

**CASCADE COUNTY PLANNING BOARD**

December 4, 2018

9:00 am

Court House Annex

325 2<sup>nd</sup> Ave North

RECEIVED  
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Board Members: Mark Carlson, Richard Liebert, Elliott Merja, Rob Skawinski, Ken Thornton, Dan Johnstone, Dexter Busby

**Notice:** Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at [cascadecountymt.gov](http://cascadecountymt.gov) and the Clerk and Recorders Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated in red, within each agenda item below, and will direct you to the precise location should you wish to review the audio segment.

These minutes are paraphrased to reflect the proceedings of the Cascade County Planning Board and are considered a draft until formally approved by the Planning Board.

**Staff Present:** Sandor Hopkins, Carey Haight and Natalia Wilson

**Attendees:** Andrew Finch, Michael Ries, Robert Morgan, Michael Rausch and Michael Maeder

**1. Call to order:** Chairman Elliott Merja called the meeting to order at 9:04 AM

**2. Roll call:**

**Board Members Present:** Mark Carlson, Elliott Merja, Dan Johnstone, Richard Liebert, Rob Skawinski and Ken Thornton

**Board Members Absent:** Dexter Busby

**3. Approval of Minutes:** October 30, 2018

Elliott Merja asked did everyone read the minutes, any comments?

Richard Liebert motion to approve

Mark Carlson second the motion

All in Favor, Motion passes 6-0

**4. New Business:**

**A. 2018 Memorandum of Agreement for the Great Falls Metropolitan Planning Organization**

**Staff Report:** Andrew Finch

**Motions:**

"I move to recommend the Cascade County Planning Board approve the 2018 Memorandum of Agreement for the Great Falls Metropolitan Transportation Planning Process."



**Board Discussion:**

**Elliott Merja** 0:01:45 explained that he has only made it to two meetings, for those of you that don't know what this is all about, it is just trying to get an inner agency working group so that they know where the problems are and who is responsible for what. We have to have this plan approved every so often and I believe it was approved last in 2005. They have been working on it fairly diligently to do any improvements. It's also a plan where the new housing on 40<sup>th</sup> is being put where they are already doing studies based on information given to them about traffic and, to figure out what to do with intersections and things like that.

**Andrew Finch #2 Park Dr. S.** 0:04:08 said I am employed by the city, but I also serve the Great Falls Metropolitan Transportation Planning process, so I serve as staff for the whole process. As chairman Merja mentioned it is a cooperative process with all the different agencies that are involved in the transportation process. What we try to do is identify all the transportation needs in the urban areas. We are updating the memorandum of agreement because of Federal Regulations changes. We need to tweak our agreement to comply but, also there are a couple of changes of substance, and that is to give each body the opportunity to appoint a member to what is called a Policy Regulating Committee (which your chairman serves as a representative of this body). We also tweak the membership of the Technical Advisory Committee, which is made up of staff members (boots on the ground) including the public works director, road supervisor, city engineer's and folks like that. As those members change we need to reflect those changes. The last update was in 2005. I'm available for questions.

**Richard Liebert** asked Elliott Merja if he is a member.

**Elliott Merja** responded yes

**Richard Liebert** 0:09:17 asked are there any areas of contention between the county and city regarding who is responsible for maintenance

**Andrew Finch** 0:09:31 said it's not about who is responsible for maintenance when that changes the maintenance automatically changes and the routes have been established already.

**Elliott Merja** 0:10:12 said in my experience it is a very cooperative active group. I only have a problem coming to town for a 1-hour meeting. So, I would ask if anyone lives close by and wants to serve. I've had a good time with the meetings, they are very productive.

**Ken Thornton** 0:11:46 made a motion "I move the Cascade County Board approve the 2018 Memorandum of Agreement for the Great Falls Metropolitan Transportation Planning Process.

**Dan Johnstone** seconded

**All in favor Motion Carries 6-0**

**B. Rolling Meadows Variance**

Robert & Gale Morgan are requesting a subdivision variance review

**1. Staff Report: Sandor Hopkins**

**Motions:**

1. "I move to recommend to the Cascade County Commission after consideration of the Staff Report, **deny**, a subdivision variance request from county Road Standards for Rolling Meadows Phase III Major Subdivision;"  
or
2. "I move to recommend to the Cascade County Commission after consideration of the Staff Report, adopt said Staff Report and **approve**, a subdivision variance request from County Road Standards for Rolling Meadows Phase III Major Subdivision."

**Board Discussion:**

**Elliott Merja** asked are there any questions for the staff?

**Richard Liebert 0:15:59** asked any input from HOA?

**Sandor Hopkins 0:16:01** said we received no comment, and we did notify all the surrounding land owners.

**Richard Liebert 0:16:20** asked just want to make sure the HOA is ok with the road. How many lots are vacant?

**Sandor Hopkins 0:16:25** said all of them, it hasn't been developed. He also said the road met county standards at one point but not now, to meet the standards they would have to rebuild the road and the infrastructure that is there, and the staff doesn't feel that's necessary.

**Elliott Merja 0:16:50** stated it's only an 8 ft. width difference going from 16ft to 24ft and that's because they would have to change all electrical and irrigation systems along the road, they would all have to be moved.

**Carey Haight 0:17:18** stated that there is a supporting document with the staff report that articulates the issues and why the variance request and asked Sandor to read the J-T Engineers letter.

**Sandor Hopkins 0:17:25** read the letter.

**Elliott Merja 0:18:48** asked is it across from the school and behind the church?

**Sandor Hopkins** said yes, just north of it.

**Ken Thornton 0:19:17** said, no input from the local fire department.

**Sandor Hopkins 0:19:26** said no, we notified them and the Road and Bridge and received no comment.

**Elliott Merja 0:19:45** asked is the applicant here. Would you like to address the board?

**Mike Rausch 0:20:13 93<sup>rd</sup> St N.** stated the variance is to keep the road as is, the road is already in place (shows on the map phase 3 is the middle, phase I to the north of Ponderosa) Then he said I brought a map for everyone to see it, it shows where the utility services are next to the road. If we were to expand the road to 24 ft., we would require removal and replacement of all of the services for all residents including the ones that live there. We have resolved all issues with the HOA. When this was originally done the road called for a 16 ft. road as sufficient. He asked if everyone has the J-T Engineer Report, (everyone said yes) he said that replacing and removing all utilities would be cost prohibitive and the road is sufficient for 8 more families. When this was put in place 20 years ago it was for 10 lots and now there are 8 so essentially there is a reduction in traffic.

**Ken Thornton 0:24:10** asked Mark Carlson if the 24 ft. roadway is for fire trucks to pass each other?

**Mark Carlson 0:24:55** said we have more than one route, in and out (explained the benefits of dual entrances). Since Ulm fire didn't say anything, then I would say their fire chief apparently approved it.

**Mike Rausch 0:25:24** showed the access on the map.

**Public Hearing Opened 9:28 AM**

**Opponents: none**

**Proponents: none**

**Public Hearing Closed 9:29 AM**

**Richard Liebert 0:26:01** asked if in the future, pending development, the variance could be lifted?

**Sandor Hopkins 0:26:20** said potentially, but it would have to be reevaluated.

**Rob Skawinski motion 0:27:27** "I move to recommend to the Cascade County Commission after consideration of the Staff Report, adopt said Staff Report and **approve**, a subdivision variance request from County Road Standards for Rolling Meadows Phase III Major Subdivision."

**Dan Johnstone & Mark Carlson** seconded the motion

**All in favor 6-0 motion carries**

**C. Maeder Addition Minor Subdivision**

Michael Maeder is requesting a subdivision review.

**Staff Report: Sandor Hopkins**

**Motions:**

1. Recommend to the County Commission that the Plat of Maeder Addition Minor Subdivision be **denied**;  
or
2. Recommend to the County Commission that the Plat of Maeder Addition Minor Subdivision be approved, subject to the following conditions:
  1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
  2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
  3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (MCA 76-3-612) (2017);
  4. Pursuant to M.C.A. 7-22-2152 (2017), submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development;
  5. Causing to be recorded on the plat a statement concerning limited public services;
  6. Causing to be recorded an Agricultural Notification Statement.

7. Obtain approval for the proposed water and sewage disposal systems from state and/or local health departments;
8. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of any road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID;
9. The inclusion on the major plat a statement provided by Cascade County certifying the status of the internal subdivision roads.

**Board Discussion:**

**Richard Liebert** 0:33:22 asked where is the detention pond?

**Sandor Hopkins** said the detention pond is at the front of the lot.

**Mark Carlson** 0:33:27 said lot 3.

**Sandor Hopkins** said that's correct.

**Richard Liebert** 0:33:46 asked when will that go in?

**Sandor Hopkins** 0:33:50 answered that would need to go in before the preliminary plat is filled, for a final plat approval, if you look in Appendix B, it is the third ledger size plat that we have in there. To answer your question as Mark stated is in lot 3.

**Richard Liebert** 0:35:47 said, so the two sub parcels would be rezoned light industrial.

**Sandor Hopkins** 0:35:35 said yes, they go hand in hand, so we are running them concurrently.

**Richard Liebert** 0:36:01 asked what's coming in?

**Sandor Hopkin** 0:36:06 said I believe the applicant can answer that.

**Michael Ries** 0:36:23 **Helena MT** said I'm a surveyor, representing Michael Maeder, the report was close to everything, the only concern that I have is, if lot 3 ever gets developed it will go into major subdivision, but at this time we would like to keep it residential and the reason for this, is that there is an issue with the private road, if it was developed we would have to clear up some issues down here (shows in the map) for access, because there is no easement.

**Sandor Hopkins** 0:37:57 said the road is an abandoned county road.

**Michael Maeder** **2407 Central Ave. W.** 0:38:23 said there are no covenants now but there will be, I hate weeds.

**Richard Liebert** 0:38:35 asked what is the plan for the other two parcels, light industrial?

**Michael Maeder** 0:38:41 said a shop, ever since I bought this property I thought it should be light industrial. It's next to heavy industry and right next to Emerson junction.

**Ken Thornton** 0:39:36 asked where is the industrial zoning?

**Sandor Hopkins** 0:39:39 answers the industrial zoning begins to the southeast of that, there is light industrial directly across Vaughn Rd, and there is a one lot gap in between that and where it jumps back into light industrial, by the Northwest Bypass.

**Mark Carlson** 0:40:00 said is the Frontier Bar not light industrial?

**Sandor Hopkins 0:40:07** said I believe it is.

**Mark Carlson 0:40:13** said then there is a gap, between that and the property.

**Sandor Hopkins 0:40:15** said yes, I believe so (looked it up on the map)

**Elliott Merja 0:40:47** said what's interesting about the road, because most of the time when the county let's go of that, most of the time it gets absorbed between the two owners, that didn't happen? could you track down who pays taxes?

**Michael Maeder 0:41:17** said no, that did not happen, the owner of track one pays taxes. He showed the road and said access has been used for decades.

**Richard Liebert 0:42:32** said this is all SR-2 so we are subdividing, and the next step is a rezone.

**Sandor Hopkins 0:42:43** said its different there is no better way for us to do this, that is why we are doing it concurrently. And to answer your question Ken, the zoning map is at the end of Appendix B.

**Public meeting opened 9:47 AM**

**Opponents: none**

**Proponents: none**

**Public meeting closed 9:47 AM**

**Richard Liebert motion** Recommend to the County Commission that the Plat of Maeder Addition Minor Subdivision be approved, subject to the following conditions: (conditions on page 4)

**Mark Carson seconded**

**Motion Carries 6-0**

**Rob Skawinski asked for a 3 min recess.9:47 AM**

**Back from recess 9:50 AM**

#### **D. Maeder Re-Zone**

- Michael Maeder is requesting a rezone from "SR-2" Suburban Residential to "I-1" Light Industrial.

**Staff Report: Sandor Hopkins**

#### **Motions:**

1. "I move to recommend to the County Commission, after consideration of the staff report, that the zone change request of Michael Maeder to rezone a portion of parcel #0002407200 located in Section 5, T. 20N., R. 3E., P.M.M., Cascade County, MT, from "SR-2" Suburban Residential to "I-1" Light Industrial, be **denied.**"

**OR:**

2. "I move to recommend to the County Commission, after consideration of the staff report, that the zone change request of Michael Maeder to rezone a portion of parcel #0002407200

located in Section 5, T. 20N., R. 3E., P.M.M., Cascade County, MT, from "SR-2" Suburban Residential to "I-1" Light Industrial, be **approved.**"

**Board Discussion:**

**Richard Liebert** 1:16:41 asked so this rezone is predicated on the other action we just took.

**Sandor Hopkins** responded yes.

**Richard Liebert** 1:16:47 said, both of these are contingent up on the county commission's approval.

**Sandor Hopkins** 1:16:51 yes, because the rezone could not go on without the subdivision, but the subdivision could go on without the rezone. That would impact their DEQ submission since their submission right now would be for light industrial/commercial rather than residential.

**Richard Liebert** 1:17:17 asked will it move to the county commission and follow same process?

**Sandor Hopkins** said correct.

**Mike Maeder** 1:18:00 said, I had this in mind since I bought it. It just looked like a natural thing to do. We tried farming it, it was horrible the wind was so bad, I see no other use for it. It seems the entire front should be light industrial for the benefit Cascade County & Great Falls economic development.

**Richard Liebert** 1:19:43 asked in lot 1 you are putting a repair shop? What kind?

**Mike Maeder** 1:19:53 said mobile home repairs, we saw the county has a need for it.

**Richard Liebert** 1:20:33 said there is some trailer homes up there now.

**Mike Maeder** 1:20:44 said those are my firework stands.

**Richard Liebert** 1:21:23 asked if he will be hauling water.

**Mike Maeder** said yes

**Richard Liebert** asked about water disposal.

**Sandor Hopkins** 1:21:35 said yes, that will be determined by DEQ.

**Richard Liebert** asked do you have a use for lot 3?

**Mike Maedert** 1:22:15 said no, open to suggestions.

**Ken Thornton** 1:22:21 asked about fencing would that be required?

**Sandor Hopkins** said Yes, that landscaping is a requirement to mitigate impacts.

**Mike Maeder** 1:22:48 said they plan to put up some as money becomes available, I don't want kids riding their ATV. That's a liability for me.

**Elliott Merja** opened the public meeting **10:23 AM**

**Opponents: none**

**Proponents: none**

**Closed to the public 10:24 AM**

**Mark Carson motion** "I move to recommend to the County Commission, after consideration of the staff report, that the zone change request of Michael Maeder to rezone a portion of parcel #0002407200 located in Section 5, T. 20N., R. 3E., P.M.M., Cascade County, MT, from "SR-2" suburban Residential to "I-1" Light Industrial, be **approved.**"

**Rob Skawinski** seconded

**Motion Carries 6-0**

**5. Old Business: none**

**6. Board Matters:**

**Richard Liebert** asked is there another meeting this month?

**Sandor Hopkins** said no, we were thinking about having a meeting December 18<sup>th</sup> but I don't think we will have anything ready for the item we want to bring forward.

**7. Public Comments Regarding Matters within the Board's Jurisdiction: none**

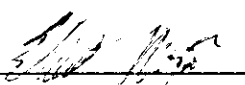
**8. Adjournment: 10:31 AM**

**Richard Liebert** motion to adjourn

**Mark Carlson** seconded the motion

All in favor 6-0



  
Elliott Merja or Mark Carlson

1/15/19  
Date

  
Sandor Hopkins

1/15/19  
Date