



BROADWATER COUNTY PLANNING BOARD

MINUTES

*Ed Shindoll; Chair ~ Mike Delger; Vice Chair(absent) ~ Deanna Kolodka;
Member ~Jeanine Stone; Member ~ Dallas Diehl; Member(absent)
Nichole Brown; Board Manager/ Community Development & Planning Director
Melinda Banks; Assistant
515 Broadway St. ■ Townsend, MT 59644*

Date: September 27, 2023

Time: 6:00 PM

Chairman Ed Shindoll called the Public Hearing to order at 6:01 pm. All rose for the Pledge of Allegiance. There was no conflict of interest for the Planning Board members.

Nichole Brown, Community Development and Planning Director presented the Three Rivers Staff Report to the board and she summarized the Three Rivers Staff Report into the record.

Date of Application; February 17, 2023

Location: Township 2 North, Range 1 East, Section 9

Recommended changes to the Staff Report are as follows;

Findings of Fact C-G Emergency Services; change "Broadwater Rural Fire District" to "Three Forks Rural Fire District"

On Condition 4; in the 4th line down, the word "are" will be changed to "area". In the 5th line down, the word "responsible" will be changed to "responsibility".

On Conditions 12 and 14; strike out the phrase "for each phase".

On Condition 14; change the order of the sub-lettering.

Adding two (2) sections to Findings of Fact F. Impacts on Public Health and Safety. Section 3A

Public Comment:

Proponents: No Public Comments

Opponents:

Butch Barton discussed drainage problems during a rain event and the spring runoff. He would like to see a drainage plan put into place to divert the water from Wheatland Meadows. He would also like a woven fence between the subdivisions to prevent animals (pets) from roaming. Mr. Barton would also like to know the setbacks to the other subdivisions for wastewater (septics) and buildings. Mr. Barton also discussed a concern for the lack of water in the area.

Steve Kurk stated that this subdivision does not affect him personally but has friends who have shown concerns. He stated that he has knowledge that the Three Forks Fire District will not approve this subdivision. Mr. Kurk also stated that wells in the area are being drilled at 800-1,000 ft and many that are drilled at a lower level are going dry. He also commented that the government agencies are not held accountable for the decisions they make when it affects neighboring landowners.

Mike Neely stated he was concerned with surface water during the spring runoff and any minor rain event. He showed pictures (will be emailed to Nichole Brown, Community Development and Planning Director) of the low-lying areas that fill up with water up to 3ft deep.

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Tim Benjamin is also concerned about surface water and the lack of water in the area. He also showed pictures (will be emailed to Nichole Brown, Community Development and Planning Director) of low-lying areas that have flooded with a current rain event. He also asked why he could not find any information on the public hearing until last minute. Nichole Brown told him that our paper of record currently is the Helena IR, but the notice is on the county website and posted as well.

Mike Miller stated that he was shocked that the covenants said nothing about subdividing the proposed twenty acres into smaller lots down the road. If all 17 lots were divided into the smallest lots currently approved by DEQ (Department of Environmental Equality) that could possibly be an extra 240 lots, all with individual wells and septic systems. Mr. Miller also commented that there is a lack of water in the area and this will be a concern. Elizabeth Barton stated that many foundations are failing with the quality of the soil. Mrs. Barton Commented that the ground is very unstable and contractors are being sued because of this.

Chairman Ed Shindoll closed the Public Hearing at 6:49 pm

Chairman Ed Shindoll opened the Regular Board Meeting at 6:49 pm

No public comment

Jeanine moved to approve the May 9th and May 16th minutes. Deanna seconded and it was carried.

No old business

New Business

Faron Henderson, the representative for Greg Schob answered questions concerning the stormwater drainage problem. He commented that it would be a good idea to have a stormwater plan in place and may be willing to design a solution.

Mr. Henderson commented on the lack of water and commented that there have been perk tests already conducted in the vicinity and the application submitted had well logs from 2017 and 1991. and that should be sufficient.

The board discussed adding two more items to the Findings of Fact for Section F.

Three Rivers Major Subdivision

Jeanine moved to approve the Findings of Fact A-J, with the additions for F. Deanna seconded and it was carried.

Jeanine moved to approve the addition of the Condition; "The stormwater drainage plan shall be designed in such a way that the majority of stormwater runoff generated by this proposed subdivision will be diverted to flow into the main drainage channel north and east". (*Broadwater County Subdivision Regulations V-C*)

Deanna seconded this and it was carried.

Jeanine moved to approve the addition of the Condition:" A hydrogeological survey shall be complete prior to final plat approval. A hydrogeologist shall provide proof of adequate water prior to final plat approval. This study shall be performed at the expense of the developer.: (*Based on public comments received from September 27, 2023, and Broadwater County Subdivision Regulations V-C*)

Deanna seconded and it was carried.

Jeanine moved to approve all conditions including the two additions. Deanna seconded and it was carried.

The board asked for general knowledge, of what would happen if a Rural Fire District declined to set up a plan for a proposed subdivision. Nichole Brown stated that the application cannot be approved without one.

Jeanine moved to recommend the approval of the Preliminary Plat of Three Rivers Major Subdivision to the Broadwater County Commissioners. Deanna seconded and it was carried. A note was made that this will be on the Commissioner's Agenda dated October 18, 2023.

No items for discussion

No Legal Updates

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No Comments from the Floor

The next meeting is tentatively set for October 10, 2023, at 2 pm. The Board will need to come together to approve the minutes from this meeting before it goes in front of the Broadwater County Commissioners for approval.

Chairman Ed Shindoll adjourned the meeting at 8:36 pm


Respectfully Submitted:


Melinda Banks, Assistant


Date

Approved:


Ed Shindoll, Chairman


Date

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