

LAKE COUNTY PLANNING BOARD
March 12, 2008
Meeting Minutes

MEMBERS PRESENT: Fred Mueller, Jack Meuli, Bob Kormann, Ken Miller, Brad Trosper, Steve Hughes, John Fleming

STAFF PRESENT: Sue Shannon, Joel Nelson, LaDana Hintz, Lita Fonda

John Fleming called the meeting to order at 7:00 pm.

Motion by Ken Miller and seconded by Steve Hughes to approve the February 13, 2008 meeting minutes. Motion carried, 6 in favor (Fred Mueller, Jack Meuli, Bob Kormann, Ken Miller, Steve Hughes, John Fleming) and one abstention (Brad Trosper).

VALLEY HILLS MAJOR SUBDIVISION

Joel Nelson presented the staff report. He gave the Board additional public comment of a 7-page letter received yesterday from an attorney firm representing surrounding property owners. The attorney was present. Joel briefly summarized topics in the letter.

John asked Joel which of the recommended conditions of approval might be need particular attention. Joel suggested #13 (regarding 1-foot no access easement), #15 (regarding engineer certification of roadway and associated improvements), #20 (regarding waiving the right to protest SID for a portion of Back Road), #22 (regarding the potential of funds going to the Road Dept), and #28 (regarding 100' setbacks from surrounding agricultural lands for new residential standards). He thought the rest were fairly standard.

Fred asked about the length of the road and number of units on it. Joel said the length was 2,429', with not more than 15 units as proposed. He confirmed for Fred that there's one way in and out—roads exceeding 1,500' are allowed so long as they don't provide access to more than 15 units. Bob asked if this was why the existing approach on lot 16 was on Forman Road. Lot 16 has a 'no access' easement along Valley Lane. Condition #13 indicated that lot 1 must use Valley Hills Lane for access, minimizing Forman Road access. Steve asked if lot 16 should also not access onto Forman Road. Joel explained that the applicants indicated they have an approach permit for that approach. Steve thought it was an old approach. Fred thought accesses should be minimized on Forman Road since it was narrow. He didn't like 2 approaches there in 1/4 mile unless they wanted to widen Forman Road. Sue noted that an additional approach on Valley Lane would require a variance to the subdivision regulations for the number of units (more than 15) on a road exceeding 1,500'.

Joel said that there was not a proposal to widen Forman Road, nor had a test well been proposed, in response to Fred's queries.

Jack Duffey spoke on behalf of the application. They agreed with staff recommendations to this point. He clarified the approach on the map. It was an existing approach established in John Bartell's name in August of last year. The Lake County Road Supervisor did not indicate a

problem with using that approach and a new one. He reiterated information on the two 'no access' easements. They felt the approaches selected served the lots best. John asked how he felt about going the other direction, since the Board sounded interested in that. Jack thought they'd rather comply than go for a variance. John reiterated that the Board has not had a chance to go over the 6.5 page letter, and suggested that the author could help with that.

Public comment opened:

Kirby Christian: He was in attendance on behalf of Hughes Ranches and David Mercer. They weren't necessarily opposed to the subdivision. He wanted to outline some areas of concern, and present ideas that would help preserve the rural atmosphere and lifestyles that were there now, and address concerns with public health and safety. Development moving into a rural environment could cause conflict between agricultural and existing uses and the rights of the new neighbors. He tried to outline and highlight areas of concern by suggesting covenants, that, if implemented into the developers' covenants, would help mitigate the effect on agriculture this subdivision would have. They were willing to discuss issues with the developer to the extent that they might have objections to them. In general, the suggestions tried to preserve dark skies and make new residents aware of the fact they're moving into agricultural country where there were noxious odors, noises and farming going on in the middle of the night if it has to happen for the crops. Covenants are private contracts, so one provision he suggested allows the adjoining neighbors to enforce the covenants, and/or the County to have some enforcement authority. Otherwise, covenants would get amended and the adjoining neighbors would have no say in the future about compliance. The suggestions included things about no fireworks or firearms, kenneling dogs and limiting the number of livestock, which was a concern given some of the parcel sizes. They requested a reduction in the number of animals allowed in the covenants. The wildlife section may or may not be directly applicable. Some were taken from Fish and Game. There were a number of safety items in more rural environments for both the wildlife and the public that could be included in the covenants.

He had two concerns with effects on public health and safety. The 2,400' cul-de-sac was initially one of the concerns. The spirit of the regulation was to not have too many homes clustered on a dead end street. He thought safety impacts should be considered. Maybe additional fire protections items and similar things to mitigate the concern would help. Water was a primary concern. Seth Makepeace also had some concerns for the wells. They were asking for a provision in the conditions that prior to final plat approval, something to show that it could be determined that this subdivision wouldn't have a negative affect on the other wells in the area. He also proposed in paragraph 2, page 6, fencing and maybe a gate or cattle guard at the subdivision entrance. Cattle operations in the area utilize the road to move cattle between pastures, and it would be good to have the ability to keep them out of the subdivision.

Sue S: She asked about the barbed wire mentioned on pg. 2 of his letter, and if he were suggesting chain link would be hazardous to the livestock.

Kirby C: He just thought the barbed wire fence would help keep the livestock out of residential areas.

Sue S: She pointed out families might not want a barbed wire fence, and the current phrasing is limiting.

Kirby C: The barbed wire was their preference as far as keeping the livestock out of the neighborhood. He didn't think it was a critical issue if the Planning Board had a different view.

Sue S: She asked about the language allowing neighbors outside the subdivision to enforce covenants. The only language she saw regarded amendment of the covenants.

Kirby C: He pointed out paragraph O on pg. 6.

Public comment closed.

Jack D said that since the covenant suggestions were just received today, they haven't had time to ponder or negotiate regarding the suggestions. He didn't think it was fair to try to take them into consideration tonight. He was willing to negotiate between now and the Commissioners' meeting. He thought they could come to some good agreements on some of the suggestions.

Bob asked about the school bus turnout and mailbox access. Jack D said they wouldn't enter. They have a 'waiting area' designated, where cars can wait to pick up students. Bob asked if a wider spot at the entrance for a bus to get off of Forman Road was needed. Jack D said this was a good flat stretch there. For mailbox access, people can pull into Valley Hills Lane, and the cluster box is off of the lane. Joel referred to a sketch of the mailbox turnout.

John asked if covenants allowing adjacent neighbors to enforce had been seen before. Sue hadn't seen it. Ken thought it remedied the ongoing covenant problem where something was put in to remedy an effect the subdivision has outside of that the subdivision, but there's no way for people outside of the subdivision to remedy that when the covenants are violated. He was in favor of this. Jack M saw where it could be a good thing and where it could also be a problem. It didn't say who would enforce these, or if one dissatisfied person could change the covenants. It didn't sound like a good deal to him. Sue thought it might not be a big deal now, with 3 adjacent landowners, but when those lands got subdivided, there'd be 15 or 18 more adjacent neighbors. Joel said if the homeowners wanted to change something that didn't impact the neighbors, there's a lot more people involved.

Kirby said what they had here was mitigation on the effects of agriculture. They were trying to enhance the restrictions that allow the subdivision to go through in an agricultural environment. They'd like to have the adjoining neighbors allowed an enforcement mechanism, or require that the mitigating conditions for agriculture not be changed or modified without further public comment or hearing. He urged them to consider giving the adjoining landowners the right to protect those covenants that relate to agriculture, at least as long as those parcels remain in an agricultural condition. John asked Sue if the property owners in the subdivision could later change the covenants if they were a part of the conditions for approval. She replied that more recently it's typically been required that the Board of Commissioners have to consent to changes. The purpose is to ensure that there won't be changes related to the primary review criteria that

could put the subdivision out of compliance with its approval. It doesn't necessarily require a public hearing the way it stands.

Jack D didn't think they'd be opposed to neighbors enforcing the covenants, since the covenants were intended to enhance the property and also preserve adjacent land. He didn't think it would be fair to have the neighbors participating in amendments. Sue clarified that only people party to the covenants can contact an attorney to attempt to enforce covenants. Steve noted that the County wouldn't enforce covenants; it's up to other people to do so. The people within the subdivision might not enforce the covenants, and it would have an effect on the adjacent neighbors.

Jack M agreed with Jack D about changes in the covenants being difficult to consider tonight, having just received them tonight. He wondered if the applicants and neighbors could get together and make changes that would improve the subdivision covenants. Sue said Jack D could present the ones he'd be willing to agree to at the Commissioners meeting. She didn't think she'd have problems with the changes, except for the County enforcement language.

Motion by Jack Meuli, and seconded by Bob Kormann, to recommend for preliminary approval with conditions as recommended by staff and also that the applicants look further at the covenants submitted by Kirby Christian on behalf of his clients, and for those covenants to be discussed at the Commissioners' meeting. Motion carried, 6 in favor (Fred Mueller, Jack Meuli, Bob Kormann, Brad Trospen, Steve Hughes, John Fleming) and 1 opposed (Ken Miller).

Bob commented that some subdivisions have a clause about blue tarps.

SMYTH ESTATES MAJOR SUBDIVISION—POSTPONED

AMENDED PLAT OF LOT 49 SWAN SITES #1 MINOR SUBDIVISION

Joel presented the staff report. This is for lot 49 of Swan Sites No. 1. On pg. 2 in section B, he corrected the report in that a soil profile was only done on the undeveloped lot 49B.

Dan Brien spoke on behalf of the applicant, who has no problems with the staff recommendations.

Public comment opened. None offered. Public comment closed.

Ken said the subdivision seems compatible with the existing surrounding land uses and with the Swan Sites Zoning District and covenants.

Motion by Fred Mueller, and seconded by Ken Miller, to approve recommendation of the subdivision with the staff recommendations. Motion carried, all in favor.

WINING MINOR SUBDIVISION

LaDana Hintz presented the staff report. She noted a correction on pg. 2 that in the road section, the right-of-way is actually 40' instead of 60' in width. Staff recommends that 20' be dedicated

along lot 1 along Morigeau Street for the additional right-of-way, to make this a full 60' width. Sue explained that the easement would be dedicated right-of-way to the public for Morigeau Street. It's not an easement over private property. Ken asked if the owners of lot one would still own the 20' and pay taxes on it, but it would be a dedicated easement to the County. Sue affirmed, it would be an easement for Morigeau Street. LaDana highlighted conditions #9 (regarding removing a portion of fence) and #8 (regarding fence installation). Ken asked about the width of the existing fence opening on Morigeau Street, and what width the Road Supervisor had requested. LaDana wasn't sure of the current width, and the Road Supervisor had not specified a width in his letter.

Brad asked about pg. 6, section 11 and if the current commercial use could change. LaDana replied that right now the approval is for commercial use, and they would have to get approval to have it changed. Sue noted that the type of commercial use could change. Brad summarized that they didn't want people living in the storage units or business.

John checked what follows if the variance is not reviewed. Sue replied that the variance was not necessary.

Emily West spoke on behalf of the applicant. She handed out a map for the Board. The applicants didn't have issues with the conditions of approval. Regarding access off of Hwy 93 versus Morigeau, the Road Supervisor specifically requested that the access to Morigeau from the commercial lot be cut off. They had an approach permit for Hwy 93 that was recently reapproved as part of the highway expansion. She apologized for the 60' listing instead of 40' on the plat. They would like to request that the Winings not dedicate an additional 20'. She referred to the map handout, and nearby Tribal Trust lands. It was highly unlikely that the Tribal Trust lands would dedicate 20' to the right-of-way, so the widening Morigeau Street to 60' is unlikely. John asked about dedicating 10' on either side. She answered there were already 10' setbacks, and this would cut another 10' of buildable area. It would take the right-of-way to within 7' of the home, and would narrow the lot considerably. John asked if this was the case with the 10' or the 20' right-of-way increase. He asked why the 20' should all come from the one side of the street. Sue explained that this was the north end of the platted townsite of Arlee. The other streets have a width of 80'. This one was half a street. The other 40' was to come from the property to the north if it was developed. The 60' complies with the subdivision regulations. Emily noted that the high school was behind, and it was unlikely that there would be additional users. Ken asked where the Morigeau Street centerline was located in the 40'. Emily believed it was skewed a bit to the south. The street currently was 18' paved, and could widen to 24' in the future with the current right-of-way.

Gary Wining commented that Tribal Trust land was on both sides down the street. Widening the road seems unworkable. He felt the rest was agreeable. He noted a new power pole had been installed in the SW corner. If it had to be moved back, this would throw the span off.

Ken asked if he intended to change the use of the commercial building. Gary replied he was not. The storage units were working and were only 5 years old.

Public comment opened. None offered. Public comment closed.

Bob didn't think the 20' easement would be useful in the particular case. Fred and Jack agreed. John noted the road could be widened as it is. Ken asked about a 10' easement on each side of the road. If there were expansion later, this would then be there. John thought that would be a difficult situation with the Tribal properties, although he agreed with Ken's line of thought.

Motion by Jack Meuli, and seconded by Bob Kormann, to recommend for approval of the subdivision with the staff recommendations.

Motion by Ken Miller, and seconded by Bob Kormann, to amend the motion by amending the final paragraph of the approval to specify for lot 2 that the approval is for the current commercial use only. Motion carried, 6 in favor (Fred Mueller, Bob Kormann, Ken Miller, Brad Trosper, Steve Hughes, John Fleming) and 1 opposed (Jack Meuli).

Vote on original motion as amended: Motion carried, all in favor.

GREEN ESTATES MAJOR INFORMATIONAL

LaDana Hintz presented the staff report. She noted that the parkland section of the report would be added to the public hearing report. The developer is required to donate parkland equal to 0.62 acres of land. He proposed to give cash in lieu donation to meet this requirement.

Jack Duffey spoke on behalf of the applicant. The Greens were in attendance. Jack D spoke at the map. He mentioned setbacks and indicated a road that they saw no problems relocating, and adding an additional lot. This would do away with one of the county road approaches. There were wetland areas identified. For one, they received DNRC comment and they have a buffer plan. Another one did not appear on maps and appeared to be created from irrigation and runoff. They proposed to buffer off that area as well. They had an irrigation plan for sprinkler irrigation for every lot. This should help mitigate the effects as far as wells and water used. Six or seven well logs gathered from adjacent properties range from 106 to 200 feet in depth. The minimum yield was 11 gallons per minute. Most of them were at 30 gallons per minute. The review by the DEQ should address the neighbor's concern.

On lot 2 and 3, Bob asked about the 20' height restriction in the covenants. Jack D explained the Greens own the property to the west, and they had some concerns on the view corridor.

Public comment opened:

Shannon Reilley: She was here on behalf of four other neighbors. Their hearts sank when they heard about the development. They were hoping for 4 houses rather than 8. They were concerned about the water and views. They hadn't seen the covenants, just the notice. They were concerned if there would be covenants to keep the dark skies that they valued, whether barking dogs would be covered, and fireworks and the things mentioned for the previous development tonight. They were concerned that, if this development goes through, the beauty, space and quietness of the neighborhood be kept in mind for the future.

Jack Duffey: He was sure the Greens would be amicable to listening to concerns and negotiating restrictions on the property. Communication between neighbors could go a long ways.

John Fleming: He described the Greens as good land stewards and neighbors. He'd known them for many years.

Public comment closed.

Sue provided Shannon with a copy of the covenants as listed in the introductory staff report.

CHARLO ESTATES MAJOR INTRODUCTORY

LaDana Hintz presented the staff report. She pointed out that staff recommended a requirement for tracts 1 and 8 to access the subdivision from Drop Tine Lane instead of directly from Herak Lane. The covenants did not address this currently. The parkland section for this report would also be added to the public hearing report. The developer would be required to donate 0.48 acres of parkland. The developer proposed to donate cash in lieu donation to meet this requirement.

Bob asked about the buffer strip on the wetland areas. LaDana clarified that the recommendation was for 100'. On one of the previous subdivisions tonight, only 30' was required because comment had been received from the NRCS that 30' was acceptable. No comments had been received to say that 50' would be acceptable for this one. Sue explained this was requested in the preapplication. The regulations don't say what the best buffer width would be. The Montana Audubon Society issued a pamphlet on acceptable buffers, which says that generally 100' is a good buffer for wetlands and waterways. Instead of having the wetland coordinator for the Tribe and the NRCS go out and look at every subdivision with surface water and comment on a buffer, Planning staff recommend 100' based on that publication, and if applicants wanted to propose something less, the applicants needed to obtain comment in support of their proposal. This did not include irrigation ditches. It's for waters such as natural waterways. Jack M asked more about who put out the publication. Sue thought it was the Montana Water Corp in affiliation with Montana Audubon and DEQ. John verified with Sue that a developer could go to the Wetland Coordinator for the Tribe, who could say a 30' buffer was sufficient for this wetland area or waterway, and as long as the Board of Commissioners was okay with that, it could happen. The applicants take the initiative.

Ken asked whether the hachured areas shown as low wet areas on the map included the buffer area or were the wetland itself. Sue replied this was the wet area itself. There were hachures on the colored map that shows the buffer.

Jaimie Wolf spoke on behalf of the applicant. They agreed with most of the staff recommendations with the exception of setbacks. She handed out pictures to the Board showing the wetland areas. They had identified the pond and wetland areas as critical areas. Buffer strips were not required for wetland areas. They felt the development should not be there. A 100' setback for the low wet areas seemed like too much after they went onsite so they reduced it to 50'. The other setback issue was the agricultural setback, which they reduced from the staff recommendation of 100' to 50'. Lands to the north and to the west were in the 5-acre density region. The pictures included land to the north, which is rolling terrain. The surrounding land

was primarily used for ranching and grazing purposes, with intermittent sections irrigated, and with maybe 20 acres in hay production. Also, they proposed 40' setbacks from the centerline of the irrigation ditch instead of the recommended 50' building setback. She met many times with FIP. She said she had a letter from Wayne Brown and another person saying that they had approved the irrigation plan, including the reduced setback. Wayne's main concern was being able to get in there with machinery to make changes that are needed. FIP did reserve the right to make comments as the infrastructure was put in place. They would oversee the installation and things would have to pass their standard before it could be improved. Dave DeGrandpre said the subdivision regulations didn't require particular setbacks from property. Staff recommended 100' setback from the exterior boundaries in all directions based on mitigating impacts on agriculture. The surrounding property is not tilled, fertilized or intensively farmed. It's flood irrigated grazing land. They felt like a 50' setback was more than sufficient. The subdivision regulations didn't require setbacks or buffers from wetlands or ponds. What they proposed was more than had been historically done.

Ken asked if these were jurisdictional wetlands. Dave didn't think they were large enough. John asked for a definition. Ken explained that jurisdictional wetlands are designated on Corps of Engineer maps. Dave thought there was a minimum size requirement.

Dave added they worked extensively with the Irrigation Project and with an irrigation supplier from Hot Springs and a local excavator on a previous property reviewed. He showed on the map some options they were considering regarding some recent concerns the Vaughans and FIP had expressed. He didn't think this would affect the subdivision much.

John asked staff whether moving the pipe to the south of that ditch to avoid the pond would be doable. Dave wasn't sure this was necessary. He didn't think that a third pipeline would need to be in the pond. He spoke about this, referring to a photograph. In the event the pipe had to be on the south side of the ditch rather than in their preferred location, so be it. Sue asked Dave if they were not relocating turnout 40 then. He didn't know yet. It might not be the best option. Jamie said problems were identified because of the elevation change involved in moving it 170' to the west. There might not be enough drop. It would not be a pressurized line. It would be a buried pipe. Dave added that it's a ditch right now. Sue said what might have to happen would be an easement along the existing ditch where it'll have to be piped.

Bob asked why there were no shared wells other than that between tracts 6 & 7. Dave said the families want to share a well. The others would be sold on the open market. There'd be a well agreement with that.

John asked about the ditch and some change that may or may not happen. Dave explained this with the map. The change involved relocating part of the ditch along a lot boundary. The Vaughans and FIP have rethought this, and there might not be enough elevation fall. Now, they're considering leaving it where it is.

Public comment opened:

Pete Vaughan: He owned the property to the south. The headgate from 1928 was on the divide of the 2 lands. Irrigation was his concern. The ditch fed 2 landowners below him. A lot of water goes through at times. Two guys open their risers on Sunday morning. Their risers go off plus his goes off too. He thought someone should oversee that. The headgate should be chain linked or something. He checked it twice a day because the cows get in there and float the boards out. Five kids and 3 dogs would be floating out too. He didn't have much concern other than the irrigation. There doesn't seem to be a person in charge when needed, especially on Saturday or Sunday morning. They'd seen it subdivided before. Someone blocks off the natural drain, and fills both ditches on the county road. There's no one to enforce this once it's on. He didn't see anything on the size of the pipe to his property. It had to be large. It came out of a 15-inch headgate and had to gravity down there that far. It had to go behind his barn, which is at the other end of the 80 acres. It wasn't a big thing when they subdivided around Missoula, but there'd been a lot of kids lost in the ditches. A lot of people were mad because they paid for water and couldn't use it. That's what he saw down the road.

Sue: She asked where his pump was.

Pete: It sits on the road by his house.

Sue: If two people opened risers, what happened?

Pete: There's a riser to each lot. If you opened two of them up, it tended to shut the pump off. Their pump steals the water out of his pump, until it flips their pump off. Last year the ditch washed off, and the water ran into a wetland for about 12 hours. It had about 2 feet of water. They dug it out and repaired it. The sprinkler on each lot was kind of new. They had three pumps and a lot a trouble. They check twice a day.

Nancy Vaughan: This was an informational meeting. She asked about public comment. Was this it?

John: Public comment was happening right now. This would happen again in a month.

Nancy: Were there covenants?

Sue: She could have a copy of the covenants to review between now and next month's meeting.

Nancy: She wasn't against progress. They're also agricultural people, and they wanted it done right and did not want to be imposed upon for their operation. She was glad the Fire Dept spoke. She also had a concern with that many more people on Herak Road. The landfill was a mile down on Herak Road. There's lots of traffic on Saturdays and Sundays. If the Commissioners wanted to widen Herak Road and make it more workable for them, that would be good too. She had a concern with the schools. They'd been working on new buildings. The Tribe said they were interested in putting a housing project in the area, so that would be more people in the schools. She has a big concern about the whole community of Charlo. For the wells to be drilled, she recommended iron remover to avoid clothes the color of Sue's hair.

Public comment closed.

Ken mentioned to Shawn Rowland the driveway cross-section showing 5% cross slope crown seemed a little much to him, and the barrow ditches with 1.5 to 1 side slope. Shawn thought this had been standard for a long time. It had to go through DEQ, not reality.

John suggested they discuss setbacks, given many possible numbers.

Fred, Jack and Bob thought 50' was a sufficient setback here for wetlands and agricultural lands. Sue explained that historically 100' has always been done from agricultural properties. 50' is a huge deviation from what is standard. Joel noted that this has been true in other 5-acre density areas, including Valley Hills earlier this evening. Sue said it didn't look like the cul-de-sac would impact the building sites on the lots. If the other lots become developed, it essentially wouldn't be a requirement any more. The standard has been 100' setback for undeveloped lots used for agricultural purposes. Dave asked what sort of impacts there might be between the adjacent landowners and the people who might live on these lots. Why would it be necessary? Joel listed more flies, more odors, angering the people who live within the subdivision, dogs closer to the perimeter of the subdivision—things of that nature. Sue added noises and disturbed livestock. Jack said these were hardships on the subdivision. Joel said they'd be going to the neighbors and complaining. Sue gave an example of the cows hanging out by the fence, only 50' from the subdivision. That creates a problem. Jack said that's the problem of the people who live there. Fred agreed. Sue pointed out that then they will complain to the neighbor about his cows, or try to get his cows mooved. The purpose is to protect the agricultural land user, not the people within the subdivision. Fred thought they'd still complain.

Sue explained that historically it's been 100'. Fifty feet was a big deviation from what's been done, and then that would get set as a precedence. She didn't think it was okay to say it's okay for this guy, but not anyone else. John asked Dave what the negative impact of 100' would be. Dave thought it would limit building sites on tract 4. He thought it was principle more than anything else. It was not a high production agricultural area. Sue asked if it were clear that after the surrounding lots were developed to 5 acres, the setback wouldn't necessarily be a requirement anymore, because it wouldn't be agricultural land. The 100' was specific to agricultural property. Dave said people would have already built. How do you make it go away? Sue said it would be specified for agricultural property in the covenants. Jack M asked about someone who built, and a year later it's divided on the other side of the property, but he's already been pushed back 100'. Sue said that's making a huge assumption the adjoining property would be divided. Joel pointed out that two other 5-acre density subdivisions had been looked at, tonight, and nothing less than 100' was looked at.

John asked what couldn't be done in the buffer zone. Ken said if it were for wetlands, you couldn't do anything. Sue double-checked whether the question was intended for buffers or setbacks. John asked about setbacks. Sue said this was for the building, for a residential structure. People wouldn't necessarily be hanging out in a garage or shed and bothered by activity on agricultural tracts.

Dean Vaughan said they didn't plan on subdividing soon. That was not their intent. Where the subdivision was planned, the prevailing winds came from the SW. He didn't think the 100' was out of line. He bordered to the south and west with farming tracts. It might not be high intensity, but these were still farming tracts and they'd be out there bailing hail at 2 am, and it's a dusty operation, and they'd spray weeds. The 100' would protect him down the road. Right now it was in alfalfa. A few years from now it might be plowed up and go back to small grains. There would be dust issues. Mary Roberts commented that if the dust was from the SW, the wind would carry it either 50' or 100'. Pete Vaughan showed some items on the map, and commented about the check, 3' from the fence.

Sue said that if there's something right there, as a feature to convey water through this subdivision to other lands, it needed to be shown on the map, so it could be used in the review.

John thought it sounded like the folks in the area would like to keep the 100' building setback. It sounded like it would be easier next month if there would be 100' setback for buildings from agricultural lands. For wetlands, Jack M didn't think 100' setback was needed. Bob asked how to avoid a lack of understanding for the neighbors next month with irrigation. People generally agreed the people should communicate together. Although Bob knew this wouldn't happen, he did point out that for the 100' setback, if you took tracts 4 and 3 and combined them, and took tract 5 and continued the line across the irrigation thing, then you'd have two tracts and 100' setbacks and lot 4 wouldn't be squished in.

OTHER BUSINESS

Sue reminded about the subdivision update review meeting next week on Wednesday.

Motion by Fred Mueller, and seconded by Jack Meuli to adjourn. Motion carried, all in favor. Meeting adjourned at approximately 9:25 pm.