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DEPARTMENT OF PUBLIC WORKS
February 17th, 2022
PRE-MEETING WORKSHOP
CAMPBELL COUNTY PLANNING COMMISSION

The February 17th, 2022, pre-meeting workshop of the Campbell County Planning Commission began at 6:00 P.M. in the Public Works conference room. Planning Commission Members in attendance: Todd Hildebrand, Bob Jordan, Kurt Siebenaler, and Anna Land. Staff present were Sam Proffer, Planner and Zoning Administrator, and Clark Melinkovich, Senior Engineer & County Recorder.

Mr. Proffer started the meeting by advising the Commissioners that staff had met with the Assessor's Office, Records Office, Elections Office, and internal staff members to discuss ways to streamline and inform the public on I&S District formation, subdivision processes, etc. Mr. Proffer stated that staff will continue to gather information to present to the commission at a future special workshop session.

Mr. Proffer informed the Commission that staff was in discussions with the City of Gillette regarding a possible joint City-County Comprehensive Plan project update. The Commissioners were also advised on the proposed 2022 Natural Resource Land Use Plan amendments that will be brought before them in March.

Mr. Proffer finished by presenting details of the night's regular meeting agenda cases. No decisions on any agenda items were made. No official action was taken. The workshop adjourned at 6:50 P.M.

Sam Proffer
Planner and Zoning Administrator

MEMBERS PRESENT

Todd Hildebrand, Chairman
Kurt Siebenaler, Vice Chairman
Bob Jordan, Member
Anna Land, Member

MEMBERS ABSENT

Harry Averett, Member

STAFF MEMBERS PRESENT

Sam Proffer, Planner and Zoning Administrator
Clark Melinkovich, Senior Engineer & County Recorder

The meeting was brought to order at 7:00 p.m. by Chairman Hildebrand. He thanked the public for attending and reminded them of how to address their comments to the Commission.

Approval of Minutes:

Chairman Hildebrand asked if the Commissioners had read the January 20th, 2022 meeting minutes and asked if there were any changes or corrections that needed to be made. All affirmed that they had read the minutes and no changes were needed.

Chairman Hildebrand asked for a motion to approve the January 20th, 2022 minutes as submitted. Commissioner Siebenaler moved to approve, and Commissioner Jordan seconded.

All voted aye. Motion carried.

Public Hearings:

Enc. 1: Case No. 22.01.CRSD, Hettinger Simple Subdivision

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case and explained that the applicant had an approximately 40-acre tract of land that they wanted to split into two parcels. Mr. Proffer went over all the specific ordinance requirements that must be met to subdivide the property and noted that the applicant and applicant's agent had provided all the documentation necessary to subdivide. Mr. Proffer noted that the location of the property was outside of the Joint Planning Boundary Area, so no zoning is required, and none was being proposed. Mr. Proffer advised the Commission that it was staff's recommendation to approve the Simple Subdivision as submitted.

Chairman Hildebrand asked Mr. Proffer if staff had received any comments on the proposal. Mr. Proffer stated that he did not.

Chairman Hildebrand opened the floor for comments. No one stepped forward to comment.

After determining that there were no more comments or discussion, Chairman Hildebrand asked for a motion to approve the Simple Subdivision as requested by the applicant. Commissioner Jordan made a motion to approve and was seconded by Commissioner Land.

Senior Engineer Melinkovich polled the commissioners.

Voting was as follows:

Commissioner Jordan:	Yes
Commissioner Land:	Yes
Commissioner Siebenaler:	Yes
Chairman Hildebrand:	Yes

Motion passed 4-0.

Enc. 2: Case No. 22.01.COSP Saddle Ridge Subdivision Preliminary Plat Request

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case by reviewing with the Commission that they had met with the applicant back in October of 2021 to review a Sketch Plat. It was noted that the Commission had given approval of the Sketch Plat allowing the applicant to go on to the Preliminary Plat stage of the 3-part process.

Mr. Proffer went over a few specific items that needed to be completed by the applicant before going on to the Final Plat, among those included the mandatory 'DEQ Chapter 23 Environmental Study', electrical service installation, road construction, and completing an Improvements and Service District, etc.

Mr. Proffer advised the Commission that staff had received several comments before the meeting. The comments came from Mr. David Meserve, Mr. Jeff Morgan, and Mr. Butch Reynolds. All three had similar comments that included concerns about livestock fences being torn down or altered by the new landowners, discharge of firearms, possible trespassing onto neighboring properties, dogs chasing livestock, trash blowing off the new subdivision into grazing areas, potential wildfires, setting off fireworks, traffic safety, and potential access off Milne Valley Road.

After the opening presentation, Chairman Hildebrand asked the Commissioners if they had any questions or comments.

Commissioner Siebenaler asked a question of the applicant (Mr. Pasek) and the applicant's agent (Ms. Slocum) on the status of the abandoned gas/oil wells that were shown on the plat. Mr. Pasek and Ms. Slocum affirmed that the wells had been abandoned and capped.

There was general discussion between the Commissioners and the applicant and agent regarding the soil, water, and drainage reports. There were specific comments regarding the challenges of home construction and septic system installations given the types of soil present.

Chairman Hildebrand asked the applicant about existing fences. Mr. Pasek responded that new fencing had been installed. Chairman Hildebrand then brought up road maintenance. Ms. Slocum then explained that they were in the process of creating an Improvements and Service District. The Commissioners asked if Mr. Pasek was able to fund the I&S District until all the lots were sold. Mr. Pasek said that he was.

There was further general discussion regarding soils, road maintenance, and similar issues. The applicant was made aware by the Commission that they wanted to make sure that all these items were addressed. Chairman Hildebrand opened the floor for comments.

Mr. Kelly McCreery, 1 Mackenzie Road, approached the Commission stating that he leased the adjacent Meserve land for his ranch. Mr. McCreery had concerns about fencing, dogs running loose and chasing livestock, trash blowing onto the ranch land, trespassing, discharge of firearms, wildfires, fireworks, and similar problems.

There was general discussion between the Commissioners, Mr. McCreery, and the developers. Commissioner Jordan encouraged Mr. McCreery and Mr. Pasek to trade contact information and work together to solve any problems.

Ms. Patty Norstegaard, 90 Milne Valley Road approached the Commission and expressed substantially the same concerns that Mr. McCreery presented.

Ms. Norstegaard noted that one of her main concerns was shooting in the area. Ms. Norstegaard stated that her family had a shooting range on their property and engaged in long-range shooting but was concerned that others who move in might not understand the dangers and precautions needed when shooting in a rural area. She also noted that her family had 'high-dollar' horses on their property and would do what was necessary to protect them from dogs chasing them, etc.

Ms. Norstegaard expressed concerns regarding the potential depletion of the groundwater and potential trespassing by people assuming an existing two-track road leading onto their property would be used by those that were unaware that the road was for a methane

well. Senior Engineer Clark Melinkovich advised that the purpose of the DEQ Chapter 23 Environmental Study was to determine water availability and stipulations for septic systems for the subdivision.

Mr. Eric Nix, 75 Bell Road, approached the Commission on behalf of his brother-in-law Jeff Morgan and Mr. Butch Reynolds. Mr. Nix expressed the same basic concerns as did Mr. McCreery and Ms. Norstegaard. Mr. Nix acknowledged that the fences that were in place now were adequate for livestock. He did express concerns about people possibly changing the fence to smooth wire without permission.

Mr. Nix asked about the dead-end road heading west, named Western View Drive that stopped at the property line of Mr. Reynolds land. He was concerned that the County or the developer was going to force Mr. Reynolds into granting access across his property to tie into Bell Road. Chairman Hildebrand explained that no one would be able to force Mr. Reynolds to grant access. Several in the audience expressed concern over why the road was there at all. Mr. Proffer explained the reasoning of why the County requires roads to extend to the furthest part of new developments including the need to provide for future road inter-connectivity, providing adjacent property owners the opportunity to develop their property more easily, emergency services access, etc.

Mr. Nix emphasized his concerns for dogs chasing livestock, discharging firearms, trespassing, motorcycles disturbing livestock, water well viability, and septic systems. There was general discussion between the Commission, the developer, and Mr. Nix on how these concerns could be addressed.

Commissioner Jordan encouraged adjacent landowners and the developer to share contact information and establish relationships to ease concerns and find ways to move forward in a neighborly fashion.

Chairman Hildebrand encouraged the developer to review and amend the proposed covenants as appropriate to address the concerns posed by the public comments. There was additional general discussion with the audience, Commissioners, and the developer. Mr. Proffer asked the Commission and the audience if they were agreeable to let staff take the concerns that were presented and work with the developer to amend the language in the covenants as appropriate. All agreed that this would be acceptable.

After determining that there were no more comments or discussion, Chairman Hildebrand asked for a motion to approve the Preliminary Plat as requested by the applicant. Commissioner Siebenaler made a motion to approve and was seconded by Commissioner Jordan.

Senior Engineer Melinkovich polled the commissioners.

Voting was as follows:

Commissioner Jordan: Yes
Commissioner Land: Yes
Commissioner Siebenaler: Yes
Chairman Hildebrand: Yes

Motion passed 4-0.

Enc. 3: Case No. 22.01.COZ Saddle Ridge Subdivision Zoning Request

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case by explaining that as part of the Preliminary Plat process the applicant must secure a zoning classification for the proposed subdivision. It was noted that the applicant had requested a zoning classification of 'R-S' Residential Suburban. Mr. Proffer explained how the R-S zoning classification limited homes to 'stick-frame' homes only, no HUD manufactured trailer homes would be allowed. He also went on to describe the different limited agricultural uses of the land including the ability for homeowners to keep some livestock, excluding swine. Mr. Proffer explained that the zoning classification was a 'bridge' between a suburban setting and a full agricultural use. He also stated that the zoning request was consistent with the surrounding areas that had the same or similar zoning classifications. Staff recommendation was to approve the zoning request.

Chairman Hildebrand asked Mr. Proffer if staff had received any comments regarding the zoning request. Mr. Proffer stated that they did not.

Chairman Hildebrand opened the floor for comments.

Ms. Patty Norstegaard approached the Commission and asked if the zoning would affect any of the surrounding properties. Mr. Proffer explained how County zoning regulations worked and that it would not have an affect on the surrounding un-zoned areas unless those parcels of land were developed in a similar fashion as the Saddle Ridge subdivision.

After determining that there were no more comments or discussion, Chairman Hildebrand asked for a motion to approve the Zoning as requested by the applicant. Commissioner Land made a motion to approve and was seconded by Commissioner Siebenaler.

Senior Engineer Melinkovich polled the commissioners.

Voting was as follows:

Commissioner Jordan: Yes
Commissioner Land: Yes

Commissioner Siebenaler: Yes
Chairman Hildebrand: Yes

Motion passed 4-0.

Enc. 4: Case No. 21.01.COMP Dove Creek Minor Subdivision Plat Request

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case and explained that the case consisted of a 5 lot, 50-acre subdivision off Adon Road in the Rozet area that the applicant originally brought to the Planning Commission in May 2021. Mr. Proffer explained that there were a couple of items that needed to be resolved including a flag shaped lot, and a boundary line issue on the north side due to a sliver of land between the subject property and the neighbors that affected the lot layout and the road right of way. The Commission decided to allow the flag lot to remain but tabled the project so the boundary line issue could be resolved.

Staff has worked with the agent Josh Pierce and Bearlodge Engineering and the sliver of land was quitclaimed to the neighbors, resolving the boundary line issue. Mr. Proffer explained that the current plat that was presented to the Commission at this meeting meets the requests of the May 2021 Planning Commission, however there are still some minor modifications that need to be made.

At the request of Commissioner Bob Jordan, developer Glen Wise explained that the purpose of the subdivision was to develop lots that would be for longtime key employees of his construction company with the intent to keep good help by providing a nice place for them to live. The employees would pay for half the price of the land and the other half of the price would be a gift from the company. Mr. Wise spoke of how he has improved the road and drainage in the subdivision, and it is now much better than it was in the past.

Mr. Wise and Mr. Pierce explained that one of the lots in the subdivision would be going to a gentleman with an existing house on the parcel who was family with the party who sold the property to Mr. Wise.

Mr. Proffer listed the planning considerations associated with the project, including the fact that the plat still required modifications. Mr. Pierce answered that several of the considerations have been completed, several more would be completed shortly, and that the plat was supposed to be revised in time for the meeting, but the surveyor was not able to do that.

Chairman Hildebrand asked if the developer was willing to establish an Improvement and Service District. Some discussion ensued regarding the benefits of I&S districts including the guarantee that all lot owners would pay their dues. The developer felt like a Homeowners Association would be able to maintain the short road since he runs a

construction company that builds roads and that he would have help from the oil company that has wells on the site.

After determining that there were no more comments or discussion, Chairman Hildebrand asked for a motion. Commissioner Siebenaler made a motion to approve the Dove Creek Minor Subdivision Plat and it was seconded by Commissioner Jordan.

Senior Engineer Melinkovich polled the commissioners.

Voting was as follows:

Commissioner Jordan:	Yes
Commissioner Land:	Yes
Commissioner Siebenaler:	Yes
Chairman Hildebrand:	Yes

Motion passed 4-0.

Enc. 5: Case No. 21.02.COZ Dove Creek Minor Subdivision Zoning Request

Chairman Hildebrand asked Planner and Zoning Administrator Proffer to present the case.

Mr. Proffer presented the case and explained that the applicant originally requested an 'R-R' Rural Residential zoning for the 4 lots that were buildable, and 'A-L' for the lot that was to be a no build lot that was completely covered by drainage easement. Mr. Proffer explained the differences between the two zoning classifications and made the staff recommendation that all 5 lots be zoned RR.

Chairman Hildebrand opened the floor for comments.

After determining that there were no more comments or discussion, Chairman Hildebrand asked for a motion. Commissioner Jordan made a motion to approve Dove Creek zoning as R-R Rural Residential and was seconded by Commissioner Siebenaler.

Senior Engineer Melinkovich polled the commissioners.

Voting was as follows:

Commissioner Jordan:	Yes
Commissioner Land:	Yes
Commissioner Siebenaler:	Yes
Chairman Hildebrand:	Yes

Motion passed 4-0.

Old Business:

None

New Business:

None

Adjournment: meeting was adjourned at 9:05 pm

Todd Hildebrand, Chairman

NOTE: Campbell County Planning Commission meeting minutes contain a summary of discussions and are not intended to be verbatim.