

Albany County Planning and Zoning Commission
REGULAR MEETING of March 9, 2022
Minutes

Staff Present: David Gertsch – Planning Director, Joe Wilmes – Assistant Planner,
Matt Ayres – County Civil Attorney

I. CALL TO ORDER/ROLL CALL (Time 5:00)

Chairman: The Regular Meeting of the Planning and Zoning Commission will come to order.

Chairman: Will the secretary call the roll.

Vote: Mr. Thyne: Absent

Mr. Kennedy: Present

Mr. Platt: Present

Chairman Hinckley: Present

Ms. Hanning: Present

II. Excuse Absent Members:

Chairman: The Chair will entertain a motion to excuse absent member Thyne, of the Planning and Zoning Commission from this meeting.

So moved by Commissioner Kennedy.

Seconded by Commissioner Platt.

The vote was unanimous.

Motion Carried.

III. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for March 9, 2022?

Chair will entertain a motion to accept the agenda March 9, 2022 (as AMENDED).

Commissioner Kennedy moves to add a subdivision regulation update under Current Planning Projects.

So moved by Commissioner Kennedy.

Seconded by Commissioner Hanning.

The vote was unanimous.

Motion Carried.

IV. Approval of Minutes

Chairman: Are there any corrections to the minutes for the February 9, 2022, meeting?

Chair will entertain a motion to accept the minutes for the February 9, 2022, meeting as presented/with corrections.

So moved by Commissioner Platt.

Seconded by Commissioner Kennedy.

The vote was unanimous.

Motion Carried.

V. DISCLOSURES:

Chairman: The Chair calls for any disclosures to be known.

There were none.

VI. PUBLIC APPLICATIONS

A. Carbon Power & Light Herrick Conditional Use Application CU-02-22

David Gertsch, Planning Director, gave the staff report.

Commissioner Hanning had a question regarding the decommissioning of the previous substation.

Commissioner Platt had questions regarding the preapplication process and the comprehensive plan.

Chairman Hinckley had questions regarding the comprehensive plan, the potential impacts, findings of fact, maps, WYDOT

Jim Beckman, applicant's representative, answered Commissioner Hanning's question about decommissioning of the previous substation.

Commissioner Hanning had a question for Mr. Beckman about the timeline of the project.

Public comment was opened, but there was no comment.

A motion was made by Commissioner Kennedy and seconded by Commissioner Platt to approve the Carbon Power and light Inc. Herrick Lane Conditional Use Application (CU-02-22) adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in this Staff Report.

Discussion among the Planning and Zoning Commission was opened, but there was none.

The vote was unanimous.

Motion Carried.

B. Carbon Power & Light Highway 11 Conditional Use Application CU-03-22

David Gertsch, Planning Director, gave the staff report.

Chairman Hinckley had a question about wetlands and the motion.

Jim Beckman, applicant's representative, commented on the access to the property, has been in contact about when construction can start, wetlands.

Commissioner Kennedy has a concern about Wyoming Game and Fish recommending the Army Corps of Engineers, recommended LRCD instead of Weed and Pest.

Commissioner Hanning had a question about distance from the other substation that will be decommissioned and the effects to wildlife.

Commissioner Platt has concerns about the urgency of the replacement of the substation, negotiation process, the wetlands.

Chairman Hinckley had questions about the stipulations for the applicant.

Public comment was opened, but there was no comment.

Discussion among the Planning and Zoning Commission was opened

Commissioner Kennedy is concerned about the conditions and thinks the application should be approved with no conditions.

Commissioner Hanning supports the conditions and would be in favor of tabling instead of approving with no conditions.

Commissioner Platt believes no wetlands should be disturbed and need a professional to determine where the wetlands are.

Chairman Hinckley would not be uncomfortable with approving this application with the conditions laid out in the staff report.

A motion was made by Commissioner Kennedy and seconded by Commissioner Hanning to approve the Carbon Power and Light Inc. State Highway 11 Conditional Use Application (CU-03-22) adopting and incorporating the Staff Analysis Findings of Fact, and Conclusions of Law as each are stated in this Staff Report along with the following additional conditions: adherence to the recommendations of the Wyoming Game and Fish Department as referenced in the staff report as numbers 1, 2, 3, 4, and 5 under the Review section.

Discussion among the Planning and Zoning Commission was opened, there was none.

The vote was unanimous.

Motion Carried.

C. Cottontail Subdivision Application Preliminary Plat SD-11-21

Joe Wilmes, Assistant Planner, gave the staff report.

There were no questions for staff.

Commissioner Hanning had some questions for Jake Schneider, the applicant's representative, regarding the number of taps into the water district, flood irrigation, bottom up or top down water travel, the current septic system, the existing building

Chairman Hinckley had questions regarding the Chapter 23 report submitted to WDEQ and an error in the calculations.

Public comment was opened, but there was no comment.

Discussion among the Planning and Zoning Commission was opened.

Commissioner Hanning wonders if the water issues could be taken care of with a smaller number of lots.

A motion was made by Commissioner Platt and seconded by Commissioner Hanning to approve the Cottontail Subdivision Preliminary Plat SD-11-21 incorporating the findings of fact and conclusions of law as written in the Staff Report with the conditions that the Planning and Zoning Commission will contact WDEQ regarding the calculation of nitrate concentrations and make the final decision on septic system design when the final plat is reviewed.

Further discussion amongst the commission

Commissioner Platt motions for an amendment seconded Hanning to have the Planning and Zoning Commission Chair contact WDEQ.

Vote on amendment was unanimous.

Vote on the main motion as amended was 3-1.

Motion Carried

D. Lady Bug Ridge Subdivision Application Final Plat SD-01-22

Joe Wilmes, Assistant Planner, gave the staff report.

Chairman Hinckley asked a question regarding the small subdivision process.

There were no questions for the applicant.

Public comment was opened, but there was no comment.

Discussion among the Planning and Zoning Commissioner was opened, but there was no discussion.

A motion was made by Commissioner Kennedy and seconded by Commissioner Platt to approve the Lady Bug Ridge Subdivision Final Plat Application SD-01-22 and a Subdivision Permit based upon and incorporating the findings of fact and conclusions of law as stated in the staff report.

The vote was unanimous.

Motion Carried.

IX. CURRENT PLANNING PROJECTS

- A. Casper Aquifer Protection Plan Update**
 - i.** David Gertsch, Planning Director, gave an update.
 - 1.** Right now, the consultant is doing technical work, and is on track.
- B. Growth Area Management Plan Update**
 - i.** David Gertsch, Planning Director, gave an update.
 - 1.** Right now, the consultant is working on the public participation. We are in the beginning stages.
- C. Zoning Resolution Review Discussion**
 - i.** Chairman Hinckley hopes to bring forward amendments to the zoning resolutions this year, specifically, about the comprehensive plan, bringing in current state statutes, and changing the zoning change process.
 - ii.** David Gertsch, Planning Director, presented the process of getting a zoning change and a zoning resolution amendment.
 - iii.** Questions
 - 1.** Commissioner Platt had concerns about the striking of the comprehensive plan in staff reports.
- D. Subdivision Regulations**
 - i.** Matt Ayres, County Civil Attorney, commented on the splitting of plats and layout of the regulations.
- E. Natural Resource Management Plan**
 - i.** David Gertsch, Planning Director, introduced the consultant, Bree Burton, of Y2 and Connor Nicklas, of Bud Fallen. Teal Wyckoff, Mike Massie, Bonnie Bath, Maura Hanning, Joe Wilmes, and David Gertsch of the steering committee.
 - ii.** Bree Burton, the consultant, gave the presentation.
 - iii.** Steering committee comments
 - 1.** Mike Massie says that what we need to keep in mind is that we are hoping for a constructive dialogue with the federal agencies.
 - iv.** Planning and Zoning Commission Comments
 - 1.** A discussion took place between Planning and Zoning Commission members with most of the discussion about length of the document. One of the major concerns is that recreation wasn't highlighted enough. Another concern is the lack of input by federal agencies and other stakeholders.

X. OTHER ITEMS/ANNOUNCEMENTS

A. Commissioner Comments

- i.** Commissioner Kennedy thinks we should look at the Carbon County Rules and Procedures and think about replacing Albany County's.

B. Appoint member to the Urban Systems Advisory Committee

- i.** Commissioner Platt made a motion and seconded by Hanning for Commissioner Kennedy

C. Next Meeting April 13, 2022, at 5:00 p.m.

XI. CITIZEN COMMENTS – Non-Agenda Related Topics

- a. No comments were made.

XII. ADJOURNMENT

Chairman: There being no further business to conduct, the Chair would entertain a motion to adjourn the meeting.

Chair adjourned

Meeting adjourned at 8:51 p.m.