



MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING
NOVEMBER 10TH, 2020 AT 6:00PM
TOWN COUNCIL CHAMBERS
22 W 2ND ST. EAGAR

Chair Deanna Davis called the regular meeting to order and welcomed all those in attendance. Commissioner Dave Kalinowski was excused as he was out of town. Chair Deanna Davis led the Pledge of Allegiance and Commissioner Aaron LeSueur offered the invocation.

Commission Present: Joe Sitarzewski
Ron Shepherd
Dan Muth
Deanna Davis
Aaron LeSueur
Shawna Murphy

Commission Absent: Dave Kalinowski

Staff Present: Matthew Mears, Town Manager and Community Development Director
Britney Reynolds, Community Development Coordinator

ITEM #5 PUBLIC COMMENTS:

Brandee Snyder with White Mountain Ponderosa Realty and Chelsea Nicoll discussed a property at 110 N. Burk Street that is needing to be rezoned. Property owners are under contract and did not realize that the property did not meet the minimum standards for an AG zone. Brandee Snyder stated that the application would be coming up next month.

ITEM #6 CONSIDERATION OF THE SEPTEMBER 8TH, 2020 MINUTES

Commissioner Ron Shepherd discussed that Grow Fast Farms Conditional Use permit was denied, although the company was allowed to continue with their harvest. Asked town staff why workers are still living on property when they were asked to vacate living except for one night security. Town Manager Matthew Mears discussed that this matter is not being ignored by the town and that it has become necessary for both parties to have attorney's handle the situation. Informed commission that the town has given a date of November 23rd for Grow Fast to no longer live on premises, but the company can continue to work there at this time.

Commissioner Aaron LeSueur moved to accept the minutes from September 8th, 2020. Commissioner Shawna Murphy seconded; all were in favor, motion carried unanimously. 6-0

Vote: Ayes: Joe Sitarzewski
Ron Shepherd
Dan Muth
Deanna Davis
Aaron LeSueur
Shawna Murphy

ITEM #7 PUBLIC HEARING

Where Roads Hit the Trails

PUBLIC HEARING ON CONDITIONAL USE PERMIT CU2020-5; A CONDITIONAL USE PERMIT APPLICATION FOR THE PROPERTY ADDRESSED AS 822 S. JUNIPER ST. ALSO KNOWN AS PARCEL 104-28-002S TO ALLOW PROPERTY OWNERS TO LIVE ON THE PROPERTY IN AN RV DURING CONSTRUCTION OF PRIMARY RESIDENCE.

Chair Deanna Davis opened the public hearing. Commissioner Ron Shepherd recused himself from this item as he resides within the 300 foot notification area. Britney Reynolds did remind commission of Ron Shepherd's submitted comment on the matter which is attached to the back of packet. No other commissioners had personal conflict in regards to this property.

Ms. Amber Debord, applicant, discussed that her father has a fifth wheel and she has a 25' trailer that would be placed on the property to live in during construction. Ms. Debord did state that there would be a 20-40' container for storage of materials for building. Ms. Debord will begin building as quickly as possible in the spring. Ms. Debord will be working with an architect for a site built home to be more conducive with the area. Meeting all requirements for the area in which the property is zoned. Ms. Debord has already paid for utilities. Town water and sewer have already been stubbed to property line with plans to complete the extensions before the end of November. Power pole has also been placed on property and will work to have that completed before the end of November as well. Ms. Debord's lease for her rental is up by the end of November so she would like to be able to move on property by then to assist in saving money. Will be working on getting everything ready to obtain building permit early 2021.

Staff reports/recommendation would be to allow for the property owner to stay on the property with the understanding that construction will begin as quickly as possible. If needed, recommend having applicant come back to commission in one year to discuss extension if needed. Commissioner Muth discussed section 16.20.06 which states that a property owner can stay in recreational vehicle for 180 consecutive days. After 180 days, the property owner could take the RV off the property for a day and then return to the property for another 180 day use. Commissioner asked what would be the necessity for a conditional use permit? He stated that section 16.20.06 subsection A was under the flood hazard ordinance. Section 18 does state 30 days of RV use so this presents a conflict. Mr. Mears stated that the 180 days would fall more in line with a state of emergency. Commissioner Muth stated that his point for stating these times was to remind commission that the use of an RV is an allowable use within the Town and follows code.

Commissioner Murphy asked for clarification in regards to if there would be one trailer or two on the property. Ms. Debord stated that there would be two trailers for living on the property.

Commissioner LeSueur asked about public comments. Britney Reynolds stated that there were no written comments and no one that was for or against. Mrs. Reynolds stated that there were three phone calls in regards to this permit, but they were all concerned with the timeframe that would be allowed.

Commissioner Sitarzewski expressed concerned about having trailers on the property for potentially five months with no construction happening. Concerned neighbors would not be pleased with the situation. Ms. Debord stated that they would be making improvements to the land during the time that a foundation is not able to be constructed due to weather. Chair Davis expressed concern about two RV's and a storage container being on property instead of just the one trailer the letter stated. Commissioner Sitarzewski did state that the application only stated for one trailer.

Commissioner Muth brought up that he would like to see the conditional use permit tied to the building permit and that, if necessary, this permit be revisited November 2021 if the Certificate of Occupancy has not been obtained. If there is any problems within the neighborhood, those can be addressed at that meeting. Commissioner LeSueur agreed with Commissioner Muth's stipulations, but asked for clarification of Commissioner Muth's statement about the conditional and building permits being tied as he worried about that extending the conditional longer than the year mark. Ms. Debord thanked the commission for their time and consideration of this application.

ITEM #8 DISCUSSION AND CONSIDERATION OF ITEM 8

Commissioner Aaron LeSueur moved to allow Conditional Use Permit CU2020-5; A Conditional Use Permit application for the property addressed as 822 S. Juniper St. also known as parcel 104-28-002S to allow property owners to live on the property in no more than 2 recreational vehicles during construction of the primary residence. Commissioner Shawna Murphy seconded; all were in favor, motion carried unanimously. 5-0

Vote:	Ayes:	Joe Sitarzewski
		Dan Muth
		Deanna Davis
		Aaron LeSueur
		Shawna Murphy

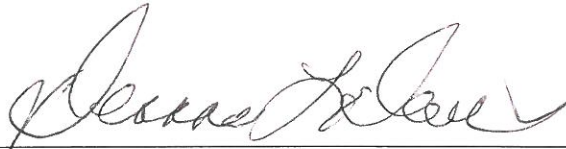
ITEM # 9 REPORTS

No Reports

ITEM #10 ADJOURNMENT

Chair Deanna Davis motioned for meeting to adjourn. [6:28 p.m.]

Chair Signature



Director Signature

