

LAKE COUNTY PLANNING BOARD
June 13, 2007
Meeting Minutes

MEMBERS PRESENT: John Fleming, Jack Meuli, Clarence Brazil, Ken Miller, Joyce Funda, Brad Trosper, Lisa Dumontier

STAFF PRESENT: Sue Shannon, Joel Nelson, Lita Fonda

John Fleming called the meeting to order at 7:02 pm.

Motion by Ken Miller and seconded by Joyce Funda to approve the May 9, 2007 meeting minutes. Motion carried, 5 in favor (John Fleming, Jack Meuli, Clarence Brazil, Ken Miller, Joyce Funda); 1 abstention (Brad Trosper).

CONRAD ESTATES MAJOR SUBDIVISION

Commissioner meeting is scheduled for June 28.

Sue Shannon presented the staff report and additional handouts. On pg. 5 of the staff report, a paved driving surface is specified for the road, and she updated that the developer is proposing to double chip seal the road, not to pave it. The road shoulder would have a 1-foot wide shoulder, not a curb. One of the additional handouts showed some irrigation detail, and the other showed specifications regarding the fence. Marc Carstens thought the fence is 5'10'' in response to Joyce Funda's question. Sue noted that conditions #3, 4, 13 and 14 would need amendment from the staff report. Condition #3 was based on the garages shown on the site plan, but the developer would like to have the option for a carport or no structure. The developer does agree to state that each single-family residence shall contain 2 off-street parking areas. In #4, they'd like to take out the portion of the first sentence about the common wall and the one-car garage for each unit. It already addresses that a single shared driveway with 2 off-street parking spaces shall access each duplex. For conditions #13 and 14, regarding the roadway construction, instead of a paved driving surface it would be a double chip-sealed driving surface, and there will be 1-foot wide shoulders, not curbs.

Joyce asked about the requirement for compliance with the Fire Dept request. Sue thought this was on pg. 22, #16. Joyce wondered if the Fire Dept requirements referred only to the fire hydrants or to both the hydrants and the usual \$100 per lot discretionary payment. Sue explained that the \$100 requirement was in condition #25. The payment is per lot rather than per unit. There are 87 units on 41 lots. Typically it's done per unit. The developer requested that it be per lot, since they are installing the fire hydrants. Typically in the past, when the Fire Dept has required major improvements, such as cisterns or hydrants, the \$100 fee has been waived. This way, they're proposing to do both.

Joyce asked about the curve radius. Sue clarified that this is 302 feet per 30 mph. Marc said reduction in the speed limit and lots of signage have been proposed. Joyce asked how this curvature would compare to the curve in Hwy 93 around the Courthouse, and Marc thought this would be very similar. They want the tighter corner to slow the traffic down.

John asked about the variance request on pg. 5. He confirmed with Sue that #1 is not needed and is no longer in the conditions.

John inquired about the pg. 9 Flathead Irrigation Project (FIP) easement width, and if FIP has standards they are required to go by. Marc said FIP relies on a non-specific easement that's prepared to the Federal statutory.

Joyce clarified with Marc that on the handout, the property to the north is not within the jurisdiction of the landowner and they cannot grant the easement because they don't own it. Sue explained that the letter did not specify if FIP wanted 25' centered, or if they specifically wanted 25' over this property. The developer needs to have further conversations with FIP on this. Construction is proposed to be right at the setback, so FIP needs to say what they need, and have that dedicated. Ken asked if there was an easement in place to FIP on the property to the north. Sue did not know of one. Marc thought they'd rely on the Federal statutory easement. All FIP water delivery systems have this Federal disclaimer for an easement.

John asked where the pit dropped. Marc said it was 30 to 50' north of where the pipeline is believed to be. The pipeline is a polyplastic and is difficult to locate. The Sharbonos' recollection is that the ditch was originally on the property line between their property and the one to the north. When the pipeline was buried, it was laid in the ditch. That would put it close to the northern fence; if so, and they gave 25' for the easement, it's probably within 5' of the northern easement line and 20' from the southern easement line for an 8-inch pipe. A backhoe width is usually 8', perhaps 12' with downriggers and so forth. They are requesting 16". The south pipeline, the ditch they want to bury, isn't even onsite. It's on the county road easement. The pipe is buried about 3' down. The applicants are pursuing FIP in order to get it clarified. The staff recommendation has been written at 25', siting the 15' unless a utility provider requests more, and staff is honoring that. They are pursuing less with FIP; they want to proceed with the subdivision at the same time.

Ken asked if the FIP easement precluded the placement of a fence on the northern property line. Marc said their intention had been to put the fence on the property line, which would be within a few feet of where they believe the pipe is located.

John asked for clarification on the Ronan versus Pablo Fire Department, and if they were together. Sue explained that the letter came from Ronan, so apparently they have jurisdiction. Marc affirmed that the requests go through Ronan.

Marc offered to hear questions on behalf of the applicants. They felt the proposal combines density and will make things more affordable, and has 50% more open space than what's required. Regarding the fence, they agree the fence needs to go in there, and the fence location be agreeable to FIP as well.

Joyce asked to hear more about the reduction in speeds to accommodate the variance request. Marc explained that a civil engineer signs off on the signage and construction. The engineer will come up with the final values of the speed limit. Currently his office is contemplating something

in the 15 to 20 mph range. Joyce confirmed with Marc that the 302-curve radius is tied scientifically to the 30 mph.

Joyce asked why the developer asks for the ability to construct storage units later. Marc said it was a money thing with the cost of construction. To build 77 storage units prior to being able to sell a lot seemed a bit onerous. They would like to be able to tie it so the storage units are built for given units prior to sale. They anticipate doing groups of 11 units. Joyce asked further about the philosophy of the requirement. Sue explained that this is required because it is a subdivision improvement, and they don't have the ability to require improvements after the subdivision has been filed. It's in the covenants, and suggested as a condition of approval, and a building notification will be required when they develop. Marc noted that they are doing both the subdivision to create the lots and subdivision for rent or lease concurrently.

John asked if a buyer or renter has a right to require that the developer build a storage unit. Marc explained that if he were a purchaser intending to build a triplex and rent it out, before the triplex could be occupied, they would have to submit as-built plans to the County per one of the conditions of rent or lease. At that time, the storage units tied to this would need to be in place. They do want the homeowners to own the storage units. If someone doesn't want to use one, if the Homeowners Association owns these, the HA would have the ability to rent the space to another member and generate capital.

John wondered about why not curbs—because of swales? Marc said this was part of the stormwater management plan. One piece of language should change, dealing with the one-way Sharbono Loop. The additional 8 feet discussed is for parking on street, and should be signed and striped, but there should be no shoulder between those two. It should be a continuous hard surface. There will be a shoulder on the other side.

John explained that why he likes curbs is that there is a margin. Marc noted that there is a hard surface/driving surface, then swales, then concrete sidewalks. John wanted to make sure there wasn't a gradual change, but something distinct. Marc said they've instructed the engineer to design the swales with as steep a slope as practical to discourage use as additional parking.

Joyce asked further about the potential for the rental units becoming condominiums in the future. Marc said the subdivision reviews for condo activities are quite similar to subdivision for rent or lease. Although they aren't contemplating condominiumizing at this time, they want to be able to come back and achieve approval later without much additional work. The main difference between the reviews is a lack of a condominium statement. They want to be able to sell the lots individually at this time. Sue added that they would have to build the structure before they could condo it. Joyce asked if the Board would be allowing a waiver of a condominium review in the future if this approval was granted, and it was later converted. Sue affirmed. Under State Law, if they have approval for subdivision for rent or lease, they can condo it without going through the review. They try to set it up for everything to be covered, with that potential. State requirements require what the declaration of unit ownership has to include. This was further discussed.

Ken asked if with storm water impact, is there individual treatment or are they just looking at retention and infiltration structures. Marc thought the grassy swales were a form of treatment. They want to stay away from a drywell situation. There is a high water strata in this community. DEQ will look at the plan further, as well as comments sent on to them.

Public comment opened:

Dan Morrison: He asked if this would be developed by purchasers others that the developer.

Marc Carstens: The developer is also a builder. Marc couldn't say if he would build all the structures.

Dan M: He asked about the building phase.

Marc C: He hasn't discussed the building construction timelines with the developer.

Dan M: He hasn't really made up his mind on the project. It seemed to be put together pretty well.

[Hughes]: He wondered about the effect on his property, and was concerned.

Sue S: She mentioned that the staff reports, which are detailed, are available though the Planning Office, and invited those with public comments to request these from the department. She noted they could attend the Commissioners' hearing on June 28 at 10:30 am, or provide comments prior to that.

Public comment closed.

Jack liked the proposal and felt it was in a good place, and has sewer and water. Ken thought it was well laid out. Minor issues with FIP need to be worked out, but otherwise it looked good. Sue mentioned that both Fred Mueller and Steve Hughes concurred with the staff recommendations on this subdivision.

**Motion by Ken Miller, and seconded by Jack Meuli, to accept the variance as proposed.
Motion carried, all in favor of the motion.**

Sue listed the corrections to the staff report.

#3: Instead of 2 full-car garage, it should say 2 off-street parking areas.

#4: Remove "with an attached common wall one-car garage for each unit.

#13 and #14: Change 'paved' to 'double chip sealed', and 'curbs' to 'shoulders'.

Motion by Jack Meuli, and seconded by Lisa Dumontier, to recommend approval of the subdivision with the staff recommendations as corrected.

Joyce checked whether the Board would be doing something that would bind a future Board. Sue said that the conditions of approval do not mention about condominiums. It is mentioned in the body of the staff report that this is being contemplated. State law states that if it is

contemplated during subdivision review, they can condo it without going through additional review. The conditions of approval would still stand. Joyce wanted to be clear that she felt the Board should not be passing on condominium stuff. Lisa thought it sounded like the Board did not have control. Sue said as State Law stands, the Board won't approve a condominium here tonight. It's talked about as contemplated in the future. Joyce didn't want to bind a future Board to the potential of bypassing what should be a public review and a Board review. She did like the proposal, but felt it should stand on its own in the future. Sue explained that if they want to condo it, they can under State law. John checked that this it regardless of what the Board does here. Sue reiterated the conditions of approval would stand, until the governing body amends them. It's not proposed as a condominium tonight, but they will have the potential to condominiumize it in the future. Currently, it's exempted from further review. If State law changes, they would have to come back for review.

Motion carried, all in favor.

Lake County Density Map Change Request—Canyon Mills

Joel Nelson presented the staff report.

Jack inquired what appropriate agricultural areas are based on. This is divided into 20-acre parcels already, so where is the agricultural value at? Joel said it has the potential for some sort of agricultural use. Jack noted that in his experience, it doesn't. Jack asked if the Tribal ground was averaged in. Joel affirmed that it was included. Jack said that those were generally bigger pieces, and those wouldn't change. Sue pointed out there was no guarantee those wouldn't change. She's seen Tribal subdivisions occur where it's owned in Trust.

Joyce asked if either staff or others have proposed amendments since the effective date of the density regulations in October 2005. Joel noted that the Historic Kootenai Lodge zoning district would become effective when they file the subdivision, but there's been nothing like this to try to amend the density region boundaries.

Joyce said the 1-year review of the regulations was the basis for her question. Sue said that they've initiated a review back in October. Proposed changes were brought to the Planning Board in October. Proposed changes typically were regarding the regulation section. She thought she got the word from the Board that they didn't feel map amendments were necessary at this time.

Lisa highlighted the section in the density regulations discussed at the density regulation meetings where adjacent landowners to another density can petition to have their density changed. Joel read a section in the review procedures at the bottom of pg. 4. Lisa felt this was what they were doing. Sue said that the applicants really had really hadn't addressed the surrounding parcel sizes and other criteria in their proposal. Lisa said that at the density meetings, people had a hard time with how the lines were drawn, and she felt that the applicants were petitioning to have a density changed to an adjoining one, as had been discussed at the density meetings and allowed in the regulations. She didn't see a problem with it.

Jack said that it looked like the density in the 20-acre area was higher than in the 5-acre area. That's why he questioned how much next to the town is Tribal.

Joel pointed out the general ownership map that Gale Decker had posted. Gale showed some of the different ownerships on the map. Brad Trosper clarified that some of the land was individually owned allotted land rather than Tribal Trust land. It would be in Trust, but is owned by individual Indians. In one case the ownership is 1/2 Tribal and 1/2 an individual, and in the other case it's entirely owned by an individual. It is Trust land. Gale asked if it was Tribal ground. Brad explained that this was not correct. One parcel is partially Tribal-owned. The portion directly south of the area under discussion is owned by an individual. It's in Trust. An individual can own Trust property. Lisa clarified there were 3 configurations: Tribal Trust, an individual Trust (if the individual wants to sell, the Tribe has the first chance to buy it or express that they don't want to), or it can be put into fee status. Gale said his intent with the map was to show ground over which the County does not have control.

Joyce asked for expansion on the suggestion to consider a local zoning district, and what the advantage would be. Sue said there would be more predictability of how the property would be developed in the future. For example, you could designate the type of land use, setbacks to allow for more open space and you could address future subdivision and how to deal with the impacts on services. There's a lot of ways they could ensure that future development of the property would address the goals and objectives of the growth policy. Part of the provisions of the density regulations state that there are two options for amendments: creating a local zoning district or showing that your proposal, if adjacent to another zoning district, is inclined with the land uses and parcel sizes in that area.

John asked if a local zoning district could just talk about density. Sue said that's essentially the density regulations. John asked if adequate light and air referred to air quality. Sue explained that it was looked at as open space and air quality when the density regulations were adopted. These were taken out of State law.

Gale Decker spoke on behalf of the applicants. His daughter is a landowner in the area. He presented a Power Point presentation, which covered 5 points, including the application issue of incompleteness, the precedence concerns, the issue of productive agricultural land use, the properties south of the proposal, and Canyon Mill Road.

He said the application did not fit the proposal, and this was why the application was not complete. He referred to goal 5 in the Growth Policy and section X of the density regulations with regard to what they wanted to do. They did not want to create a more restrictive zoning district, as he didn't feel the 8 owners could agree on the restrictions needed.

The density map is amendable. He felt they were discouraged from pursuing this option because it would set a precedent. The Tribal Forestry and Tribal Watershed letters refer to concerns about precedent. The applicants want their proposal accepted or rejected on its merits, rather than because of precedent. The applicants disagree that the properties in question are productive agricultural land, and feel the land is better suited for home-site development.

Regarding the 5-acre density land to the south, 267 units would be possible there, but very little of the land to the south is available for development. The applicants believe this land to the south is productive farmland, and development should not be encouraged there. It is prime, irrigated, agricultural ground. It's designated as 5-acre density primarily because it's close to Ronan. He didn't feel this should be the overriding factor in determining density. They border the 5-acre density and feel they should receive special consideration as mentioned in the regulations. Gale talked about Growth Policy goals #5 and #7. He said that he was told a 10-acre density would be opposed for the same reasons as 5-acre density. To the south, the average parcel size is about 45 acres. To the east, it's about 10-12 acres.

The applicants agree the number of users of Canyon Mill Road would be affected by the amendment proposal. They addressed this in the application document and are willing to be a part of reasonable solutions to anticipated problems. Several roads have been highlighted to be substandard to Lake County Subdivision standards, but they are not proposing a subdivision. There has been a significant increase in traffic in the past 15 years.

Ken asked if the landowners gave input at the original public meetings for the density map and regulations. Gale didn't know. Lisa noted that a couple of them did. Clarence asked how much the applicants were willing to participate in upgrading the roads. Gale wasn't sure how that happened. He understood that people could waive their right to protest inclusion in a Road Improvement District. He couldn't speak for all of the landowners, but felt that they would be willing to consider a waiver of right to protest.

Brad clarified the concept of prime farmland. This doesn't necessarily mean prime agricultural land. It came about because of the farmland protection policy act in the early 1980's. It says these are able to produce forage or crops normal to this area and the only limiting factor is that there's not enough water. In this area there are other designations for farmland, such as unique farmland, cherry orchards, or farmland of statewide importance or local importance. To say it's prime agricultural land is a misrepresentation of what that means. The intent was to prevent the Federal government from participating in conversion of the limited farmlands of the nation. Clarence commented that the land shown could earn the amount of money that's needed to say it's agricultural land. People can maintain small acreages.

Joyce commented that Lake County has an intent to manage the growth to come through planning processes, of which the density regulations are a step. Regarding the larger picture, what has changed with respect to the land or uses or ownership since 2005 when the density map was approved? R. J Snyder answered that there are probably 3 more landowners. He thought there have been 2 subdivisions in that timeframe. Joyce noted they don't want the restrictions of a local zoning district, and asked what it is they are proposing to do, what consequences and benefits do they foresee? RJ thought that they wanted to have the opportunity to subdivide later down the road. There are some covenants on the property right now. He wasn't sure that they'd address everything a zoning district would. He thought some good covenants were included. Joyce said it sounded like they wanted to opt out of the density map. RJ said that they didn't feel it was prime agricultural ground. They felt it was good ground for home site development. Gale showed on a map where the proposal bordered the 5-acre density.

Public comment opened:

William Trosper: He wondered what would be approved if this was not. He indicated an area of 2 to 10 acre parcels. Cows can be raised on it, but you can't farm it. His dad has 300 acres nearby and makes about \$10,000 a year. Down below, there's prime farmland closer to Ronan. Why protect this [land in the proposal] and not that? He's in favor of the proposal.

Dan Lake: He showed on the map the ground he farms. He considers this prime hay ground. He showed another area he wouldn't consider to be prime farm ground. He would like the Board to consider allowing this proposal or a modification of it, but offer some relief and some options from this type of land for people to build houses. When you put a house on a 20, you can't farm it. The water is messed up. You can't irrigate it. The machinery doesn't fit in the driveway anymore. He agrees the density plan is a good thing. It happens that where you want to 'grow' the City of Ronan, it's by far some of the finest farmland in the whole valley. He'd like to see options for people in the community to go to some of these other places. If you can't leapfrog because of the plan, where are you going to go?

Jack Duffey: He lives elsewhere in the North Crow area. He didn't think the people were asking for too much. The density map had to start somewhere with its lines. If people agree that the map is amendable, he didn't know where you'd find a better scenario and less conflicting request.

Don Burns: Eventually he'd like to retire, and subdivide and have some cash to work with. He doesn't necessarily want to cut it up, but he'd like to have the option.

Jackie Burns: They'd like to sell the whole place if they sell. They don't want to subdivide it for their own use. They wanted to help Noelle out.

Public comment closed.

Sue clarified that at no time did she tell Gale Decker that they would oppose the proposal. She told him that she felt it would be very difficult to support the proposal, and she thought the Planning Board would feel the same way, without proposing some sort of local zoning district, or a proposal to make that area better suited to provide services, such as improving Canyon Mill Road, to give some sort of amenity to offset the impacts in which the proposal would likely result in the future. She was trying to direct him, without saying 'you need to improve a road' or 'you need to create a zoning district that's going to address these things'. She felt that would have been inappropriate. If she tells him what to do and is also the reviewer, it puts her in a conflict of interest situation. She was trying to encourage him to propose something to support their density amendment. Without something, you're opening it up to the next person who may be in an area that you don't feel is appropriate for a zone change, without some sort of criteria that supports that, yes, this area has adequate roads, the land uses are compatible, the parcel sizes are compatible. It's going to be difficult to make findings in the future unless you can make findings tonight.

John summarized that the Board needs to support or deny a change based on something solid, not just 'the line was drawn in the wrong place so let's move the line'. Would it be appropriate to ask for something like a Special Improvement District for Canyon Mill Road, or that they change the density request? Sue thought the Board could direct the applicants in terms of ideas that the Board felt would be more appropriate.

John felt a requirement would be to meet the needs that these people have and not do damage to the density map and process. He wanted to meet the needs without damaging the process and work done to get the density map put together. Sue thought the regulations attempted to address people's needs by providing various exemptions. Perhaps it's more appropriate in this case, as she'd mentioned to the applicants, to request a variance and try to obtain some transferred development rights from the Lakes, who don't want to divide their land any time soon. This isn't currently allowed under the density regulations, but a variance might be appropriate because of the land uses. The density regulations attempted to put in options for people. The greater good also needs to be thought about, here. The cost of services and rural subdivisions are a lot of the reasons why that area is a 20-acre density area.

Jack asked if it was changed tonight, wouldn't things like the roads come up when they want to subdivide. Sue asked if he'd seen an improvement of a county road for a subdivision. People waive their right to protest, but no one has had to improve a county road except Paul Milhous. Jack thought if the people wanted it, they couldn't protest it. Ken said he'd rather see the roads fixed than the waiver of the right to protest. The roads don't get improved. Jack thought the County would fix them anyway. Sue noted that the County has very limited funds.

Lisa thought the Board was losing sight of what's being done here, which is not a subdivision, but rather a change in density. Subdivisions are visited by the Board individually, and the Board is cracking down on that stuff more and more, depending on the size of the development. That's when the traffic will increase. Ken said that a large part of what they're looking at in subdivision review criteria is 'does it meet density?'. For the most part, if a subdivision meets density, it generally gets approved. To him, by changing the density, the Board is approving for subdivisions that there will be 5-acre tracts. The two agreed that currently the same number of people will live there, and subdivisions will have to go through subdivision review criteria. Ken felt additionally that by changing the density, the Board makes it much easier to make all these 5-acre parcels. Lisa felt the Board still has the leverage over each of the people coming to the Board to improve the roads. They discussed this further. Clarence pointed out if they come in one at a time, you can't expect one person to pay for the whole road. This other way, everyone is available to pay for the road. This is the time to do something. Jack and Lisa felt 5-acre and home sites were a better use for this land than 20-acre.

Lisa didn't feel this was prime agricultural land. She felt very bothered by using Tribal land in the conversion of the surrounding parcels and by the precedent concern, since anyone who comes and asks for a change is going to set a precedent. Sue noted that the staff report says nothing about setting precedents. Lisa said that it was brought up several times, possibly in the wording from the Tribe. With the roads, the Board still has a say down the road. No one will benefit financially from this, since nothing has been sold. Ken said that the development rights could be sold as soon as it became 5-acre density.

Ken thought these were growing pain issues, with the first density map change. He thought Gale Decker presented an excellent case on the agricultural side of why it should be changed, and actually made an even better case why a lot of the 5-acre density should be more like 20-acre. There are other issues, such as the effect on local services in terms of cost. Those will be disproportionately borne by the rest of the taxpayers of the County if this were changed to 5-acre density and then further subdivided. He felt very mixed on what to do with this.

Joyce was bothered by lack of specificity about what will be done with the land. You can't plan unless you have some idea of what to expect, which plays into the things Ken mentioned as well as the things in the staff report. It sounded to her like they don't want it the way it is because they don't know what they want to do. She was reluctantly going to have to vote against it.

John asked if she would be more comfortable if it would be 10-acre density. He was aware that there have been a number of family transfers right above it. Would the Board and the applicants be happy with 10-acre? He liked Sue's suggestion about the land they really want to preserve which is right next to town, which is 5-acre due to proximity and he wasn't sure they had really intended to do that. They are trying to save open space and a rural character as well as farmland. He's not opposed to making a change, but he's not sure what kind of change they ought to make. Does the Board have some leverage now to further this process of planning in Lake County? He thought they needed to keep a handle on that.

Jack said that you have to use what the land is. There's a real advantage on that 5-acre, because it does belong to the Tribe and the Tribe does lease it out, and it belongs to some people who can actually can make a living in farming.

Motion by Jack Meuli, and seconded by Lisa Dumontier, to recommend approval of the proposed change in the density map to 5-acre density.

Lisa said Dan Lake made an excellent point. However the lines were drawn, everyone knew it wasn't a perfect system. The line had to be drawn somewhere. A process was put into place so people could come on a case-by-case basis and present their case. She felt what the applicants were saying was reasonable. The land is 2 miles outside of Ronan.

Clarence proposed an amendment to the motion that the applicants would not object to a LID for improving the roads. Ken asked where they would agree to that—where would it be recorded? Sue said that it wouldn't fly. The amendment to the density map is approved or not. Clarence asked if each owner would come in individually. John thought so. Clarence thought it didn't make sense for the person who came in to divide off a 5-acre parcel to pay for the whole road, so he was concerned that the burden would be on the County and the other taxpayers.

John asked Gale Decker if 10-acre met the needs of the applicants. Gale had the impression that it would. A primary reason was to have some flexibility in the use of the land that they have right now. 10-acre density would give 7 new units to that 160-acres, as opposed to 23 with a change to 5-acre density at maximum build-out for a 12% increase in the traffic.

Clarence proposed an amendment to approve as 10-acre density rather than 5-acre. John clarified that the 5-acre would need to be voted on. If it didn't pass, another motion could be made.

Motion for change to 5-acre density failed, with 3 votes in favor (Lisa Dumontier, Jack Meuli, Ken Miller) and 4 opposed (Brad Trospen, Clarence Brazil, Joyce Funda, and John Fleming).

Motion by Clarence Brazil, and seconded by Ken Miller, to recommend approval of the proposed change in the density map to a 10-acre density area.

Joyce checked that the Board could make the recommendation. John clarified that the applicants can still take their proposal to the County Commissioners.

Motion for change to 10-acre density carried, with 4 votes in favor (Brad Trospen, Clarence Brazil, Ken Miller, and John Fleming) and 3 votes opposed (Lisa Dumontier, Jack Meuli, Joyce Funda).

Sue checked with the Board about amending the findings. What does the Board direct? John said that it isn't good farmland and is very close to town. It borders a 10-acre area. It doesn't make a tremendous change in the cost of roads. It moderates the change. Ken added that as the 5-acre density to the south currently has fairly large parcel sizes, it makes a better transition from larger parcel sizes in a lower density. John summarized that it's a transition. Ken detailed that it fits neighboring parcel sizes, land uses and agricultural production.

General discussion commenced.

OTHER BUSINESS

Sue updated the Board on recent activity. Alex Hogle has resigned, and interviews commence tomorrow for a new planner.

The Commissioners heard the River Valley Trail subdivision. The developer wanted to talk about the mitigation measures. There are 5 items that the Commissioners and the developer will discuss regarding mitigation on June 28 at 1:30. (Conrad Estates will be heard by the Commissioners on 10:30 that day.) Because mitigation was to be discussed and this might involve new information, the Commissioners will hold a public hearing on the mitigation. The 5 items involved are irrigation, internal roads, external roads, number of lots and the safety features. The mitigation is different than that proposed to the Planning Board. Sue outlined generally some of the proposed mitigations.

State law requires the Commissioners to discuss the mitigation measures with the developer, and it also requires that the public has the opportunity to comment on it. It doesn't necessarily require that the proposal come back to the Planning Board. She suggested Board members who are interested in talking about that subdivision further with the Commissioners attend the meeting. Also the Planning Dept can provide the information proposed for the mitigation. Sue

explained that the Commissioners' meeting has been noticed as a public hearing on the mitigation measures. The Commissioners have the discretion that if it's a substantial change in the subdivision and they feel it needs to come back to the Planning Board, they can send it back.

Joyce asked if the public showed up at the Commissioners' hearing. Joel and Sue noted that Jim Haight attended.

Joel said that he was expecting additional information on Views at Timberlake tomorrow. That proposal is expected to be back next month. Sue explained that they granted the Planning Dept a 30-day extension after the last meeting in order to give the Planning Dept additional information.

Joel alerted the Board that the next months may be busy, with 14 active subdivisions. Sue mentioned that for July, there would be two Stonehorse proposals and Views at Timberlake.

Motion by Joyce Funda and seconded Brad Trospen, to adjourn. Motion carried, all in favor. Meeting adjourned at 9:57 pm.