

**FREMONT COUNTY PLANNING COMMISSION
MEETING MINUTES
7:00 PM, JULY 30, 2015
450 N. 2ND ST., ROOM 205
LANDER, WY 82520**

Open of Meeting: Chairman Kristin Paulsen called the meeting to order at 7:03 p.m. The following were present: Vice Chairman JR Oakley; Planning Commissioner Tom Jones; County Commissioner Travis Becker; Planning Department Staff: Director Steve Baumann, Small Wastewater Specialist Marcel Lopez, Small Wastewater Specialist and Floodplain Specialist Steve Warner and Department Secretary Cheryl Crowson. Absent: Planning Commissioner Harold Albright.

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

Approval of Agenda: Vice Chairman Oakley moved, Commissioner Jones seconded to approve the Agenda of July 30, 2015, with the addition under New Business the Small Wastewater Regulations. No further discussion, the motion carried unanimously.

Approval of Minutes: Vice Chairman Oakley moved, Commissioner Jones seconded to approve the Meeting Minutes from the June 25, 2015 meeting. No further discussion, the motion carried unanimously. Vice Chairman Oakley moved, Commissioner Jones seconded to approve the Special Working Meeting Minutes from the June 25, 2015 meeting. No further discussion, the motion carried unanimously.

Staff Progress Report: Director Baumann commented on the Staff Progress Report. Discussion: (1) review of the June 2015 Monthly Report provided to the County Commissioners; (2) small wastewater permits are up from this time last year; (3) begin keeping track of small wastewater permits based on fiscal year rather than calendar year; (4) Urban Systems meetings in Lander and Riverton; (5) conversation with Engineer at WYDOT- Basin Office recommending funding approval of \$50,000 between Fremont County and City of Lander - waiting approval from Cheyenne office; (6) funding between Lander and Fremont County will be \$12,500.00, of which the City of Lander will split 50/50, so the \$6,250.00 will be split equally between Planning Department and County Roads Department. This will produce a document that will help solve issues related with access and easements; (7) LeClair Irrigation District - developing terminology to put into their By-Laws regarding minimum distances; (8) Flying Frog Subdivision, letter to Craig Colton regarding Lis Pendens to be addressed before proceeding. Conversations with High Plains Power, Union Telephone and Margaret Pugh to review a previous document deemed appropriate to justify access to property; (9) changes to Small Wastewater Regulations; (10) Seth has been working with the

Northern Arapaho Tribe regarding naming roads on the reservation; (11) finished the financials for Fiscal Year 2014/2015.

Unfinished Business

Rivera Estates Subdivision

Tod Polson came forward to represent the Rivera Estates Subdivision. Last month the subdivision received tentative approval. All changes have been made and/or addressed as requested in last month's meeting. There have been no changes to lot size, just changes in lot lines. The main change was the center line description on the property to the north, which was slightly off due to separate angle points. The City of Riverton has given tentative approval pending the Planning Commission approval.

Chairman Paulsen called for a motion. Vice Chairman Oakley moved, seconded by Commissioner Jones to send the Rivera Estate Subdivision to the County Commissioners for approval, the plat dated 7/30/2015, as it is presented to the Planning Commission has the revisions requested at the last meeting, approximately seven (7) changes, which have been verified as being part of the plat, together with minor "housekeeping" of re-arranging the plat.

Discussion by Chairman Paulsen regarding a "housekeeping" item on the other piece of Rousseau's property where there is a document number on 21.47 acres, make a change by adding a new document number.

Chairman Paulsen called for an Amended Motion. Vice Chairman Oakley moved, seconded by Commissioner Jones to amend their previous motion to include the addition of the Document Number to the Plat on the 21.47 acres for Rousseau. No further discussion, motion passed unanimously.

New Business

GF Subdivision

Gary Hatle, Apex Surveying, Inc., came forward to represent the GF Subdivision. Discussion: (1) reference to Country Acres Road right of way; (2) located approach with permit approval number and identified by power pole in legend; (3) added surface estate note; (4) note regarding soil conditions; (5) irrigation development plan; (6) location of High Plains Power Right of Way; (7) change date (year) from 2013 to 2015; (8) twenty foot (20') wide ingress & egress right of way easement for access to Lot 1 and lands adjoining the westerly and southerly boundaries of Lot 1; and (9) conditional approval by the City of Riverton.

Discussion:

- (1) Correspondence received:
 - a) Permit for access from the County;

b) Century Link, Source Gas, Rocky Mountain and High Plains Power, all were acceptable.

(2) A telephone call from one person, wanting to remain unnamed, discussing problems from the past and inquiring what the intent is for the property at present.

Chairman Paulsen called for a motion. Commissioner Jones moved, seconded by Vice Chairman Oakley, to send the GF Subdivision to the Fremont County Commissioners for approval. No further discussion, motion passed unanimously.

Irwin Subdivision, Re-subdivision of the Westerly Portion of Tract 4

Dan Hart, The Company, Inc., came forward to represent Bruce Knell. This is a re-subdivision of the westerly portion of Tract 4 of the Irwin Subdivision. Currently there is an existing home and a building being converted into a residence, which is why it is necessary to split the property into two parcels.

Discussion: (1) Lander City Council approved application for an additional water tap; (2) City of Lander has the subdivision scheduled for review on their August 13, 2015, Agenda; (3) access to Lot 4D; and (4) easement on south side of Lot 4C.

Dan Hart requested a Variance for a ten foot (10') irrigation, drainage and utility easement on the south side of Lot 4C instead of the required twenty foot (20') easement.

Chairman Paulsen called for a motion. Commissioner Jones moved, seconded by Vice Chairman Oakley to grant a Variance on Tract 4C on the south side, for a ten foot (10') irrigation, drainage and utility easement.

Discussion, conditional approval pending the outcome of the review by the City of Lander.

Chairman Paulsen called for a vote of all in favor of granting a Variance conditionally upon the City of Lander approving the Variance on Tract 4C with a ten foot (10') irrigation, drainage and utility easement. All voted aye.

No further discussion, no negative correspondence received.

Vice Chairman Oakley moved, seconded by Commissioner Jones to send the Irwin Subdivision, Re-subdivision of the Westerly Portion of Tract 4 to the County Commissioners for approval pending the approval from the City of Lander, also noting the Variance on the south side of Tract 4C to the ten foot (10') irrigation, drainage and utility easement. No further discussion, motion passed unanimously.

Final Review of Simple Subdivision Regulations with Legal Markups

Discussion: Retained Ownership – unclear in current State Statutes of the meaning. By retaining ownership, exempt from Subdivision Regulations. Exclude until the State Statutes are changed and does not allow the exclusion.

Discussion Simple Subdivision Regulations:

- (1) Page 5, Recommend adding definitions for Central Water System, Cistern, Commercial Septic System Community Water System.
- (2) Page 7, Addition of definition for holding tank (relating to small wastewater).
- (3) Page 9, Re-plat – change “map” to “plat” and change “reached” to “filed” on last sentence.
- (4) Page 10, Public Sewer System – the definition is the same as used by the City of Lander in their Regulations. Small Wastewater System – the definition is from DEQ Regulations.
- (5) Page 15, Chapter II, Administration - remove the entire second sentence in first paragraph.
- (6) Page 16, Section 2, Appeals, A, add “informal” before “hearing” in first sentence.
- (7) Page 20, First paragraph, last sentence, delete “and Board of County Commissioners”.
- (8) Page 24, Section XVII, revised to clarify lot size requirements.
- (9) Page 31, Section 7, Monumentation, A, II, last sentence moved to end of section on Page 32.
- (10) Page 32, Section 8, Signs, C, last sentence, remove “plat recording cost following approval of the subdivision”.
- (11) Page 34, Platting Procedures, revised wording to clarify a variance is a recommendation by the Planning Commission and an approval by the County Commissioners.
- (12) Page 47, Appendix A, Sample Certificate of Ownership and Dedication – removed “grant to the Public or (the Name of the Homeowners Association)”.
- (13) Last Page, Appendix B, 2015 Fee Schedule - main additions and/or changes:
 - a) Subdivision Recording Fee - \$75.00
 - b) Plat copy, \$2.50 per page
 - c) Small Wastewater Additional Inspection Fee (for all inspections over two (2)) - \$50.00
 - d) As Built Septic System - \$500
 - e) Change “Floodplain Elevation Certificate” to “Floodplain Development Permit”
 - f) New Address Application Fee - \$20
 - g) Copy, .25 per page

Chairman Paulsen called for a motion. Commissioner Jones moved, seconded by Vice Chairman Oakley to send the Revised Simple Subdivision Regulations dated July 30, 2015, to the County Commissioners to begin the forty-five (45) day public comment period. No further discussion, motion passed unanimously.

Small Wastewater Regulations

Discussion: (1) advising the applicant what they can expect from Fremont County as part of permit process; (2) what the applicant is required to do; (3) informational documentation that will be provided in the application packet; (4) sending changes in “red” to Jodi Darrough to review; (5) reference fee schedule; (6) requiring contractor to have survey equipment available at the time of final inspection; (7) Page 36, G, add “system” after “passive aerobic”; (8) Reserve right to reject any submitted percolation test that does not follow the proper procedures or deemed questionable as to its final results. Solution would be to re-do the test. Re-write to include solution, if test is rejected; (9) include Appendix B.

Chairman Paulsen called for a motion. Vice Chairman Oakley moved, seconded by Commissioner Jones to send to the County Attorney for review the Small Wastewater Regulations and upon successful review, send to the County Commissioners for approval to begin the forty-five (45) day advertisement period. No further discussion, motion carried unanimously.

The members set the next regular meeting for Thursday, August 27, 2015, at 7:00 p.m. There being no further business for the Planning Commission, Chairman Paulsen adjourned the meeting at 8:50 p.m.

Respectfully submitted:

Cheryl Crowson
Department Secretary

Kristin Paulsen
Chairman