

SUBDIVISION MEETING

April 19, 2001

Chair Karolin Loendorf called the meeting to order at 10:00 a.m. Commissioners Murray and Varone were present. Others attending all or a portion of the meeting included Sharon Haugen, K. Paul Stahl, Michael McHugh, Jerry Grebenc, Frank Rives, Jeanne Kruse, Dave Schmitz, Gaylynn Wagner, Greg Egbert, and Carole Byrnes.

Minutes. There were no minutes to approve.

Auditor Claims. Commission Murray moved that the claims be approved and the warrants be issued. Commissioner Varone seconded the motion and it carried unanimously.

Proposed Minor Subdivision, Summary Review known as the Seliskar Minor. (cont. from 3/20 and 4/17/01). The applicant proposes to create two lots, each for one single-family dwelling. The proposal is generally located approximately six miles south of Helena on Grizzly Gulch Drive. Frank Rives reported that the applicant, John Seliskar, has submitted written correspondence requesting an extension of the hearing to May 11. Commissioner Murray moved that the Commission grant applicant's request for a continuation to Friday, May 11 and schedule the public hearing for May 8 with a decision May 10. Commissioner Varone seconded the motion and it carried unanimously.

Proposed Minor Subdivision, Preliminary Plat, Sweeney Creek Tracts, Lot 23 Minor. (cont. from 3/27 and 04/17/01). The applicant proposes to create four lots, each for one single-family dwelling. The proposal is generally located north of Highway 12 West, approximately 8 miles west of Helena. Jerry Grebenc reviewed the changed conditions of approval:

Condition 6. Added "Lot 4."

Condition 8. Added for clarity: "the condition is based upon the lot layout of preliminary plat."

Condition 11. Added for clarity: "the condition is based upon the lot layout of preliminary plat."

Condition 13.n. Added "and Lot 4."

Condition 14. Now states "four address plaques, one for each lot."

Condition 15. Denoting for clarity which preliminary plat the county is operating under.

Condition 16. Includes "the fire protection plan is one of the improvements that should be installed or otherwise guaranteed."

Gaylynn Wagner, 2905 Baxendale Drive, presented comments A-D dated April 19 on staff's conditions of approval. The applicants have requested that (A) condition 6 requiring clustering of homes be deleted; (B) that condition 8

establishing a vegetative buffer be deleted; (C) Covenant 1 to allow people to enjoy animal husbandry on their lots; and (D) Covenant N to allow fencing of lots 1, 2, 3, and 4.

Hearing no other comments, the Chair closed this portion of the hearing. Commissioner Murray moved that the Commission adopt staff's original recommendation for denial based on the five criteria. The motion died for the lack of a second.

Commissioner Varone moved that the Commission approve the proposal subject to the 18 conditions as recommended by staff. Commissioner Loendorf seconded the motion.

Amendments to Conditions.

Condition 6. Commissioner Varone moved that the Commission delete this condition. Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1.

Condition 8.b. Commissioner Varone moved that the Commission delete this condition. This area is predominately meadow in nature and would impact the area by adding a vegetative buffer. After some discussion, the motion carried unanimously.

Condition 13.b. Commissioner Varone moved that the Commission delete this condition as a requirement and make it a recommendation. The motion died for the lack of a second.

Condition 13.g. Commissioner Varone moved that the first sentence be removed and the condition read: Roofing material shall have Class A or B fire rating and wood roof materials be prohibited. Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1.

Condition 13.i. Commissioner Varone moved that the language be revised to read: "prohibit agricultural animals for commercial use." Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1.

Condition 13.n. Commissioner Varone moved to remove this fencing condition. Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1.

Condition 13.o. Commissioner Varone moved that "cats" be removed from this condition. Commissioner Loendorf seconded the motion. Commissioner Murray opposed the motion. The motion carried 2-1.

The motion to approve the proposed subdivision subject to 18 amended conditions carried 2-1. Commissioner Murray opposed the motion.

Proposed Major Subdivision, Preliminary Plat (Heartland Estates Major) (cont. from 4/17/01). The applicant proposes to create 14 lots, each for one single-family dwelling. The proposed subdivision is generally located north of Herrin Road and southeast of York Road. The applicant, Greg Egbert, was present. Commissioner Murray moved that the Commission approve the proposed subdivision subject to 19 conditions as proposed by the Planning Board. Commissioner Varone seconded the motion.

Amendments to Conditions.

Condition 13. Commissioner Varone moved that this fencing condition be removed. The motion died for the lack of a second.

Condition 16.b. Commissioner Varone moved that this condition requiring all dwelling units be constructed to UBC standards be removed. The motion died for the lack of a second.

Condition 16.f. Commissioner Varone moved that this waiver of right to protest joining a community water or wastewater treatment system improvement district condition be removed. The motion died for the lack of a second.

Condition 16.g. Commissioner Varone moved that this waiver of right to protest joining a community water or wastewater treatment system maintenance district condition be removed. The motion died for the lack of a second.

Greg Egbert discussed the school bus stop.

Michael McHugh stated the current bus stop is at the entrance of Leisure Village. The school district determines where the most children are generated from to determine the location of a bus stop.

If appropriate, a bus stop sign could be located on Herrin Road.

The motion with amended conditions, carried unanimously.

Resolutions Declaring County Property Surplus Property. Two resolutions to surplus a Mita and Minolta copy machine in the BoCC office; and various unusable office equipment and tires sitting in the county garage. Commissioner Murray moved to approve two resolutions declaring county property surplus. Commissioner Varone seconded the motion and it carried unanimously.

There being no other business, the meeting adjourned at 10:55 a.m.