every piece of land that he owns without regulations.

Jerry Winkley expressed concerns that no one on the Planning Board had been approached by anybody in the press and wondered why not?

Jerry Winkley moved to adjourn. Bob seconded. Meeting Adjourned.