

**FREMONT COUNTY PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 25, 2016
7:00 PM**

Open of Meeting: Chairman Kristin Paulsen called the meeting to order at 7:00 p.m. The following were present: Vice Chairman J.R. Oakley, Planning Commissioners: Tom Jones and Chris VonHoltum; County Commissioner Travis Becker; Planning Department Staff: Director Steve Baumann, Small Wastewater Specialist Marcel Lopez; Absent: Planning Commissioner Harold Albright.

Pledge of Allegiance: Chairman Paulsen led those present in the Pledge of Allegiance.

Approval of Agenda: Commissioner Jones moved, Commissioner VonHoltum seconded to approve the Agenda of February 25, 2016. No further discussion, the motion carried unanimously.

Approval of Minutes: Vice Chairman Oakley moved, Commissioner Jones seconded to approve the minutes from the January 28, 2016 meeting. No further discussion, the motion carried unanimously.

Staff Progress Report: Director Baumann reviewed the January 2016 Department Monthly Report provided to the County Commissioners. Discussion: (1) Two revised versions of next year's budget was given to the Commissioners representative; (2) One new road for the month, Beatrice Road, off of Rein Road; (3) Flood Plain letters sent to all new land purchasers in 2015; (4) Lander Area Study, North 2nd and Hwy 287, providing a document to the Planning Department to give guidance how access should work in case of additional development on the two roads. HDR has been selected as the consultant; we are finalizing the contract, obtaining signatures and should be completed within the next two weeks. The department is putting together all the easements information and compiling traffic accounts and traffic studies for those two roads to save as much money as possible; (5) Septic System Permits, we are one ahead of last year at this time.

Unfinished Business: None.

New Business:

Sypes Simple Subdivision

Dan Hart, Land Surveyor, came forward to represent the subdivision. It is a proposed two lot subdivision on the intersection of Main and Granier in Atlantic City. Each lot is 1.03 acres, a request for Variance will be necessary for the twenty-foot utility easements due to a barn on the west side and a house on the east side. Director Baumann

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commented the Variance has been requested with the documents being sent out to the Johnson's and all the owners of record have signed it. Mr. Hart discussed that reason for the variance is normally there is a twenty foot (20') utility easement on the perimeter of the subdivision. On the west side the barn is fifteen feet from the line and on the east side the existing house is 9.8 feet from the line. The utilities already exist for the house.

Vice Chairman Oakley moved to approve the request for variance to allow a ten foot (10') utility easement on the west side of Lot 1 and a request for variance to allow a five foot (5') utility easement on the east side of Lot 2, as explained in the documents presented. Commissioner VonHoltum seconded. No further discussion, motion carried unanimously.

Vice Chairman Oakley moved, seconded by Commissioner VonHoltum to send the County Commissioners the Sypes Subdivision for approval with the following corrections: (1) Certificate of Ownership and Dedication, change the third line after "point of beginning" change to Southeast Quarter; and (2) Four corners are marked on the plat. No further discussion, motion carried unanimously.

Review of Development Permit

Discussion:

Director Baumann proposed a Development Permit. The main intent of the development permit is so that anyone can come in to the Planning Department and discuss their property, what they are envisioning to do with their property, snow loads, wind zone, frost depth and septic regulations to have a better understanding of the process and try to avoid possible problems that can arise when the property owner does not have enough information, now or in the future. To discuss the septic system regulations before setting the home and drilling the well, to alleviate a potential problem of having installed a well and setting the home without enough area to legally install a septic system. It is to provide them with information and/or resources of whom to contact to find out answers to their questions. To have discussions relating to their property and to walk them through the process. Such a permit would also help the Assessor's office by: (1) notifying them of new construction; (2) providing them an avenue to generate additional tax revenue; and (3) assist in better tracking of mobile homes being moved onto a piece of property. This permit would be a mandatory permit.

Commissioner VonHoltum commented most items were related to septic systems and asked if there were controls for those variables in the current septic permit. These problems will not be solved by requiring another permit. The landowner putting in a septic system on their own against code, will do so regardless of whether there is a Development Permit. The ability to come into the Planning Department is available to any member of the public, instituting a permitting system like this would have a far reaching effect on the people who are following proper procedures. They would have to go through extra bureaucratic process to exercise their personal property rights.

Discussion prior to building is important, but can be obtained without the institution of a Development Permit. The negative ramifications outweigh the positives. If we want zoning, then put it into place. This permit would be halfway to zoning. Most people live in Fremont County because there is no zoning. Commissioner VonHoltum was not in favor of the Development Permit.

Vice Chairman Oakley comments were that the county is to provide a service and that the county should not charge the public for information, other than photocopies of documents. We are not going to be able to protect every person regarding property they have purchased. Put the information on the website and/or possibly advertise on the radio station, to get the word out to the public encouraging them to come in and discuss their property questions. Vice Chairman Oakley was not in favor of the Development Permit.

Commissioner Jones comments were the permit would give the landowner additional information as well as advise the Assessor's Office of new construction, to work within the county by sharing information. To help the landowner from building in the wrong location, let neighbors know what your plans are and to forewarn the landowner of possible problems. Commissioner Jones was in favor of the Development Permit.

County Commissioner Becker comments, in agreement with Vice Chairman Oakley and Commissioner VonHoltum, but there are benefits to the permit. Those who choose to come in and discuss their property, the \$25.00 fee is voluntary, but would help pay for services received. It would give information regarding their property to those who want it, but is not mandatory. County Commissioner Becker was corrected by Director Baumann that this fee would be mandatory.

Mr. Lopez comments the department doesn't have authority over wells. If the landowner doesn't come in and discuss location on the property, if they drill a well on a one acre lot or smaller, and the well is where they need to put the house, now there is not legal separation for the leach field. So, now are looking at abandoning the well and re-drilling or figuring out some other way of handling the septic situation. Some have installed cisterns until they are able to re-drill a well. Most problems are limited to subdivisions, such as building on the wrong lot, installing septic systems on the wrong lot or too close to the property line. It is the Assessor's Office job to search out any new construction.

Chairman Paulsen comments, people will not come into the office to pay for information they are able to obtain for free. Previously, charge for services such as photocopies, was approved by the Planning Commission. To clear up any misunderstanding, the fee of \$25.00 is not voluntary. The problem is not prior to purchasing the property, but after the property has been purchased and the landowner now wants to build. The information offered does not give the information needed prior to purchasing property. Most landowners will hire a contractor, which most contractors should already know the information discussed and will probably not come in. We do not need to make more

regulations we cannot enforce. Each county department has their own job to do. The Assessor's Office is already provided with information by the Statement of Consideration they receive from each property that is sold, when subdivisions are recorded they should be aware that possibly building will occur. Educate the public by offering classes to the community. One thing that might help, is contact the Wyoming Real Estate Commission and check into what it would take to be able to get a class that would be a continuing education class. There is a person who is doing a continuing education class for realtors, title companies and contractors discussing liens and how they can be placed and the priority of liens. Get something like that, everybody has to have continuing education and they will pay to come listen to what you have to say. It's local, they will pay attention and it is very easy. You get a collective audience, you give them something they can use and once you format the class you can use it annually continuing to giving the same information and you can charge them to come to it. You get your message out educating people regarding septic information, building permit information, easements and all the other things. Anything we can do as a department to educate people is a great thing. Giving the realtors, contractors, attorneys the information is great. Give the information to the subdividers, hopefully, they will pass it along to the people they are selling to. What is being attempted with the Development Permit isn't completely wrong, but there is no way to enforce it so that we are going to be able to get the public to come in and do something that we cannot get them to come in to do for free today. Keep on the education path, put on the website recommendations of coming in and all the extra information the department has to offer. Use lead-ins that would make people want to know something, but don't give them everything so they will come in and have a discussion. Chairman Paulsen was not in favor of the Development Permit.

Review Chapters 6, 7 and 8 of Regular Subdivision Regulations

Chapter VI Regular Subdivision Required Improvements and Funding

1. Required Improvements –

A. Required on Site Improvements for all Regular Subdivisions include:

V. Telephone Service – remove.

VI. Central Water Supply

a) acceptable

b) Capitalize "Whenever".

VII. Central Sewer System

a) acceptable

b) Capitalize "Whenever"

c) Capitalize "Whenever"

VIII. Irrigation Distribution Systems – acceptable.

IX. Fire Protection

a) Acceptable

X. Street Name and Traffic Safety Signs – acceptable

- B. Required Off Site Improvements (correct spelling of Improvements).
 - I. acceptable
 - II. add "Commissioners" after County to be more specific in which entity in the County has the authority.
 - a) acceptable
 - b) Add "Commissioners" after County.
 - 2. Agreement to Install Improvements.
 - A. Take out "themselves" and insert "subdivider".
 - I. acceptable
 - II. Insert "estimated" before completion.
 - B. Insert "for each phase" after final plat.
 - 3. Maintenance of Improvements. - acceptable
 - 4. Financial Agreements and Alternatives: - acceptable
 - A. Performance Guarantee: - acceptable
 - B. Release of Performance Guarantee. Insert "Commissioners" after County.
- Remainder of chapter is acceptable.

Chapter VII Mobile Home Parks Procedural Requirements and Design Standards
 Director Baumann to follow-up researching the State Statutes for the regulations regarding Mobile Home Parks.

Chapter VIII Corrected Plats, Re-Plats, Re-Subdivisions and Vacations

- 1. Corrected Plats – acceptable
 - 2. Re-Plats – acceptable
 - 3. Re-Subdivisions – acceptable
 - 4. Vacation of Plat of Record –
 - III., f., i. insert at end of sentence "as well as all necessary documents to perfect the vacation process.
- Remainder of chapter is acceptable.

The members set the next regular meeting for Thursday, March 24, 2016 at 7:00 p.m. There being no further business for the Planning Commission, Chairman Paulsen adjourned the meeting at 9:34 p.m.

Respectfully submitted:

Cheryl Crowson
 Department Secretary

Kristin Paulsen
 Chairman