



Planning Board Meeting
August 2, 2022 at 6:00 p.m.

Board Members Present:

Ed Shindoll, Chairman; Mary Heineman, Vice Chairman;
Jeanine Stone, Member; Deanna Kolodka, Member;
Dallas Diehl, Member

Board Members Present via Phone:

Broadwater County (BC) Staff Present:

Nichole Brown, Board Manager & BC Community
Development Director

Secretary:

Tacy Swanton, BC Community Development Assistant

100% of the Board members present and accounted for. Quorum reached for start of meeting. Once seated, all present were requested to rise for the Pledge of Allegiance.

Public Hearing on Greenway Subsequent Minor Subdivision

Ed Shindoll, Chairman, called the public hearing to order at 6:00 p.m.

1. No public comment on matters not on agenda.
2. No conflicts of interest for the Planning Board members.
3. Board has received the Greenway Subsequent Minor Subdivision application along with the Staff Report Greenway Subsequent Subdivision Preliminary Plat Dated 12/9/2021.
4. Nichole Brown, BC Community Development Director, read aloud the Staff Report Greenway Subsequent Subdivision Preliminary Plat Dated 12/9/2021; Date of Application is 3/21/2021.
 - a. On page 4, under Finding of Fact Regarding Water & Wastewater section 2., first sentence be amended to state: "... may find land to be unsuitable ...".
 - b. On page 8, under Finding of Fact Regarding Parkland the Conditions of Approval section be amended to state: "... mitigate impacts on local services under park services."
 - c. Hard copies were available to the public.
5. Lydia Greene, subdivider representative assisting Gary Greene, provided clarification on a few items of the aforementioned Staff Report.
6. No public comment; Ed Shindoll closed the public comment at 6:36 p.m.
7. Questions from the Board:
 - a. The covenants, rolled over from the Eagle Ridge Subdivision, only lasts for 15 years with the Eagle Ridge covenants signed in 2008 referring to Article 7 in the application.
 - i. Nichole Brown stated this is typical language seen in the non-commission required covenants; there is this end date of 10 years but then this regeneration of 10 years so thereby these covenants will last seemingly for 45 years, then they're gone. At this point the county is not going to force an update to the covenants. The covenants will run with the land, no matter what happens successively, even if they choose to add their own additional covenants, these covenants will still be there.
 - b. Different septic systems noted.
 - i. The lots have a well and might have something to do with different types of septic systems.

- ii. Per Gary Greene, once in 10 years there had been a flood and an increased conduit had fixed the problem which was upstream from this subdivision. The wash, with no water overflow, that is presently there and down lower, handled it and wouldn't call it flood waters there.
 - c. Who owns the fire pond?
 - i. Per Gary Greene: when it was Eagle Ridge Subdivision, it was owned collectively by everyone. When the subdivision went bankrupt, the bank held it. Gary wrote a letter, at the time he bought the property, to the bank and requested that they let Gary own it, maintain it, keep it a fire pond and give access to the area around it, which was dedicated as a park. After a month, the bank notified Gary that 2 other individuals are also interested, at that time Gary declined to be a part of it.
 - ii. Unsure who owns the fire pond at this time.
 - d. DEQ Report
 - i. DEQ does run with the land and they already have DEQ approval, even if it's an old DEQ report it still is approved and recorded as long as they have not grossly disturbed or manipulated the soils.
 - e. Price Road
 - i. Nichole did not include Price Road to be updated as a recommended condition of approval as the Traffic Impact Analysis/Study of the application showed an average of 918 vehicle trips per day which is a Local #2 road and it's currently built to a Local #1 standard with a maximum of 400 vehicle trips per day; no justification requiring any proportionate cost share on Price Road if its currently not at a standard as required by the existing vehicle trips per day.
8. No more questions or comments.

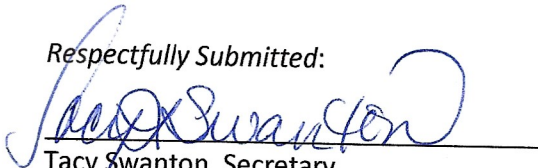
Regular Meeting

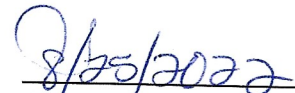
Ed Shindoll called the Planning Board meeting to order at 7:00 p.m.

- 1. New Business
 - a. There is no new business to discuss at this time.
- 2. Old Business
 - a. Greenway Subsequent Minor Subdivision
 - i. Couple questions and verifications of the Conditions of Approval were discussed.
 - ii. Jeanine Stone made a motion to recommend to the Commissioners to accept the Conditions of Approval but with the removal of section 4. on page 14 and section 10. on page 16. Mary Heineman seconded the motion.
 - No further discussion.
 - Motion *carried*.
 - b. No further old business to discuss.
- 3. Approve Minutes
 - a. Mary Heineman made a motion to approve the June 21, 2022 Planning Board Public Hearing and Regular Business Meeting Minutes. Jeanine Stone seconded the motion.
 - i. Discussion
 - Last name Finger needs to be changed to Fingar.
 - ii. Mary Heineman made a motion to approve the June 21, 2022 Planning Board Public Hearing and Regular Business Meeting Minutes with the correction aforementioned. Jeanine Stone seconded the motion.
 - No further discussion.
 - Motion *carried*.
- 4. Items for Discussion
 - a. None at this time.


5. Legal Updates
 - a. None at this time.
6. Comments from the Floor
 - a. None at this time.
7. Other Business
 - a. None at this time.
8. Reports
 - a. None at this time.
9. Schedule Next Meeting
 - a. Next working meeting will be scheduled soon after confirmation on Board members availability.
 - b. Next Planning Board Public Hearing is scheduled on August 24, 2022 at 6:00 p.m. on the Headwaters 2 Subsequent Minor Subdivision.
 - c. Next Planning Board Regular Meeting is scheduled on August 24, 2022 at 6:30 p.m.
10. Adjourn
 - a. Mary Heineman made a motion to adjourn the meeting. Dallas Diehl seconded. With no further business, meeting adjourned.

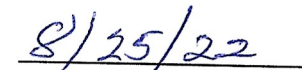
Respectfully Submitted:


Tacy Swanton, Secretary


Date

Approved:


Ed Shindoll, Chairman


Date