

LAKE COUNTY PLANNING BOARD
August 9, 2006

Meeting Minutes

MEMBERS PRESENT: Jack Meuli, Fred Mueller, Jerry Winkley, John Fleming, Ken Miller

STAFF PRESENT: Sue Shannon, Joel Nelson, Lita Fonda

John Fleming called the meeting to order at 7:00pm, acknowledging the lack of a quorum, and explaining that the meeting would proceed without an ability on the part of the Board to take official actions, and that the opinion of those members present could be forwarded to the Commissioners as such.

Motion by Jack Meuli, and seconded by Fred Mueller, to approve the June 21 Zoning Amendment meeting minutes. Motion carried, all in favor.

Motion by Jerry Winkley, and seconded by Fred Mueller, to approve the July meeting minutes. Motion carried, all in favor.

PINE MEADOWS RV RETREAT MAJOR (AMENDMENT)

John outlined that a recommendation was scheduled to go to the County Commissioners on August 23rd at 10am. Joel Nelson began the staff report, and **a quorum was reached at 7:05**. He highlighted the changes presented by the amendment, and provided a revision for condition #3. The road supervisor did go to inspect the roads on 8/8, as stated in the staff report, but he had insufficient engineering plans to approve the project.

Ken Miller inquired as to Park models, and Fred as to their width. Sue explained they're a mix between a travel trailer and a mobile home. People park these on recreational properties, and leave them there. About 90% of them are wider than 8.5'. You need a special moving permit to travel down the road. They are like a house-type structure built on a chassis.

John asked how a Park model is distinguished. Sue explained that Park models are built to certain building code standards that are different than RV's. Discussion then touched on whether the width is actually 8.5' or something else. Jerry said overwidth permits are issued for 9' in MT. Sue noted that under the public health regulations in the upper trailer courts, anything over 8' is defined as a manufactured home. Fred mentioned that a lot of the new motor homes and travel trailers are at 8.5'. Jerry said the Board needs to be sure about what they mean by these conditions.

Jerry asked about the changes in condition #3. Joel explained that Susan Brueggeman preferred the term "wastewater" to "sewage disposal". John thought it might be more inclusive.

Joel answered Jerry's question about stamped concrete. Fred was knowledgeable on this. The cement includes patterns and is often stained.

Joel showed pictures.

This project was originally approved as condo, in answer to Jerry's question. Fred asked if one is sold as a condo, can the new owner rent it out? Joel wasn't sure if the covenants would restrict this.

Shawn Rowland spoke on behalf of the developer. As explained in the staff report, the drain field has been moved. 3 monitoring wells were drilled in the vicinity after 1997. The groundwater flow direction goes north and then seems to go towards the lake. This is contrary to previous thoughts. They are not allowed to have their mixing zones leave the property if possible, so they have changed that location.

Shawn spoke about the concerns with the Sheaver's Creek water system. They knew that Sheaver's Creek was updating their system when they started the project. The system is inadequate at this time. This project won't be able to connect to the Sheaver's Creek water system until upgrades are complete.

With the road design, Shawn explained that the road has to be designed by an engineer. They missed that they needed the County to sign off on that, as well as the engineer. They will do what they have to, to rectify this.

He said that the owners do not want the Park models as described by Sue. If Jerry wants to add language, they aren't going to be concerned. They want class A motor homes. They don't want 5th wheels or that type of motor homes. The owners are looking for a very specific type of clientele to buy these lots. They don't want to leave loopholes for people to bring in something else.

He reiterated that because the drain field shifted, a lot of the park had to change, how it's laid out.

He confirmed that Ken Miller was able to visit the site on his way to the meeting. Ken had no specific concerns.

Shawn returned to the topic of Sheaver's Creek. Engineering and other delays have been encountered by that system. Time-wise, it will take a toll if Sheaver's Creek cannot supply the water in a timely manner. They would like to be able to work out something with the County to put in the infrastructure in now. DEQ needs the water to be sitting in the valve, ready to go, however. They've been working with DEQ and the engineering firm to try to write in some language to put in the Sheaver's Creek letter that will allow them to put this in. They would like to get the RV park going, and the units are self-contained RV's. People could bring their own water if they had to, until Sheaver's Creek is going. Sheaver's Creek is working on a letter for the applicant, to give to DEQ. The applicants could put in the drain field, and would like to pursue having holding tanks for water. There's a portable water truck that is a source of potable water that could come in temporarily. They could bond, to show they'll definitely connect or

provide their own water. This may be part of the reason for condition #3. They are trying to figure out how to deal with this.

Shawn confirmed for Fred that Sheaver's Creek provides water, and the applicant will have their own wastewater, not through Sheaver's Creek.

Sue inquired how the drain field would function without a water supply. Shawn explained that this is going to have treatment. The units will produce high strength waste because you don't have high dilution. Class A motor homes are reputed to be deluxe, some even with washers and dryers. They have large holding tanks. The applicants will have to meet certain requirements and do testing to provide evidence that they can meet those requirements. They do have to have a treatment unit on this to make sure they meet residential strength waste. They have to lower the BOD's and the TSS. There is a treatment unit that sits on top that recycles and aerates and does this. He described another RV park that uses these. RV's tend to come in full and discharge. He didn't believe that there was a significant difference in the strength whether they're on holding tanks or connected.

John asked if they didn't have to have the water supply installed and functioning, will there be a way for the potential buyers to be informed? Shawn described waivers that he's seen that must be signed at closing, saying that the buyers understand what's happening. Sue asked if they could then be forced to hook up to Sheaver's Creek. Shawn affirmed that it would be a requirement. The connections will be there. Because it's a condominium association, it's regulated by the association. The fees must be paid. The condominium association as a whole pays for that water.

Maggie Sunderland relayed that a lawyer told her that given delays in construction, a letter or agreement could state that it's coming in the future. There can be some of the buy-sell funds held back that guarantee that the structure goes in. There are ways around it. DEQ informed her that she doesn't have to have approval at this point in time for the subdivision that she's doing, because they don't require you to have water for an RV park or RV condominiumized site, but when she does come in, she has to go through the approval process.

Shawn mentioned that an additional bonus will be that they will have a fire hydrant in the RV park. He indicated generally on the map.

Jerry asked what area the Sheaver's system serves, and if it doesn't happen, is there a way to put in an on-site system. Shawn said that Sheaver's is within 500 feet of the property, and so they have to connect to them if they say they can provide water. Sheaver's can't say that right now, but the State can wiggle around long enough for that to happen. It's a win-win to have the Sheaver's water versus their own system. They will have fire protection.

Jerry asked about the Canadian class A motor home, which says 8.5'. Mallory Sunderland thought that the highway stipulation was 8.5' maximum overall width. There was further discussion.

Bob Hand is on the Board of the Sheaver's Creek Water/Sewer District. He explained the delay. The system was done and financed and put in last summer. The Woods Bay water was adjacent. They were to follow a year later, and then the two were to merge. Woods Bay had additional wells, and Sheaver's Creek was going to put in 140,000 gallon water reservoir for fire flow protection for the two districts together. When Woods Bay began to survey for design, the county roads were not where they were supposed to be. They have to go through and get individual easements from each individual household, which has been the holdup. Their project has gotten an extension until Feb 1. The loan of about \$80,000 is due at that time. There will be a rate hearing in Sept. Either the rate will go up \$20/month and they'll have no system, to pay for the monies already used, or maybe they will get the rest of the easements and they'll have a project. If it doesn't go through, Sheaver's Creek is putting in a 2nd well and they have an alternate route through 2 property owners who said they'd give easements, and then they'll be on county roads. He described the route they'd take. The trunk line and reservoir are already designed and they have the monies, but they won't be allowed to build it until they have enough water to put in it. They are anxiously awaiting to annex the applicants' project in. They could use the monies from 25 units at \$30/month. They will not do it until they have the reservoir in place and a second water source.

Ken asked if Shawn had consulted the fire marshal about locating the hydrant on the side. Shawn answered that the fire marshal is on the Sheaver's Creek Board, so he was there. He may have been the one to propose it.

Public comment opened:

Carol Venable: She wrote the letter that was received. She has no problem with the RV park. She does have a problem with the water. As Bob Hand explained, there is no guarantee of when the water will be available. She thinks it's fine if they hook up, but the point is that right now, those already on the system are having terrible water problems. There's no room for anybody else, since they can't service the people who are on it, many of whom are here year-round.

Bob Hand: He's also worked with the contractor who has done most of the work so far. He lives in Bigfork, but has businesses in the Woods Bay area. He thinks it'd be a great seasonal project. It's down over the hill, where you don't see it. It has very little impact. The applicant is going to spend a lot of time and money with rocks and log work to enhance the entryway into Woods Bay. With the water project, they have to find a second source, whatever it takes, but there is no guarantee. Right now, things are on a timeline to be going to bid in February for spring and summer construction which would be finished by the fall. Nothing is set in stone. It's already 1 ½ years behind.

Public comment closed.

Fred and John briefly discussed the revised condition #3. John checked that the developer would like that to be 'not' installed and functioning prior to approval.

Motion by Fred Mueller, and seconded by Jack Meuli, to recommend approval with staff recommendations and conditions, including the staff revisions to condition #3 but without ‘installed and functioning’. Motion carried, all in favor.

OTHER BUSINESS

Sue gave results from subdivisions that moved forward from the Planning Board. Otoupalik, in Arlee, was approved. Airport Acres was approved, with language regarding weeds. The road variance was granted. (The Planning Board had felt there was no hardship.)

Dayton Harbor Cottages got approved. There weren't major changes. The fire hydrant location was left to the discretion of the fire department. The alleys were abandoned today.

Jack asked if the alley will be left open but not publicly open. Sue replied the Cottage Alley that will serve the subdivision will be open for use to the public and service providers. The liability and maintenance issues will be under the homeowners. It can be rescinded if the subdivision doesn't get completed.

The newly drilled well neighboring the Dayton Harbor Cottage project, next to where the drain field was planned to be located with an influence zone going over onto that neighbor's property was mentioned. This may have been the only place he could site the drain field on his property. Sue wasn't sure that the well needed approval prior to drilling. You do need to be able to get your drain field on your property, and this now may be a question for the neighbor with the well.

Jerry asked for a clarification on what the staff recommendation for the variance last month was. In the minutes, he wasn't sure what the motion really meant. Joel replied that there was no staff recommendation. Sue explained that the variance came in at the last moment.

In cases where there's a variance and an approval, Jack asked whether those should be handled by one motion or two separate ones. Sue noted that the Commissioners usually do these as two separate motions also. Ken thought it was good to let the Commissioners know how the Board feels about the different aspects of the project, rather than a blanket yes or no. Sue noted that a variance, for a road for instance, is usually fairly specific. If the variance were decided first, that could be accommodated in the motion for recommendation. Jerry thought that in some cases the project had been voted on first, and the variance became an amendment. John felt he'd have a better idea whether he wanted to vote for the project or not, if he already knew what the Board was going to do with the variance.

Motion by Jack Meuli, and seconded by Ken Miller, to adjourn. Motion carried, all in favor.