

Albany County Planning and Zoning Commission
REGULAR MEETING of June 8, 2022
Minutes

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

I. CALL TO ORDER/ROLL CALL (Time 5:01)

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 (arrived during V, B)

Mr. Kennedy: Absent (arrived during V, B)

Mr. Platt: Present

Ms. Hanning: Present

Chairman Hinckley: Present

II. Approval of Agenda

Chairman: Are there any additions or deletions to the agenda for June 8, 2022?

Chair will entertain a motion to accept the agenda June 8, 2022 (as AMENDED).

So moved by Commissioner Platt.

Seconded by Commissioner Hanning.

The vote was unanimous.

Motion Carried

III. Approval of Minutes

Chairman: Are there any corrections to the minutes for the May 11, 2022, meeting?

Chair will entertain a motion to accept the minutes for the May 11, 2022, meeting as presented/with corrections.

Commissioner Hanning moved, and Commissioner Platt seconded to approve the minutes with the inclusion of who voted no on non-unanimous votes.

The vote was unanimous.

Motion Carried.

IV. DISCLOSURES:

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

Chairman Hinckley disclosed that he does not do any ground water quality work in the county and he does not intend to.

Chairman: The discussion will be conducted in accordance with the State Statutes, the Rules of the Planning and Zoning Commission, and other applicable laws. I would ask the individuals who address the Commission to approach the lectern, identify yourself, and state your address.

V. PUBLIC APPLICATIONS

A. City of Laramie Tower Application LUCT-02-22

Presentation of the Staff Report by David Gertsch, Planning Director.

Questions from Commissioners to Staff was opened.

Commissioner Hanning asked about the engineer design.

The Chair will open the public hearing – anyone wishing to speak for or against the City of Laramie Tower Application (LUCT-02-22) please approach the lectern, state your name and address.

Mike Lytle, the applicant's representative, explained that this is the telemetry tower for the City's water.

There being no further public comments the Chair will close the public hearing.

There was none.

Open discussion among Commissioners.

Commissioner Platt motioned, and Commissioner Hanning seconded a recommendation of APPROVAL of the City of Laramie Tower Application (LUCT-02-22) to the Board of County Commissioners adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in the staff report.

The vote was unanimous.

Motion Carried.

B. Cottontail Subdivision Final Plat Application SD-11-21

Presentation of the Staff Report by Joe Wilmes, Assistant Planner.

Questions from Commissioners to Staff.

Chairman Hinckley asked about conditions that were put on the preliminary plat.

Comments by Applicant.

Chairman Hinckley asked about the letters that were sent between the Planning and Zoning Commission and WDEQ.

Jake Schneider, the applicant's representative, said that their office had communications with WDEQ and explained WDEQ's thinking behind the letter.

Commissioner Hanning asked if Jake had any thoughts about protection of the Laramie River.

Jake Schneider said that from his perspective the addition of this subdivision will not drastically increase the nitrates or degrade the water any more than it already is.

The Chair will open the public hearing – anyone wishing to speak for or against the Cottontail Subdivision Final Plat Application (SD-11-21) please approach the lectern, state your name and address.

There being no further public comments the Chair will close the public hearing.

Open discussion among Commissioners.

Commissioner Platt asked Chairman Hinckley and Commissioner Hanning asked if there is real concern for the river.

Chairman Hinckley is not concerned about effecting the river.

Commissioner Hanning said that it will probably not make it worse than it already is, especially due to the fact that this subdivision will have City water.

Chairman Hinckley is troubled by DEQ, because the applicant's answer is different than DEQ's answer.

Commissioner Platt motioned, and Commissioner Kennedy seconded a recommendation of APPROVAL of the Cottontail Subdivision Final Plat Application (SD-11-21) and a Subdivision Permit adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as stated in the Staff Report with the condition of working with the Fire District to add a new hydrant to the area.

Discussion amongst Commissioners.

Commissioner Thyne agrees with Chairman Hinckley's technical assessment and the DEQ's response is inadequate. He finds himself reluctant to penalize the applicant for the inadequacy from the State or clear direction from the County.

Chairman Hinckley commented that the applicant has had an opportunity to come forward with an analysis on their own and doesn't see it as penalizing the applicant if this application were to be rejected.

Commissioner Hanning feels comfortable taking the DEQ issue as a separate issue and basing her decision on the water quality that we know exists in this area.

The vote was 4-1. Chairman Hinckley voted no.

Motion Carried.

C. Spotted Horse South Subdivision Preliminary and Final Plat Application SD-04-22

Presentation of the Staff Report by Joe Wilmes, Assistant Planner.

Questions from Commissioners to Staff.

Commissioner Hanning asked about the other Spotted Horse Subdivisions and how this subdivision relates to the others. She also asked about the County Engineer and how we decide which engineer it goes to.

Commissioner Thyne asked if this is only for the variance request.

Chairman Hinckley asked about the variance request, the findings of fact, and the DEQ letters.

Commissioner Thyne clarified that we are being asked to approve the final plat and the variance request.

Commissioner Hanning asked if the commission could separate the plats from each other.

Matt Ayres, County Civil Attorney, said the subdivision permit is the driver so the plats could be together or separate.

Comments by Applicant.

Reni Hornamo, Applicant's Representative, addressed the bottleneck situation with the road and went over water and septic.

Commissioner Hanning had a question for John Wetstein, Applicant's Engineer, asked about the chapter 23 report and the DEQ conversation that took place.

John Wetstein, Applicant's Engineer, gave background on the initial submittal to DEQ.

Chairman Hinckley said the report turned in was exemplary, but still has problems with DEQ.

Commissioner Thyne asked whether John Wetstein would drink the water out of a Satanka well.

John Wetstein said he would use the water but maybe not drink it.

Chairman Hinckley clarified that the water supply being used out there was the Casper.

Public Comment was opened. There was none.

Discussion amongst the Commissioners was opened.

Commissioner Thyne brought up the public comment letter that was sent in and wanted to make sure that her concerns were thought about and that the water supply will not be significantly impacted.

Commissioner Platt asked about what happens once the nitrates goes about 10mg/L.

Commissioner Platt motioned, and Commissioner Kennedy seconded a recommendation of APPROVAL of the Spotted Horse South Subdivision Preliminary and Final Plat Application (SD-04-22) and a Subdivision Permit along with the variance request adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in this Staff Report.

Discussion amongst Commissioners.

Commissioner Kennedy thinks it may be worthwhile to have a meeting with the State Engineer about water quantity.

The vote was 4-1. Commissioner Hanning voted no.

Motion Carried.

D. Fortman Subdivision Preliminary and Final Plat Application SD-05-22

Presentation of the Staff Report by Joe Wilmes, Assistant Planner.

Questions from Commissioners to Staff.

Commissioner Hanning asked about the City's comments.

Commissioner Thyne clarified that this application is requesting to take one lot and turn it into two. He also asked about the domestic water supply. He also asked about one of the City's comments.

Comments by Applicant.

Commissioner Thyne asked the applicant why he is wanting to do this.

Mike Fortman, the Applicant, explained that they are looking to downsize.

Public Comment was opened. There was none.

Commissioner Thyne motioned, and Commissioner Hanning seconded a recommendation of APPROVAL of the Fortman Subdivision Preliminary and Final Plat Applications (SD-05-22) and a Subdivision Permit adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in this Staff Report.

Discussion amongst Commissioners. There was none

The vote was unanimous.

Motion Carried.

E. Four Mile Acres Preliminary and Final Plat Application SD-06-22

Presentation of the Staff Report by Joe Wilmes, Assistant Planner.

Questions from Commissioners to Staff.

Commissioner Hanning asked about the lack of water.

Commissioner Thyne asked what happens if the city decides it won't provide haul water, what happens then.

Commissioner Hanning contacted the city and they said that they don't see any problems looking for the future.

Commissioner Kennedy explained that hauling water is very common throughout the State.

Mike Lytle said that the water supply is in good shape.

Public Comment was opened.

Mike Lytle discussed the comment about the city discouraging development of land that has no access to water or public utilities.

Public Comment was closed.

Commissioner Platt motioned, and Commissioner Hanning seconded a recommendation of APPROVAL of the Four Mile Acres Subdivision Preliminary and Final Plat Application (SD-06-22) and a Subdivision Permit adopting and incorporating the Staff Analysis, Findings of Fact, and Conclusions of Law as each are stated in this Staff Report.

The vote was unanimous.

Motion Carried.

IX. CURRENT PLANNING PROJECTS

A. Natural Resource Management Plan

- i.** David Gertsch, Planning Director, gave an update.

B. Casper Aquifer Protection Plan Update

- i.** David Gertsch, Planning Director, gave an update.

C. Growth Area Management Plan Update

- i.** David Gertsch, Planning Director, gave an update.

- 1.** Phase 1 is wrapping up

- 2.** 190 survey results back

D. Groundwater Nitrate Modeling – Discussion

- i.** Chairman Hinckley opened the discussion.

- ii.** A discussion took place.

- 1.** Commissioner Kennedy left the meeting at 9:07 p.m.

X. OTHER ITEMS/ANNOUNCEMENTS

A. Commissioner Procedures

B. Next Meeting July 13, 2022, at 5:00 p.m.

i. This was changed to July 20, 2022, at 5:00 p.m. in the days following this meeting.

XI. CITIZEN COMMENTS – Non-Agenda Related Topics

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 9:20 p.m.

*An audio recording of the meeting can be found on the Albany County website:
<https://www.co.albany.wy.us/agendacenter>*

*A video recording of the meeting can be found on the Albany County Government – Laramie Wyoming YouTube page:
<https://www.youtube.com/channel/UCEilgbqJIW4AWNau3EfrjVg/videos?view=57>*