

WESTON COUNTY PLANNING & ZONING COMMISSION MEETING

MINUTES

THURSDAY, APRIL 15, 2010

7:00PM

WESTON COUNTY COURTHOUSE

This is a regularly scheduled meeting of the Weston County Planning & Zoning Commission, held the 3rd Thursday of every month at 7:00 pm.

Call to Order: 7:00pm

Roll Call: All Commission Members were present, as well as County Planning Coordinator, Ray Pacheco.

Approval of minutes:

(March 18, 2010)

Motion: Sandrini (approval)

Second: Ackerman

Vote: 5-0 approved

Public Comment:

This refers to comments, questions and/or concerns not on the agenda

Ronnie Hein: Mr. Hein asked about the idea of having a moratorium put in place until the proposed subdivision regulations are adopted. Mr. Sandrini mentioned that he proposed the same idea to the Board about two years ago, but the Board did not accept proposal. Mr. Hein asked if it was possible to ever get a final document. He said that the county has worked on and off on the regulations to update them but it never seems to get done. Mr. Pacheco explained some of the issues that came up during the Board's last meeting as they reviewed four new subdivisions, and they realized and discussed the need to have updated regulations in order to overcome the very issues that were troubling them and the public attending.

Mr. Hein asked who the County Engineer is, and the Commission stated that currently it is Jerry Hunt of Weston Engineering who contracts with the county to do its engineering.

Mr. Hein asked about the issue of the county getting DEQ certified to review septic systems, and he was told that the Board did not want to take on that responsibility, liability or the increase cost in staff that it would take to inspect septic systems throughout the county. The Chairman also mentioned that there isn't a formal training by DEQ but that we were willing to go through an on-site training, but again the Board decided against it. Mr. Hein said that he thinks there is enough concern around the county that DEQ and the County should be more interested in what is happening with septic systems in the county. He used the Stormy Heights Subdivision as an example of how concerned the surrounding residents were. Mr. Sandrini said that the Commission tried to put restrictive conditions on the subdivision as part of its approval that addressed some of Mr. Hein's concerns, but the County Attorney stated that those conditions could not be upheld in court and highly recommended that the Commission reconsider them. It was suggested that Mr. Hein bring this matter up with the Board.

Business:

- Update on the Community Assessment:

Mr. Pacheco handed the Commission an updated agenda and explained some of the minor changes since they received a copy their packets. He explained that there are approximately 30 people in the community helping to make calls and contact those they know to promote the importance of the assessment and to help fill seats at the Listening Sessions. He said that there are a lot of positive responses from the community and a lot of people are interested in helping and are talking to those they know about this opportunity.

- City/County MOU:

The Commission discussed a letter from Bob Hartley, City of Newcastle Engineer, which asked that the city and county delay any further discussions of an MOU regarding the administration of subdivisions within one mile of the city's limits. The letter also states that the City Planning Commission will draft their own MOU and would present it to the county on June 3, 2010 and suggested that the county draft their own version too. Mr. Pacheco said that it is up to the Commission to decide what they want in the MOU. The Commission was given a copy of the draft document that the city and county planning commissions discussed during their last meeting (March 25, 2010). The Chairman stated that the document they were reviewing is more than what the city is ready for but the document Mr. Hartley gave out at the March 25th meeting was minimal and did not have the details that Mr. Pacheco has presented. The Chairman mentioned that he spoke to Mr. Hartley about having Jim Peck, City Attorney present at the joint planning commission meetings and the problem it creates, in that he dominates the meetings and does not allow the city commission to respond or think on their own. He said he would not attend further meetings if the attorneys are present. He said that the attorneys are not there to tell the commissions what to do and should only get involved once a draft document is agreed upon by the two commissions. Mr. Sandrini asked what the Commission could do to facilitate the creation of the MOU. The Commission decided that they would have a work session during their next meeting (May 20th) to create a draft of what they would like to see in the MOU. The Commission discussed the ideas of creating the MOU in outline form and utilizing the projector to work through it. There was a discussion amongst the Commission that they felt the city should have initial review of subdivisions in the one mile buffer area and place all of their restrictions on the subdivision before the county even reviews it. They discussed options regarding where the review process should start and it was agreed that the discussion would continue next month.

- Subdivision Regulations:

Mr. Pacheco mentioned that there is another joint Board and Commission meeting scheduled on Tuesday, April 19, 2010 @ 4:00pm to discuss the direction the county is going on the regulations. He said that he has reduced the document from 110 pages to 83 pages and 33 of the pages are appendixes, so the regulatory sections only consist of 50 pages. Mr. Pacheco said that the largest increases to the regulations are more definitions and the PUD section.

- Wyoming Club Update:

Mr. Pacheco stated that the Club is at 1,400 feet for drilling for water. He said that they are working on the fire prevention strategies at this time and they have also asked again about the possibility of having a conditional approval of the subdivision. Mr. Pacheco estimated that he didn't think the final plat of Phase One would come before the Commission until September of this year, pending review by DEQ. He said that the biggest issue on the Club's mind is getting a review by the County Attorney of the S.I.A. (Subdivision Improvement Agreement) prior to final plat review.

Adjournment:

Motion: Jerry Varner *Second:* Ackerman *Vote:* 5-0 approved *Time:* 7:45pm

Rick Dunford, Chairman: _____ Date: _____

Joe Sandrini, Vice Chairman: _____ Date: _____

Jim Varner, Secretary: _____ Date: _____