

Albany County Planning and Zoning Commission
REGULAR MEETING of March 11, 2020
MINUTES

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER/ROLL CALL (Time: 2:00p)

Chairman: The Regular Meeting of the Planning and Zoning Commission will come to order.

Chairman: Will the secretary call the roll.

Vote: Mr. Cunningham: Present

Mr. Miller: Present

Mr. Kennedy: Present

Mr. Spiegelberg: Present

Chairman Moore: Present

III. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for March 11, 2020?

Mr. Cunningham wanted to delete elections from the agenda as they were done last month.

Chair will entertain a motion to accept the agenda for March 11, 2020, as presented.

So moved by Commissioner Kennedy

Seconded by Commissioner Cunningham

Motion carried

IV. Approval of Minutes

Chair will entertain a motion to accept the minutes for the February 12, 2020 meeting as presented/with corrections.

So moved by Commissioner Miller

Seconded by Commissioner Kennedy

Motion carried

V. DISCLOSURES:

Chairman: The Chair calls for any disclosures to be known.

No disclosures

Chairman: The discussion will be conducted in accordance with the State Statutes, the Rules of the Planning and Zoning Commission, and other applicable laws. I would ask the individuals who address the Commission to approach the lectern, identify yourself, and state your address.

VI. PUBLIC APPLICATIONS

VII. CURRENT PLANNING PROJECTS

A. Extension of the Moratorium on Development in the Aquifer Protection Overlay Zone

Mr. Gertsch presented proposal for extension of the moratorium. Work on amendments will continue.

Motion Options:

1. Recommendation of APPROVAL of the extension of the Moratorium on Development in the Aquifer Protection Overlay Zone to July 2, 2020 to the Board of County Commissioners.

So moved by Commissioner Cunningham

Seconded by Commissioner Kennedy

Motion carried

B. Discuss a potential Moratorium on wind energy development in Albany County.

Mr. Gertsch presented some pros and cons for a moratorium on wind energy development. Presented the regulations in Albany County compared with other counties nearby. Two counties had maximum heights for towers and maximum property distances (usually 1.1x tower height). Outlined how our regulations compare to other counties. Almost all counties allow wind turbines in agricultural zoned areas. Four wind projects have been approved in Albany County and none of them have shown a need for a moratorium. Moratorium is typically used in instances where regulations don't exist or are severely deficient. No justifiable reason so far. The proposed project south of town is still in the very early stages. We can change the regulations if we need, but Mr. Gertsch opposed a moratorium.

Mr. Spiegelberg – this is a complex issue. Density of the wind farm down south is much lower than existing wind farms. Developers and landowners both have contentious issues here. Can these differences be negotiated? Can landowners and developers work together? Density of the proposed project is fairly low.

Mr. Gertsch – if the state adopts new wind standards before an application is submitted they will affect the project.

Mr. Miller – we do need to look at the regulations for sure. Moratorium isn't necessary. An application has not even been submitted yet.

Mr. Cunningham – this is the time for a moratorium if we're going to do one. Asked Mr. Gertsch if he's gotten input from other agencies about this project. People live in this area and we should hear them.

Mr. Gertsch explained that a moratorium should be used for emergencies only and this is not one. Gave an update on where previously permitted projects are in the development and construction process.

Mr. Kennedy – no reason for a moratorium. If the governor signs a bill we will need to do solar regulations. So we may be busy with several different things in the coming months. Mineral rights may need to be considered.

Mr. Spiegelberg asked if the wind firm has shown where turbines will be. Mr. Gertsch said they have not. Environmental studies are being done right now.

Mr. Kennedy clarified some rules with Ms. Trent and Mr. Gertsch.

The PZC discussed whether or not they wanted to hear public comment.

No action taken

IX. OTHER ITEMS/ANNOUNCEMENTS

XI. CITIZEN COMMENTS – Non-Agenda Related Topics

Tom Wolfe – people are looking at buying property in Vista Grande Estates. People want to know what the rules will be. Our rules should keep up with technology.

Dennis Craig – memorandums have come forth with past proposed projects. Companies are doing their due diligence.

Tony Kirchoffer – Wyoming is what America used to be. Would not have purchased his property if wind turbines were there. America has turned into “I’ve got mine and screw everybody else”.

Rhett Eppler – private property rights valued in Wyoming. Viewshed rights are subjective. This would be good for the county economically.

Michael Annanson – there are homes on Hermosa Road that are 1,500 feet from proposed turbines. Locations of turbines have been provided to property owners. There is not enough communication between parties involved.

Darrell Eppincot – if these regs need to be adjusted, the application everyone is concerned about hasn’t even been submitted yet. Wants to make sure this project isn’t grandfathered in. Wyoming is unique because it doesn’t have many people. When they want to put a wind farm in a relatively dense part of the county, that doesn’t make sense.

Kennedy – until BCC adopt change to the regulations, things are as they are now.

Susan McGuire – in Wyoming because Oklahoma built a turnpike around their property. Homes were bulldozed before people got paid. These wind turbines are eyesores. This should be thought through.

Tom Hamp – in support of moratorium. What’s coming up? Are the regulations prepared for it? Think about solar and small nuclear reactors that may be coming up as well. These things need to be considered more comprehensively.

Jennifer Kirchoffer – home businesses should be allowed as long as they don’t cause nuisances to surrounding properties. An industrial wind area isn’t a home

business, but these considerations should still be made just the same. Stricter regs for home businesses than wind farms?

Donna Lang – thank you for listening. Not our concern what the standards are in counties in other states. We can be leaders.

Claudia Hammond – this is agricultural land. When this land was zoned turbines were much shorter. These aren't cute little wind farms. People live near where these turbines will go. We live here because we like western culture.

David Kilpatrick – we bought a ranch here because property rights were still important in Wyoming. Property taxes go up. Aquifer goes down. The tax base has to be expanded here and wind energy is one way to do that.

Ann Brand – economic concerns. People attracted to working in Laramie will no longer want to move here if the quality of life is damaged. Assess where energy development should be allowed.

Karen Schertz – submitted several articles from the EPA. How will this affect the aquifer? Concrete pads for turbines could be harmful.

Nancy Bath – this should remain agricultural land. Wind turbine noise is nothing compared to I-80 and the railroad. Ranchers were affected by subdivision creation. Elk population has grown. This is not an HOA meeting.

Debbie Forry – this would bring a lot of revenue to the county. The state is dying and we need something to support the economy. Property rights have been an issue for ages. People are exploring wind energy options so they can keep and maintain their ranches.

XII. ADJOURNMENT

Chairman: There being no further business to conduct, the Chair would entertain a motion to adjourn the meeting.

So moved by Commissioner Miller

Seconded by Commissioner Cunningham

Motion carried

Meeting adjourned at 3:17 p.m.