

⌘ **Minutes** ⌘  
**Regular Meeting**  
**Albany County Planning and Zoning Commission**  
**August 12, 2015**

**Albany County Commissioner's Room**

A regular meeting of the Albany County Planning and Zoning Commission was held on August 12, 2015, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room in the Albany County Courthouse.

**I. PLEDGE OF ALLEGIANCE**

**II. CALL TO ORDER/ROLL CALL**

**Members present:** David Cunningham, Brett Moline, Carl Miller, Shaun Moore and John Spiegelberg

**Staff present:** David Gertsch, Susan Adler

**County Engineer:** None

**Albany County Attorney Liaison:** Peggy Trent

**Board of County Commissioners' Liaison:** None

**Public Present:** Jim and Gay Rogers, Bernard and Marie Bisson, Mitchell Edwards, Melanie O'Hara, Ken and Polly Costello, Bill Gorman, Mike and Zondra Markle, Terri Jones, Cheryl Welegala, Cecily Wilson, Marsha Abbot, Brandon Markle and Shelby Dietzel

**III. APPROVAL OF AGENDA** – Chairman Moline indicated he would entertain a motion to accept the agenda as presented. **Mr. Spiegelberg made a motion to approve the August 12, 2015, Planning and Zoning Commission Meeting agenda as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

**IV. APPROVAL OF MINUTES** – The Chairman asked if there were any corrections to the meeting minutes for the July 8, 2015, Regular Meeting. **Mr. Moore made a motion to approve the minutes for the July 8, 2015, Regular Meeting as presented. Mr. Miller seconded the motion. Motion carried on voice vote.**

**V. DISCLOSURES** – Mr. Moore disclosed the real estate company he works for has been involved with listing of the Bisson property, but did not feel he had a conflict because of his employment.

**VI. PUBLIC APPLICATIONS**

**A. Rogers Land Use Change** – Susan Adler, Assistant Planner gave the staff report. The property is located at the northwest corner of Hunt Road and Dutton Creek Road and consists of approximately 65 acres. The request is to change the land use/zoning to Residential for a residential subdivision. Current zoning is Agricultural and it is vacant land. This property is adjacent to Hunt Road on the

east and Dutton Creek Road on the southwest and has no existing access. Applicant will be required to provide access to the individual lots during the subdivision process. Land uses surrounding this property are residential west and south. To the east land use is agricultural. Cyrus Rahman, Fire Warden, has no issues related to fire for this application. Laramie Rivers Conservation District had no substantial critical comments or natural resource concerns. This property is within an area designated Priority Growth Area (PGA) 3 by the Albany County Comprehensive Plan. Notice has been provided by posted sign, publication, and certified mailing as required. Ms. Adler indicated that as the Applicant proceeds through the subdivision process for this area, he will be required to provide adequate access to all lots. The Findings Necessary for Approval, as listed in this report, are incorporated herein as findings of fact. Staff recommends that the Planning and Zoning Commission certify a recommendation of approval for Land Use Change Application, LUC-03-15, to the Board of County Commissioners.

The Applicant's representative, Jim Rogers, spoke in favor of the land use change. He indicated this seemed to be the best use for this land.

Chairman Moline opened the public hearing. There being no public comments, Chairman Moline closed the public hearing.

After discussion, **Mr. Cunningham made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Rogers Land Use Change, LUC-03-15, based upon and incorporating the findings of fact and conclusions of law listed in the staff report. Mr. Miller seconded the motion. Motion carried on voice vote.**

- B. Bisson Subdivision Preliminary and Final Plat** - – Susan Adler, Assistant Planner, gave the staff report. This subdivision is located at 58 Eagle Ridge Road, just to the south of Centennial. The parcel is a 35 acres to be divided into two lots. Due to an oversight by Staff, the Land Use Change Application did not get published in time to be presented at the meeting. However, there is a special Planning and Zoning Commission meeting scheduled for August 19, 2015 at 4:30 p.m. to present the land use change and hold a public hearing. The Applicants, Bernard and Marie Bisson were present to answer any question the Commission may have. The lots will be serviced by individual wells and wastewater systems. Lot one has an existing residence, well and septic system. There were no substantial comments from the Fire Warden, Laramie Rivers Conservation District or the Wyoming Game and Fish. The Applicant has entered into a road maintenance agreement and signed covenant for the subdivision which address road maintenance. This subdivision is consistent with the Albany County Comprehensive Plan's guidance for priority growth area three. Staff requested the Planning and Zoning Commission table this application to the August 19, 2015, Special Meeting of the Planning and Zoning Commission. The Applicant, Bernard Bisson, addressed the Commission with information on the plan and drainage and road issues.

Chairman Moline opened the public hearing asking parties to approach the lectern.

Cheryl Welegala, 38 Weber Creek Road, addressed the Commission with her concerns that the fence around the Bisson property also encompasses a portion of her lot. She wanted to make sure this portion of her lot was not included in the plat. Mr. Bisson assured her it was not included and was just to delineate the road and keep people on the road.

There being no further comments, the Chairman closed the public hearing.

After discussion, **Mr. Cunningham made a motion to table the Bisson Subdivision application to the Special Meeting on August 19, 2015, at 4:30 p.m. Mr. Miller seconded the motion. Motion carried on voice vote.**

- C. Vista Buttes Subdivision Final Plat (SD-01-15)** – David Gertsch, Planning Director, gave the staff report. The Applicant, Brandon Markle, was present to answer any questions for the Commission. Mr. Gertsch explained this is for the recommendation of approval for the final plat application. The land is vacant land and will be accessed from Vista Drive. This subdivision falls within one mile of the City boundary and will need the City's approval. The County Fire Warden recommends a second access; Tony Hoch, Laramie Rivers Conservation District Director, had no substantive comments. The applicant has filed the required materials with WYDEQ for their review and received an "adverse" recommendation. Staff followed up with the DEQ and found that this was a matter of the DEQ's time limitation and the request from Applicant for more information. The Applicant has since forwarded the required information but has not heard back from the DEQ. There is a "non-adverse" recommendation anticipated after DEQ has reviewed the additional information. The Albany County Comprehensive Plan discusses transportation in Chapter 10 indicating there should be plans for transportation corridors with connecting roads. Water and sewer systems will be individual on-site. Solid waste removal will be provided by a contract company and utilities will be provided. Road right-of-way will be to City standards with 100 feet for Skyline Drive. There will be a 12,000 gallon water storage tank for fire protection. The application notification was completed as directed in the County regulations. The applicant has met the county requirement set forth in the Platting and Subdivision Regulations. Staff recommends approval of the final plat based upon the Finding of Facts and Conclusions of Law and including the conditions listed in the Staff report.

Chairman Moline opened the public hearing asking parties to approach the lectern.

Mitch Edwards, Attorney for Brandon Markle addressed the Commission regarding road issues and final plat requirements. Mr. Markle addressed the Commission stating he felt he had complied with the County regulations. There were no more public comments provided and the Chairman closed the public hearing. **After discussion, Mr. Cunningham made a motion to table the Vista**

**Buttes Subdivision Final Plat. Mr. Miller seconded the motion. After discussion, Mr. Cunningham amended his motion requesting the issue of the Wyoming Department of Environmental Quality recommendation be cleared up. Mr. Moline seconded the amendment. After further discussion, Mr. Cunningham amended his motion tabling the application to the September 9, 2015 Planning and Zoning Commission meeting. Mr. Spiegelberg seconded the motion. The final motion: Motion to table the Vista Buttes Subdivision Final Plat application until the issue with the Wyoming Department of Environmental Quality recommendation is resolved to the September 9, 2015 Planning and Zoning Commission meeting. A roll call vote was taken with Mr. Moline, Mr. Miller, Mr. Cunningham and Mr. Spiegelberg voting in favor and Mr. Moore voting against. Motion carried.**

## **VII. CURRENT PLANNING PROJECTS**

- A. Sign Regulation Amendment** – David Gertsch, Planning Director, explained this amendment is in regard to signage for commercial businesses. The current regulations only allow for one freestanding sign per road frontage on a property. The issue expressed is that this does not consider businesses that are trying to alert customers coming from both direction of their business access. This especially becomes a problem when the business is on one of the highways. The amendment will allow two freestanding signs instead of one. After discussion, **Mr. Spiegelberg made a motion to forward to the Board of County Commissioners a recommendation for adoption of the sign regulation amendment to the Albany County Zoning Resolution as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**
- B. Discussion on Platting and Subdivision update of Fire Safety Sections -** David Gertsch, Planning Director, indicated staff is in the process of drafting an amendment to the fire safety requirements. As soon as these are ready, staff will bring them to the Planning and Zoning Commission for review.

## **VIII. OTHER ITEMS/ANNOUNCEMENTS**

### **IX. PUBLIC COMMENT**

### **X. ADJOURNMENT**

Chairman Moline adjourned the meeting at 9:13 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner