

**⌘ Minutes ⌘**  
**Regular Meeting**  
**Albany County Planning and Zoning Commission**  
**April 8, 2015**

**Albany County Commissioner's Room**

A regular meeting of the Albany County Planning and Zoning Commission was held on April 8, 2015, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room in the Albany County Courthouse.

**I. 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:** None

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

**Public Present:** James Coberly, Jim Parkinson and Candy Hamaker

**II. PLEDGE OF ALLEGIANCE**

**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 April 8, 2015, Planning and Zoning Commission Meeting agenda as presented. Mr. Cunningham 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 March 11, 2015, Regular Meeting. **Mr. Miller made a motion to approve the minutes for the March 11, 2015, Regular Meeting as presented. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

**V. DISCLOSURES** – None

**VI. PUBLIC APPLICATIONS**

**A. Mountain West Telephone Tower Application (LUCT-02-13)** - Planning Director, David Gertsch, gave the staff report. The tower site is west of U.S. Highway 30 at the junction of Warren Ranch Road. The tower is already up and is

used by Albany County. The tower is on property zoned agriculture and the applicant has access from LL Willow Trail, which intersects with U.S. Highway 30. Land surrounding this property is agricultural and residential. The reviews came back with no concerns. The Albany County Engineer, Bill Gorman, reviewed the application and noted the construction plans and tower foundation were not certified by a Wyoming Professional Engineer, site boundary dimensions and bearings were not provided, and topographical information was not shown on the site plan. Staff stated that the tower was erected without approval. The tower provides internet for Albany County Offices. Legal access is provided by the property owner whom the applicant is leasing the tower site from and the information submitted is substandard from what is typical for a tower application. Staff recommended that the Planning and Zoning Commission certify a recommendation of approval for the establishment of the Telecommunication and Utility Overlay Zone and Tower Permit to the Board of County Commissioners based upon the Finding of Facts and Conclusions of Law listed in the staff report contingent upon the applicant providing documentation that the construction plans and drawings, including the foundation design for the tower, have been reviewed and approved by a Wyoming Professional Engineer and submittal of a complete site plan with all required information outlined on the application form. The representative for the Applicant, James Coberly, explained they build these towers to Wyoming standards and a wind speed of 110 miles per hour. The company has also enclosed the guy wires with fencing and all tower are checked and maintained quarterly. He indicated that because they are a public utility, they have other regulations to follow and thought they were exempt from the county regulations.

Chairman Moline opened the public hearing and asked anyone wishing to speak for or against the Albany County Conditional Use Application to approach the lectern. There were no public comments provided and the Chairman closed the public hearing. After discussion, **a motion was made by Mr. Moore and seconded by Mr. Cunningham to certify to the Board of County Commissioners a recommendation of approval of the Mountain West Telephone Tower Application, LUCT-02-13, based upon the Findings of Fact and Conclusions of Law as listed in the staff report contingent upon the applicant providing documentation that the construction plans and drawings, including the foundation design for the tower, have been reviewed and approved by a Wyoming Professional Engineer and submittal of a complete site plan with all required information outlined on the application form within 60 days. The motion carried with Commissioners Miller, Moore, Spiegelberg, Moline and Cunningham voting in favor.**

## **VII. CURRENT PLANNING PROJECTS**

**A. Discussion on Subdivision Regulation** - David Gertsch, Planning Director, indicated that once the Zoning Resolution is adopted by the Board of County Commissioners the Platting and Subdivision Regulations will need to be updated reflecting the new residential and commercial zones and setbacks. This information will need to be approved once the Zoning Resolution is adopted.

**B. Storage Pod Discussion** – Chairman Moline asked if everyone was comfortable with the square footage (144 sf) exemption for accessory building applying to a commercial storage facility. The majority of the commissioner indicated they were comfortable.

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

### **IX. PUBLIC COMMENT**

### **X. ADJOURNMENT**

Chairman Moline adjourned the meeting at 7:50 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner