

MEADE COUNTY PLANNING BOARD MINUTES
September 16, 2002

Members Present: Chairman Carl Bruch, Wayne Gutzmer, Bob Powles, Dale Hammock, Bob Mallow, Director of Equalization Kirk Chaffee, and Secretary of Planning Erin Hanson

Guests Present: Rolyn Ludens, Ron Baker, Jim Tice, Tom MacKaben, Kristie Harkin, Troy Harkin, Rick Jordan, Rick Bush, Dean McFarland, Mike Deutsch, Kenny McFarland, Hank Thompson, Barb Peterson.

Carl Bruch called the meeting to order at 1:00 PM.

Motion #1: Hammock made a motion to approve the minutes from the September 16, 2002 planning meeting with the corrections to be made. Gutzmer seconded the motion. Motion passed unanimously.

OLD BUSINESS:

Ron Baker—American West Communities. Ron Baker and Royln Ludens presented the board with a final plat of Lots 1-3 of Amwest Utilities Subdivision. This is the construction site for a regional wastewater facility. Baker informed the board that the wastewater facility can and will serve all the lots for Summerset and Summerset USA. The facility is expandable and can serve a much larger area in the Trails west, Stage barn, and Piedmont areas.

The Board requested that the proposed 50' R.O.W. designated on the SW corner of the 3 lots common to the RR R.O.W. be increased to 66'. Proof of written access easement from adjoining property owners to the subdivision must be presented to the Meade County Commissioners prior to the October 2nd meeting. Baker informed the board that a locked security fence will be installed around the structures of the facility and the remaining 15 acres will be fenced with typical four standard barb-wire. Soil bore tests and certified letters were received at the meeting.

Motion#2: Mallow made a motion to approve the plat as a final. Hammock seconded the motion. Motion passed unanimously.

Discussion took place among the board and Ron Baker about the fire hydrant on the north side of Bellingham Dr. into Summerset. Mallow stated that the hydrant was not placed according to the engineering plans presented to Meade County approval. In the present location of the hydrant appears to be to close to Hwy 79 and Boozes driveway. This location may make it a traffic hazard or concealed with snow cover. Mallow stated that the fire hydrant should possibly be moved. The Board was informed that Summerset was asked by Black Hawk Water to move the hydrant from the south side of the street, as planned to the north side. Black Hawk Water reportedly requested the move based on line maintenance and elevation. Baker informed the Board that request by utility companies for changes will be brought back to Meade County for approval. Final hydrant will be decided once Boozes approach is approved by DOT.

NEW BUSINESS:

1. **Duane Burge**—represented by **Rick Bush**. Bush presented a plat of Tract B-2 and B-3 SE1/4 of 3-5-6. Bush explained to the board that Burge's home burnt down and they formally want to replat to build a new home on Tract B-2. Certified receipts were received at the meeting.

Motion #3: Gutzmer made a motion to approve as a final. Mallow seconded the motion. Motion passed unanimously.

2. **Kenny McFarland**—Kenny (owner) and Dan McFarland (realtor) approached the board with a Form of Intent. Kenny explained that the property was in the Elk Vale Township. McFarland stated that he would like to have 32-34 lots in the amount of 3 + acres. Dan McFarland said he would like to start the water system by this fall, but it also needs to be approved by DENR. Questions that the Board had were in regards to the flood plain, or if it was in a flood zone. Kenny stated that the flood study ends one mile east of interstate 90, but more research can be done. Some of the other items that need to be completed are:

1. sewer system
2. road district
3. covenants
4. Home Owners Association, and also talk with Elk Vale Township
5. soil bore tests

No Action Taken

3. **Mike Deutsch**—Deutsch and **Rick Bush** approached the board with a request to change the access easement on Tract 3 of L & J Subdivision. Deutsch explained to the board that he would like to subdivide the NE1/4SW1/4 of 11-4-6 into 4 – 10 acre lots. Tracts 1, 2 and 3 are already platted and serviced by a County road. Tract 3 will still use the previous access to the lot. Mallow stated that the private access has been a big issue and in fact that it needs to be changed to a Public Right of Way to solve any problems that may occur.

Motion #4: Hammock made a motion to approve the plat as a preliminary. Gutzmer seconded the motion.

Discussion took place between Deutsch and some of the adjoining neighbors. Troy Harkins owner of Tract 3 said that he is in favor of the curve being taken out to make it a straight road. Rick Jordan also a property owner said he would like the fence to stay in place which is partially on Deutsch's property. Deutsch said that it shouldn't be a problem since he owns the property at this time, and when he is ready to sell he will make sure the new owners are aware of the situation. The Planning Board explained that these are situations that we cannot decide. Chaffee did explain to Deutsch regardless of the easement or dedicated ROW the road is still longer than 500' and a cul-de-sac for fire reasons should be installed.

Gutzmer, Powles, Hammock---in favor
Mallow---opposed

4. **Variety Sales Inc.**—**Hank Thompson** and **Pat Freeland** presented a final plat of Antelope Flats #2, Lots 1-8 Tracts A & B of 5-2-9. Thompson explained to the board that all of the lots will have water meters and individual shutoffs. Hank stated that Tract A & B will be used for agriculture with no water except for the dam, that can be used for the livestock. Mr. Thompson explained that an individual from the Ellsworth Air force Base was to be present to confirm the agreement of the water. There was a phone call from Captain James Cunningham, who contacted the Equalization & Planning Office on September 16, 2002. Mr. Cunningham explained the situation that the Ellsworth Air force Base will be servicing these 8 lots. James said if any questions please contact him at 605-385-5056.

Motion #5: Gutzmer made a motion to approve as a final contingent upon a letter from the Ellsworth Air force Base stating that they will service the eight lots. This letter needs to be received prior to the Commissions Meeting on October 2, 2002. Powles seconded the motion.

Gutzmer, Powles, Hammock—in favor
Mallow—opposed

5. **James Tice**—presented a preliminary plat of Wilburn Subdivision in 11-3-6. Tice explained that he would like to sell off 9.005 acres naming it as Lot 1. Tice had indicated that the owner of Tract C

would like to buy this lot, but Tice feels that he also has to provide access to this new lot. The board had stated that there are a couple of different ways that this can be handled. Tice stated that he would do more research on the platting of the property and see what he can work out with the adjoining neighbors.

No Action Taken

6. **Tom Mackaben**—Mackaben approached the board for a Form of Intent for the N2SW in 23-3-7. Tom explained to the Planning Board that he would like to plat off 20 acres from his remaining 80 acres to sell. Mackaben would like to sell the property with a remaining 30' private access easement so that the new owners would have access to the property. The board had a response that it has to be a 66' public right of way to the new 20 acre lot.

Motion #6: Hammock made a motion to approve as a preliminary plat contingent upon providing a 66' public right of way to the new lot, and also a letter from Elk Valley Ranchettes Subdivision stating that they will service the lots with water. Gutzmer seconded the motion. Motion passed unanimously.

Entered the Board of Variance at 3:20 PM: Gutzmer made a motion to move into the Board of Variance. Hammock seconded the motion. Motion passed unanimously.

Variances:

1. **Barb Peterson**—Lot 1-NE1/4NE1/4 of 27-3-7. Barb approached the Board for a renewal of her variance. No complaints from adjoining neighbors. No changes at this time

Motion #7: Gutzmer made a motion to approve the variance for another year. Hammock seconded the motion. Motion passed unanimously.

Out of Board of Variance at 3:24 PM: Hammock made a motion to move out of the Board of Variance. Gutzmer seconded the motion. Motion passed unanimously.

Old Business: (cont.)

- 2. **Keith Kuchenbecker**—Keith presented the board with a final plat of Hideaway Hills—Phase I Lots A & B. Kuchenbecker stated that the curb and gutter is being put in place. Keith hopes to have the roadways improved with asphalt prior to the October 2, 2002 County Commissioners meeting. Kuchenbecker requested to add 14 additional lots from Phase II to be included into Phase I. All utility infrastructures are currently in place. Road improvements such as asphalt surface, curb, gutter and sidewalks are currently being installed. All unfinished items will either be completed prior to commission approval or be bonded. The Board had concerns with subdivisions that only have one point of ingress and egress. Kuchenbecker informed the board that the road system would be part of Northdale because of construction traffic and the possibility of over weight trucks causing damage to the existing roads. Powles suggested that a gate be installed only allowing emergency traffic between the two subdivisions. It was also discussed that once Hideaway Hills had 50% of the lots improved, the gate would be removed.

Motion #8: Hammock made a motion to approve as a final to include the additional 14 lots with the stipulations prior to the County Commissioners Meeting October 2, 2002.

1. Contact adjoining land owner
2. Location of the lift station on the plat
3. Reporting alarm of the lift station
4. Extend lift station lots

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5. Drainage into the out lot
6. Building envelope on plat
7. A secondary dedicated public ROW via North dale be open to all public traffic at such time that 50% of the platted residential lots are improved.

Hammock also wanted to include the right of way into North dale, as a secondary access when 50% is reached. Mallow seconded the motion. Motion passed unanimously.

Carl Bruch adjourned the meeting at 4:14 PM.

Approved: _____ September 16, 2002
Carl Bruch, Chairman

Approved: _____ September 16, 2002
Kirk J. Chaffee, Director of Equalization & Planning