

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET

THURSDAY, FEBRUARY 22, 2024 – 2 PM



Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese
Room/Microsoft Teams

[Click here to view the meeting recording.](#)

Time stamps (in green) correspond to meeting recording above. Please click to
the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair David Strohmaier
Commissioner Josh Slotnick
Commissioner Juanita Vero

Planning and Zoning Commission Members Present:

David Strohmaier
Juanita Vero
Josh Slotnick

Staff Present:

Cheryl Hartman, Administrative Assistant, Commissioners' Office
Tim Worley, Senior Planner, Planning, Development, and Sustainability
John Hart, Civil Deputy Attorney, County Attorneys' Office
Laura Collins, Planner, Planning, Development, and Sustainability
Matt Heimel, Planner, Planning, Development, and Sustainability
Patrick Swart, Planner, Planning, Development, and Sustainability
Mike Tester, Manager, Surveyors' Office
Jennie Dixon, Planner, Planning, Development, and Sustainability

1. **CALL TO ORDER** *[Time stamp – 0:00]*
2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 0:11]*
3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 0:37]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 0:46]*
 - a. Closed Captioning

5. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA [Time stamp –01:50]

6. CURRENT CLAIMS LIST [Time stamp – 02:33]

Claims received as of January 31, 2024 to February 13, 2024 by the Commissioners' Office total \$3,621,271.87.

7. HEARINGS

a. 1st Hearing- Grand Am Way Petition [Time stamp – 5:16]

Patrick Swart, Property Records Specialist, Clerk and Records' Office

Commissioner Vero made the motion that the Board of County Commissioners of Missoula County open the hearing for the Grand Am petition.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Continued to March 14 meeting/ Road Viewing on March 07]

b. Holt Ranch Subdivision [Time stamp – 7:16]

Tim Worley, Senior Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the Holt Ranch Subdivision, based on the findings of fact in the staff report and subject to the recommended conditions of approval.

Commissioner Vero seconded.

[Motion Passed 3-0.]

[Letter 2024-073 was sent to Ramona Holt on March 19, 2024]

c. Hellgate Pines Subdivision [Time stamp – 29:13]

Laura Collins, Planner, Planning, Development, and Sustainability

Commissioner Vero made the motion that the Missoula Board of County Commissioners approve the Hellgate Pines Subdivision Addition based on the findings of fact in the staff report, and subject to the recommended conditions of approval.

Commissioner Strohmaier seconded.

[Motion Passed 3-0.]

[Letter 2024-066 was sent electronically to Montana NW Company c/o Ken Jenkins and Lynne Edens on March 11, 2024]

d. Floodplain Hazard Management Regulations Amendment [Time stamp – 1:14:19]

Matt Heimel, Planner, Planning, Development, and Sustainability

Commissioner Slotnick made the motion that the Missoula Board of County Commissioners approve the Resolution to amend the Missoula County Floodplain Hazard Regulations complying with federal code and clarifying existing policies based on findings of fact and conclusions of law as presented by staff.

Commissioner Vero seconded.

[Motion Passed 3-0.]

[Resolution 2024-017 Book: 1096 Page: 1036]

- e. **2nd Hearing-Baron's Court** *[Time stamp – 1:21:56]*
Jennie Dixon, Planner, Planning, Development, and Sustainability

Commissioner Vero made the motion that the Missoula Board of County Commissioners adopt the final zoning resolution to rezone property, located 9399 Baron's Court as legally described in the staff report.

Commissioner Slotnick seconded.

[Motion Passed 3-0.]

[Resolution 2024-018 Book: 1097 Page: 1255]

8. HEARING (Planning and Zoning Commission)

- a. **Western Materials Gravel Pit Use Variance** *[Time stamp – 1:28:39]*
Jennie Dixon, Planner, Planning, Development, and Sustainability

[Commission opened Public hearing/Continued to April 04, 2024 Public Meeting]

8. OTHER BUSINESS

[None]

9. ADJOURN

Chair Strohmaier– Called the meeting to adjourn at 3:32 p.m.

BCC Public Meeting February 22, 2024 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting on the county's YouTube channel: <https://www.youtube.com/c/missoulacounty> or contact the commissioners' office to obtain a copy.

Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

0:0:0.0 --> 0:0:6.160

Sophie Moiese Room

Welcome to the Missoula Board of County Commissioners meeting for this February 22nd.

0:0:6.940 --> 0:0:9.240

Sophie Moiese Room

Please stand and join me in the Pledge of Allegiance.

0:0:11.440 --> 0:0:14.940

Sophie Moiese Room

I pledge allegiance to the flag of the United States.

0:0:17.520 --> 0:0:18.690

Sophie Moiese Room

Like and.

0:0:19.800 --> 0:0:23.800

Sophie Moiese Room

Alright, indivisible either.

0:0:14.560 --> 0:0:25.950

Bonnie

Of the United States of America and to the Republic for which it stands, one nation under individual with Liberty and justice for all.

0:0:28.260 --> 0:0:32.230

Sophie Moiese Room

A little bit of stereo action there with folks online.

0:0:32.240 --> 0:0:32.930

Sophie Moiese Room

Thank you.

0:0:33.380 --> 0:0:35.280

Sophie Moiese Room

So yes, we'll call this meeting to order.

0:0:37.610 --> 0:0:45.720

Sophie Moiese Room

I'd like to recognize that today's meeting takes place in the Aboriginal territories of the Salish and Kalispell people.

0:0:46.390 --> 0:0:53.860

Sophie Moiese Room

Sheryl, would you be so kind as to let folks know about closed captioning and any other logistics?

0:0:54.270 --> 0:0:54.970

Sophie Moiese Room

Thank you.

0:0:55.850 --> 0:0:56.580

Sophie Moiese Room

Hello everyone.

0:0:56.590 --> 0:1:13.320

Sophie Moiese Room

If you are joining us for this meeting virtually today, instructions for turning on closed captioning or on your screen if you're joining us in person, we will have closed captioning on all the screens here in the Sophie Louise room, there will be opportunity to speak during the meeting for public comment virtually and in person.

0:1:13.510 --> 0:1:16.480

Sophie Moiese Room

We ask that all speakers today speak slowly and clearly.

0:1:16.490 --> 0:1:19.180

Sophie Moiese Room

This helps with the accuracy of the closed captioning.

0:1:19.410 --> 0:1:26.680

Sophie Moiese Room

If you are in Microsoft Teams, if you would like to speak when discussion has been open for public comment, we ask that you use the raise hand feature.

0:1:27.550 --> 0:1:29.20

Sophie Moiese Room

This is the small hand button.

0:1:29.30 --> 0:1:32.800

Sophie Moiese Room

If you are calling in on the phone, you'll need to hit star 5 to raise your hand.

0:1:32.810 --> 0:1:35.980

Sophie Moiese Room

Once called upon, you will need to hit star 6 to unmute.

0:1:36.130 --> 0:1:39.400

Sophie Moiese Room

If you have any questions, please find me during the meeting and let me know.

0:1:39.530 --> 0:1:42.0

Sophie Moiese Room

We also have assisted listening devices.

0:1:42.70 --> 0:1:44.40

Sophie Moiese Room

If you would like one, please find me during the meeting.

0:1:44.50 --> 0:1:44.490

Sophie Moiese Room

Thank you.

0:1:47.740 --> 0:1:48.790

Sophie Moiese Room

Thank you, Cheryl.

0:1:50.350 --> 0:2:8.380

Sophie Moiese Room

Next we have public comment on items not on the agenda and so for those of you who are new to these sorts of meetings, if you're here for a specific agenda item, one of the public hearings listed, you'll have an opportunity at that point in time during the meeting to comment on that item.

0:2:8.770 --> 0:2:17.860

Sophie Moiese Room

This is the point in time to comment on anything that is not on the agenda, but preferably still within the jurisdiction of Missoula County government.

0:2:17.870 --> 0:2:21.300

Sophie Moiese Room

So if anyone is here or online, let's begin.

0:2:21.310 --> 0:2:21.960

Sophie Moiese Room

In the room.

0:2:21.970 --> 0:2:26.60

Sophie Moiese Room

Is there anyone who like to comment on an item not on the agenda?

0:2:27.970 --> 0:2:29.730

Sophie Moiese Room

How about online?

0:2:32.230 --> 0:2:33.180

Sophie Moiese Room

OK.

0:2:33.870 --> 0:2:52.680

Sophie Moiese Room

Moving on our claims list for this public meeting and this would be claims received by the Commissioner's Office between January 31st, 2024 and February 13th, 2024 total three million \$621,271.87.

0:2:53.100 --> 0:2:58.820

Sophie Moiese Room

If folks are interested in the detailed list of claims, you can go to the electronic agenda.

0:2:58.830 --> 0:3:4.860

Sophie Moiese Room

Click on that item and it will bring up the full list of items listed on the claims list.

0:3:6.470 --> 0:3:11.580

Sophie Moiese Room

We have a number of public hearings today and a pretty good turn out here.

0:3:11.590 --> 0:3:20.960

Sophie Moiese Room

I I'm guessing there's probably at least one item that's going to capture the lion share folks comments today, but maybe maybe I'm wrong on that.

0:3:21.670 --> 0:3:37.0

Sophie Moiese Room

The way this is going to work, since there are a lot of folks and we've got a lot of business to attend to today for each of these public hearings, we will open with a staff report from Missoula County staff giving an overview of what it is that we're going to be considering.

0:3:37.820 --> 0:3:44.120

Sophie Moiese Room

That will be followed by a presentation by the applicant or the applicants representative.

0:3:45.300 --> 0:3:49.650

Sophie Moiese Room

We will then open it up for public comment at that point in time.

0:3:50.140 --> 0:3:55.690

Sophie Moiese Room

If you're online, you'll use the raise hand function and I'll call on you in the order in which you raise your hand.

0:3:55.700 --> 0:3:59.90

Sophie Moiese Room

If you're in the room, come on up to the microphone.

0:3:59.100 --> 0:4:8.590

Sophie Moiese Room

If it's empty, if you guys want to queue up the in the middle of the room, sorry about the pillar blocking the view in the middle of the room, but you can do so.

0:4:8.600 --> 0:4:11.750

Sophie Moiese Room

I would ask folks to please be respectful of one another.

0:4:12.990 --> 0:4:15.840

Sophie Moiese Room

Try to keep your comments to 3 minutes or less.

0:4:16.10 --> 0:4:19.740

Sophie Moiese Room

I might be actually using one of these handy dandy.

0:4:20.70 --> 0:4:20.530

Sophie Moiese Room

Yeah.

0:4:21.340 --> 0:4:25.930

Sophie Moiese Room

Hourglasses that to help remind you of where your time lies.

0:4:26.260 --> 0:4:28.410

Sophie Moiese Room

Keep your comments short and succinct.

0:4:28.740 --> 0:4:35.30

Sophie Moiese Room

If someone else is already said exactly what you wanna say, no need to repeat everything.

0:4:35.40 --> 0:4:49.990

Sophie Moiese Room

You can simply say I agree with the previous speakers and and that will be satisfactory when we get to the final public hearing related to Western materials, gravel pit use variants.

0:4:50.500 --> 0:4:59.0

Sophie Moiese Room

I'll have some more specific instructions for you at that point, because the the public hearing process is a little bit different and unique for that one.

0:4:59.940 --> 0:5:3.370

Sophie Moiese Room

But I think with that we will roll right into our business.

0:5:3.380 --> 0:5:12.10

Sophie Moiese Room

Our first public hearing, which I'll open, is on the Grand Am Way petition and this is brought to us by Patrick Schwartz.

0:5:16.120 --> 0:5:30.930

Sophie Moiese Room

Hello, I'm Patrick Stewart with the clerk and recorders office and the clerk and Records office has received a petition to abandon a county right of way described as Grand Amway from its intersection with roller Coaster Rd, southerly to its terminus.

0:5:32.110 --> 0:5:37.570

Sophie Moiese Room

The petition has been signed by at least 10 freeholders of the road district and the petition fee has been paid in full.

0:5:38.830 --> 0:5:44.580

Sophie Moiese Room

Additionally, and notice of hearing has been published twice in the Missoulian and all affected property owners have been notified.

0:5:46.130 --> 0:5:54.360

Sophie Moiese Room

The petition is now presented to you to hear public comment and then as well as on the records set those dates for the road viewing and 2nd hearings.

0:5:55.370 --> 0:5:55.980

Sophie Moiese Room

Thank you.

0:5:56.500 --> 0:5:57.160

Sophie Moiese Room

Excellent.

0:5:57.170 --> 0:5:57.720

Sophie Moiese Room

Thank you.

0:5:57.730 --> 0:6:1.320

Sophie Moiese Room

Is there anyone here or online who would like to comment on the petition?

0:6:4.200 --> 0:6:8.150

Sophie Moiese Room

OK, who is the lucky soul who gets to go on the uh the tour?

0:6:8.220 --> 0:6:9.570

Sophie Moiese Room

I was just gonna ask you that Dave.

0:6:9.580 --> 0:6:10.740

Sophie Moiese Room

Who I I don't know.

0:6:14.60 --> 0:6:14.770

Sophie Moiese Room

I don't.

0:6:15.0 --> 0:6:17.470

Sophie Moiese Room

I don't think it was me because I haven't done in quite a while.

0:6:17.600 --> 0:6:19.350

Sophie Moiese Room

It'll be Josh and the.

0:6:19.360 --> 0:6:19.970

Sophie Moiese Room

There you go.

0:6:20.280 --> 0:6:22.490

Sophie Moiese Room

The road viewing is on March 7th.

0:6:22.620 --> 0:6:29.100

Sophie Moiese Room

All right, after the second hearing is on March 14th, looking forward to it, OK.

0:6:33.790 --> 0:6:44.550

Sophie Moiese Room

The reviewing is at 10:00 o'clock in the morning, so if anyone here in the room or online would like to drop in for the road viewing, it is again what's the day and time Cheryl.

0:6:46.790 --> 0:6:49.580

Sophie Moiese Room

It's on March 7th at 10:10 AM.

0:6:50.170 --> 0:6:50.640

Sophie Moiese Room

OK.

0:6:50.650 --> 0:6:54.250

Sophie Moiese Room

And a folks from the public want more details on where to.

0:6:55.930 --> 0:6:58.840

Sophie Moiese Room

Rendezvous for that if they want to participate, who would they contact?

0:7:0.870 --> 0:7:2.60

Sophie Moiese Room

They can contact me.

0:7:2.450 --> 0:7:3.260

Sophie Moiese Room

Cheryl Hartman.

0:7:3.750 --> 0:7:6.320

Sophie Moiese Room

OK, there we have it.

0:7:7.700 --> 0:7:8.530

Sophie Moiese Room

Alright, thank you.

0:7:10.70 --> 0:7:31.380

Sophie Moiese Room

We will move on to our second public hearing, which I will open and as far as that last one goes, since there will be a subsequent public hearing if folks want to submit comments on that petition that wrote abandonment petition, they can do so in writing or come to our next public hearing and offer testimony.

0:7:31.830 --> 0:7:38.110

Sophie Moiese Room

We will now move on to the Holt Ranch Subdivision, proposed subdivision, and Tim Worley will present the staff report.

0:7:39.30 --> 0:7:39.720

Sophie Moiese Room

Good afternoon.

0:7:39.730 --> 0:7:51.10

Sophie Moiese Room

I'm Tim Worley with planning, development and sustainability, and this is the Holt Ranch subdivision, which is a proposal by Ramona Holt represented by John Kellogg of PCI.

0:7:52.450 --> 0:7:57.10

Sophie Moiese Room

The 71 acre parcel is located about 2 1/2 miles West of Lolo.

0:7:58.690 --> 0:8:3.960

Sophie Moiese Room

The lots will be 22.8 acres and 42.39 acres respectively.

0:8:6.520 --> 0:8:20.0

Sophie Moiese Room

The 2002 low low Regional Plan recommends residential uses at a density of 1 home per 5 acres for the majority of the property, and there's a small area of open and resource and on the eastern edge of the property.

0:8:20.10 --> 0:8:26.790

Sophie Moiese Room

There's some area that's considered area of significant flood risk, which is just a category in the low low regional plan.

0:8:26.800 --> 0:8:30.30

Sophie Moiese Room

And I'll describe the flood issues here in just a just a bit.

0:8:32.830 --> 0:8:36.180

Sophie Moiese Room

The zoning that covers the majority of the property is a part one district.

0:8:36.240 --> 0:8:39.760

Sophie Moiese Room

ZD, 44, the Sleiman Gulch zoning district.

0:8:39.830 --> 0:8:52.960

Sophie Moiese Room

Which is a one home per 2.5 acre density district and the new home on the eastern most lot will be subject to zoning compliance review under these district standards.

0:8:54.820 --> 0:8:56.390

Sophie Moiese Room

This is a former ranch property.

0:8:56.400 --> 0:9:1.810

Sophie Moiese Room

This is actually a sort of a remaining tract of the larger halt ranch property.

0:9:2.0 --> 0:9:6.810

Sophie Moiese Room

Longhorn Flat Subdivision was developed several years ago immediately to the West.

0:9:8.40 --> 0:9:10.990

Sophie Moiese Room

Agriculture is expected to continue on the property.

0:9:11.600 --> 0:9:15.900

Sophie Moiese Room

We do have one recommended condition regarding an irrigation diversion.

0:9:16.360 --> 0:9:23.690

Sophie Moiese Room

We're recommending a 20 foot easement so that the second lot has access to the water right on the property and the water.

0:9:26.470 --> 0:9:27.780

Sophie Moiese Room

Roads on the property Hwy.

0:9:27.790 --> 0:9:37.480

Sophie Moiese Room

12 provides access to this property and there is a an existing driveway that serves the existing ranch home on the westernmost lot.

0:9:38.0 --> 0:9:42.440

Sophie Moiese Room

The access for the eastern lot is shown by this white arrow here.

0:9:43.10 --> 0:9:44.70

Sophie Moiese Room

Beat on it here.

0:9:46.410 --> 0:9:57.390

Sophie Moiese Room

There is actually a structure to the north that served by a roughly 500 foot long access drive, which will also serve presumably the home on lot 22 B.

0:9:58.820 --> 0:10:5.10

Sophie Moiese Room

We do have a recommended condition to build this to an 18 foot wide Rd standard for its entire length.

0:10:5.20 --> 0:10:7.350

Sophie Moiese Room

That's per the subdivision regulations requirement.

0:10:8.720 --> 0:10:17.590

Sophie Moiese Room

The alternative is to demonstrate that the road may be terminated short of the lot boundary through an approved zoning compliance permit for a home.

0:10:18.640 --> 0:10:19.160

Sophie Moiese Room

Let's see.

0:10:19.170 --> 0:10:20.650

Sophie Moiese Room

Let's go back one here.

0:10:21.160 --> 0:10:34.190

Sophie Moiese Room

So if within the three year preliminary plat approval period a home comes in for permit, they would only have to build this shorter section of 18 foot wide Rd starting at Hwy 12 and terminating roughly here.

0:10:34.200 --> 0:10:35.400

Sophie Moiese Room

This is just an illustration.

0:10:37.420 --> 0:10:46.750

Sophie Moiese Room

And I do have some language that provides basically 1/3 alternative and it's the underlying language which you see here at for condition 8.

0:10:47.440 --> 0:10:58.870

Sophie Moiese Room

If the new dwelling on lot 22 B is approved after filing of the plat, the letter of credit or other security may be adjusted to account for the shorter Rd lengths.

0:10:58.880 --> 0:11:0.900

Sophie Moiese Room

So there's basically three options.

0:11:1.460 --> 0:11:11.830

Sophie Moiese Room

Build a 500 foot long road, put up a bond that you later can adjust, or bring in a permit that shows how long that drive is going to be.

0:11:14.280 --> 0:11:20.160

Sophie Moiese Room

There are some floodplain on the eastern portion of the property and this is Sleeman Creek Zone, a FEMA floodplain.

0:11:21.170 --> 0:11:35.290

Sophie Moiese Room

There was a flood study conducted to assess risk to dwellings and access, and it showed a much smaller location of water inundation that shouldn't affect the access point on Hwy 12.

0:11:37.980 --> 0:11:52.870

Sophie Moiese Room

So we do have a recommended condition that a either the applicant file, a letter of map revision so that the floodplain map reflects this area of inundation, or show the existing zone a floodplain on the final plat.

0:11:56.90 --> 0:12:1.920

Sophie Moiese Room

Other conditions relate to the filing of covenants regarding issues such as fire rated roofing.

0:12:1.930 --> 0:12:7.50

Sophie Moiese Room

This is in the wildland urban interface, and it's a fairly high fire danger in this location.

0:12:9.0 --> 0:12:11.970

Sophie Moiese Room

Defensible space guidelines should be included in those covenants.

0:12:12.950 --> 0:12:32.280

Sophie Moiese Room

The fire sprinkler requirement for the second home should be included in those covenants as well as weed management information, so staff recommendation is for approval and Commissioners, there's your motion and I'll be available if you have any questions and I believe John Kellogg is joining us remotely today.

0:12:33.660 --> 0:12:34.890

Sophie Moiese Room

John, would you like to present?

0:12:36.910 --> 0:12:38.940

John Kellogg

Yes, thank you, Commissioners.

0:12:39.10 --> 0:12:43.460

John Kellogg

I apologize for not being there in person, but I'm in the middle of a public hearing in Hamilton right now.

0:12:45.400 --> 0:12:49.430

John Kellogg

So I appreciate time's staff report.

0:12:49.440 --> 0:12:57.450

John Kellogg

Essentially, we're dividing up a very large tract into two slightly smaller tracks.

0:12:58.80 --> 0:13:12.390

John Kellogg

The Holt Ranch is on the westerly large tract and the easterly tract is intended to be deeded by Ramona Holt to the museum.

0:13:12.650 --> 0:13:16.680

John Kellogg

The Hope Museum as uh.

0:13:17.80 --> 0:13:30.800

John Kellogg

Maybe and and so that deeding to the museum is intended to provide an ability to finance future improvements to that that museum.

0:13:32.920 --> 0:13:41.340

John Kellogg

The we're in agreement with the staff report with possibly the one exception on roadway.

0:13:42.600 --> 0:14:3.160

John Kellogg

Umm, the condition started out that the the roadway that provides access for this easterly lot is shared with the roadway that goes to a lot 23 B and Tim is explained that fairly well that that it will.

0:14:5.30 --> 0:14:5.390

John Kellogg

Thank you.

0:14:7.560 --> 0:14:13.210

John Kellogg

That at the present time we do not have a proposed building site.

0:14:13.220 --> 0:14:20.810

John Kellogg

We've got numerous potential and actually we've got building sites that previously have been approved through DEQ.

0:14:20.960 --> 0:14:22.820

John Kellogg

However, we do not have a specific.

0:14:24.480 --> 0:14:35.120

John Kellogg

Building site proposed for this development and it's very probable that we won't have any building occurring in the near future.

0:14:36.410 --> 0:14:48.500

John Kellogg

So I would prefer a condition that can be triggered by someone obtaining a home building permit on that property.

0:14:49.300 --> 0:15:8.680

John Kellogg

Umm, because I can see if we if we do a letter of credit to apply to that I can see over the term of the letter of credit that no building will be constructed and the letter of credit will expire and.

0:15:10.260 --> 0:15:14.960

John Kellogg

Accomplish not what is really intended so.

0:15:18.180 --> 0:15:31.80

John Kellogg

Yesterday I sent a letter that Ramona Holt had prepared a regarding her intention for this property and the timber you able to bring that up.

0:15:35.700 --> 0:15:36.920

Sophie Moiese Room

Let me see if I can find it, John.

0:15:40.60 --> 0:15:43.140

John Kellogg

I apologize, they don't have it easily in hand here.

0:16:11.590 --> 0:16:14.940

John Kellogg

If Tim might, I don't wanna hold up the hearing. If.

0:16:16.140 --> 0:16:17.20

John Kellogg

Ohh there OK.

0:16:18.970 --> 0:16:19.290

John Kellogg

So.

0:16:21.850 --> 0:16:33.760

John Kellogg

Ramona explains that the long range plan is for lot 22 B to be transferred to the nonprofit Whole Heritage Center, along with some other holdings and.

0:16:35.740 --> 0:16:38.130

John Kellogg

So there is no immediate plan for.

0:16:40.20 --> 0:16:44.500

John Kellogg

A building permit or a building location on the property.

0:16:45.500 --> 0:16:45.970

John Kellogg

Umm.

0:16:46.300 --> 0:17:5.740

John Kellogg

And if there were a way of triggering the share the shared road construction requirement to a future building permit of that would be more acceptable, I'm sure, to the Holtz and more appropriate I believe.

0:17:10.950 --> 0:17:12.150

Sophie Moiese Room

Anything else, John?

0:17:13.260 --> 0:17:14.150

John Kellogg

That's all.

0:17:14.650 --> 0:17:15.480

John Kellogg

Thank you for your time.

0:17:16.810 --> 0:17:17.900

Sophie Moiese Room

Thank you.

0:17:17.980 --> 0:17:21.510

Sophie Moiese Room

And before we open this up for public comment.

0:17:23.650 --> 0:17:32.880

Sophie Moiese Room

How about we get some clarification from our legal counsel here or, Tim, regarding what John just proposed.

0:17:36.910 --> 0:17:46.50

Sophie Moiese Room

I considered uh John, and I've been talking about this for a few days and I think the challenge we could work out language that gets to where John wants.

0:17:47.0 --> 0:17:54.490

Sophie Moiese Room

The only problem is that it it ties the construction of roadway to the end user who who pulls a permit.

0:17:54.500 --> 0:18:2.560

Sophie Moiese Room

It doesn't tie it to the plat and technically even though this is a private road, it's a public improvement that is tied to the filing of the plat.

0:18:3.590 --> 0:18:10.760

Sophie Moiese Room

So we could do it, I think legally it's maybe a little tenuous and it it does put the burden on the end user.

0:18:13.230 --> 0:18:17.0

Sophie Moiese Room

But we could engineer languages that gets there.

0:18:17.10 --> 0:18:17.450

Sophie Moiese Room

It's just that.

0:18:18.890 --> 0:18:21.750

Sophie Moiese Room

Subdivision improvements are tied to the filing of the plat.

0:18:22.740 --> 0:18:23.550

Sophie Moiese Room

In most every case.

0:18:26.0 --> 0:18:32.490

Sophie Moiese Room

Given that this is, it's just two pieces of property with one owner.

0:18:32.500 --> 0:18:42.130

Sophie Moiese Room

Right now I'm I don't feel much consternation about this and compared to let's say that we're gonna be 32 different lots here.

0:18:42.180 --> 0:18:43.240

Sophie Moiese Room

Who would the end user be?

0:18:43.250 --> 0:18:44.380

Sophie Moiese Room

How would it work this?

0:18:44.390 --> 0:18:47.580

Sophie Moiese Room

It feels fairly, I feel like we're though tenuous.

0:18:47.590 --> 0:18:48.540

Sophie Moiese Room

I feel safe as well.

0:18:50.70 --> 0:18:50.280

Sophie Moiese Room

Yeah.

0:18:51.370 --> 0:18:51.940

Sophie Moiese Room

OK.

0:18:51.950 --> 0:18:54.200

Sophie Moiese Room

Well, hold that thought momentarily.

0:18:54.210 --> 0:18:58.80

Sophie Moiese Room

So this is a public hearing on this proposed subdivision.

0:18:58.610 --> 0:19:3.130

Sophie Moiese Room

Is there anyone in the room here in the courthouse who would like to offer testimony?

0:19:6.700 --> 0:19:8.130

Sophie Moiese Room

Is there anyone online?

0:19:11.570 --> 0:19:12.440

Sophie Moiese Room

OK.

0:19:12.570 --> 0:19:13.410

Sophie Moiese Room

See none.

0:19:13.420 --> 0:19:14.800

Sophie Moiese Room

We'll close the public hearing.

0:19:14.810 --> 0:19:21.830

Sophie Moiese Room

I'll I guess let's have a little bit more discussion maybe on this this point, John Hart, any thoughts?

0:19:25.240 --> 0:19:26.110

Sophie Moiese Room

Not really.

0:19:26.680 --> 0:19:33.430

Sophie Moiese Room

I mean, I appreciate what Commissioner Slotnick is saying, that it doesn't given much consternation.

0:19:33.700 --> 0:19:45.870

Sophie Moiese Room

The problem with transferring the obligation for public for for infrastructure that, by the way, is required by the Subdivision regulations to the to the ultimate end user, is that.

0:19:49.200 --> 0:19:49.530

Sophie Moiese Room

It's.

0:19:49.630 --> 0:19:53.230

Sophie Moiese Room

I mean, it's often times we we would just need to figure out a way.

0:19:53.240 --> 0:20:3.750

Sophie Moiese Room

So it's very, very clear to anybody who is going to purchase this lot, maybe from the, you know, the Holt Center someday.

0:20:3.880 --> 0:20:11.450

Sophie Moiese Room

It's very clear that before before they can build or improve this lot, they're going to have to build this road.

0:20:12.160 --> 0:20:16.530

Sophie Moiese Room

And I mean, conceivably, they might have to build a 500 foot Rd.

0:20:16.540 --> 0:20:19.510

Sophie Moiese Room

And that's that's it's expensive today.

0:20:19.520 --> 0:20:27.340

Sophie Moiese Room

It's gonna be more expensive in the future, so I think there's it's possible, but it's not ideal.

0:20:27.410 --> 0:20:30.400

Sophie Moiese Room

So how long is it gonna take to have that conversation?

0:20:30.970 --> 0:20:31.300

Sophie Moiese Room

I could.

0:20:31.310 --> 0:20:31.780

Sophie Moiese Room

Do we have?

0:20:31.790 --> 0:20:35.600

Sophie Moiese Room

Do we have to make a decision today or can you guys get that language?

0:20:36.210 --> 0:20:38.980

Sophie Moiese Room

Ohh, we could get you that language today, yeah?

0:20:42.210 --> 0:21:11.820

Sophie Moiese Room

And I think what John is, if I could make a suggestion, if if we go this direction, I think we should have language at least in the covenants flagging that and maybe on the face of the plat too, are you thinking John, so if yeah that was my question, if it's not on the face of the plat then then we're depending upon some document documentation in the building department or something would need to be a trigger for someone to recognize that there's a road that needs to be completed here.

0:21:18.830 --> 0:21:18.950

John Kellogg

Yep.

0:21:17.610 --> 0:21:21.520

Sophie Moiese Room

Yeah, I think those two options in the covenants and on the face of the plat will.

0:21:23.900 --> 0:21:28.420

Sophie Moiese Room

Either the planning department will see it through zoning compliance, cause this is zoned.

0:21:29.130 --> 0:21:30.210

Sophie Moiese Room

This lot is zoned.

0:21:30.220 --> 0:21:31.210

Sophie Moiese Room

Is your mic on?

0:21:31.440 --> 0:21:31.810

Sophie Moiese Room

Yeah.

0:21:32.320 --> 0:21:32.990

Sophie Moiese Room

Yeah, I think so.

0:21:33.110 --> 0:21:33.280

Sophie Moiese Room

OK.

0:21:34.890 --> 0:21:42.810

Sophie Moiese Room

Or the building division would also find it, hopefully in conjunction I I can't.

0:21:42.820 --> 0:21:46.350

Sophie Moiese Room

I can't wordsmith how this would work, but and I'm not opposed to it.

0:21:46.400 --> 0:21:49.260

Sophie Moiese Room

It's just again, it's not ideal.

0:21:51.530 --> 0:21:52.130

Sophie Moiese Room

All right.

0:21:53.840 --> 0:21:55.0

Sophie Moiese Room

Yeah, yeah, John.

0:21:52.580 --> 0:22:16.340

John Kellogg

Commissioners, if I could comment, we've got kind of an overlapping requirement also the the fire department requires that an 18 foot wide roadway driveway be built to the to the building site and this is kind of mirroring the requirement for the shared roadway.

0:22:17.70 --> 0:22:29.570

John Kellogg

Umm, so I guess we've got at least two agencies potentially looking at this requirement and kind of I can't see it disappearing.

0:22:32.670 --> 0:22:33.580

Sophie Moiese Room

Thank you, John.

0:22:34.740 --> 0:22:43.940

Sophie Moiese Room

So if we want to wanting to include language on the face of the plat and in the covenants, how would that modify our motion?

0:22:44.60 --> 0:22:44.280

Sophie Moiese Room

Yeah.

0:22:44.290 --> 0:22:54.920

Sophie Moiese Room

If I get up a couple minutes just to make sure I get my words right, I thought I could use the existing condition, but I think I need to do something a little bit different, so I think we can get there.

0:22:56.840 --> 0:22:57.240

Sophie Moiese Room

OK.

0:22:57.250 --> 0:23:5.10

Sophie Moiese Room

Do we need to move on to the next item and come back to this, uh, Tim, or it'll take me just a couple minutes?

0:23:5.220 --> 0:23:5.480

Sophie Moiese Room

OK.

0:23:6.750 --> 0:23:8.290

Sophie Moiese Room

What's with you 2 minute recess?

0:23:10.70 --> 0:23:10.580

Sophie Moiese Room

OK.

0:23:10.590 --> 0:23:15.380

Sophie Moiese Room

We will take a 3 minute recess and Tim will work out.

0:23:15.390 --> 0:23:18.140

Sophie Moiese Room

The language we'll come back dispense with US item and then carry on.

0:23:28.590 --> 0:23:30.750

Sophie Moiese Room

There is a coffee shop in the hallway out there.

0:23:30.760 --> 0:23:32.890

Sophie Moiese Room

If anyone need something.

0:24:36.990 --> 0:24:37.170

Sophie Moiese Room

What?

0:24:38.350 --> 0:24:38.920

Sophie Moiese Room

It's not, yeah.

0:24:43.250 --> 0:24:43.750

Sophie Moiese Room

True.

0:25:39.580 --> 0:25:40.110

Sophie Moiese Room

I was trying to.

0:26:12.280 --> 0:26:12.440

Sophie Moiese Room

OK.

0:26:33.980 --> 0:26:34.530

Sophie Moiese Room

Got it.

0:26:34.580 --> 0:26:35.450

Sophie Moiese Room

We're ready when you are.

0:26:35.690 --> 0:26:35.990

Sophie Moiese Room

OK.

0:26:37.710 --> 0:26:40.320

Sophie Moiese Room

Alright everyone, we will come back into session.

0:26:40.720 --> 0:26:46.360

Sophie Moiese Room

Thanks for indulging us a few moments while we in real time worked on language here.

0:26:46.370 --> 0:26:48.700

Sophie Moiese Room

So Tim Worley, what do you have for us?

0:26:49.50 --> 0:27:2.10

Sophie Moiese Room

So what we would do is we would replace condition 8 with the following language plans for and construction of an 18 foot wide Rd from Hwy 12 to the location.

0:27:2.380 --> 0:27:13.710

Sophie Moiese Room

A driveway diverges to serve a dwelling on lot 22 B shall be reviewed and approved by county Public Works prior to zoning compliance permit approval.

0:27:16.640 --> 0:27:26.470

Sophie Moiese Room

Information about this requirement shall be placed on the plat and in the covenants subject to PDS review and approval prior to final plat approval.

0:27:29.160 --> 0:27:30.660

Sophie Moiese Room

John, how does that sound?

0:27:33.450 --> 0:27:35.540

John Kellogg

But which John me?

0:27:35.750 --> 0:27:36.560

Sophie Moiese Room

That would be you, yes.

0:27:36.110 --> 0:27:40.260

John Kellogg

I OK, I'm that sounds perfect.

0:27:40.830 --> 0:27:47.960

John Kellogg

And I I appreciate that Tim's efforts and John's efforts at wordsmithing.

0:27:50.520 --> 0:27:51.30

Sophie Moiese Room

OK.

0:27:51.40 --> 0:27:51.710

Sophie Moiese Room

Thank you.

0:27:51.720 --> 0:27:59.480

Sophie Moiese Room

If you could pull up the motion again, Tim, and I'm suspecting that we just tack on the word as amend phrase as amended to the end of it and.

0:28:19.620 --> 0:28:21.430

Sophie Moiese Room

Or I'm overthinking it here a little bit.

0:28:28.960 --> 0:28:29.480

Sophie Moiese Room

There it is.

0:28:31.310 --> 0:28:35.980

Sophie Moiese Room

Alright, I we've had public comment, we've had presentations.

0:28:36.50 --> 0:28:37.220

Sophie Moiese Room

I would entertain a motion.

0:28:37.370 --> 0:28:38.100

Sophie Moiese Room

Here we go.

0:28:38.170 --> 0:28:46.200

Sophie Moiese Room

I move to approve Holt Ranch subdivision based on the findings of fact in the staff report and subject to the recommended conditions of approval as amended.

0:28:46.870 --> 0:28:50.150

Sophie Moiese Room

Second, any further discussion on the motion?

0:28:51.750 --> 0:28:52.360

Sophie Moiese Room

See none.

0:28:52.370 --> 0:28:52.940

Sophie Moiese Room

All in favor?

0:28:53.50 --> 0:28:53.760

Sophie Moiese Room

Aye.

0:28:54.150 --> 0:28:54.600

Sophie Moiese Room

OK.

0:28:54.610 --> 0:28:57.60

Sophie Moiese Room

Thanks, Tim and John for doing this on the fly.

0:28:57.130 --> 0:28:57.490

Sophie Moiese Room

Thank you.

0:28:59.100 --> 0:29:0.50

John Kellogg

Thank you, commissioners.

0:29:3.170 --> 0:29:9.920

Sophie Moiese Room

We will move on to our third public hearing on the proposed Hellgate Pines subdivision.

0:29:9.930 --> 0:29:12.830

Sophie Moiese Room

Laura Collins will offer staff report.

0:30:3.410 --> 0:30:4.280

Sophie Moiese Room

Good afternoon, everyone.

0:30:6.240 --> 0:30:20.50

Sophie Moiese Room

So today I am presenting the proposal for a 2 lot subdivision at 14020 Hampton Dr, otherwise known as Hellgate Pines Addition, #2 Block 1, lot 13.

0:30:21.410 --> 0:30:28.790

Sophie Moiese Room

The applicant for this proposal is our Eric and Ivy Fester and they are represented by Montana Northwest.

0:30:35.230 --> 0:30:39.300

Sophie Moiese Room

Here is a general vicinity for this project.

0:30:39.310 --> 0:30:44.750

Sophie Moiese Room

It is located in the Clinton Terra era, inside of the Torah activity circle.

0:30:46.710 --> 0:30:50.640

Sophie Moiese Room

And it is a proposed 2 lot subdivision.

0:30:50.730 --> 0:30:59.140

Sophie Moiese Room

The lot itself is on 2.76 acres, so it's proposed for 1.38 acres apiece.

0:31:1.80 --> 0:31:6.180

Sophie Moiese Room

This is a re subdivision of a residential lot from the Hellgate Pines #2 subdivision.

0:31:7.680 --> 0:31:13.40

Sophie Moiese Room

Both lots of proposed for residential purposes and will be served by individual septic systems.

0:31:14.120 --> 0:31:21.770

Sophie Moiese Room

There is an existing well on the property for the current residence and a new wells proposed for lot 13 B near the front of the existing lot 13.

0:31:21.780 --> 0:31:37.220

Sophie Moiese Room

A primary access for the existing residence is from Hampton Dr and the applicant proposes to add one additional approach and driveway from Hampton Drive to serve lot 13 B by designating a no access strip along the SE boundary of Lot 13 A.

0:31:45.450 --> 0:31:47.680

Sophie Moiese Room

Here's some of the breakdown of that information is covered.

0:31:56.220 --> 0:32:6.550

Sophie Moiese Room

And here is the review criteria that the County Review subdivision for basically zoning and growth policy, public services, public health and safety.

0:32:6.560 --> 0:32:8.810

Sophie Moiese Room

And impacts to natural environments.

0:32:14.160 --> 0:32:21.660

Sophie Moiese Room

No adverse impacts to these review criteria were found, although I'm going to cover a few of these in more detail to add some clarification.

0:32:26.140 --> 0:32:33.330

Sophie Moiese Room

So the properties land use designation is set by the 2002 regional land use plan.

0:32:33.880 --> 0:32:38.950

Sophie Moiese Room

It's located in the Tura activity circle, which is an area designated for development.

0:32:40.530 --> 0:32:46.0

Sophie Moiese Room

The recommended density of the area is 1 dwelling unit per 5 acres.

0:32:49.460 --> 0:32:58.890

Sophie Moiese Room

This subdivision was platted prior to the 1975 comprehensive plan that this land use designation nation comes from.

0:32:59.400 --> 0:33:7.240

Sophie Moiese Room

I should also note that the lots in the subdivision are smaller than five acres, and that predates the recommendation.

0:33:9.800 --> 0:33:21.760

Sophie Moiese Room

For a little more context, the subdivision to the North Hellgate Pines number one in the same land use circle, is recommended.

0:33:21.770 --> 0:33:23.120

Sophie Moiese Room

Two dwelling units per acre.

0:33:23.130 --> 0:33:24.760

Sophie Moiese Room

It's considered suburban residential.

0:33:29.170 --> 0:33:50.110

Sophie Moiese Room

Go eat from my growth policy is to proactively plan and provide for logical growth of communities while protecting rural character and sustaining county resources by guiding development areas most suited for it and Objective 8.3 of the growth policy is to guide new subdivisions and development to areas that have the least impact on natural resources and are most suited for development.

0:33:54.390 --> 0:34:21.440

Sophie Moiese Room

So the area is unzoned and while it is recommended at a density of 1 per five, the state law MCA 7616052 details that a growth policy is not a regulatory document and a governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy.

0:34:21.610 --> 0:34:32.400

Sophie Moiese Room

So that basically means that we're not allowed to condition or deny withhold any development based solely on the growth policy recommendations.

0:34:36.570 --> 0:34:40.590

Sophie Moiese Room

I should say zoning is our regulatory tool for controlling density.

0:34:44.480 --> 0:34:52.960

Sophie Moiese Room

This is the proposed plat of highlighted the proposed House site in the existing House site, lot 13 a is to the South.

0:34:56.770 --> 0:35:4.700

Sophie Moiese Room

So at 13, B is proposed to have this House site and the driveway leading up to it.

0:35:5.230 --> 0:35:10.220

Sophie Moiese Room

It will have a well on lot 13 A to serve lot 13B.

0:35:16.280 --> 0:35:21.680

Sophie Moiese Room

And my old no adverse impacts were found to public health, safety and water and sanitation.

0:35:21.690 --> 0:35:23.740

Sophie Moiese Room

I did wanna provide some clarification.

0:35:23.750 --> 0:35:31.530

Sophie Moiese Room

So I know it was a point of concern for some on this project requires sanitation review per Title 76.

0:35:31.540 --> 0:35:50.410

Sophie Moiese Room

Four of the MCA they're required to submit a grading and drainage report, a water and sanitation report, and a DNR C letter of predetermination, and the final plat approval for this subdivision is pending full sanitation approval, including DEQ approval.

0:35:50.460 --> 0:35:54.140

Sophie Moiese Room

A lot of this prep work has already been completed by their consultant.

0:35:59.100 --> 0:36:1.30

Sophie Moiese Room

We reached out to agencies for comment.

0:36:1.40 --> 0:36:4.570

Sophie Moiese Room

We did receive it comment from Montana Fish, Wildlife and Parks.

0:36:5.180 --> 0:36:28.240

Sophie Moiese Room

The residents of this lot should anticipate and mitigate any conflict with wildlife, and there have been recent grizzly bears in the area, so we are recommending an addition to including the living with wildlife covenants in the covenants, a condition to use fully automated bear proof trash cans for both lots in the subdivision.

0:36:31.470 --> 0:36:49.400

Sophie Moiese Room

Northwestern Energy has highlighted a high pressure natural gas pipeline and a high voltage electric power line, and they just want to remind the owners to adhere to the conditions and use extra caution with any construction activity in these places.

0:36:49.410 --> 0:36:54.490

Sophie Moiese Room

And we have added a condition to add that to the covenants as well.

0:36:58.550 --> 0:37:0.760

Sophie Moiese Room

Air quality is in support of the covenants.

0:37:0.770 --> 0:37:4.220

Sophie Moiese Room

They recommended edits to Section 7, which have been updated.

0:37:8.280 --> 0:37:19.430

Sophie Moiese Room

Public comment was sent out in the mail to adjacent property owners within a 300 foot buffer and we received 8 responses to date.

0:37:19.500 --> 0:37:24.770

Sophie Moiese Room

We also received one response to the project posted on Missoula County Voice.

0:37:24.780 --> 0:37:26.320

Sophie Moiese Room

The counties engagement website.

0:37:30.10 --> 0:37:38.210

Sophie Moiese Room

Generally, UM objection to the subdivision has centered on an opposition to an increase in density.

0:37:39.70 --> 0:37:47.100

Sophie Moiese Room

Umm, a preference for lot sizes that are not smaller than two acres and proximity to nearby dwellings, basically crowding.

0:37:49.230 --> 0:38:8.150

Sophie Moiese Room

There was some concern for wallet water quality and if there was a room for the systems that are proposed, some folks were concerned with adverse impacts to wildlife and wildlife habitat and there was a written statement and a petition signed by neighbors opposed to the proposed subdivision submitted.

0:38:11.560 --> 0:38:26.390

Sophie Moiese Room

We did have two neighbors response that they have no objection and we had two neighbors that responded and supported the subdivision and did express a preference for their names to be redacted from the petition that they mentioned.

0:38:30.840 --> 0:38:43.140

Sophie Moiese Room

We received one comment off of Missoula County voice kind of echoing the general concern and wishing to not set a precedent for this type of development in the area.

0:38:53.390 --> 0:39:5.970

Sophie Moiese Room

So some of the conditions of approval that I mentioned, we will ask that a condition of approval is to require bear resistant garbage cans at each of the residents to mitigate potential impacts to human wildlife conflict.

0:39:8.470 --> 0:39:22.370

Sophie Moiese Room

We would like to condition requirement of a statement be added to the covenants to mitigate potential hazards related to these high voltage and high pressure utilities mentioned by Northwest Energy.

0:39:25.590 --> 0:39:42.220

Sophie Moiese Room

And to ensure legal and physical access to lot 13 BA condition of approval requiring the construction of a driveway to the edge of LOT 13 B meeting the requirements for unobstructed access to emergency services is required prior to final plat approval.

0:39:43.650 --> 0:39:54.580

Sophie Moiese Room

The easement does show this unobstructed access, and I turn around, but we would like 2 condition that the driveway is built prior to final plat approval.

0:39:57.900 --> 0:40:1.490

Sophie Moiese Room

Umm, I just noticed we need a plat note correction.

0:40:2.140 --> 0:40:3.510

Sophie Moiese Room

Literally on the way over here.

0:40:3.720 --> 0:40:12.100

Sophie Moiese Room

So we have the standard plat notes conditioned, including the Rsid and Sid waivers for.

0:40:13.900 --> 0:40:16.220

Sophie Moiese Room

Public improvements and fire sprinklers?

0:40:17.80 --> 0:40:18.820

Sophie Moiese Room

Umm, excuse me?

0:40:32.800 --> 0:40:36.410

Sophie Moiese Room

But there needs to be a correction to the SDRS.

0:40:36.420 --> 0:40:42.150

Sophie Moiese Room

ID Platt notes that mentions wrote a French town frontage Rd.

0:40:42.160 --> 0:40:43.400

Sophie Moiese Room

It should be Hampton Dr.

0:40:43.410 --> 0:40:48.190

Sophie Moiese Room

This language was pulled from a recent subdivision nearby, and I do apologize for that.

0:40:52.310 --> 0:40:56.900

Sophie Moiese Room

So staff is recommending approval based on the findings of fact and conclusions of law.

0:40:57.290 --> 0:41:1.60

Sophie Moiese Room

And here is the recommended motion and I'm here for questions.

0:41:1.450 --> 0:41:1.810

Sophie Moiese Room

Thank you.

0:41:1.820 --> 0:41:5.0

Sophie Moiese Room

With the applicant or applicants representative like to present.

0:41:12.680 --> 0:41:13.250

Sophie Moiese Room

Mr Jenkins.

0:41:15.560 --> 0:41:26.730

Sophie Moiese Room

Thank you for the record, Ken Jenkins with Montana Northwest Company, I would like to thank county planning for working with us to get to this point in the review process.

0:41:28.230 --> 0:41:30.200

Sophie Moiese Room

I don't have a whole lot to add.

0:41:30.210 --> 0:41:39.50

Sophie Moiese Room

I would like to maybe just spend a little bit of time on the the growth plan aspect of this.

0:41:39.60 --> 0:41:40.840

Sophie Moiese Room

So as it was already stated.

0:41:42.700 --> 0:41:48.770

Sophie Moiese Room

Hellgate Pines, number one and #2 both were in existence prior to the growth plan being enacted.

0:41:51.10 --> 0:41:59.280

Sophie Moiese Room

I don't have an explanation for why they would drop a growth plan over the top of these two subdivisions that contained.

0:41:59.350 --> 0:42:8.310

Sophie Moiese Room

As I recall, a total of I don't remember it, some over 50 lots, maybe 80 lots, something like that.

0:42:12.470 --> 0:42:15.500

Sophie Moiese Room

Most all of which were already under 5 acres.

0:42:15.510 --> 0:42:19.720

Sophie Moiese Room

I remember there were fifteen that were around an acre in size.

0:42:20.920 --> 0:42:42.780

Sophie Moiese Room

I wonder if part of the rectification of that issue was the inclusion of the activity circle and within the 2018 update it explains within the activity circle that lot sizes and densities would be driven by sanitation.

0:42:43.210 --> 0:42:45.610

Sophie Moiese Room

In other words, whether or not you can.

0:42:47.590 --> 0:42:50.150

Sophie Moiese Room

Get approval for on site, water and sewer.

0:42:51.450 --> 0:43:2.50

Sophie Moiese Room

I would report that in this case the only thing that we're lacking on that DEQ approval is the Minutes from this meeting and then that approval would be issued.

0:43:5.320 --> 0:43:17.640

Sophie Moiese Room

I suppose relative to growth plan compatibility with the neighborhood, again, there are many lots under 5 acres nearby.

0:43:17.650 --> 0:43:23.750

Sophie Moiese Room

There's a subdivision immediately adjacent to the east boundary of what we're proposing.

0:43:23.760 --> 0:43:31.320

Sophie Moiese Room

That is a carbon copy of what we're asking for here, and that was approved by Missoula County in 2002.

0:43:33.970 --> 0:43:35.280

Sophie Moiese Room

And that was pretty much it.

0:43:35.330 --> 0:43:37.540

Sophie Moiese Room

I think that we're.

0:43:40.40 --> 0:43:45.750

Sophie Moiese Room

In agreement with the conditions of plat approval and I would be open to any questions, if you have any.

0:43:46.340 --> 0:43:46.930

Sophie Moiese Room

OK.

0:43:46.940 --> 0:43:47.590

Sophie Moiese Room

Thanks, Ken.

0:43:47.600 --> 0:43:55.990

Sophie Moiese Room

We might come back to you for questions in a minute, but to kick things off, let us begin here in the courthouse and the Sophie noise room.

0:43:56.60 --> 0:43:59.770

Sophie Moiese Room

Is there anyone who would like to offer comments on this proposed subdivision?

0:43:59.780 --> 0:44:1.490

Sophie Moiese Room

If so, come on up to the mic.

0:44:1.720 --> 0:44:5.510

Sophie Moiese Room

It looks like the microphone is on, so come on up.

0:44:5.520 --> 0:44:10.830

Sophie Moiese Room

State your name for the record and please keep your comments succinct to 3 minutes or less.

0:44:12.260 --> 0:44:12.620

Sophie Moiese Room

Yeah.

0:44:12.660 --> 0:44:14.270

Sophie Moiese Room

Hi, my name is Mike Williams.

0:44:14.280 --> 0:44:20.100

Sophie Moiese Room

I live on Hampton Dr just a few homes down from where this is proposed subdivision and.

0:44:21.650 --> 0:44:27.840

Sophie Moiese Room

I had a chance this year after we got word of this to contact everybody on my street.

0:44:27.850 --> 0:44:34.170

Sophie Moiese Room

Everybody on Hampton and without exception, everybody was against subdividing this property.

0:44:34.340 --> 0:44:36.260

Sophie Moiese Room

They all stated that they would.

0:44:36.340 --> 0:44:37.460

Sophie Moiese Room

They like living there.

0:44:37.470 --> 0:45:3.280

Sophie Moiese Room

The reason they lived there is because of the open lots and the wildlife in the space that it affords without having any people so close and because of our the way these power lines go through the length of the subdivision, it forces the folks on Hampton Drive to have their homes to the front of the lot and the folks on the other side have to have their lots way to the back because of the other power line.

0:45:3.610 --> 0:45:9.750

Sophie Moiese Room

So you start putting another home in there and it really crowds the folks on the backside.

0:45:9.760 --> 0:45:23.170

Sophie Moiese Room

So it's it's really a detriment to their, their and and and basically the like I said, I interviewed everybody and it's on the petition on the on the entire block and nobody was liking the subdivision.

0:45:23.180 --> 0:45:26.750

Sophie Moiese Room

We just don't wanna see it gets divided up anymore.

0:45:26.900 --> 0:45:27.430

Sophie Moiese Room

Thank you.

0:45:27.780 --> 0:45:30.10

Sophie Moiese Room

And I'd urge you guys to vote against this.

0:45:30.20 --> 0:45:30.570

Sophie Moiese Room

Thanks.

0:45:30.580 --> 0:45:31.190

Sophie Moiese Room

Thank you, Mr.

0:45:31.200 --> 0:45:32.810

Sophie Moiese Room

Williams additional public comment.

0:45:42.700 --> 0:45:44.190

Sophie Moiese Room

My name is Lee Tangental.

0:45:44.320 --> 0:45:46.750

Sophie Moiese Room

I'm here to oppose this subdivision.

0:45:47.260 --> 0:45:49.770

Sophie Moiese Room

I start by gotta clear up a couple errors.

0:45:50.440 --> 0:45:53.670

Sophie Moiese Room

Laura, you stated that they were 1.3 acres of piece.

0:45:53.680 --> 0:45:54.750

Sophie Moiese Room

No, that's not right.

0:45:54.760 --> 0:46:1.360

Sophie Moiese Room

One of them is 1.7, the others 1.02 acres and of the subdivision.

0:46:2.510 --> 0:46:8.590

Sophie Moiese Room

Mr Jenkins stated there was a A80 lots and all that can't be right.

0:46:8.600 --> 0:46:12.560

Sophie Moiese Room

There's 34 in addition to and there can't be 50.

0:46:12.570 --> 0:46:17.240

Sophie Moiese Room

Some in addition one however addition one is quite different than addition.

0:46:17.250 --> 0:46:26.390

Sophie Moiese Room

Two, we would like to be considered because we are a distance away and we have, uh been different to with our time period.

0:46:28.530 --> 0:46:31.220

Sophie Moiese Room

He says there's a carbon copy to the east.

0:46:31.230 --> 0:46:36.940

Sophie Moiese Room

Well, to the east is the Tura estates, and all of those lots are six acres or more.

0:46:36.950 --> 0:46:38.840

Sophie Moiese Room

So that's hardly a carbon copy.

0:46:39.70 --> 0:46:43.540

Sophie Moiese Room

He was probably thinking of the Pinewood addition to the north.

0:46:43.550 --> 0:47:0.850

Sophie Moiese Room

I guess it's northeast and we had a battle on that one because it was first created as one acre lots and we went to the County Attorney and had that changed and on their plat it says every lot has to be 2 acres in size and if that was on every plat, every lot in our subdivision, we'd be delighted.

0:47:1.980 --> 0:47:7.610

Sophie Moiese Room

We'd rather have the five acre according to the comprehensive plan, but two acres is good.

0:47:7.740 --> 0:47:18.810

Sophie Moiese Room

We fight against the proliferation of 1 acre lots because once it gets going with the price of land right now, anyone who buys property is going to want to offset the cost a little bit.

0:47:19.120 --> 0:47:24.430

Sophie Moiese Room

And if this passes, you've got yourself a model where you buy the lot.

0:47:24.480 --> 0:47:27.590

Sophie Moiese Room

Some lots can't be subdivided, but a lot of them can't.

0:47:27.920 --> 0:47:34.330

Sophie Moiese Room

And you're gonna create a model where you will try a split off a piece to help recoup the cost.

0:47:34.340 --> 0:47:36.30

Sophie Moiese Room

The high cost of buying the property.

0:47:37.270 --> 0:47:41.660

Sophie Moiese Room

Uh, I've lived there 47 years in that time period.

0:47:41.750 --> 0:47:43.560

Sophie Moiese Room

I mentioned the two subdivisions.

0:47:43.570 --> 0:47:57.550

Sophie Moiese Room

The trend in those two subdivisions is towards larger lots, not smaller lots, and we also have fought the fight to prohibit the proliferation of 1 acre lots within the subdivision itself.

0:47:57.560 --> 0:48:0.540

Sophie Moiese Room

There are two changes, only two over the time period.

0:48:0.550 --> 0:48:1.330

Sophie Moiese Room

I've lived there.

0:48:1.570 --> 0:48:4.340

Sophie Moiese Room

It was one lot that was split in 2000.

0:48:4.710 --> 0:48:5.240

Sophie Moiese Room

We did.

0:48:5.250 --> 0:48:10.700

Sophie Moiese Room

There were two adjacent landowner protested, but Commissioner Evans and Kerry voted in favor.

0:48:10.930 --> 0:48:14.840

Sophie Moiese Room

Commissioner Kennedy voted against the owner of that.

0:48:14.850 --> 0:48:21.480

Sophie Moiese Room

That lot stated that she wanted to subdivide that lot in order to provide a a home for her elderly father.

0:48:22.230 --> 0:48:26.720

Sophie Moiese Room

That was planted in 2002 and to this date in our House has been built on that lot.

0:48:28.250 --> 0:48:33.500

Sophie Moiese Room

The petition that Laura mentioned, we have signatures from 30 to. Ohh.

0:48:33.510 --> 0:48:39.360

Sophie Moiese Room

Let me state right now there are 34 lots in addition, two in 1972 there were two lots.

0:48:39.370 --> 0:48:43.290

Sophie Moiese Room

In addition, two there was one split and two lots were joined.

0:48:43.370 --> 0:48:45.260

Sophie Moiese Room

So the total number lots is the same.

0:48:45.270 --> 0:48:48.630

Sophie Moiese Room

The average lot size and addition two is 1.96 acres.

0:48:50.360 --> 0:48:56.450

Sophie Moiese Room

Uh and Lee, you're running a little bit long here, so if you could wrap up please.

0:48:58.400 --> 0:49:15.790

Sophie Moiese Room

And if you if anyone has additional written comments that they want to leave with us that they can certainly do so you know you're you're balancing property rights versus the the rights of the public or the will of the public or the danger to the public, that's your job.

0:49:15.800 --> 0:49:28.440

Sophie Moiese Room

It's a tough one and we think one acre lot crosses that line in this subdivision, the trend should be larger, the comprehensive plan states that it should be 5 acres and the Supreme Court Montana.

0:49:28.840 --> 0:49:33.570

Sophie Moiese Room

The court says that there should be some coherence or compliance to that rule.

0:49:34.130 --> 0:49:35.360

Sophie Moiese Room

Uh, my.

0:49:35.370 --> 0:49:38.780

Sophie Moiese Room

There's two of us that have houses right next to this new subdivision.

0:49:38.930 --> 0:49:42.600

Sophie Moiese Room

We used to look at deer and trees, and now we're gonna look at a house.

0:49:42.610 --> 0:49:45.80

Sophie Moiese Room

Now, that's not gonna break anybody's heart but ours.

0:49:45.150 --> 0:49:48.300

Sophie Moiese Room

But it does kind of destroy the reason we all live out there.

0:49:48.410 --> 0:49:52.740

Sophie Moiese Room

My well happens to be the 100 foot isolation zone.

0:49:52.810 --> 0:49:56.980

Sophie Moiese Room

Happens to be within 10 feet of the of the drain field in the mixing zone.

0:49:56.990 --> 0:50:2.80

Sophie Moiese Room

For the new lock, I imagine that it satisfies the law, but it's something I'm going to worry about.

0:50:2.230 --> 0:50:6.790

Sophie Moiese Room

If nothing else, it just have to know who to sue when my well gets contaminated.

0:50:7.290 --> 0:50:8.490

Sophie Moiese Room

I'm sorry I went over.

0:50:8.500 --> 0:50:9.820

Sophie Moiese Room

I have a habit of doing that.

0:50:10.340 --> 0:50:11.890

Sophie Moiese Room

Thank you for your consideration.

0:50:11.900 --> 0:50:14.150

Sophie Moiese Room

I urge you to vote against this subdivision.

0:50:14.440 --> 0:50:14.880

Sophie Moiese Room

Thank you.

0:50:16.240 --> 0:50:17.350

Sophie Moiese Room

Additional public comment.

0:50:17.360 --> 0:50:17.760

Sophie Moiese Room

Come on up.

0:50:20.200 --> 0:50:21.570

Sophie Moiese Room

Hello, my name is David.

0:50:21.580 --> 0:50:24.170

Sophie Moiese Room

Luke, that's my house right there.

0:50:24.970 --> 0:50:26.820

Sophie Moiese Room

That you all have highlighted.

0:50:27.250 --> 0:50:35.320

Sophie Moiese Room

I purchased the previously subdivided lot, the lot that Lee just mentioned that was planted in 2002.

0:50:35.410 --> 0:50:37.270

Sophie Moiese Room

I purchased a lot in 2015.

0:50:38.590 --> 0:50:41.700

Sophie Moiese Room

I targeted the Hampton Dr subdivision.

0:50:42.130 --> 0:50:51.220

Sophie Moiese Room

I because of how dispersed the homes were in the area, it's quite obvious that we have neighbors, but we're not all on top of each other and that's fantastic.

0:50:51.310 --> 0:50:58.270

Sophie Moiese Room

If you wanna live on top of one another, plenty of plenty of space to live closer to town, no?

0:51:0.490 --> 0:51:15.620

Sophie Moiese Room

In the time that I have owned my house right there, there have been many occasions where I wish the lot had not been subdivided because the front half of the property owned by someone else and is not used.

0:51:15.790 --> 0:51:19.20

Sophie Moiese Room

But man, I sure wish that I could own it myself.

0:51:19.490 --> 0:51:21.190

Sophie Moiese Room

I wish I would have had that opportunity.

0:51:22.770 --> 0:51:24.500

Sophie Moiese Room

I much like Lee.

0:51:24.610 --> 0:51:26.720

Sophie Moiese Room

Urge you to oppose this.

0:51:29.60 --> 0:51:30.490

Sophie Moiese Room

I don't think I have much else to say.

0:51:30.820 --> 0:51:32.40

Sophie Moiese Room

Thank you very much for your time.

0:51:32.80 --> 0:51:32.530

Sophie Moiese Room

OK.

0:51:32.620 --> 0:51:33.40

Sophie Moiese Room

Thank you.

0:51:35.730 --> 0:51:36.430

Sophie Moiese Room

Additional comment.

0:51:44.30 --> 0:51:46.500

Sophie Moiese Room

Of commissioners, my name is Don Halverson.

0:51:47.110 --> 0:51:53.750

Sophie Moiese Room

My wife and I own two lots, lot 20 and 21, which is West of Lot 13. Of course.

0:51:54.520 --> 0:51:55.130

Sophie Moiese Room

Uh.

0:51:55.200 --> 0:51:58.0

Sophie Moiese Room

But it's also downstream from it, and that's my point.

0:51:58.690 --> 0:52:3.60

Sophie Moiese Room

Umm, I mean it bike trades all my life water flows down.

0:52:3.170 --> 0:52:7.270

Sophie Moiese Room

You know, I'm very concerned about water quality in the area.

0:52:8.500 --> 0:52:11.150

Sophie Moiese Room

We've had hardly any snow this year.

0:52:11.400 --> 0:52:14.860

Sophie Moiese Room

I don't think there's gonna be anymore coming to speak of.

0:52:16.20 --> 0:52:18.990

Sophie Moiese Room

Uh, I'm worried about water quality.

0:52:19.0 --> 0:52:26.250

Sophie Moiese Room

I know that you folks have had issues in the Seeley Lake area, with nitrates flowing into water supplies.

0:52:26.980 --> 0:52:35.500

Sophie Moiese Room

That concerns me very much out of the 34 lots there, 30 of the respondents were negative and want this to be built.

0:52:36.490 --> 0:52:44.380

Sophie Moiese Room

Uh, I agree with everything that's been said by the other gentleman to our opposed to splitting the slot.

0:52:44.450 --> 0:52:49.50

Sophie Moiese Room

Of course, I'm also opposed to splitting the slot like I say.

0:52:49.60 --> 0:52:56.230

Sophie Moiese Room

Uh, what's going on with the climate change, and whether you agree with it or not, it's there.

0:52:56.280 --> 0:53:1.110

Sophie Moiese Room

I believe it's not gonna get much better in the years to come.

0:53:1.480 --> 0:53:3.370

Sophie Moiese Room

It's going to affect water quality.

0:53:3.640 --> 0:53:7.600

Sophie Moiese Room

It's gonna affect all the people that live in that development right now.

0:53:7.690 --> 0:53:12.50

Sophie Moiese Room

So I'd ask you folks to vote no on the splitting of lot 13.

0:53:12.580 --> 0:53:13.90

Sophie Moiese Room

Thank you.

0:53:13.680 --> 0:53:14.640

Sophie Moiese Room

Thank you, Mr Halverson.

0:53:16.770 --> 0:53:18.800

Sophie Moiese Room

Anyone else come on up?

0:53:18.810 --> 0:53:19.270

Sophie Moiese Room

Don't be shy.

0:53:22.560 --> 0:53:22.870

Sophie Moiese Room

OK.

0:53:22.880 --> 0:53:24.870

Sophie Moiese Room

Well, folks are collecting their thoughts in the room.

0:53:24.880 --> 0:53:29.780

Sophie Moiese Room

Is there anyone online who would like to comment and if so, please use the raise hand function?

0:53:32.220 --> 0:53:32.510

Sophie Moiese Room

Bonnie.

0:53:36.280 --> 0:53:36.530

Sophie Moiese Room

Hi.

0:53:35.890 --> 0:53:40.800

Bonnie

Hi I voiced my opinion on The Voice website.

0:53:41.410 --> 0:53:42.860

Sophie Moiese Room

And and Bonnie started.

0:53:41.130 --> 0:53:43.20

Bonnie

I was the one that stated.

0:53:42.930 --> 0:53:43.720

Sophie Moiese Room

Sorry to interrupt.

0:53:43.730 --> 0:53:45.330

Sophie Moiese Room

Could you state your full name for the record?

0:53:46.880 --> 0:53:47.780

Bonnie

Bonnie Roberts.

0:53:48.680 --> 0:53:48.990

Sophie Moiese Room

Thank you.

0:53:50.360 --> 0:53:53.550

Bonnie

I live on the peace, the peace of pizza.

0:53:53.730 --> 0:54:0.410

Bonnie

They're on the corner of Tora and a Hampton, and so that's kind of nearby.

0:54:0.420 --> 0:54:5.510

Bonnie

I didn't really get a letter because I guess if you don't live next door, you're not not informed.

0:54:5.600 --> 0:54:12.750

Bonnie

But I live on just a little bit over an acre and I definitely don't wanna see people going.

0:54:12.800 --> 0:54:21.390

Bonnie

Ohh I think I'll split my lot and before you know it all the deer are gone and I'm concerned about how much of the water level.

0:54:21.460 --> 0:54:26.220

Bonnie

I mean, most of our wells are not 100 feet down, they're only 30, something feet down.

0:54:26.600 --> 0:54:30.230

Bonnie

And the more people that move out here, the more the water is being used.

0:54:30.440 --> 0:54:35.170

Bonnie

And I also thought about the concern about where are the leach lines going.

0:54:35.180 --> 0:54:43.660

Bonnie

And yeah, I know Lee and I would be concerned about living on the backside of that property too, because we're all the runoff from your sewage.

0:54:43.670 --> 0:54:44.670

Bonnie

Where does that go?

0:54:44.760 --> 0:54:48.110

Bonnie

If he's got a well nearby, that is a concern.

0:54:48.540 --> 0:54:51.750

Bonnie

So I agree with everyone that's there.

0:54:51.760 --> 0:54:54.910

Bonnie

Please, please do not do this to our neighborhood.

0:54:54.970 --> 0:55:0.820

Bonnie

I realize that progress and development needs to move on, but please don't make it in our neighborhood.

0:55:1.130 --> 0:55:1.530

Bonnie

Thank you.

0:55:2.600 --> 0:55:4.70

Sophie Moiese Room

Thank you, Miss Roberts.

0:55:4.140 --> 0:55:5.310

Sophie Moiese Room

Anyone else online?

0:55:6.700 --> 0:55:8.540

Sophie Moiese Room

We're on the phone like to comment.

0:55:13.850 --> 0:55:14.350

Sophie Moiese Room

OK.

0:55:14.360 --> 0:55:18.90

Sophie Moiese Room

Is there anyone else in the room here in the courthouse who would like to comment?

0:55:21.860 --> 0:55:22.990

Sophie Moiese Room

See none.

0:55:23.40 --> 0:55:24.590

Sophie Moiese Room

I will close the public hearing.

0:55:24.700 --> 0:55:25.530

Sophie Moiese Room

Uh questions.

0:55:26.80 --> 0:55:27.70

Sophie Moiese Room

Sure, Josh.

0:55:27.520 --> 0:55:28.310

Sophie Moiese Room

Do you wanna go first?

0:55:28.400 --> 0:55:31.870

Sophie Moiese Room

Well, I have questions for John Hart, but I bet you and I have the same question.

0:55:31.920 --> 0:55:32.260

Sophie Moiese Room

Go ahead.

0:55:32.700 --> 0:55:36.580

Sophie Moiese Room

Umm, so Lee said something super astute.

0:55:36.590 --> 0:55:36.930

Sophie Moiese Room

You were.

0:55:36.980 --> 0:55:45.940

Sophie Moiese Room

You were right on when you mentioned private property rights and we are in a very strong private property rights state and we abide by those laws.

0:55:47.230 --> 0:55:50.60

Sophie Moiese Room

We have a pretty specific decision space.

0:55:50.70 --> 0:55:57.240

Sophie Moiese Room

I mean, when we have the opportunity to give a thumbs up or thumbs down to this, we can't do it because we don't like it.

0:55:57.750 --> 0:56:0.20

Sophie Moiese Room

We can't do it because the neighbors don't like it.

0:56:0.550 --> 0:56:2.390

Sophie Moiese Room

We can say no, only if.

0:56:4.620 --> 0:56:12.270

Sophie Moiese Room

A specific set of criteria is not met if there are impacts that are unfixable and the length hopefully get the legal language right.

0:56:12.280 --> 0:56:24.510

Sophie Moiese Room

You can't mitigate them, so there's a specific set of criteria that have to we have to show that if this subdivision happens, there's going to be a big impact on this criteria and it's so big it can't be fixed.

0:56:25.0 --> 0:56:38.480

Sophie Moiese Room

So what I'd like to do, if you're OK if you can bring that list back up and we can work through them, we can just go criteria by criteria and we can see because you guys are are put a very moving, powerful argument.

0:56:38.580 --> 0:56:40.400

Sophie Moiese Room

If I was in your shoes, I wouldn't want this either.

0:56:40.670 --> 0:56:43.840

Sophie Moiese Room

But we that's not we can't legally make a decision based on that.

0:56:48.700 --> 0:56:50.350

Sophie Moiese Room

I'd be happy to do that now or.

0:56:50.400 --> 0:56:50.690

Sophie Moiese Room

Yeah.

0:56:51.50 --> 0:56:54.170

Sophie Moiese Room

And I just wanted to clarify, I'm sorry to bring up your property.

0:56:54.180 --> 0:56:59.390

Sophie Moiese Room

I just wanted to clarify the comment about the subdivision to the east was actually this one.

0:56:59.780 --> 0:57:5.430

Sophie Moiese Room

This was plotted in 2002 and it's it is similar but without further ado.

0:57:22.400 --> 0:57:23.60

Sophie Moiese Room

OK.

0:57:23.70 --> 0:57:24.730

Sophie Moiese Room

Walk us through the criteria, please.

0:57:24.840 --> 0:57:25.530

Sophie Moiese Room

Sure thing.

0:57:25.840 --> 0:57:30.90

Sophie Moiese Room

So I already spoke a little bit about the zoning and the growth policy.

0:57:30.140 --> 0:57:31.970

Sophie Moiese Room

Do you mind just saying it again?

0:57:32.580 --> 0:57:39.440

Sophie Moiese Room

Sure, I already mentioned the criteria for the zoning and the growth policy and are limitations.

0:57:39.920 --> 0:57:44.300

Sophie Moiese Room

Umm, with the land use designation from the growth policy.

0:57:46.140 --> 0:57:57.230

Sophie Moiese Room

Basically that that can't be the only determining factor for a denial, and there is no zoning here, so that would be our regulatory tool to restrict density.

0:58:9.350 --> 0:58:13.970

Sophie Moiese Room

And the second criteria is effects on agriculture and agriculture services.

0:58:14.800 --> 0:58:15.120

Sophie Moiese Room

Umm.

0:58:15.680 --> 0:58:25.310

Sophie Moiese Room

So provisions are required to reasonably mitigate potential significant adverse impacts to agriculture and agriculture water user facilities resulting from the subdivision.

0:58:25.600 --> 0:58:35.580

Sophie Moiese Room

There's no current or historical ad use on this property and no adverse impacts to our culture or agricultural water facilities found.

0:58:38.450 --> 0:58:44.680

Sophie Moiese Room

There are several criteria for effects on local services, 1 being roads.

0:58:44.750 --> 0:58:47.480

Sophie Moiese Room

There are no roads proposed with a subdivision.

0:58:47.490 --> 0:58:51.70

Sophie Moiese Room

There's one additional driveway proposed.

0:58:55.310 --> 0:58:56.820

Sophie Moiese Room

Pedestrian facilities.

0:58:56.830 --> 0:59:00.220

Sophie Moiese Room

There's no sidewalk curb gutter nonmotorized facilities.

0:59:01.730 --> 0:59:22.310

Sophie Moiese Room

Subdivision minor subdivisions aren't required to include these, but there was a condition of approval to add a note to the plat about a waiver of petition to a future Sid or Rs ID if that was ever a possibility to include those improvements for public benefit.

0:59:24.770 --> 0:59:28.660

Sophie Moiese Room

So we did not find any adverse impacts for roads or pedestrian facilities.

0:59:29.210 --> 0:59:31.230

Sophie Moiese Room

Water and sanitation systems.

0:59:31.240 --> 0:59:45.300

Sophie Moiese Room

I spoke a little bit about they will have to comply with local and state regulations and have already begun much of this work and so is there.

0:59:45.430 --> 0:59:56.320

Sophie Moiese Room

Is there a potential that ohh the developer would interact with DQ or with our local health department and they would say ohh you can't just failed the perk test?

0:59:56.330 --> 0:59:59.940

Sophie Moiese Room

Or this ground isn't big enough to accommodate a drain field or something like that.

1:0:0.30 --> 1:0:14.270

Sophie Moiese Room

So they've been in contact with the applicable agencies and they've received pre approval from DNR C&DQ and they will need to finish that approval process before they are able to be approved for final plat.

1:0:15.830 --> 1:0:40.620

Sophie Moiese Room

And then as part of that approval process, I mean, is the the neighborhood assessed in a sense because folks who are concerned about the water quality and water quantity, how is that determined not being a sorry for it on the subject, I I don't know for sure that the entire neighborhood is assessed, but I think groundwater drainage, all of that is reviewed.

1:0:40.630 --> 1:0:58.690

Sophie Moiese Room

So yeah, and John Hart, since what we're talking about here and this this is this would be a separate DEQ review, separate review process called Sanitation and subdivision review and that's different than what we were talking about today.

1:0:59.120 --> 1:1:3.990

Sophie Moiese Room

John, do you happen to know what sort of public involvement occurs during that process?

1:1:4.40 --> 1:1:11.210

Sophie Moiese Room

Since we're not typically involved in that, I should, but I don't know what kind of public process is involved with that.

1:1:11.500 --> 1:1:40.600

Sophie Moiese Room

I would note though, that in the staff report it it says that there's already been a non degradation analysis performed and that was submitted with the subdivision application and I think that non degradation analysis shows that the additional sanitation system that would be necessary for an additional dwelling has been shown not to have an impact on water quality in the adjacent area.

1:1:41.430 --> 1:1:45.710

Sophie Moiese Room

Tim, Tim, Tim Worley from staff and I think I saw Karen.

1:1:45.720 --> 1:1:45.930

Sophie Moiese Room

Yeah.

1:1:45.940 --> 1:1:47.890

Sophie Moiese Room

My colleague Karen has some comments too.

1:1:47.940 --> 1:1:50.330

Sophie Moiese Room

This is actually the DEQ public hearing.

1:1:50.340 --> 1:1:52.710

Sophie Moiese Room

This the notes from this hearing.

1:1:53.260 --> 1:1:59.610

Sophie Moiese Room

Well, it's a consideration technically, but go back to the EQ regarding water and sanitation issues.

1:1:59.660 --> 1:2:1.930

Sophie Moiese Room

OK, so this is the time to comment on that.

1:2:1.940 --> 1:2:2.690

Sophie Moiese Room

Karen Hughes.

1:2:2.700 --> 1:2:4.690

Sophie Moiese Room

Did you have anything addition additional?

1:2:5.590 --> 1:2:6.740

Karen Hughes

No, sorry, commissioners.

1:2:6.750 --> 1:2:7.240

Karen Hughes

This is Karen.

1:2:7.250 --> 1:2:9.210

Karen Hughes

He is applying development sustainability, Tim said.

1:2:9.220 --> 1:2:10.260

Karen Hughes

Exactly what I had in mind.

1:2:12.310 --> 1:2:13.80

Sophie Moiese Room

OK.

1:2:13.170 --> 1:2:13.730

Sophie Moiese Room

Thank you.

1:2:14.380 --> 1:2:15.970

Sophie Moiese Room

Uh, we needed.

1:2:16.50 --> 1:2:17.710

Sophie Moiese Room

No, uh, John got it.

1:2:17.720 --> 1:2:18.130

Sophie Moiese Room

Thanks.

1:2:18.170 --> 1:2:18.420

Sophie Moiese Room

OK.

1:2:19.330 --> 1:2:19.980

Sophie Moiese Room

Sorry Laura.

1:2:20.30 --> 1:2:21.490

Sophie Moiese Room

Ohh no, not at all.

1:2:21.500 --> 1:2:21.940

Sophie Moiese Room

Schools.

1:2:21.990 --> 1:2:22.360

Sophie Moiese Room

Yes.

1:2:22.370 --> 1:2:29.470

Sophie Moiese Room

So yeah, no adverse impacts to services such as law enforcement, schools, fire.

1:2:29.510 --> 1:2:33.80

Sophie Moiese Room

These agencies are reached for comment.

1:2:33.910 --> 1:2:39.450

Sophie Moiese Room

Minor subdivisions are exempt from Parkland dedication, so there's no impacts there.

1:2:41.340 --> 1:2:56.850

Sophie Moiese Room

I mentioned the agency comments from Fishman wildlife, so the impact the possible impacts involving potential conflicts with wildlife will be mitigated with the recommended conditions.

1:2:57.930 --> 1:3:4.30

Sophie Moiese Room

And another condition is to maintain the weed management plan in the covenants.

1:3:8.410 --> 1:3:11.160

Sophie Moiese Room

And there are a few with public health and safety.

1:3:11.170 --> 1:3:16.60

Sophie Moiese Room

So this was reviewed for floodplain does not contain any FEMA floodplain.

1:3:16.70 --> 1:3:21.320

Sophie Moiese Room

It was reviewed and received NRC predetermination for groundwater.

1:3:21.990 --> 1:3:38.450

Sophie Moiese Room

I mentioned the pipelines and power lines that will be mitigated with the plat note and the addition to

the covenants to use extreme caution in these areas and observe any covenants associated with the utility easements.

1:3:40.650 --> 1:3:41.520

Sophie Moiese Room

Draft covenants.

1:3:41.530 --> 1:3:49.380

Sophie Moiese Room

Note Mozilla's High Mozilla's having a high rate on potential and contain a statement recommending all residents should incorporate.

1:3:49.390 --> 1:4:0.270

Sophie Moiese Room

Radon resistant construction features that is included in the covenants UM. The subdivision is located outside of the Missoula County Air Stagnation zone.

1:4:1.100 --> 1:4:19.460

Sophie Moiese Room

So all these together are to say that we did not find any adverse impacts to public health and safety, and this subdivision proposal complied with the requirements of subdivision review as per state law, including.

1:4:21.380 --> 1:4:26.410

Sophie Moiese Room

The Seal, Professional Land Surveyor and engineer on the well.

1:4:26.420 --> 1:4:32.450

Sophie Moiese Room

It will be required on the final plat so this proposal will meet those requirements.

1:4:34.130 --> 1:4:39.950

Sophie Moiese Room

And it meets the requirements for MCA 76 three subdivision regulations.

1:4:42.880 --> 1:4:46.20

Sophie Moiese Room

Thank you for additional questions to Josh.

1:4:46.260 --> 1:4:46.770

Sophie Moiese Room

When Anita.

1:4:46.780 --> 1:4:48.570

Sophie Moiese Room

Sorry, that's OK.

1:4:49.360 --> 1:4:51.420

Sophie Moiese Room

Explain again our decision space, John.

1:4:54.290 --> 1:4:54.560

Sophie Moiese Room

So.

1:4:56.740 --> 1:5:5.460

Sophie Moiese Room

It's always a little different from one land use request to another, but when it comes to a request for a subdivision, the.

1:5:7.10 --> 1:5:15.20

Sophie Moiese Room

Criteria for local government review is exactly the criteria that Laura just went through in some detail.

1:5:15.830 --> 1:5:21.380

Sophie Moiese Room

Your your obligation is to review the subdivision proposal.

1:5:23.250 --> 1:5:33.550

Sophie Moiese Room

Or specific and I'm reading from the statute, this is what the Montana legislature has said is your decision space and folks, this is deputy County Attorney John Hart.

1:5:35.250 --> 1:5:47.820

Sophie Moiese Room

Uh, you're supposed to look at these primary criteria and look for specific, documentable and clearly defined impacts on those criteria factors.

1:5:48.370 --> 1:6:9.750

Sophie Moiese Room

And if you find specific documentable and clearly defined impacts, then you go and say can those impacts be mitigated if they cannot be mitigated, then you have a basis for denying the subdivision application.

1:6:10.180 --> 1:6:25.540

Sophie Moiese Room

But as you've heard the record before you is that there are no impacts to those primary review criteria and thus there is or or to the to the extent that they are there is mitigation.

1:6:25.550 --> 1:6:32.670

Sophie Moiese Room

For instance, the grizzly bear resistant garbage cans that can be mitigated through that requirement in the covenant.

1:6:33.950 --> 1:6:37.650

Sophie Moiese Room

So I I know that the residents here don't wanna hear it, but.

1:6:39.630 --> 1:6:45.600

Sophie Moiese Room

You don't the record before you doesn't provide a basis to deny this subdivision application.

1:6:45.610 --> 1:6:48.250

Sophie Moiese Room

In my humble legal opinion, thank you.

1:6:50.890 --> 1:6:51.840

Sophie Moiese Room

Missional questions.

1:6:53.130 --> 1:6:56.90

Sophie Moiese Room

I guess I I would just, I would just say and and.

1:6:58.690 --> 1:7:3.340

Sophie Moiese Room

Folks here for this item might be getting a sense of where this might be headed.

1:7:3.350 --> 1:7:6.180

Sophie Moiese Room

Ultimately, it's the Z word, folks.

1:7:6.190 --> 1:7:7.100

Sophie Moiese Room

It's zoning.

1:7:7.600 --> 1:7:14.180

Sophie Moiese Room

That is the regulatory mechanism that would determine and regulate density.

1:7:14.190 --> 1:7:28.590

Sophie Moiese Room

Short of that, the growth policy that that has been cited here today does not carry the regulatory full force that I think many folks here and across the county might like it too.

1:7:29.560 --> 1:7:33.210

Sophie Moiese Room

So zoning is the the ultimate path forward.

1:7:33.220 --> 1:7:45.830

Sophie Moiese Room

If you're not wanting this to set a precedent, just kind of guess here that for most of you who really don't want to see this, this one more house might not be that big a deal.

1:7:45.880 --> 1:7:57.580

Sophie Moiese Room

But if other lots that are larger than an acre and could accommodate 2 drain fields, they wanna subdivide and then the next one and the next one, then the whole complexion of your beautiful neighborhood has changed completely.

1:7:57.590 --> 1:7:58.640

Sophie Moiese Room

Empathize and sympathize.

1:8:0.310 --> 1:8:7.120

Sophie Moiese Room

Following on what Commissioner Strohmeier said, the answer to preventing that from happening is to zone it at one for two.

1:8:7.490 --> 1:8:11.320

Sophie Moiese Room

That's then you're that that density and zoning are linked.

1:8:11.380 --> 1:8:18.750

Sophie Moiese Room

And right now this area is unzoned and this subdivision didn't show unmitigable impacts on any of these criteria.

1:8:18.760 --> 1:8:27.300

Sophie Moiese Room

So there is no legal space for us to say no, we can't just say we don't like it or the neighbors don't like it as much as that would actually be personally gratifying.

1:8:27.310 --> 1:8:27.850

Sophie Moiese Room

It's not.

1:8:27.930 --> 1:8:28.700

Sophie Moiese Room

That's not legal.

1:8:28.710 --> 1:8:29.140

Sophie Moiese Room

It's not.

1:8:29.150 --> 1:8:38.170

Sophie Moiese Room

It's not right, but it wouldn't encourage you if you wanna make sure your neighborhood doesn't get chopped up any further to look into zoning, and then you could actually control density. John.

1:8:39.770 --> 1:8:55.200

Sophie Moiese Room

Another option in I I don't want to give you legal advice, but you've you've you know you've kind of galvanized sounds like 30 out of 34 of you come together to say, hey, we wanna keep our lots exactly the way they are today.

1:8:55.630 --> 1:9:8.860

Sophie Moiese Room

You guys can all put restrictive restrictions on your own piece of land saying this land can cannot be subdivided, and that's a way to maintain the the neighborhood character too.

1:9:9.110 --> 1:9:17.650

Sophie Moiese Room

You know that that you you're you're all going to rely on each other to do that on your own individual property, but that's another option that you could all discuss.

1:9:19.160 --> 1:9:20.430

Sophie Moiese Room

Yeah, go ahead, Josh.

1:9:20.470 --> 1:9:23.70

Sophie Moiese Room

Ohh Tim, goodbye by asking this question.

1:9:23.80 --> 1:9:26.130

Sophie Moiese Room

So if these folks were interested in pursuing zoning, what should they do?

1:9:34.350 --> 1:9:41.190

Sophie Moiese Room

I think at first they need to figure out amongst themselves and get a consensus as to what kind of land use they're thinking about.

1:9:41.200 --> 1:9:42.320

Sophie Moiese Room

Is it a one per two?

1:9:42.330 --> 1:9:43.660

Sophie Moiese Room

Is it a one per five?

1:9:43.710 --> 1:9:48.170

Sophie Moiese Room

And then once they get that kind of consensus, they could approach our office.

1:9:49.710 --> 1:9:53.870

Sophie Moiese Room

And at least begin conversations about how to zone.

1:9:56.370 --> 1:9:57.80

Sophie Moiese Room

OK.

1:9:57.490 --> 1:10:11.90

Sophie Moiese Room

The challenge at this point is it's an older growth policy document that we're working off of, something that really dates to the mid 70s and there's our office is trying to move the conversation forward for maybe updating the growth policy.

1:10:11.100 --> 1:10:26.10

Sophie Moiese Room

That would include other areas of Missoula County, possibly including this area, but I think maybe the start is for them to have their own conversation about and get a consensus as to what that density is within their neighborhood.

1:10:26.20 --> 1:10:28.500

Sophie Moiese Room

And then they get approach our office and then we could take it from there.

1:10:29.90 --> 1:10:32.420

Sophie Moiese Room

Thanks if anybody wants to get contact info from Tim, please do.

1:10:32.970 --> 1:10:35.860

Sophie Moiese Room

Sir, you're possible question.

1:10:36.230 --> 1:10:41.790

Sophie Moiese Room

OK, come on up to the microphone and and only, uh, only qualification.

1:10:41.800 --> 1:10:43.400

Sophie Moiese Room

Please keep it succinct.

1:10:45.500 --> 1:10:46.790

Sophie Moiese Room

Don Helverson again.

1:10:47.400 --> 1:11:1.610

Sophie Moiese Room

I read an article in Missoulian Monday about it issues that's similar issues you're having up with Celia Lake, with nitrates flowing into well and I understood it right and I wasn't part of the discussion.

1:11:1.740 --> 1:11:10.330

Sophie Moiese Room

I don't know what you've all done with this issue, but it said that you were willing in the celiac area to deal with these on a case by case basis.

1:11:11.990 --> 1:11:13.270

Sophie Moiese Room

Why can't that apply to us?

1:11:14.500 --> 1:11:30.530

Sophie Moiese Room

So I well I I think that I think the big difference up there is that our health department has identified real water degradation and has created a special management area that has some tighter restrictions on development in that area.

1:11:30.700 --> 1:11:49.260

Sophie Moiese Room

In the case at hand, there is not no information that we've received yet from DEQ that would indicate that there's water quality degradation in association with this parcel of land that we're talking about today that might come forward during their sanitation review process.

1:11:49.620 --> 1:11:53.360

Sophie Moiese Room

But that's the big difference between your neighborhood and Seeley Lake is.

1:11:53.370 --> 1:11:57.810

Sophie Moiese Room

There's documented water quality degradation in the ceiling lake area.

1:11:58.710 --> 1:11:59.270

Sophie Moiese Room

Uh, and.

1:12:1.520 --> 1:12:5.990

Sophie Moiese Room

And and we're not going to get back into a bunch of back and forth here today, but I'm go ahead after this.

1:12:6.240 --> 1:12:11.590

Sophie Moiese Room

So unfortunately, and I realized in this case what you're telling me is there's not much you can do.

1:12:11.660 --> 1:12:17.720

Sophie Moiese Room

And unfortunately it's nothing can be done until the damage is already done, and that's what concerns us.

1:12:17.920 --> 1:12:19.290

Sophie Moiese Room

Thank you, Mr Halverson.

1:12:19.940 --> 1:12:24.670

Sophie Moiese Room

Deep there there is DQ has pre approval but has yet to approve this.

1:12:24.680 --> 1:12:27.650

Sophie Moiese Room

So it OK, Sir.

1:12:27.660 --> 1:12:33.350

Sophie Moiese Room

We'll give you one last bite at the apple and uh, this is gonna be it hears you when I come up here, it doesn't let me go overtime.

1:12:34.50 --> 1:12:34.800

Sophie Moiese Room

Two points.

1:12:35.780 --> 1:12:39.260

Sophie Moiese Room

The degradation report isn't my bailiwick, but there are errors in it.

1:12:39.270 --> 1:12:44.360

Sophie Moiese Room

They where they put septic and wells on my property is not in the right place.

1:12:44.530 --> 1:12:46.500

Sophie Moiese Room

Now this is for the cumulative effect.

1:12:46.570 --> 1:12:55.440

Sophie Moiese Room

Also, for the cumulative effect and never mentioned, the current House has a ring system seepage system and for cumulative effect that seems like it would matter.

1:12:55.530 --> 1:13:5.910

Sophie Moiese Room

I grasp at the mixing zone and pointed out how A2 acre lot would have a longer mixing zone which would run right into my well, and I'm sure the the DQ looks at that.

1:13:5.920 --> 1:13:6.850

Sophie Moiese Room

Thank you for your time.

1:13:6.930 --> 1:13:7.260

Sophie Moiese Room

Thank you.

1:13:9.590 --> 1:13:12.470

Sophie Moiese Room

Laura, would you mind bringing up the motion again, please?

1:13:20.890 --> 1:13:22.740

Sophie Moiese Room

Alright, I would entertain a motion.

1:13:23.270 --> 1:13:31.390

Sophie Moiese Room

I move to approve the Nelson Minor subdivision based on the findings of fact and conclusions of law and the staff report and subject to the recommended conditions of approval, as amended.

1:13:33.560 --> 1:13:44.590

Sophie Moiese Room

Second, any further discussion on the motion amongst the board and I hope the neighborhood takes opportunity to organize and assess what you want for your future.

1:13:47.300 --> 1:13:50.490

Sophie Moiese Room

OK, we have had a motion, a second discussion.

1:13:50.500 --> 1:13:52.430

Sophie Moiese Room

All in favor, please signify by saying aye.

1:13:52.610 --> 1:13:54.880

Sophie Moiese Room

Aye, alright.

1:13:54.890 --> 1:13:56.140

Sophie Moiese Room

That passes unanimously.

1:13:56.150 --> 1:13:57.550

Sophie Moiese Room

Thank you everyone for coming.

1:13:57.560 --> 1:14:4.210

Sophie Moiese Room

And please do tie in with our planning staff because I think they're it could be a possible path forward.

1:14:4.220 --> 1:14:7.520

Sophie Moiese Room

Unfortunately, it was not available to us today for this proposal.

1:14:11.390 --> 1:14:19.880

Sophie Moiese Room

Our next public hearing, which we will this may be a, is this a continuation we've been talking about floodplain for so long.

1:14:19.890 --> 1:14:27.920

Sophie Moiese Room

I've I've kind of lost track, so come on up Matt Heimel, this is related to the floodplain Hazard Management Regulations amendment.

1:14:49.780 --> 1:14:50.860

Sophie Moiese Room

Good afternoon, commissioners.

1:14:50.870 --> 1:14:54.120

Sophie Moiese Room

I'm Matt Hymel with the Missoula County planning.

1:14:54.130 --> 1:14:56.310

Sophie Moiese Room

Development and sustainability department.

1:14:56.320 --> 1:14:58.770

Sophie Moiese Room

I'm a planner and the county floodplain administrator.

1:14:59.840 --> 1:15:4.270

Sophie Moiese Room

Before I jump into a short PowerPoint, I just have a brief introduction on this.

1:15:4.280 --> 1:15:24.610

Sophie Moiese Room

So today is the final hearing on a resolution to adopt amendments to the floodplain Hazard management regulations, and this action is occurring as one of the counties commitments under the National Flood Insurance program and to simplify how that works under the National Flood Insurance program.

1:15:24.680 --> 1:15:38.30

Sophie Moiese Room

It is essentially a partnership between the federal government, States and the local communities, and as part of that working relationship, the Federal Emergency Management Agency will map, study and determine flood hazards.

1:15:38.600 --> 1:15:50.470

Sophie Moiese Room

The local community is tasked with regulating those flood hazards and establishing regulations that are compliant with the minimum state and federal standards as a component.

1:15:50.480 --> 1:16:0.380

Sophie Moiese Room

Then the federal government makes flood insurance available for property owners or renters in any part of the community, whether or not it's within the map floodplain.

1:16:1.350 --> 1:16:15.400

Sophie Moiese Room

Are the federal government can also make available funding for mitigation projects and as part of regulating the floodplain, the local community will reduce or minimize adverse impacts of development within a flood hazard area.

1:16:16.490 --> 1:16:22.0

Sophie Moiese Room

So that is why we are discussing amendments to the floodplain regulations.

1:16:23.20 --> 1:16:24.290

Sophie Moiese Room

So I'll share my screen here.

1:16:24.300 --> 1:16:25.740

Sophie Moiese Room

Then I have a few brief slides.

1:16:32.980 --> 1:16:33.370

Sophie Moiese Room

Uh.

1:16:40.620 --> 1:16:40.930

Sophie Moiese Room

OK.

1:16:40.940 --> 1:17:8.500

Sophie Moiese Room

So, to summarize where we are, these amendments are being required by the State Department of Natural Resources and Conservation and Federal Emergency Management Agency, or DNRC and FEMA for short, respectively, and the reason that these amendments were initiated is that last fall, the floodplain maps for the Clearwater River were finalized and adopted by the federal government for insurance rating purposes.

1:17:8.830 --> 1:17:17.420

Sophie Moiese Room

The Clearwater River regulatory floodplain is from the extent of the outlet of Celia Lake to the inlet of Salmon Lake.

1:17:19.160 --> 1:17:28.770

Sophie Moiese Room

So with that update to the floodplain maps, the state and the federal government authorized A2 phased approach to updating the county regulations.

1:17:29.120 --> 1:17:35.330

Sophie Moiese Room

The first phase was simply to update the reference to the floodplain maps, just the date and map numbers.

1:17:36.300 --> 1:17:40.230

Sophie Moiese Room

The second phase is what we've been discussing throughout the winter.

1:17:40.640 --> 1:18:5.590

Sophie Moiese Room

During the public hearing on January 11th and today, on the 22nd of February and in the past several years, there have been some updates to the Model Ordinance prepared by the state that has several definitions and policies and procedures for floodplain management, and also several definitions at the federal level, most notably requirement for elevating accessory structures and agricultural structures.

1:18:5.960 --> 1:18:16.260

Sophie Moiese Room

So to demonstrate our continued compliance and the National Flood Insurance program, Missoula County was required to update the regulations to reflect new language at the state and the federal level.

1:18:17.840 --> 1:18:19.490

Sophie Moiese Room

So that's sort of the slide.

1:18:19.500 --> 1:18:24.450

Sophie Moiese Room

We've had several meetings and public notice and today we are at the last step.

1:18:28.410 --> 1:18:33.700

Sophie Moiese Room

So the resolution for your consideration today has essentially 3 components.

1:18:33.770 --> 1:18:54.810

Sophie Moiese Room

One, we implement the state Model ordinance and that is a reformatting of our regulations essentially to

meet the organizational layout that the state uses that will help in case we need assistance from the state to help with, for example, maybe a substantial damage assessment in the wake of a flooding event or if we need to have a future updates, it'll be more more streamlined.

1:18:55.840 --> 1:18:58.10

Sophie Moiese Room

2nd complying with federal code.

1:18:58.120 --> 1:19:9.650

Sophie Moiese Room

As noted, there are some updates to definitions, such as clarifying that maintenance activities cannot exceed the scope of previously approved obstruction in the floodplain, and having new elevation requirements.

1:19:9.660 --> 1:19:21.770

Sophie Moiese Room

As I said, for accessory structures and agricultural structures and the third part is we're clarifying some existing policies and procedures and in that I mean that Missoula County has some higher regulatory standards.

1:19:22.80 --> 1:19:35.310

Sophie Moiese Room

So the state and federal government set minimum standards for developments in a flood hazard area, and federal law actually encourages and defers to any higher standards that a community will implement.

1:19:35.540 --> 1:19:46.160

Sophie Moiese Room

For example, elevating a house on a STEM Wall Foundation, looking at properties in a shaded X flood zone, or requiring look up compensatory storage if someone is adding fill in the floodplain.

1:19:46.410 --> 1:20:3.560

Sophie Moiese Room

All those elements increase the degree to which we mitigate adverse impacts in a flood hazard area and they also work for us as part of the Community rating system to lower flood insurance rates for anyone that has to pay flood insurance or chooses to pay flood insurance in Missoula County.

1:20:3.770 --> 1:20:7.910

Sophie Moiese Room

Right now, we're sitting at a Class 7 which reduces flood insurance rates by about 15%.

1:20:10.880 --> 1:20:20.870

Sophie Moiese Room

So this agenda item had a staff report attached draft regulations on January 11th, I went to exhaustively point by point through some of the the key changes.

1:20:21.280 --> 1:20:23.690

Sophie Moiese Room

I'd be glad to go over any of those if needed.

1:20:24.820 --> 1:20:27.730

Sophie Moiese Room

I do have a draft motion available.

1:20:28.60 --> 1:20:36.340

Sophie Moiese Room

And I should also note we did not receive any comments on the draft amended regulations, although we can still take comment today.

1:20:38.980 --> 1:20:40.330

Sophie Moiese Room

Alright, thank you.

1:20:40.340 --> 1:20:46.460

Sophie Moiese Room

Is there anyone in the audience here in the courthouse who would like to comment on this item?

1:20:48.860 --> 1:20:50.580

Sophie Moiese Room

Is there anyone online who would like to comment?

1:20:52.880 --> 1:20:54.890

Sophie Moiese Room

OK, see none.

1:20:54.900 --> 1:20:58.780

Sophie Moiese Room

We will close the public hearing questions or a motion.

1:21:4.380 --> 1:21:7.100

Sophie Moiese Room

Do we have a motion bring up bring up some motion language?

1:21:12.660 --> 1:21:27.860

Sophie Moiese Room

Alright, I move to approve the resolution to amend the Missoula County Floodplain Hazard Management regulations implementing the State Model Ordinance complying with federal code and clarifying existing policies and procedures based on findings of fact and conclusions of law as presented by staff.

1:21:29.490 --> 1:21:34.280

Sophie Moiese Room

2nd and real quick match what was the the date of effectiveness?

1:21:34.290 --> 1:21:40.170

Sophie Moiese Room

Again, will be effective on Umm March 25th 2024, which is a Monday.

1:21:41.560 --> 1:21:42.930

Sophie Moiese Room

It's OK.

1:21:43.340 --> 1:21:45.440

Sophie Moiese Room

Uh, any further discussion?

1:21:46.380 --> 1:21:46.920

Sophie Moiese Room

Seeing none.

1:21:46.930 --> 1:21:47.490

Sophie Moiese Room

All in favor?

1:21:47.920 --> 1:21:49.60

Sophie Moiese Room

Aye, aye.

1:21:49.370 --> 1:21:53.340

Sophie Moiese Room

Thank you, Matt for slogging through this for quite some time.

1:21:55.480 --> 1:21:56.550

Sophie Moiese Room

OK.

1:21:56.640 --> 1:22:8.730

Sophie Moiese Room

Our next public hearing is actually the second hearing on a request to approve resolution to adopt A GR-2 zoning for the Rosetti property at 9399 barons.

1:22:8.740 --> 1:22:9.90

Sophie Moiese Room

Cord.

1:22:10.220 --> 1:22:13.820

Sophie Moiese Room

And when she gets set up, we will have a staff report from Jenny Dixon.

1:22:44.80 --> 1:22:44.430

Sophie Moiese Room

OK.

1:23:13.180 --> 1:23:14.680

Sophie Moiese Room

Thank you for your patience.

1:23:18.930 --> 1:23:29.60

Sophie Moiese Room

This is, as you mentioned, a second hearing on adoption of a A resolution to rezone property at 9399 Barons Court on January 4th of this year.

1:23:29.70 --> 1:23:34.80

Sophie Moiese Room

The Commission voted unanimously in favor of adoption of resolution of intent to rezone.

1:23:34.90 --> 1:23:39.550

Sophie Moiese Room

It was published in the Missoulian, January 22nd publication, January 27.

1:23:40.500 --> 1:23:41.970

Sophie Moiese Room

Pursuant to state law.

1:23:43.510 --> 1:23:57.500

Sophie Moiese Room

Requires a 30 day period during which people owning property within the A GR2 district that this property is within along the highway 93 N corridor about a mile north of the Y.

1:23:57.770 --> 1:24:9.430

Sophie Moiese Room

We did not receive any comments from anyone owning property in a GR2 and so I have a recommended motion up on the screen to adopt the final zoning resolution for the property.

1:24:11.70 --> 1:24:11.550

Sophie Moiese Room

Excellent.

1:24:11.560 --> 1:24:20.340

Sophie Moiese Room

With the applicant or applicants representative like to say anything if you're either here in the room or on the line virtually, I don't. OK.

1:24:22.280 --> 1:24:26.40

Sophie Moiese Room

Is there anyone who would like to comment on this item?

1:24:28.720 --> 1:24:32.10

Sophie Moiese Room

OK, seeing none, we'll close the public hearing questions or a motion.

1:24:33.440 --> 1:24:34.380

Sophie Moiese Room

I have no questions.

1:24:35.340 --> 1:24:40.190

Sophie Moiese Room

I move to adopt the final zoning resolution to rezone property, located 9399 Barons Court.

1:24:40.200 --> 1:24:51.640

Sophie Moiese Room

Legally described as parcel 72 C Certificate of survey #2339 from ARAGR R5 to a GR R2.

1:24:53.410 --> 1:24:56.560

Sophie Moiese Room

2nd that any further discussion seeing none.

1:24:56.570 --> 1:24:57.160

Sophie Moiese Room

All in favor?

1:24:57.490 --> 1:24:59.890

Sophie Moiese Room

Aye, alright.

1:24:59.980 --> 1:25:1.110

Sophie Moiese Room

Thank you, Jenny.

1:25:1.120 --> 1:25:14.230

Sophie Moiese Room

And our final public hearing today, and this is the item that I mentioned, there would be some additional description of the process which deviates a little better.

1:25:14.340 --> 1:25:19.980

Sophie Moiese Room

It doesn't deviate so much as it's a little unique and we don't come across this too often.

1:25:20.550 --> 1:25:46.350

Sophie Moiese Room

We will be convening as the planning and Zoning Commission rather than the board of County Commissioners for our work today, and I'll say up front that we are not going to take action today on this item or action will be moved to April 4th and this will provide us time as the board of County Commissioners to review all of the comment that we received today.

1:25:46.360 --> 1:25:55.200

Sophie Moiese Room

The comment that will receive today and also give us an opportunity to go out on site and actually take a look at the the property itself.

1:25:55.960 --> 1:26:3.930

Sophie Moiese Room

So before we get going, I would like to recess as the board of County Commissioners and reconvene as the planning and Zoning Commission.

1:26:4.380 --> 1:26:13.900

Sophie Moiese Room

And I will let either Jenny or John Hart described for those of you who don't know what the heck the planning and Zoning Commission is.

1:26:16.490 --> 1:26:18.90

Sophie Moiese Room

And why we are doing this today?

1:26:22.730 --> 1:26:32.430

Sophie Moiese Room

So the planning and zoning Commission is a creature of the citizen initiated zoning process.

1:26:32.740 --> 1:26:37.370

Sophie Moiese Room

There's two different ways to zone property county property.

1:26:37.700 --> 1:26:45.970

Sophie Moiese Room

One is through citizens that live in a particular area has to be 40 acres or more.

1:26:46.60 --> 1:26:53.690

Sophie Moiese Room

They come together and they say, yeah, we we wanna we wanna enact zoning regulations on our property.

1:26:54.80 --> 1:27:4.0

Sophie Moiese Room

They bring a petition to the Commissioners and that is heard by the planning and Zoning Commission, which is made up of by statute.

1:27:4.550 --> 1:27:18.330

Sophie Moiese Room

It's made up of the three county commissioners, the director of Public Works and we have Shane Stack, our Public Works Director, online today, the clerk and Treasurer.

1:27:19.500 --> 1:27:21.60

Sophie Moiese Room

Who is Tyler grenade?

1:27:21.600 --> 1:27:25.920

Sophie Moiese Room

Mr Grenade was not able to make this meeting and there is also.

1:27:27.790 --> 1:27:42.220

Sophie Moiese Room

It's supposed to be two citizens on the planning and zoning Commission that are citizens who live in a citizen initiated zoning district.

1:27:42.600 --> 1:27:43.790

Sophie Moiese Room

Missoula County has.

1:27:45.790 --> 1:27:47.940

Sophie Moiese Room

Struggled mightily to keep.

1:27:49.460 --> 1:27:57.20

Sophie Moiese Room

Citizens on the planning and Zoning Commission, and we have not been able to cajole anybody to serve on that.

1:27:57.100 --> 1:28:5.650

Sophie Moiese Room

So if there's anybody on the line here or in the room today who has interest in being on this Commission, let Cheryl Hartman know.

1:28:5.660 --> 1:28:17.30

Sophie Moiese Room

Or any of the other administrative staff for the Commissioners know that you're interested in that position and you would, that would be welcomed.

1:28:17.610 --> 1:28:19.860

Sophie Moiese Room

So we don't have the two citizens.

1:28:19.870 --> 1:28:20.260

Sophie Moiese Room

What?

1:28:20.270 --> 1:28:23.130

Sophie Moiese Room

What we we have 4 individuals today.

1:28:25.100 --> 1:28:29.390

Sophie Moiese Room

Mr Stack, and then you three are the planning and zoning Commission.

1:28:29.690 --> 1:28:30.990

Sophie Moiese Room

Who will hear this today?

1:28:31.740 --> 1:28:38.100

Sophie Moiese Room

I hopefully by the next hearing we will also have Mr Grenade.

1:28:39.140 --> 1:28:45.890

Sophie Moiese Room

So again, the way it will work, we've opened up the public hearing of the planning and zoning Commission.

1:28:46.500 --> 1:28:50.560

Sophie Moiese Room

We will keep this hearing open until April 4th.

1:28:51.970 --> 1:29:7.300

Sophie Moiese Room

The planning and Zoning Commission that Mister Hart just described will then make a recommendation at that next meeting on April 4th, they will make a recommendation to the board of County Commissioners and I get it.

1:29:7.310 --> 1:29:13.760

Sophie Moiese Room

That's a little funky because we're making a recommendation to ourselves, but that's the way it's set out in state law.

1:29:14.410 --> 1:29:19.60

Sophie Moiese Room

We will have our public hearing and then we will take action at that time.

1:29:19.210 --> 1:29:33.180

Sophie Moiese Room

So, without any further preparatory remarks, Jenny will provide a staff report the applicant or applicants representative will have a chance to present to us today.

1:29:33.560 --> 1:29:39.990

Sophie Moiese Room

We will open it up for public comment and then we will again take action on April 4th.

1:29:40.320 --> 1:29:42.630

Sophie Moiese Room

Uh, at the earliest.

1:29:42.680 --> 1:29:45.600

Sophie Moiese Room

There's always the option that we would not take action then, I said.

1:29:45.610 --> 1:29:46.300

Sophie Moiese Room

Suppose but.

1:29:47.820 --> 1:29:49.870

Sophie Moiese Room

Jenny, thank you.

1:29:50.600 --> 1:29:52.370

Sophie Moiese Room

Uh, thank you very much.

1:29:53.20 --> 1:30:0.60

Sophie Moiese Room

Let me just pull this up to share your screen and show you some slides about this project.

1:30:6.760 --> 1:30:7.330

Sophie Moiese Room

Try that again.

1:30:13.170 --> 1:30:14.100

Sophie Moiese Room

OK, here we go.

1:30:18.70 --> 1:30:18.370

Sophie Moiese Room

OK.

1:30:27.280 --> 1:30:27.710

Sophie Moiese Room

Did I not?

1:30:30.390 --> 1:30:31.940

Sophie Moiese Room

There we go. Yeah.

1:30:33.480 --> 1:30:42.150

Sophie Moiese Room

OK, so as as you mentioned, this is a a planning and zoning Commission and and board of County Commissioners hearing which may not conclude today.

1:30:43.870 --> 1:30:57.920

Sophie Moiese Room

And what I wanna talk to you about in this presentation is some background information about the property and the project, some site description information, what the proposal is and the zoning and the growth policy for the property.

1:30:58.310 --> 1:31:2.540

Sophie Moiese Room

And then go over some agency and public comment and the staff recommendation.

1:31:4.630 --> 1:31:9.330

Sophie Moiese Room

To begin with, the property is Western Materials Inc representative by WGM Group.

1:31:9.340 --> 1:31:15.90

Sophie Moiese Room

They are requesting a use variance to expand their existing gravel pit.

1:31:15.550 --> 1:31:23.820

Sophie Moiese Room

They submitted their application back in October, with the original hearing scheduled for December 7, which was delayed until today.

1:31:24.490 --> 1:31:55.450

Sophie Moiese Room

The primary reason given at that time was the applicant had just received some significant comment from not only fish, wildlife and parks, but also parks, trails and open lands regarding impacts to wildlife, and they've also been receiving some comment from the area neighbors in the week or two preceding the December 7 hearing, and based on those two factors asked for additional time to try to address the concerns.

1:31:57.280 --> 1:32:00.330

Sophie Moiese Room

This is a use variance in a Part 1 zoning district.

1:32:00.760 --> 1:32:10.110

Sophie Moiese Room

It's a planning, so it has the planning and zoning Commission and the board of County Commissioners, which is very different than a Part 2 type zoning variance.

1:32:11.410 --> 1:32:20.600

Sophie Moiese Room

Umm, the criteria for a variance in part one allows the Commission to authorize a variance under three.

1:32:20.610 --> 1:32:25.530

Sophie Moiese Room

What what I would call it's it's all one sentence, but I break it out into three components.

1:32:25.540 --> 1:32:33.940

Sophie Moiese Room

One is that the variance will not be contrary to public interest and where, owing to special conditions.

1:32:35.370 --> 1:32:50.800

Sophie Moiese Room

Of the situation, the literal enforcement of the decision of the Commission will result in unnecessary hardship, and so just for quick reference, it's public interest, special conditions, hardship, OK.

1:32:52.810 --> 1:32:53.760

Sophie Moiese Room

Uh, the site.

1:32:53.810 --> 1:32:55.660

Sophie Moiese Room

I'm gonna be a little bit of a site description.

1:32:55.730 --> 1:33:00.850

Sophie Moiese Room

The existing pit is 80 acres on the east side and you can see that here.

1:33:02.170 --> 1:33:11.0

Sophie Moiese Room

It's composed of actually 445 acre tracks that have not really been touched yet.

1:33:11.150 --> 1:33:29.580

Sophie Moiese Room

And then these 320 acre tracks here where the the pit area existing pit area is and then you can see down here, this area is left untouched with a buffer to Maple Creek that protects the riparian vegetation and and resources in that area the.

1:33:31.590 --> 1:33:46.240

Sophie Moiese Room

Request is to move the extraction operation to the West to these 320 acre tracks and then and also these two five acre tracks for a total area of 150 acres.

1:33:47.820 --> 1:33:48.670

Sophie Moiese Room

Now I'm.

1:33:48.680 --> 1:34:11.150

Sophie Moiese Room

I'm gonna go into a little bit of detail in a few minutes that that's the area of the boundary of the area, but it is affected by different proposals the applicant has has, umm, asserted for mitigation as well as just simple logistical constraints that you can't just mine to the edge of your property.

1:34:11.160 --> 1:34:12.730

Sophie Moiese Room

So we'll we'll talk about that in a minute.

1:34:15.240 --> 1:34:27.0

Sophie Moiese Room

This is my best representation that I have of what's going on on the on the site now, where the existing pit is and the details of this I don't think are are.

1:34:28.600 --> 1:34:29.150

Sophie Moiese Room

I'm.

1:34:29.160 --> 1:34:42.360

Sophie Moiese Room

I'm not gonna dive into them right now, I because I think the applicant is going to address where different equipment is, but the gist of this is that the access points there are no access points along the north which is McLean Creek Rd.

1:34:43.80 --> 1:34:51.50

Sophie Moiese Room

And there are two access points, I mean, and perhaps even three along Old Highway 93 S.

1:34:52.900 --> 1:35:1.890

Sophie Moiese Room

They just this diagram indicates location of berms as the soil, so you can see those.

1:35:2.590 --> 1:35:2.930

Sophie Moiese Room

Umm.

1:35:3.230 --> 1:35:7.260

Sophie Moiese Room

Along along the highway, there's a very tall berm.

1:35:7.270 --> 1:35:10.350

Sophie Moiese Room

Here, there's some berms along on the West side.

1:35:10.360 --> 1:35:13.640

Sophie Moiese Room

And then there's also some berming along McLean Creek Rd.

1:35:13.650 --> 1:35:15.360

Sophie Moiese Room

And I have some photos I'll show you in a second.

1:35:16.460 --> 1:35:18.730

Sophie Moiese Room

Umm yeah.

1:35:20.400 --> 1:35:26.30

Sophie Moiese Room

So this is the view that and it was, you know it's Hwy 93.

1:35:26.40 --> 1:35:30.270

Sophie Moiese Room

So I had the I was on the other side of the highway, took a photo across of.

1:35:32.680 --> 1:35:36.880

Sophie Moiese Room

The image that we all I think think of when we think of this gravel operation.

1:35:38.860 --> 1:35:56.500

Sophie Moiese Room

Once you get a interior to you know off the highway and onto McLean Creek Road or the other roads in the area, this top photo is showing the berm along the West side of the property from McLean Creek Rd.

1:35:56.650 --> 1:36:2.680

Sophie Moiese Room

And so you can see right here, this is the house that sits on one of those five acre tracks.

1:36:3.350 --> 1:36:14.890

Sophie Moiese Room

And what you can see there is the only evidence that I observed in this photo or on the site is the pile that did exceed the height of the berm.

1:36:14.900 --> 1:36:17.630

Sophie Moiese Room

There, this is the.

1:36:17.640 --> 1:36:19.640

Sophie Moiese Room

The lower photo is the berm.

1:36:19.650 --> 1:36:21.260

Sophie Moiese Room

That's along McLean Creek Rd.

1:36:25.490 --> 1:36:36.20

Sophie Moiese Room

The one with a vehicle is to just to give you scale is the the height of the berms along Old Highway 93 S and and the one on the left.

1:36:36.30 --> 1:36:49.660

Sophie Moiese Room

Also, with a vehicle is to give you scale of the 30 foot tall berm along the South side of the property adjacent to the residences on Cunningham court and Maple Maple Rd.

1:36:49.670 --> 1:36:50.310

Sophie Moiese Room

I think it is.

1:36:51.970 --> 1:36:52.310

Sophie Moiese Room

Umm.

1:36:52.490 --> 1:36:56.760

Sophie Moiese Room

And then this is the West berm.

1:36:58.990 --> 1:37:2.540

Sophie Moiese Room

Nearest the residential area it it's not.

1:37:2.550 --> 1:37:22.420

Sophie Moiese Room

It doesn't run along the residential area, but it's what you see right now if you stand on the property line of this of the pit and and you see this, this is how they intend to burn in the future with like this style and other styles that I have been showing you.

1:37:22.830 --> 1:37:29.710

Sophie Moiese Room

Of course, when I get to the recommended conditions of approval on this, one of them includes weed management plan approved by the weed district.

1:37:29.720 --> 1:37:37.380

Sophie Moiese Room

And so we don't need to worry about weeds at the moment, but I did want to show you just a few more views.

1:37:37.640 --> 1:37:49.560

Sophie Moiese Room

This is the one on the left is up on top of that 30 foot tall berm looking toward the residential across the the field there kind of in the middle of the photo.

1:37:49.570 --> 1:37:53.0

Sophie Moiese Room

And those are the homes along Cunningham court.

1:37:55.50 --> 1:38:4.50

Sophie Moiese Room

And this is the opposite, opposite, where I went to Cunningham court and took a photo towards the pit to show you what you see.

1:38:6.230 --> 1:38:7.710

Sophie Moiese Room

Looking from the homes.

1:38:10.110 --> 1:38:11.640

Sophie Moiese Room

This is if you go.

1:38:11.650 --> 1:38:14.440

Sophie Moiese Room

If I go back to this photo here.

1:38:17.170 --> 1:38:19.160

Sophie Moiese Room

Which I'm gonna just show you.

1:38:19.220 --> 1:38:22.440

Sophie Moiese Room

That is right basically right here.

1:38:24.350 --> 1:38:24.730

Sophie Moiese Room

Umm.

1:38:26.550 --> 1:38:35.770

Sophie Moiese Room

This is turning around and looking at the homes South of and of the proposed expansion area.

1:38:36.60 --> 1:38:38.870

Sophie Moiese Room

So and and you'll see some.

1:38:39.520 --> 1:38:47.480

Sophie Moiese Room

I should have probably just taken a panoramic, but I didn't think of it at the moment, but this is the same building as this, so these are the.

1:38:47.530 --> 1:38:55.250

Sophie Moiese Room

This is kind of a tree buffer along some of the homes at the end of Maple Lane, you can see some of them.

1:38:55.330 --> 1:39:4.560

Sophie Moiese Room

I'm not sure which homes these are, but this is the boundary between those homes and the area of expansion.

1:39:5.970 --> 1:39:18.500

Sophie Moiese Room

What I want to talk about in a minute is the proposed separation that the applicant is asking or or requesting with this approval variance approval of 300 feet and I'll I'll show you that in a minute.

1:39:19.890 --> 1:39:20.910

Sophie Moiese Room

So the proposal.

1:39:21.810 --> 1:39:28.960

Sophie Moiese Room

Umm is to as I said, expand into the areas of red and yellow.

1:39:29.910 --> 1:39:32.200

Sophie Moiese Room

Current operation is shown in green.

1:39:32.570 --> 1:39:35.530

Sophie Moiese Room

They need a use variance from ZD 40 to do that.

1:39:37.460 --> 1:39:46.220

Sophie Moiese Room

One of the things that I think helps it's to see this visually and this is submitted by the applicant that to show two different scenarios.

1:39:46.230 --> 1:39:55.210

Sophie Moiese Room

One is if the variance is approved or, well in this case scenario one variance is not approved and we're gonna get to scenario too as if the variance is approved.

1:39:55.600 --> 1:40:12.460

Sophie Moiese Room

Scenario one has two images, one is what's what will it look like during mining and what will it look like post reclamation under the you know, assuming current zoning is doesn't change, which allows residential at one dwelling unit per 5 acres.

1:40:13.990 --> 1:40:29.180

Sophie Moiese Room

And so if the variance is not approved, this 70 acres over here, what will likely develop as 55 acres, 5 acre tracks and that would be 14-5 acre tracks right there.

1:40:29.850 --> 1:40:38.160

Sophie Moiese Room

The mind area would then include these five acre tracks on the north part where they have not yet expanded.

1:40:38.450 --> 1:40:48.50

Sophie Moiese Room

So with 66 acres, mind I estimated this area shown with the Hatch to be about 75 acres where they will not, would mine.

1:40:50.620 --> 1:41:5.130

Sophie Moiese Room

And then at reclamation, the of course reclaiming that that area to be allowed to to be developed as residential, to allow some additional 5 acre tracks for a total of 30 on that 150 acres.

1:41:5.620 --> 1:41:7.40

Sophie Moiese Room

So that's what to expect.

1:41:7.210 --> 1:41:12.350

Sophie Moiese Room

Under current zoning, if the variance is approved and this is just to show.

1:41:14.550 --> 1:41:15.830

Sophie Moiese Room

And result on the land.

1:41:18.280 --> 1:41:35.850

Sophie Moiese Room

With given the proposed mitigation, which it which includes two 300 foot wide buffer strips along the

South property line right down here and the North property line up here, those provide a couple of different functions.

1:41:36.360 --> 1:41:50.470

Sophie Moiese Room

One is just separation from adjacent residence also to keep distance from the two creeks that run on South of the property.

1:41:50.480 --> 1:41:53.190

Sophie Moiese Room

Here and actually across the corner and then McClain.

1:41:53.200 --> 1:41:55.860

Sophie Moiese Room

Crick, which you can start to see.

1:41:55.870 --> 1:42:1.650

Sophie Moiese Room

Right, right up here and it runs here and just giving enough space from from that.

1:42:4.50 --> 1:42:15.930

Sophie Moiese Room

The mind area would then change instead of about 75 acres on this east side, it would go westward and encompass about 96 acres.

1:42:17.370 --> 1:42:22.440

Sophie Moiese Room

And that's because the proposal is to then not mine these five acre.

1:42:22.710 --> 1:42:25.810

Sophie Moiese Room

These five acre tracks to the north and instead.

1:42:27.450 --> 1:42:33.870

Sophie Moiese Room

Allow them to develop as residential while still maintaining wildlife buffer and upon reclamation.

1:42:35.640 --> 1:42:41.130

Sophie Moiese Room

A-40 acre developable area uh.

1:42:41.140 --> 1:42:46.280

Sophie Moiese Room

Shown here with the with the homes on the the South ends of those five acre tracks.

1:42:46.290 --> 1:42:54.100

Sophie Moiese Room

And then the remaining sees 24 homes, 25 homes in this area.

1:42:54.110 --> 1:43:5.30

Sophie Moiese Room

That's not hatched, and so the end result, if the variance is approved at post reclamation is 110 acres and permanently protected open space.

1:43:6.110 --> 1:43:6.530

Sophie Moiese Room

Umm.

1:43:6.610 --> 1:43:35.540

Sophie Moiese Room

Through development agreement and and that includes this wildlife quarter up here and then the developable area of 40 acres umm and and I'm presenting this now in my in in this in the order of the slide presentation now because I want you to be able to have this in your mind as I talked to you about why they're doing, why they're proposing this and what what, what led them to go in this direction and the concerns that were raised by agencies.

1:43:35.550 --> 1:43:36.240

Sophie Moiese Room

So we'll get to that.

1:43:36.570 --> 1:43:45.420

Sophie Moiese Room

Umm, just briefly, the zoning regulations for this property, which is right here, is ZD 40.

1:43:45.660 --> 1:43:49.540

Sophie Moiese Room

We have about 35 Part 1 zoning districts throughout the county.

1:43:49.550 --> 1:43:51.170

Sophie Moiese Room

They each have their own regulations.

1:43:52.160 --> 1:44:3.660

Sophie Moiese Room

Umm this one is a residential zoning district and it contains language about the intent to be residential.

1:44:4.270 --> 1:44:7.940

Sophie Moiese Room

It also contains language of nonconforming uses.

1:44:7.950 --> 1:44:14.800

Sophie Moiese Room

May not expand, that is why they're requesting a variance to that section and and the and to allow that.

1:44:14.810 --> 1:44:18.750

Sophie Moiese Room

Use to expand onto the the Western 70 acres.

1:44:20.10 --> 1:44:28.430

Sophie Moiese Room

The resident or I'm sorry, the growth policy calls for residential use and in this area, this is from the 2002 Lolo Plan.

1:44:28.540 --> 1:44:38.800

Sophie Moiese Room

And that plan was essentially mimicking or or replicating what the zoning said the property should be used for.

1:44:38.920 --> 1:44:43.420

Sophie Moiese Room

And so that's why you see that that designation there that the zoning was one for five.

1:44:43.430 --> 1:44:50.220

Sophie Moiese Room

So the plan reflected that adjacent to it as you go up the hill, one protein and then you get into open and resource area.

1:44:52.710 --> 1:44:57.10

Sophie Moiese Room

I do want to talk about agency comment.

1:44:59.760 --> 1:45:5.560

Sophie Moiese Room

And so these are some maps that were provided by Fish, wildlife, wildlife and parks.

1:45:5.810 --> 1:45:39.810

Sophie Moiese Room

But before we get to the details of these maps, I I wanna note that in mid November in mid November on parks, trails and open lands expressed some concern about impact to wild wildlife corridor, wildlife movement, wildlife habitat and in particular referenced a 2023 study by Sarah cells at at all at the university that really had to do with predicted wildlife movement and that the likelihood of and these maps reflect this.

1:45:39.820 --> 1:45:41.210

Sophie Moiese Room

These are from FWP.

1:45:41.970 --> 1:45:47.300

Sophie Moiese Room

Show the site is this little dark triangle.

1:45:48.960 --> 1:45:50.730

Sophie Moiese Room

This is female Grizzlies.

1:45:51.300 --> 1:46:0.880

Sophie Moiese Room

It it doesn't matter a whole lot, but female and male Grizzlies have a a medium to high predicted use of this area.

1:46:2.470 --> 1:46:5.480

Sophie Moiese Room

I think no, I didn't do it.

1:46:7.510 --> 1:46:10.160

Sophie Moiese Room

Umm, the I had.

1:46:10.210 --> 1:46:22.970

Sophie Moiese Room

I had intended to include an image from our property information system that shows the space between low low and Carlton Crick, and that's that's where this is, and maybe I can.

1:46:26.30 --> 1:46:32.860

Sophie Moiese Room

Yeah, here's so umm, there's some residential development north of this site where.

1:46:34.720 --> 1:46:38.570

Sophie Moiese Room

There's less likelihood of wildlife movement because these are bigger open tracks.

1:46:38.760 --> 1:47:4.270

Sophie Moiese Room

But as you get across the highway, you have these smaller 5 acre tracks and so one of the other areas that fish, wildlife and parks was looking at as a potential corridor crossing is a little further north where there's actually open lands on both sides of the Interstate now Randy Arnold over at FWP said they don't know where it's gonna go.

1:47:4.350 --> 1:47:11.680

Sophie Moiese Room

There's just, you know, a lot of research and discussion about it, but there's definitely nothing for sure.

1:47:12.610 --> 1:47:13.920

Sophie Moiese Room

And So what?

1:47:13.960 --> 1:47:24.310

Sophie Moiese Room

What the proposal the scenario two is trying to do is to accommodate the possibility that if there is a crossing, they're leaving that area open.

1:47:24.950 --> 1:47:26.60

Sophie Moiese Room

Umm for that?

1:47:26.70 --> 1:47:27.510

Sophie Moiese Room

For that potential use.

1:47:33.660 --> 1:47:46.790

Sophie Moiese Room

Before I get to public comment, I just want to hit a couple of other things on the property is, is is also within white tailed deer and elk winter range have equinor range.

1:47:50.720 --> 1:47:52.960

Sophie Moiese Room

True, the.

1:47:55.400 --> 1:47:56.620

Sophie Moiese Room

Is it there we go.

1:48:0.540 --> 1:48:10.280

Sophie Moiese Room

The other agencies that commented on this, aside from PTL and FWP, had no adverse comment on the proposal.

1:48:10.290 --> 1:48:18.80

Sophie Moiese Room

And that's includes umm air quality program, public health, public works 5 valleys, Audubon.

1:48:19.910 --> 1:48:22.430

Sophie Moiese Room

And I think that might be it.

1:48:24.60 --> 1:48:26.390

Sophie Moiese Room

So public comment we.

1:48:29.910 --> 1:48:35.360

Sophie Moiese Room

Western materials did a neighborhood meeting in mid November when they thought were they were on a December schedule.

1:48:36.10 --> 1:48:46.140

Sophie Moiese Room

We did our notification back then and once the hearing was delayed, we had to let everybody know don't come on December 7 for the hearing.

1:48:46.150 --> 1:48:56.260

Sophie Moiese Room

We're gonna have a new date, so let folks know through Missoula County voice as a primary way to connect to our citizens and also sending.

1:48:57.900 --> 1:48:58.900

Sophie Moiese Room

Adjacent property.

1:48:58.910 --> 1:49:0.940

Sophie Moiese Room

Well, we call him a Jason property owner.

1:49:0.950 --> 1:49:11.340

Sophie Moiese Room

Letters actually went to all the property owners within the entire zoning district and to with to 600 feet beyond that.

1:49:11.410 --> 1:49:34.470

Sophie Moiese Room

Normally we just send to people 300 feet from the subject property, so we really wanted to make sure everyone in the district was notified and and and beyond and we did get a lot of comment through email, mail, Mozilla County voice, we received 2 petitions and there's some material in the packet that talks about.

1:49:36.640 --> 1:49:48.840

Sophie Moiese Room

The petitions signed by 109 individuals representing 50 for households in Missoula County.

1:49:53.210 --> 1:49:58.10

Sophie Moiese Room

Staff is recommending approval of the of the variance request.

1:50:0.930 --> 1:50:2.830

Sophie Moiese Room

I do wanna talk about not only.

1:50:5.770 --> 1:50:16.860

Sophie Moiese Room

The the expansion planned the the current pit right now has another about 20 years to its lifespan and.

1:50:18.870 --> 1:50:25.430

Sophie Moiese Room

While there may be some some, that's where the significant activity is gonna occur, they said.

1:50:25.440 --> 1:50:47.180

Sophie Moiese Room

They may need to do a little bit of work expanding to the West just to be able to move around, move equipment around, but the significant portion of of gravel extraction will remain within that current 80 acres and in approximately 20 years when they expect the current source to run out, they will start expanding to the West.

1:50:47.230 --> 1:51:9.390

Sophie Moiese Room

And if this variance is approved at a rate of about 200 feet every five years, and with that constructing berms as they go, so not necessarily constructing berms now only as they start to move westward, if if approved.

1:51:11.10 --> 1:51:22.160

Sophie Moiese Room

So with with all of that information, including an an later in the condition, I'm gonna go through the conditions of approval, one of which is related to groundwater.

1:51:24.0 --> 1:51:36.760

Sophie Moiese Room

This is one of the few pits I'm aware of in Missoula County that will not dig into groundwater, and in fact, by DEQ permit is required to stay 10 feet above groundwater level.

1:51:38.380 --> 1:51:38.780

Sophie Moiese Room

Umm.

1:51:40.420 --> 1:51:57.930

Sophie Moiese Room

So we are ready with the recommendation of approval we we are looking to see a development agreement agreement filed binding upon the applicant and their successors which applied to the apply at the time of expansion to those tracks.

1:51:57.940 --> 1:52:9.860

Sophie Moiese Room

So if they don't, if they take 20 years to expand, they don't have to do anything relative to the conditions until they start to expand into that area.

1:52:10.40 --> 1:52:13.720

Sophie Moiese Room

So that so really nothing may happen for a while.

1:52:16.300 --> 1:52:24.790

Sophie Moiese Room

By making it a development agreement between the owner of the property in Missoula County, we then have the ability for some enforcement and.

1:52:26.820 --> 1:52:40.550

Sophie Moiese Room

The development agreement would require berms uh to be constructed to a minimum of 6 feet tall and subject to weed management and designed to maintain site visibility at all intersections.

1:52:42.560 --> 1:52:45.100

Sophie Moiese Room

And I showed you some photos of what those berms could look like.

1:52:46.990 --> 1:52:52.790

Sophie Moiese Room

Condition related to dust trackpads shall be installed at the front of the scale to keep dust to a minimum.

1:52:52.800 --> 1:53:3.680

Sophie Moiese Room

The access drive to the scale that must be paved, and the pit operator shall continue to hose down the site as required by the DEQ permit to reduce dust Traffic Safety.

1:53:5.840 --> 1:53:7.570

Sophie Moiese Room

I think this might have been done already.

1:53:8.460 --> 1:53:20.800

Sophie Moiese Room

Have stop signs installed for trucks exiting the pit and include warnings that traffic coming from the north of Old Highway 93 could be traveling at high speeds over a hill and may require extra time for safe traffic movement.

1:53:22.0 --> 1:53:22.960

Sophie Moiese Room

Uh noise.

1:53:23.20 --> 1:53:31.940

Sophie Moiese Room

All vehicles owned by pit operator and subcontractors equipped with white noise backup notification devices, and I believe this is also been done.

1:53:33.890 --> 1:53:50.230

Sophie Moiese Room

A conditions relating to hours of operation and I'm gonna leave the details about this to the applicant to present or if someone has questions but not changing much and they and the DEQ permit would need to be revised to accommodate these hours.

1:53:50.240 --> 1:53:53.470

Sophie Moiese Room

There's some bit of strategy as I understand it to these hours.

1:53:53.660 --> 1:54:0.770

Sophie Moiese Room

So that trucks that are coming to to get loads in the morning are not in conflict with 8:00 AM, you know, or 7:00 AM.

1:54:2.150 --> 1:54:2.990

Sophie Moiese Room

Commute traffic.

1:54:3.0 --> 1:54:10.150

Sophie Moiese Room

They're trying to either beat that traffic in advance, like at 6:00 AM, or have trucks out of there before before.

1:54:11.350 --> 1:54:13.70

Sophie Moiese Room

Can you starts at 5?

1:54:15.70 --> 1:54:21.890

Sophie Moiese Room

There may be some opportunity for some night time operations where they would let us know and then we could let residents know.

1:54:25.50 --> 1:54:26.130

Sophie Moiese Room

Processing equipment.

1:54:27.200 --> 1:54:37.50

Sophie Moiese Room

All structures must be set back 100 feet from old Highway 93 S and in no case can they move any further South than their current locations.

1:54:39.450 --> 1:54:45.10

Sophie Moiese Room

And also no new equipment or structures would be placed within that Western expansion area.

1:54:45.910 --> 1:54:49.30

Sophie Moiese Room

So what all stay within the current operating area?

1:54:56.410 --> 1:54:56.580

Sophie Moiese Room

Right.

1:54:56.800 --> 1:54:57.340

Sophie Moiese Room

Yeah.

1:54:57.380 --> 1:54:58.150

Sophie Moiese Room

I'm sorry Jenny.

1:54:58.160 --> 1:54:59.220

Sophie Moiese Room

Explain that again so.

1:55:0.820 --> 1:55:16.700

Sophie Moiese Room

So, so just the mining happens going West, but the facilities and equipment, vehicles, everything stays and what it is currently right concrete crusher or gravel crusher, our concrete plan washers.

1:55:19.310 --> 1:55:19.860

Sophie Moiese Room

Yeah.

1:55:19.930 --> 1:55:20.810

Sophie Moiese Room

Those would all stay.

1:55:23.350 --> 1:55:28.580

Sophie Moiese Room

They would not let be allowed to go in the westward expansion and they cannot move any further South than than they already are.

1:55:30.60 --> 1:56:7.390

Sophie Moiese Room

Yeah, the 300 foot buffer and wildlife corridor which I showed you on some previous slides that that those basically that depiction of umm during mining and post reclamation become binding upon them through this development agreement and it it does allow chain link fencing along the perimeter for safety reasons but not in the areas of the wildlife corridor to to allow they can do wildlife friendly fencing in the wildlife corridor but not you know 8 foot tall chain link OK.

1:56:10.920 --> 1:56:22.810

Sophie Moiese Room

This is that makes that development proposal binding with the 150 acres total, allowing 40 acres of development area and 110 acres.

1:56:24.600 --> 1:56:38.330

Sophie Moiese Room

Permanently set aside and then we just talked about the fencing and the wildlife area I mentioned at the beginning the DEQ permit requiring and also now through condition of variance approval.

1:56:38.340 --> 1:56:47.90

Sophie Moiese Room

If approved to not allow any mining into the groundwater and then finally getting all other necessary permits.

1:56:47.680 --> 1:57:0.690

Sophie Moiese Room

So I do have a I know you're not planning to take action today, but this would be the motion that staff would recommend for the planning and Zoning Commission of approval, subject to the conditions that I just covered.

1:57:2.350 --> 1:57:4.550

Sophie Moiese Room

I do wanna make one.

1:57:4.730 --> 1:57:5.220

Sophie Moiese Room

I did.

1:57:5.230 --> 1:57:8.320

Sophie Moiese Room

I think I skipped over it as I was heading into the conditions of approval.

1:57:8.330 --> 1:57:20.210

Sophie Moiese Room

We we did, as I said, we got a lot of public comment and I've read through every comment and summarized the kind of you know, it's a lot of comments.

1:57:20.220 --> 1:57:21.710

Sophie Moiese Room

So I wanted to summarize it for you.

1:57:21.720 --> 1:57:26.600

Sophie Moiese Room

And so I'm gonna hit four or five points that seemed to come up quite a bit.

1:57:28.380 --> 1:57:36.610

Sophie Moiese Room

And then, of course, for people in the audience, they can certainly reiterate or or add to the comments.

1:57:36.620 --> 1:57:48.330

Sophie Moiese Room

Really, the opponents arguments really seem to focus on that the proposed expansion violates the existing zoning regulations, which was established to protect residential areas from industrial activities like mining.

1:57:50.20 --> 1:58:1.770

Sophie Moiese Room

The they also raised concerns about the detrimental effects of the expansion on the environment, including air and water quality wildlife habitat, particularly for elk migration, and increased noise and dust pollution.

1:58:2.870 --> 1:58:11.660

Sophie Moiese Room

The increased truck traffic from the expansion poses risks to public safety already on an already congested highway like Old Hwy.

1:58:11.670 --> 1:58:13.380

Sophie Moiese Room

90 US Hwy.

1:58:13.390 --> 1:58:15.90

Sophie Moiese Room

93 and I would say it was.

1:58:15.100 --> 1:58:19.70

Sophie Moiese Room

It's congested but has some high speed movement.

1:58:20.540 --> 1:58:32.180

Sophie Moiese Room

Residents fear that the expansion could decrease the values of the property due to visual pollution and the presence of large scale mining operations nearby, and the expansion could lead to obstructed views.

1:58:32.410 --> 1:58:41.160

Sophie Moiese Room

Additional plant equipment increased hours of operation, more employees living on site and impacting the surrounding communities.

1:58:41.170 --> 1:58:42.950

Sophie Moiese Room

Quality of life.

1:58:43.130 --> 1:58:56.270

Sophie Moiese Room

And so taking all of that comment into account and the analysis that we've done through our findings of fact came up with the conditions of approval to try to mitigate these concerns.

1:58:56.640 --> 1:59:2.280

Sophie Moiese Room

There may be opportunity for additional conditions if you hear them hear additional concerns expressed.

1:59:2.290 --> 1:59:3.630

Sophie Moiese Room

We can always do that as well.

1:59:4.540 --> 1:59:7.950

Sophie Moiese Room

And with that, I will end my lengthy presentation.

1:59:7.960 --> 1:59:9.390

Sophie Moiese Room

Thank you for your for your.

1:59:9.760 --> 1:59:10.660

Sophie Moiese Room

Thank you, Jamie.

1:59:11.70 --> 1:59:13.300

Sophie Moiese Room

Uh, Jenny had Jamie.

1:59:13.390 --> 1:59:14.350

Sophie Moiese Room

Do you wanna come on up?

1:59:14.490 --> 1:59:18.880

Sophie Moiese Room

Uh, you and anyone else with WGM or the applicant?

1:59:22.970 --> 1:59:23.140

Sophie Moiese Room

Yeah.

1:59:30.910 --> 1:59:32.430

Sophie Moiese Room

All right, all yours.

1:59:34.640 --> 1:59:35.970

Sophie Moiese Room

Good afternoon, commissioners.

1:59:35.980 --> 1:59:37.210

Sophie Moiese Room

Thank you for your time.

1:59:37.740 --> 1:59:38.840

Sophie Moiese Room

My name is Sean Kappas.

1:59:38.850 --> 1:59:40.950

Sophie Moiese Room

I'm the President of Western excavating.

1:59:41.220 --> 1:59:44.780

Sophie Moiese Room

I've been working with Western excavating since 2017.

1:59:45.600 --> 1:59:53.910

Sophie Moiese Room

Our Western is a family owned business and is part of the company's first started by Bill MIDI over 50 years ago in this community.

1:59:54.520 --> 2:0:4.850

Sophie Moiese Room

Now in its third generation ownership, when Kevin MIDI recently in the last two years transmitted, transferred the ownership to his son Riley.

2:0:6.940 --> 2:0:16.120

Sophie Moiese Room

That the company maintains its long term focus on looking to how to help the community meet its building needs into the future.

2:0:16.780 --> 2:0:23.400

Sophie Moiese Room

When I talk about the future, you know, we're talking about 50 years into the future and in my mind, that's kind of tough to foresee.

2:0:23.410 --> 2:0:23.570

Sophie Moiese Room

What?

2:0:23.580 --> 2:0:24.310

Sophie Moiese Room

That's gonna look like.

2:0:25.220 --> 2:0:33.270

Sophie Moiese Room

And So what I'd like to do is take a step back and go 50 years in the past and look at what this community has done.

2:0:33.280 --> 2:0:36.250

Sophie Moiese Room

So if you'll if you'll take a mental tour with me.

2:0:36.300 --> 2:0:49.870

Sophie Moiese Room

If you were here 50 years ago, you'll know exactly what I'm seeing, and if not, I'll I will try to explain what we were seeing and I'm going to take us back to that Mullen Rd intersection, every reserve St and what's important.

2:0:49.880 --> 2:0:51.280

Sophie Moiese Room

50 years ago there is.

2:0:51.290 --> 2:0:53.90

Sophie Moiese Room

That's when that bridge was built.

2:0:54.10 --> 2:1:17.840

Sophie Moiese Room

The crosses and connects Reserve St to Mullen Road and so as we're staying in there and we're looking to the north, what today is building after building after building and and stop light, the whole reserve St that's built there, that was just a farmhouse and empty fields as we turn and we look and I'm I'm I may be turning the wrong way so please don't hold that against me.

2:1:17.850 --> 2:1:24.690

Sophie Moiese Room

I'm not quite sure where we are in the building when we turn and look to the West, we see, Mullen wrote.

2:1:24.700 --> 2:1:26.650

Sophie Moiese Room

I mean Walmart, on Mullen Rd.

2:1:26.660 --> 2:1:27.520

Sophie Moiese Room

That's not there.

2:1:28.30 --> 2:1:29.220

Sophie Moiese Room

None of the buildings are there.

2:1:29.270 --> 2:1:31.970

Sophie Moiese Room

It's actually farmland all through Mullen Road.

2:1:32.310 --> 2:1:45.220

Sophie Moiese Room

And actually at that point in time, only 11 years earlier, my mom actually graduated from Hellgate Elementary and it was a one room schoolhouse with only eight kids in that graduating class.

2:1:45.370 --> 2:1:51.0

Sophie Moiese Room

And today that that campus is almost as big as the University of Montana's campus.

2:1:51.70 --> 2:1:55.500

Sophie Moiese Room

It looks to me so a lot has changed just in that area.

2:1:55.580 --> 2:2:5.520

Sophie Moiese Room

So as we crossed the bridge and we go down reserve St, we remember that that was a two lane Rd down reserve St and it was two lane all the way out to Lolo.

2:2:5.670 --> 2:2:8.160

Sophie Moiese Room

Can you imagine today if that was too late?

2:2:8.170 --> 2:2:12.730

Sophie Moiese Room

I mean, we're having troubles with four lanes and we just had that accident last week.

2:2:12.740 --> 2:2:21.50

Sophie Moiese Room

That shut it down almost a whole day, so then we go further down Lolo and we're all the houses are from South to Lolo.

2:2:22.170 --> 2:2:25.490

Sophie Moiese Room

To where we're going to turn off their trader brothers on Old Highway.

2:2:26.410 --> 2:2:52.460

Sophie Moiese Room

It's just four large ranches, the schraders, the maclays, and on those ranches we make that turn off there at Trader Brothers, and that turn off had just existed for five years because that old highway was the only mode of transportation we we had just built that new highway between low, low and Florence and made the old Highway 93 in 1970.

2:2:53.580 --> 2:2:56.810

Sophie Moiese Room

And so we look at what that 50 years.

2:3:0.20 --> 2:3:1.410

Sophie Moiese Room

How much has changed?

2:3:1.420 --> 2:3:5.110

Sophie Moiese Room

And yet that's when this zoning was being contemplated.

2:3:5.120 --> 2:3:7.780

Sophie Moiese Room

And at that time, this resource is being used.

2:3:7.790 --> 2:3:10.470

Sophie Moiese Room

This resource was used for that highway.

2:3:10.760 --> 2:3:11.290

Sophie Moiese Room

There was a.

2:3:13.150 --> 2:3:24.530

Sophie Moiese Room

Uh pit to the east of Old Highway 93 that has since been reclaimed, and that as we continue W we're into that same resource.

2:3:31.360 --> 2:3:34.720

Sophie Moiese Room

And so as we look at how important that resource has been.

2:3:37.0 --> 2:3:47.70

Sophie Moiese Room

For us in the last 50 years, we have to, we have, I had a critical point where we can say do we need to have that resource for the next 50 years?

2:3:47.80 --> 2:3:53.750

Sophie Moiese Room

For what we're gonna see in this community, and I'm not suggesting we want to see this kind of growth, I have no control over that.

2:3:54.160 --> 2:4:2.130

Sophie Moiese Room

But one thing I do know is that all that infrastructure we just took a tour on is now aged.

2:4:4.500 --> 2:4:6.440

Sophie Moiese Room

And all that infrastructure needs to be maintained.

2:4:7.790 --> 2:4:9.320

Sophie Moiese Room

It needs to be replaced.

2:4:9.360 --> 2:4:19.590

Sophie Moiese Room

It needs to be upgraded and there were the city was there when we were standing there 50 years ago with other infrastructure, homes, buildings.

2:4:20.90 --> 2:4:28.100

Sophie Moiese Room

There were fifty years old at that point, and all of that needs to be replaced and updated, and so this gravel resource is gonna be needed.

2:4:28.190 --> 2:4:41.310

Sophie Moiese Room

And as I'll talk about it, it's probably even needed more so today than it was 50 years ago because of the limited resources we now have in the Missoula Valley, because a lot of those pits would have been there that we would have seen.

2:4:41.490 --> 2:4:48.770

Sophie Moiese Room

They've since been reclaimed and a lot of the gravel that was available, a lot of the land that was available has now been built on.

2:4:51.600 --> 2:4:55.190

Sophie Moiese Room

So with thank you for taking that tour with me.

2:4:55.760 --> 2:4:57.830

Sophie Moiese Room

And remembering what the community looked like.

2:4:57.840 --> 2:5:3.280

Sophie Moiese Room

Because that's what we have to think about as we're looking forward on what this resource means.

2:5:5.240 --> 2:5:10.580

Sophie Moiese Room

So I think we, I now I'll jump into kind of the details about this gravel pit.

2:5:14.640 --> 2:5:15.510

Sophie Moiese Room

Do we have this?

2:5:15.680 --> 2:5:15.970

Sophie Moiese Room

Yep.

2:5:15.980 --> 2:5:16.480

Sophie Moiese Room

Jenny. Ohh.

2:5:25.110 --> 2:5:25.800

Sophie Moiese Room

Yeah, next slide.

2:5:26.330 --> 2:5:26.690

Sophie Moiese Room

Thank you.

2:5:28.70 --> 2:5:29.710

Sophie Moiese Room

This this slide was already.

2:5:32.350 --> 2:5:35.560

Sophie Moiese Room

It it wasn't this exact slide, but we already discussed.

2:5:35.770 --> 2:5:37.860

Sophie Moiese Room

So you kind of have a reference point here.

2:5:38.190 --> 2:5:46.920

Sophie Moiese Room

The F section is where our current gravel extraction is out of, and that's 80 acres, 66 of which is bondable.

2:5:50.320 --> 2:5:55.240

Sophie Moiese Room

The section a Western resources or western?

2:5:58.150 --> 2:6:2.260

Sophie Moiese Room

Excavating Resources owns Section A, which is 20 acres.

2:6:2.550 --> 2:6:40.320

Sophie Moiese Room

Section BCD&E are owned by the Leibenguth family, and when they came to us and we're discussing how this would be developed in the future for houses and saying that it's probably time to do a BCD&E as a development, we thought it may be an important time to present this to the Community and see that this is an option that we have a point in time where we can either build more houses on a gravel resource that we've been relying on or take an opportunity to further that gravel resource into the future.

2:6:43.980 --> 2:6:53.580

Sophie Moiese Room

As well as to if we can go back to that slide as as was mentioned in our current footprint, we figured we have about 20 years left of gravel.

2:6:55.790 --> 2:7:3.260

Sophie Moiese Room

We will continue to grant mine to the north, the floor in the gravel pit can be lowered.

2:7:3.510 --> 2:7:26.660

Sophie Moiese Room

It's it's in different sections right now and so that will give us about 20 years when we initially filed this application, we were asking for all of the ABCD&E to be minable and by looking at that, we were able to estimate that the resource is in in that section would add another 56 years.

2:7:30.340 --> 2:7:36.960

Sophie Moiese Room

But as we'll discuss in detail, some of the concerns that we've had and we've heard the concerns just recently.

2:7:38.770 --> 2:7:48.610

Sophie Moiese Room

We have changed our application and so our net expansion is only gonna be 30 more acres than what we currently have.

2:7:50.420 --> 2:7:54.710

Sophie Moiese Room

Well, that's going to reduce the amount of gravel extraction from the original application.

2:7:54.720 --> 2:8:1.70

Sophie Moiese Room

It will still provide a significant amount of resource in the future with approximately an additional 35 years.

2:8:1.370 --> 2:8:3.10

Sophie Moiese Room

Now some of you might be going.

2:8:3.20 --> 2:8:5.170

Sophie Moiese Room

Wait, that math seems a little weird.

2:8:5.180 --> 2:8:10.740

Sophie Moiese Room

How do you lose 57 acres of expansion and only 38% of the years?

2:8:11.730 --> 2:8:21.670

Sophie Moiese Room

Well, most of the acreage we're given up for mitigation is to the north, the END and then the other 4-5 acre parcels.

2:8:24.540 --> 2:8:31.110

Sophie Moiese Room

Those parcels are sitting on a clay lens and we're not quite sure the depth, the depth of that clay lens is gonna be a different levels.

2:8:31.300 --> 2:8:35.450

Sophie Moiese Room

And so we're not gonna be able to mine those as deep as we can mine.

2:8:35.510 --> 2:8:42.110

Sophie Moiese Room

What we currently have and what we currently have, if we're going the West, AB and C.

2:8:46.630 --> 2:8:47.810

Sophie Moiese Room

So slide 3.

2:8:50.560 --> 2:8:51.350

Sophie Moiese Room

So then we were.

2:8:51.540 --> 2:8:53.410

Sophie Moiese Room

Let's look at what's extracted from this pit.

2:8:54.700 --> 2:8:56.750

Sophie Moiese Room

Not all pits are created equal.

2:8:56.760 --> 2:8:59.250

Sophie Moiese Room

Not all dirt is created equal.

2:8:59.460 --> 2:9:13.610

Sophie Moiese Room

The specifications necessary to meet the standards of Missoula Public, Montana Public Works and Montana DOT specifications require material that has.

2:9:14.920 --> 2:9:22.170

Sophie Moiese Room

Components that help make the construction, I guess last longer.

2:9:23.360 --> 2:9:35.570

Sophie Moiese Room

Then what we've seen of other materials that have been used in the past from other pits, the other thing about pits is some pits can have material that's good for concrete, but not good for Rd base.

2:9:35.580 --> 2:9:40.70

Sophie Moiese Room

They might have material that's good for Rd base and asphalt, but not good for concrete.

2:9:40.300 --> 2:9:50.90

Sophie Moiese Room

This pit is unique in that it actually has a very large upper end of rock all the way down to the sediment.

2:9:50.180 --> 2:10:2.770

Sophie Moiese Room

The fines that are needed for sand and creating Rd base, so I'll go into these real quick pit run is used as a first layer of like a parking lot.

2:10:2.990 --> 2:10:4.80

Sophie Moiese Room

It's structural.

2:10:4.270 --> 2:10:6.140

Sophie Moiese Room

You don't have to process it at all.

2:10:6.230 --> 2:10:7.800

Sophie Moiese Room

It's just what comes right out of the bank.

2:10:9.720 --> 2:10:19.870

Sophie Moiese Room

That pit run then can be turned into can be used like I said for structural purposes, or it can be turned into all the different types of aggregates we see here.

2:10:20.540 --> 2:10:26.980

Sophie Moiese Room

Chips are used in asphalt Rd base is used because it compacts.

2:10:29.440 --> 2:10:34.870

Sophie Moiese Room

I'm drain rock is used for sumps and then of course sand.

2:10:35.40 --> 2:10:42.920

Sophie Moiese Room

You see used for baseball, concrete and horse arenas, amongst other things.

2:10:45.520 --> 2:10:56.540

Sophie Moiese Room

And like I said, this, this, this pit allows us a resource that provides the aggregates, all the aggregate that is needed for any kind of projects.

2:10:57.940 --> 2:11:9.970

Sophie Moiese Room

This resource was used for the Highway 3 build and expansion and more current uses as far as South as Hamilton for their school, their fire station and the VA, the Stevensville School.

2:11:9.980 --> 2:11:21.130

Sophie Moiese Room

As we start moving back up the valley, the Florence School roads and houses throughout those neighborhoods and throughout that Valley it's been used on the most recent Lolo School bill.

2:11:21.660 --> 2:11:24.400

Sophie Moiese Room

It was used on the county's bike path from Lolo to Missoula.

2:11:25.710 --> 2:11:32.610

Sophie Moiese Room

It's in miles of streets for street repairs, water and sewer replacements.

2:11:33.600 --> 2:11:34.960

Sophie Moiese Room

It's at the VA.

2:11:35.10 --> 2:11:41.500

Sophie Moiese Room

It was used at the Hospice and it was used in the most recent rolling build for the all the gravel for that project.

2:11:51.460 --> 2:11:59.520

Sophie Moiese Room

Now, in addition to the aggregates, we've also heard that the pit also has concrete and asphalt plant locations.

2:11:59.920 --> 2:12:4.120

Sophie Moiese Room

There was a bit of concern raised about cement plants and I would like to address this a little bit.

2:12:5.800 --> 2:12:11.810

Sophie Moiese Room

So concrete is a composite that's made up from several materials, one of which is cement.

2:12:13.350 --> 2:12:17.40

Sophie Moiese Room

To be clear, for the record, cement is not produced at this facility.

2:12:17.570 --> 2:12:23.580

Sophie Moiese Room

The two terms semantic concrete are routinely used interchangeably by people, but they're not the same.

2:12:24.770 --> 2:12:31.460

Sophie Moiese Room

While related, these terms refer to two different materials in two different methods of production.

2:12:32.30 --> 2:12:34.350

Sophie Moiese Room

If you mix cement with water.

2:12:37.150 --> 2:12:42.100

Sophie Moiese Room

You get cement paste, then you add sand to that paste and you get mortar.

2:12:42.590 --> 2:12:48.90

Sophie Moiese Room

Then you add larger aggregates up to one inch rocks and you get concrete.

2:12:49.100 --> 2:12:51.500

Sophie Moiese Room

So Zemanta is a component of concrete.

2:12:53.480 --> 2:12:57.460

Sophie Moiese Room

And what we have at the lower plant is a pit is a concrete plant.

2:12:57.470 --> 2:12:58.600

Sophie Moiese Room

It is not a cement plant.

2:13:0.690 --> 2:13:7.130

Sophie Moiese Room

The semantics, the powder, it's delivered in a enclosed truck and is put into an enclosed silo.

2:13:8.380 --> 2:13:17.0

Sophie Moiese Room

The aggregates the sand and then the cement are mixed with water in our mixing trucks and then that concrete is delivered to construction sites.

2:13:19.170 --> 2:13:23.870

Sophie Moiese Room

Now cement production, that is, which is not done here.

2:13:25.90 --> 2:13:28.970

Sophie Moiese Room

That is what creates high CO2 emissions.

2:13:30.420 --> 2:13:39.770

Sophie Moiese Room

They come from the chemical reaction of firing calcium carbonate in the kiln because those kilns have to be heated, heated to a 228 hundred degrees.

2:13:39.780 --> 2:13:46.740

Sophie Moiese Room

It also uses up a lot of fossil fuels, and so that's why you get the CO2 emissions from those cement plants.

2:13:48.310 --> 2:13:53.990

Sophie Moiese Room

So our concrete plant is not create the emissions that you would see in a cement plant.

2:13:58.340 --> 2:14:4.80

Sophie Moiese Room

And for both our concrete plant and our asphalt plant, they have to meet the Missoula County.

2:14:4.850 --> 2:14:7.160

Sophie Moiese Room

Ah, air quality standards.

2:14:7.290 --> 2:14:8.950

Sophie Moiese Room

And we have to get a permit for that.

2:14:9.20 --> 2:14:14.900

Sophie Moiese Room

Stack tests are done on our asphalt plant to assure that that plant is meeting those specifications.

2:14:25.330 --> 2:14:28.780

Sophie Moiese Room

And one thing I will mention is that the asphalt plant is current.

2:14:28.790 --> 2:14:30.860

Sophie Moiese Room

We've had an asphalt plant there in the past.

2:14:30.870 --> 2:14:33.100

Sophie Moiese Room

It is currently not at the Lolo site.

2:14:33.370 --> 2:14:54.90

Sophie Moiese Room

It is currently at the Mullen site, so there's been some concern if we move the asphalt plant, do we increase the trucking and the processing at the low low pit because we do see that with reserve St getting as crowded as it is to keep asphalt and concrete in spec, there's a need to have it come out of the Lolo pit as well.

2:14:55.340 --> 2:15:4.600

Sophie Moiese Room

But if we move that asphalt plant back to Lowell, we currently produce all the aggregates out of Lolo for our asphalt plant.

2:15:4.740 --> 2:15:20.260

Sophie Moiese Room

And we truck those two Missoula and so instead of trucking all that angry, so we won't have to produce more aggregate for our asphalt plant but instead of trucking the aggregate out of that site, those trucks will just take the asphalt out of that site.

2:15:22.640 --> 2:15:23.460

Sophie Moiese Room

Next slide please.

2:15:36.240 --> 2:15:37.90

Sophie Moiese Room

So why here?

2:15:38.530 --> 2:15:44.530

Sophie Moiese Room

Well, we're what we're seeing throughout Missoula County is the aggregates.

2:15:44.580 --> 2:15:46.650

Sophie Moiese Room

Gravel is becoming a limited resource.

2:15:47.340 --> 2:15:51.570

Sophie Moiese Room

There aren't a lot of places left where you can mine.

2:15:51.640 --> 2:15:55.960

Sophie Moiese Room

We've built most over most of our good gravel, if not all of it.

2:16:1.260 --> 2:16:12.830

Sophie Moiese Room

In over the time of our tour, specifications for building have become more stringent as well, and that is also flowed over into aggregates.

2:16:13.100 --> 2:16:17.610

Sophie Moiese Room

We actually in 2018 we had a gravel pit, we call it the Buffalo pit.

2:16:17.720 --> 2:16:19.940

Sophie Moiese Room

It was behind where all the Buffalo were.

2:16:19.950 --> 2:16:28.340

Sophie Moiese Room

As you're going into Lolo and those gravels no longer were able to meet the Spet specifications.

2:16:28.430 --> 2:16:31.890

Sophie Moiese Room

So we reclaim that pit in 2018.

2:16:32.50 --> 2:16:54.220

Sophie Moiese Room

And so those that bitter root rock along the in the Bitterroot drainage is not as good a quality as we see in the Clark Fork drainage, which is unique to the low lipid because it's not river rock, it is actually an angulated rock that came off the mountain in some way, shape or form when there were glaciers.

2:16:55.430 --> 2:17:2.660

Sophie Moiese Room

I can't take us back that far or I would to see it, but it it is not river rock out of the Bitterroot.

2:17:5.970 --> 2:17:9.670

Sophie Moiese Room

And also other companies are facing this problem as well.

2:17:9.680 --> 2:17:10.20

Sophie Moiese Room

Knife.

2:17:10.30 --> 2:17:10.280

Sophie Moiese Room

River.

2:17:10.290 --> 2:17:11.360

Sophie Moiese Room

They're Wheeler pit.

2:17:11.710 --> 2:17:12.520

Sophie Moiese Room

They are now.

2:17:12.570 --> 2:17:17.620

Sophie Moiese Room

That's where they do their base material Rd base and also for their asphalt plant.

2:17:17.830 --> 2:17:21.70

Sophie Moiese Room

They're not hauling their aggregates in from tarkio.

2:17:22.270 --> 2:17:25.40

Sophie Moiese Room

The plan to on Mullen Rd.

2:17:25.50 --> 2:17:29.560

Sophie Moiese Room

That's used for the two concrete plants, our concrete plant and their concrete plant.

2:17:29.650 --> 2:17:31.180

Sophie Moiese Room

Well, it still has resource.

2:17:31.260 --> 2:17:35.470

Sophie Moiese Room

It too has a limited life for providing concrete aggregates.

2:17:37.640 --> 2:17:51.640

Sophie Moiese Room

And as we have to start trucking from further out, trucking is an added cost to all of us for construction,

all the homes we build all the buildings we build the infrastructure we replace that would add additional cost.

2:17:58.10 --> 2:18:0.640

Sophie Moiese Room

Umm, you heard about the topography of this site?

2:18:0.650 --> 2:18:2.640

Sophie Moiese Room

We call it a bottom up extraction.

2:18:3.170 --> 2:18:6.440

Sophie Moiese Room

We don't have to sit on the top of the.

2:18:8.330 --> 2:18:13.330

Sophie Moiese Room

Uh, surface and mine down when you have to do that.

2:18:13.700 --> 2:18:22.960

Sophie Moiese Room

What you do is it's it's more difficult to mitigate vision site issues, more difficult to mitigate dust, mitigate noise.

2:18:23.200 --> 2:18:24.990

Sophie Moiese Room

And so as we sit down in this.

2:18:27.250 --> 2:18:39.10

Sophie Moiese Room

Below and mine into the banks, we are able to better mitigate the kinds of issues you see at other minds now that was apparent.

2:18:39.130 --> 2:18:40.380

Sophie Moiese Room

These meetings have been great.

2:18:40.390 --> 2:18:58.460

Sophie Moiese Room

I have to say that we've had with the neighborhood because we've heard concerns and we've we've been able to address some of those concerns immediately that we we saw I guess we weren't seeing it the way they were and that input was very good for us to to change.

2:18:58.650 --> 2:19:2.980

Sophie Moiese Room

And one of those was that that northern Umm parcel.

2:19:3.430 --> 2:19:14.990

Sophie Moiese Room

There's some infrastructure running in some power lines that run in the ground, so we can't mine into the bank, so we had to get up above and start mining down.

2:19:15.170 --> 2:19:28.760

Sophie Moiese Room

Well, what that did is it really became apparent that if you have a pit that is being mined from the top down are gravel pile, large gravel pile was sitting up high and the wind was catching the dust off.

2:19:28.770 --> 2:19:47.850

Sophie Moiese Room

That the noise from the crusher wasn't being mitigated from the wall, so that was going through the valley in that that really identified to us that one this bottom down approach does benefit the Community and the neighborhood.

2:19:47.940 --> 2:20:3.0

Sophie Moiese Room

And two, it's why when we talk about the mitigation of why we gave up those acres, not only was it beneficial for the wildlife, it was also beneficial that we don't have to mine in that way on on those particular acres.

2:20:3.570 --> 2:20:5.760

Sophie Moiese Room

And John, are you getting close to wrapping up?

2:20:5.770 --> 2:20:6.420

Sophie Moiese Room

Yes.

2:20:6.430 --> 2:20:6.760

Sophie Moiese Room

OK.

2:20:6.770 --> 2:20:7.170

Sophie Moiese Room

Thank you.

2:20:10.770 --> 2:20:11.630

Sophie Moiese Room

Because I think.

2:20:14.690 --> 2:20:26.110

Sophie Moiese Room

The rest of the items were covered so with that I'll pass on to Jamie and she'll touch on some of the mitigation we're doing.

2:20:26.150 --> 2:20:26.480

Sophie Moiese Room

OK.

2:20:26.490 --> 2:20:26.800

Sophie Moiese Room

Thank you.

2:20:26.810 --> 2:20:27.90

Sophie Moiese Room

Thank you.

2:20:31.220 --> 2:20:31.700

Sophie Moiese Room

Thank you, John.

2:20:34.100 --> 2:20:39.210

Sophie Moiese Room

Jenny, I may be running through some of these next slides a little fast just because again, you've touched on some of it and John did as well.

2:20:39.660 --> 2:20:52.280

Sophie Moiese Room

But so John had mentioned this bottom up extraction method and how beneficial that is not only to the community for views, but also for noise.

2:20:54.960 --> 2:20:59.10

Sophie Moiese Room

And the other thing that they have right now are the berms that Jenny had mentioned.

2:20:59.560 --> 2:21:4.230

Sophie Moiese Room

Those also help reduce views and also keep dust to a minimum.

2:21:4.800 --> 2:21:7.300

Sophie Moiese Room

Those berms are normally seeded.

2:21:7.310 --> 2:21:18.400

Sophie Moiese Room

There was a period last spring where or excuse me last fall where they were not seeded and before the planting time, if you will.

2:21:18.800 --> 2:21:22.540

Sophie Moiese Room

And and so there was some dust coming off of those berms at that time.

2:21:22.790 --> 2:21:28.110

Sophie Moiese Room

But going forward, the intent is to seed those and keep that dust to a minimum.

2:21:29.200 --> 2:21:31.710

Sophie Moiese Room

Uh, next slide, Jenny.

2:21:31.780 --> 2:21:32.560

Sophie Moiese Room

We hit on this one.

2:21:33.980 --> 2:21:46.900

Sophie Moiese Room

This here is just a couple more views of the bottom up excavation as well as the top soil berm in the background and then the soiled berm there that will be seeded this spring.

2:21:47.880 --> 2:21:48.260

Sophie Moiese Room

Next slide.

2:21:50.330 --> 2:21:59.590

Sophie Moiese Room

There is a picture of a berm that is planted with the native grasses and as Jenny mentioned, those will be continued to be sprayed for weeds next slide.

2:22:2.710 --> 2:22:21.830

Sophie Moiese Room

OK, so we did host the voluntary neighborhood meeting on November 15th as John mentioned, that was very helpful for us in also amending the application, but also just him as a company in general, we do appreciate all of those comments that we did receive.

2:22:22.180 --> 2:22:28.270

Sophie Moiese Room

And while we may not completely satisfy everybody, we did learn of the most pressing issues that the neighbors had.

2:22:28.420 --> 2:22:32.280

Sophie Moiese Room

And through that we will demonstrate how we were able to mitigate that.

2:22:33.710 --> 2:22:34.230

Sophie Moiese Room

Go ahead, Jenny.

2:22:36.730 --> 2:22:38.550

Sophie Moiese Room

So one of the main concerns was dust.

2:22:38.990 --> 2:22:42.680

Sophie Moiese Room

Uh, and in general, the overall air quality.

2:22:42.760 --> 2:22:46.380

Sophie Moiese Room

So John talked about how we're required to have an air quality permit.

2:22:46.690 --> 2:22:57.140

Sophie Moiese Room

But in addition to this, we would create one continuous berm along the active area of resource extraction at a minimum of 6 feet tall in some locations like Hwy.

2:22:57.150 --> 2:22:59.70

Sophie Moiese Room

93, for instance, those terms would be taller.

2:23:0.400 --> 2:23:4.910

Sophie Moiese Room

The burns will be seated to reduce the top soil blowing off and track pads.

2:23:4.920 --> 2:23:9.650

Sophie Moiese Room

As Jenny mentioned, those will be installed from the scale to the main road.

2:23:11.110 --> 2:23:18.230

Sophie Moiese Room

Uh, the pitter up the pit operator will also continue to spray down the pit as required by DEQ to keep the overall dust down.

2:23:19.420 --> 2:23:29.210

Sophie Moiese Room

With this and the overarching air quality permit, we will maintain healthy air quality levels as required by DEQ MDQ in the local health department.

2:23:30.930 --> 2:23:32.840

Sophie Moiese Room

So go back real quick.

2:23:33.430 --> 2:23:49.890

Sophie Moiese Room

So just to note, some of the mitigating things that Western has already done with concerns to dust is paving that access Dr regularly seeding the berms, controlling for weeds and continuing to hose down the site as required.

2:23:50.900 --> 2:23:51.300

Sophie Moiese Room

OK.

2:23:51.340 --> 2:23:51.920

Sophie Moiese Room

Go forward, Jenny.

2:23:56.30 --> 2:23:57.590

Sophie Moiese Room

Next concern was Traffic Safety.

2:23:58.80 --> 2:24:17.230

Sophie Moiese Room

Umm, so there was a general concern for increasing the number of vehicles that would access the pit and then the traffic that exits the pit and at one point in time there was a stop sign internal to the operation.

2:24:17.240 --> 2:24:19.630

Sophie Moiese Room

However, that was removed at some point in time.

2:24:19.960 --> 2:24:22.750

Sophie Moiese Room

Since then, Western has put that stop sign back up.

2:24:22.940 --> 2:24:26.960

Sophie Moiese Room

They have also placed a white stop line on the asphalt pad.

2:24:28.940 --> 2:24:38.90

Sophie Moiese Room

And then this expansion is not actually going to require any additional increase in traffic because again, we're not expanding the operation of the pit.

2:24:38.100 --> 2:24:39.990

Sophie Moiese Room

It's just expanding the excavation area.

2:24:44.950 --> 2:24:46.940

Sophie Moiese Room

So keep going and interest of time.

2:24:47.720 --> 2:24:55.230

Sophie Moiese Room

Uh next was the zoning and the concern that this is a residential zoning districts and the impacts to it.

2:24:56.100 --> 2:25:13.670

Sophie Moiese Room

So it's a unique situation where the zoning district did not recognize the specific use as gravel extraction, but the land use designation and the land use plan also have not recognized resource extraction generally within the plan itself.

2:25:13.780 --> 2:25:25.320

Sophie Moiese Room

The overarching county growth policy does mention gravel extraction and the need for it to continue as homes and infrastructure are built out and that we need that as a resource within our Community.

2:25:26.830 --> 2:25:30.500

Sophie Moiese Room

Umm, zoning districts are also not static.

2:25:30.870 --> 2:25:43.220

Sophie Moiese Room

They can change in over time that could be initiated in this instance by the community that live there, or it can also be done through a variance request as we are doing now.

2:25:43.410 --> 2:25:49.530

Sophie Moiese Room

Typically the variance requests are more site specific rather than affecting uses within the entire district.

2:25:50.990 --> 2:26:2.500

Sophie Moiese Room

We did contemplate doing an amendment to the entire zoning district, but opted to do this site specific change instead so that it only applied to this specific property in question.

2:26:4.570 --> 2:26:9.70

Sophie Moiese Room

UM, so zoning in part one is Jenny mentioned.

2:26:9.80 --> 2:26:16.530

Sophie Moiese Room

It can also be conditioned and with that condition we would develop the development agreement with the Commissioners and planning staff.

2:26:17.230 --> 2:26:33.10

Sophie Moiese Room

Uh to better mitigate not only for the locals within the community adjacent, but Missoula County wide next slide, noise was the next concerned and it centered around the activity.

2:26:35.200 --> 2:26:47.210

Sophie Moiese Room

On a excuse me, on the site operating outside of normal business hours and John had explained some of that and the reason being is that they're trying to avoid the commuter traffic that happens Monday through Friday.

2:26:47.220 --> 2:26:57.830

Sophie Moiese Room

So trying to get on the roads and to a job site prior to your 8:00 AM traffic and back to the pit prior to the 5:00 PM traffic returning home. Umm.

2:27:2.330 --> 2:27:3.490

Sophie Moiese Room

And OK.

2:27:13.150 --> 2:27:13.340

Sophie Moiese Room

Thank.

2:27:15.90 --> 2:27:26.140

Sophie Moiese Room

Other other things for noise that we will be doing is the backup beepers will be changed out to white noise, beepers and Jenny actually had a really good YouTube video with Henry staff report.

2:27:26.150 --> 2:27:27.880

Sophie Moiese Room

I hope you had a chance to listen to that.

2:27:27.990 --> 2:27:37.200

Sophie Moiese Room

If not, please do before the next meeting and it shows what that sound is compared to the normal loud tone.

2:27:37.210 --> 2:27:40.440

Sophie Moiese Room

That's just so great.

2:27:40.490 --> 2:27:41.40

Sophie Moiese Room

Great video.

2:27:41.50 --> 2:27:41.800

Sophie Moiese Room

Thank you, Jenny.

2:27:42.30 --> 2:27:43.240

Sophie Moiese Room

Did you do that for us again?

2:27:43.960 --> 2:27:44.640

Sophie Moiese Room

No, Dave.

2:27:45.290 --> 2:27:45.590

Sophie Moiese Room

Thank you.

2:27:49.880 --> 2:27:50.180

Sophie Moiese Room

Let's see.

2:27:52.360 --> 2:27:53.360

Sophie Moiese Room

Think that hits on that?

2:27:53.370 --> 2:27:54.40

Sophie Moiese Room

OK, next one.

2:27:58.830 --> 2:28:2.780

Sophie Moiese Room

The next concern that we heard was decreased home and property values.

2:28:3.280 --> 2:28:7.430

Sophie Moiese Room

So in the the main concern was the visibility of the pit.

2:28:7.740 --> 2:28:8.360

Sophie Moiese Room

Umm.

2:28:9.40 --> 2:28:17.290

Sophie Moiese Room

Let's pit as Jenny was showing in her pictures, it's hardly actually visible from the neighbors, especially to the South.

2:28:17.300 --> 2:28:37.0

Sophie Moiese Room

Even from the east along highway Old Highway 93, because of the burning that has happened there and same with the West side as well, these terms are going to help block the view of the pit and then that bottom up excavation is also going to help reduce the visibility of any extraction that is occurring on site.

2:28:40.720 --> 2:28:41.360

Sophie Moiese Room

Next slide.

2:28:42.910 --> 2:28:54.220

Sophie Moiese Room

So here is just a two different depictions, the one on the left hand side is the general area of the property South of the pit and on the right hand side are the properties north of the pit.

2:28:55.850 --> 2:29:0.680

Sophie Moiese Room

This is taken from Zillow and it just shows homes recently sold within the area.

2:29:1.10 --> 2:29:3.810

Sophie Moiese Room

So as we can see here, homes are selling in this area.

2:29:3.890 --> 2:29:12.120

Sophie Moiese Room

They're being bought and generally they're within the market range of staying on the listing for one to three months.

2:29:13.330 --> 2:29:13.750

Sophie Moiese Room

Next slide.

2:29:16.300 --> 2:29:22.620

Sophie Moiese Room

So here are some estimated values, again from Zillow that just show that these properties are retaining their value.

2:29:23.320 --> 2:29:26.800

Sophie Moiese Room

This is fairly comparable for what we're seeing throughout the Missoula Valley.

2:29:28.910 --> 2:29:29.310

Sophie Moiese Room

Next slide.

2:29:31.580 --> 2:29:39.10

Sophie Moiese Room

And here is a depiction of the area north of the pit in that general same area that I had shown on the previous slide.

2:29:39.220 --> 2:29:48.580

Sophie Moiese Room

Again, just showing and demonstrating that the homes are continuing to hold their value and they're not being adversely affected by this gravel operation.

2:29:49.580 --> 2:29:49.920

Sophie Moiese Room

Next slide.

2:29:54.770 --> 2:29:56.780

Sophie Moiese Room

The photo on the left here.

2:29:56.950 --> 2:30:0.430

Sophie Moiese Room

That is the knife, river and Western hit out on Mullen Rd.

2:30:1.840 --> 2:30:5.810

Sophie Moiese Room

As you can see, that is directly adjacent to residential homes.

2:30:6.520 --> 2:30:10.300

Sophie Moiese Room

It is also near what they're calling the setup Kane area.

2:30:11.590 --> 2:30:18.760

Sophie Moiese Room

We there are large developments planned just to the northeast of the existing western pit.

2:30:19.610 --> 2:30:26.600

Sophie Moiese Room

Again, just trying to show that residential uses and gravel operations can exist next to each other.

2:30:26.990 --> 2:30:42.130

Sophie Moiese Room

These pits are unique in the fact that they also have mitigating conditions that were added through zoning amendments, and the same is to be said for the pit on the right hand side just north of Wheeler Mobile Home Park and east of Canyon El.

2:30:42.140 --> 2:30:42.570

Sophie Moiese Room

Believe it is.

2:30:44.630 --> 2:30:52.220

Sophie Moiese Room

Again, just demonstrating that these gravel operations they can exist next to residential developments and not decrease housing values.

2:30:53.960 --> 2:30:54.330

Sophie Moiese Room

Next slide.

2:30:56.540 --> 2:30:57.730

Sophie Moiese Room

Big game habitat.

2:30:57.800 --> 2:31:14.0

Sophie Moiese Room

This was one of the primary reasons that we chose to hold back our application, not move forward with the December hearing and revise our proposal and provide those wildlife corridors and actually restrict further development once reclamation of the pit does occur.

2:31:16.120 --> 2:31:16.700

Sophie Moiese Room

Go ahead, Jenny.

2:31:19.10 --> 2:31:45.440

Sophie Moiese Room

So here again is that revised expansion plan showing the 300 foot corridors on the North and South side of the property in total again only adding proximately 30 acres of minable area and we're doing that in giving up some of the area that is already bonded to the north and moving that acreage over to the West again where we know that the soils and material within that area are better for.

2:31:48.20 --> 2:31:53.530

Sophie Moiese Room

Road base and the pit run and all of those other items that John had described in the first slide.

2:31:56.390 --> 2:31:56.630

Sophie Moiese Room

Johnny.

2:31:59.520 --> 2:32:1.240

Sophie Moiese Room

This here is our post mining exhibit.

2:32:1.400 --> 2:32:11.80

Sophie Moiese Room

You've seen this before, but again this indicates that we will be doing in perpetuity and keeping open space.

2:32:12.130 --> 2:32:19.960

Sophie Moiese Room

Gets 85 a little over 85 acres of reclaimed open, open space that would run with the land in perpetuity.

2:32:20.210 --> 2:32:31.130

Sophie Moiese Room

All development would be centered on that 25 acre area in addition to the 14 almost 15 acres where the additional A for six homes are.

2:32:35.300 --> 2:32:36.60

Sophie Moiese Room

Ohh.

2:32:38.160 --> 2:32:40.560

Sophie Moiese Room

So next, uh, Jenny.

2:32:40.570 --> 2:32:51.440

Sophie Moiese Room

Hedge, which had shown these previously, but again this is the alternative option if it's not approved and certainly don't want anybody to take this as a threat or a bad thing.

2:32:51.450 --> 2:33:10.630

Sophie Moiese Room

But just knowing that, if Western continues to operate, they will operate within the 66 bonded acres and it's likely that the LIBUSE will sell and the adjacent land to the West will be developed at residential dwellings, one young per five acres.

2:33:12.250 --> 2:33:15.620

Sophie Moiese Room

This also does not guarantee that there's going to be any buffers in place.

2:33:15.910 --> 2:33:23.40

Sophie Moiese Room

It does not require any bermain the burning that is in place now that is offered by Western.

2:33:23.50 --> 2:33:29.540

Sophie Moiese Room

It is not a requirement of DEQ and the same is to be said about mining down into the water table too.

2:33:29.810 --> 2:33:37.630

Sophie Moiese Room

That is also something that is just offered by Western as part of their existing pit or existing permit, but it is not technically a requirement of the EQ.

2:33:41.300 --> 2:33:43.440

Sophie Moiese Room

So post extraction and processing.

2:33:45.300 --> 2:33:52.350

Sophie Moiese Room

The reclamation plan would look something like this again, just showing at development of 1 home per five acres.

2:33:52.690 --> 2:33:54.980

Sophie Moiese Room

No wildlife corridors, no clustering of homes.

2:33:56.300 --> 2:33:58.810

Sophie Moiese Room

In the end, we feel that the.

2:34:0.360 --> 2:34:6.490

Sophie Moiese Room

Proposal in front of you today is actually better not only for the Community, the neighbors, but the wildlife as well.

2:34:12.690 --> 2:34:15.900

Sophie Moiese Room

Again, just in summary, we do feel that there is a public benefit.

2:34:16.650 --> 2:34:23.440

Sophie Moiese Room

The neighbors are getting some conditions that would help them be further from the excavation area.

2:34:23.580 --> 2:34:24.810

Sophie Moiese Room

It would require that the.

2:34:26.810 --> 2:34:27.140

Sophie Moiese Room

Uh.

2:34:29.520 --> 2:34:34.630

Sophie Moiese Room

The the, the the equipment all stay in its exact location now it could not go further South.

2:34:35.940 --> 2:34:47.200

Sophie Moiese Room

The community gets a benefit in the fact that we would then have a resource for all types of construction locally within Missoula and we would not have to truck it in from areas such as tarkio like knife rivers doing now.

2:34:48.490 --> 2:34:52.580

Sophie Moiese Room

Uh, the special conditions, this is quality gravel.

2:34:54.10 --> 2:35:9.430

Sophie Moiese Room

There were in an area we are where we are able to do that bottom up excavation because of the topography, again aiding in the visible reduction to the neighbors and the fact that Western excavating has agreed not to mine into that groundwater table.

2:35:12.590 --> 2:35:21.940

Sophie Moiese Room

As far as hardships go, it is a hardship and the fact that the gravel resource here is very minimal in Missoula anymore.

2:35:22.170 --> 2:35:32.140

Sophie Moiese Room

And so we lack the ability to have existing extraction occur in town and we are having to haul from outside.

2:35:32.410 --> 2:36:6.180

Sophie Moiese Room

And if we are able to do so, then we're committing to only adding an additional 30 acres of extraction area and utilizing these resources to benefit the community and overall keeping expenses down because we're not having to pay additional cost to truck that fuel or to truck that material in and thereby passing those costs off to the the public, the government, all those agencies that utilize this resource.

2:36:7.610 --> 2:36:11.470

Sophie Moiese Room

So with that, I believe we will close and allow for public comment.

2:36:13.340 --> 2:36:13.760

Sophie Moiese Room

Thank you.

2:36:13.800 --> 2:36:14.550

Sophie Moiese Room

All right.

2:36:14.740 --> 2:36:23.810

Sophie Moiese Room

Thank you, Jamie, and thanks everyone for sticking out this long through a long afternoon of other stuff that you probably weren't here for.

2:36:23.820 --> 2:36:25.910

Sophie Moiese Room

So let's get right to it.

2:36:26.300 --> 2:36:34.30

Sophie Moiese Room

If folks would like to offer comment and let's begin with individuals in the room here in the courthouse, please come on up to the microphone.

2:36:34.100 --> 2:36:38.860

Sophie Moiese Room

Introduce yourself and try to be as succinct as possible and sharing your comments.

2:36:38.870 --> 2:36:39.240

Sophie Moiese Room

Come on up.

2:36:42.10 --> 2:36:43.60

Sophie Moiese Room

Oh, come on.

2:36:43.250 --> 2:36:43.770

Sophie Moiese Room

There we go.

2:36:46.360 --> 2:36:53.310

Sophie Moiese Room

Hello, my name is Emily Dabrowski, and I live at 19100 old US Hwy 93 in Missoula County.

2:36:53.740 --> 2:37:5.470

Sophie Moiese Room

My home was not shown on any of the photos except for the Zillow listing, but my driveway is directly South of the current existing mine, UMA.

2:37:5.480 --> 2:37:21.530

Sophie Moiese Room

Lot of my comments have already been submitted in writing, but I wanted to add a few more today after I've seen more paperwork and more data coming out of this uh, this I'm I'm here to request that the land use variance be denied.

2:37:22.480 --> 2:37:34.180

Sophie Moiese Room

There has been a history since at least 2001, but since before that as well, whereas the existing operators of the mine did not adhere to our zoning or Community zoning.

2:37:34.920 --> 2:37:37.450

Sophie Moiese Room

Umm, pardon me, I'm a little nervous.

2:37:44.60 --> 2:37:55.870

Sophie Moiese Room

From the years of 2001 to 2007, Stan operated the pit as if he had a permit and expanded it from the existing and approved 15 acres to upwards of what we're seeing today.

2:37:56.0 --> 2:38:19.550

Sophie Moiese Room

So the not only has the decision making been in regular in the past, but I proposed that it be revisited all of those existing decisions be taken a look at and explained quite frankly, including I would also like to see an environmental impact report that specifically addresses the elk.

2:38:20.300 --> 2:38:29.50

Sophie Moiese Room

We have documentation from the Audubon Society and for grizzly bears, but I would like to see something speaking directly to the elk and that winter habitat.

2:38:29.230 --> 2:38:37.950

Sophie Moiese Room

There's a herd of at least 100 elk that passed through my front yard and directly onto the mine most days of the winter. Uh.

2:38:45.70 --> 2:38:57.250

Sophie Moiese Room

The our current zoning does has language in it that says any existing non conforming use shall be limited to their present size and not allowed to expand in any form or nature.

2:38:58.30 --> 2:39:2.80

Sophie Moiese Room

The the initial owner of this mine was part of those decisions.

2:39:2.90 --> 2:39:16.790

Sophie Moiese Room

He was there 50 years ago when those zoning, when that community initiated zoning, was put into place and he continued to flout those regulations over and over again until selling it to Western like uh, Western.

2:39:21.110 --> 2:39:21.340

Sophie Moiese Room

Alright.

2:39:23.530 --> 2:39:28.60

Sophie Moiese Room

Uh, up to three size three times the size that it has been allowed.

2:39:29.500 --> 2:39:46.780

Sophie Moiese Room

Trust has been broken by this continuous expansion without proper zoning enforcement, and I would like to know how we can uphold these current regulations and know that Western will be upholding them as they continue to move forward with the pit.

2:39:48.30 --> 2:39:59.850

Sophie Moiese Room

If it is said that there is at least 20 more years in the existing operation, start there, start with what we already have without needing to expand it. UM.

2:40:4.870 --> 2:40:5.440

Sophie Moiese Room

Thank you guys.

2:40:5.450 --> 2:40:6.580

Sophie Moiese Room

I hate seeing in public.

2:40:6.590 --> 2:40:7.780

Sophie Moiese Room

I really appreciate your help.

2:40:8.360 --> 2:40:8.720

Sophie Moiese Room

Thank.

2:40:8.920 --> 2:40:10.750

Sophie Moiese Room

Thank you, Emily for your comments.

2:40:13.10 --> 2:40:14.590

Sophie Moiese Room

Anyone else like to come on up?

2:40:18.310 --> 2:40:19.760

Sophie Moiese Room

Hi, good afternoon.

2:40:20.150 --> 2:40:24.720

Sophie Moiese Room

Liz Heaney Heaney, 20,002 King Rd.

2:40:26.290 --> 2:40:30.660

Sophie Moiese Room

Well, there are a lot of the comments I have already documented online.

2:40:31.840 --> 2:40:32.210

Sophie Moiese Room

Umm.

2:40:32.220 --> 2:40:57.50

Sophie Moiese Room

I did want to mention that WGM presentation about their application pointed out some of the deficiencies of the paper trail that exist within the Missoula County departments, and I would like to request that a formal paper trail be documented and corrected.

2:40:57.200 --> 2:40:58.830

Sophie Moiese Room

What needs to be corrected?

2:40:59.600 --> 2:41:2.840

Sophie Moiese Room

It appears that residents were not notified.

2:41:3.530 --> 2:41:8.420

Sophie Moiese Room

We we did not receive notification of an asphalt production.

2:41:8.430 --> 2:41:18.230

Sophie Moiese Room

We did not receive notification of concrete production and the bond area.

2:41:20.520 --> 2:41:30.190

Sophie Moiese Room

Well, just with all all of these missteps in the paper trail, I think there's been a miscarriage of justice to both residents and to the business owners.

2:41:31.200 --> 2:41:42.130

Sophie Moiese Room

But had the county upheld along the way what residents feel they should have, we would not be where we are today.

2:41:43.890 --> 2:41:50.860

Sophie Moiese Room

It's an opportunity for the county to correct this and show that the righteous thing can be done.

2:41:51.830 --> 2:41:55.540

Sophie Moiese Room

We welcome new residents in our neighborhood.

2:41:56.10 --> 2:41:59.250

Sophie Moiese Room

That's a more healthful environment for us.

2:41:59.900 --> 2:42:6.770

Sophie Moiese Room

I oppose the variance to be expanded for the pit to be expanded.

2:42:7.80 --> 2:42:10.950

Sophie Moiese Room

The grant should the variance should not be granted.

2:42:10.960 --> 2:42:19.120

Sophie Moiese Room

I think for the health reasons, all of the other reasons that everybody's stated, but also because of the what appears to be.

2:42:20.180 --> 2:42:24.280

Sophie Moiese Room

Misappropriation of the paper trail and they're incorrect.

2:42:24.290 --> 2:42:28.410

Sophie Moiese Room

Parties or departments making those approvals.

2:42:28.760 --> 2:42:31.530

Sophie Moiese Room

So I thank you for your time.

2:42:32.960 --> 2:42:33.500

Sophie Moiese Room

Thank you, Liz.

2:42:35.680 --> 2:42:36.460

Sophie Moiese Room

Come on up.

2:42:39.270 --> 2:42:40.940

Sophie Moiese Room

Hi, my name is Jim Herstein.

2:42:40.950 --> 2:42:48.150

Sophie Moiese Room

I live on Cunningham court, the northernmost house on Cunningham court, right next to Emily.

2:42:49.490 --> 2:42:51.60

Sophie Moiese Room

I commend this last speaker.

2:42:51.450 --> 2:42:59.540

Sophie Moiese Room

I really think we do need to know what happened, how this was expanded from 15 acres to 75 acres.

2:43:0.90 --> 2:43:1.630

Sophie Moiese Room

I lived there in 2009.

2:43:2.710 --> 2:43:6.780

Sophie Moiese Room

Nobody said anything about what was going on, Stan.

2:43:6.790 --> 2:43:14.210

Sophie Moiese Room

Just broadened it and and now we wanna double it again.

2:43:15.640 --> 2:43:20.50

Sophie Moiese Room

I do want to thank this Commission for their openness of this.

2:43:20.460 --> 2:43:31.20

Sophie Moiese Room

I wanna thank Western for going through the process this time rather than just expanding it, but my concerns are for the traffic.

2:43:32.260 --> 2:43:34.180

Sophie Moiese Room

For the wildlife.

2:43:36.330 --> 2:43:47.270

Sophie Moiese Room

And I also want to point out that just South of Emily's driveway is a riparian area and it, uh, it.

2:43:47.280 --> 2:43:57.930

Sophie Moiese Room

It just seems like there's more danger there to that and to the air quality than the than the folks who have looked at these things and said they're not gonna make any comment.

2:43:58.550 --> 2:44:8.830

Sophie Moiese Room

I have done so and I would also invite you when you come out for your tour, stop by some of our houses and see what we see from there.

2:44:10.70 --> 2:44:12.960

Sophie Moiese Room

There are burms, but it's not.

2:44:14.590 --> 2:44:14.970

Sophie Moiese Room

It's not.

2:44:16.930 --> 2:44:19.70

Sophie Moiese Room

Invisible from where we live.

2:44:20.290 --> 2:44:20.940

Sophie Moiese Room

Thank you.

2:44:21.590 --> 2:44:22.10

Sophie Moiese Room

Thank you.

2:44:24.430 --> 2:44:25.870

Sophie Moiese Room

Additional public comment.

2:44:31.720 --> 2:44:32.920

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I've got one on the phone here.

2:44:32.50 --> 2:44:33.290

Sophie Moiese Room

I've got one on the phone here.

2:44:34.460 --> 2:44:35.30

d885e3b1-d775-41e0-a0ad-5eae48d90197

You can hear me.

2:44:34.750 --> 2:44:38.840

Sophie Moiese Room

If you could call her if you could just wait just a moment.

2:44:38.850 --> 2:44:43.470

Sophie Moiese Room

We've got someone else at the podium after she goes, we'll get you in the queue.

2:44:44.510 --> 2:44:44.810

Sophie Moiese Room

Yeah.

2:44:44.620 --> 2:44:44.960

d885e3b1-d775-41e0-a0ad-5eae48d90197

Thank you.

2:44:44.820 --> 2:44:46.440

Sophie Moiese Room

Hi, my name's Jan Harris.

2:44:46.450 --> 2:44:53.900

Sophie Moiese Room

I live on Maple Lane, which is just South of where the pit is going to come.

2:44:55.270 --> 2:45:4.250

Sophie Moiese Room

Right now you've got they've got 6 foot berms that had been promised to be seated when they first bought the pit.

2:45:5.780 --> 2:45:8.470

Sophie Moiese Room

It's knapweed city.

2:45:8.960 --> 2:45:15.990

Sophie Moiese Room

I have never seen any seeding there or any of the native grasses that the pretty pictures have shown.

2:45:16.320 --> 2:45:20.610

Sophie Moiese Room

It is solid nap weed that just blows right into our properties.

2:45:21.220 --> 2:45:23.780

Sophie Moiese Room

The other thing is a 6 foot berm.

2:45:23.790 --> 2:45:33.940

Sophie Moiese Room

When they've got a 50 and 60 foot pile of material standing up there in one of the windiest areas in the county is not going to stop the dust.

2:45:35.60 --> 2:45:38.530

Sophie Moiese Room

Dust does not go in a linear pattern anyway.

2:45:38.600 --> 2:45:46.290

Sophie Moiese Room

It swirls that area is known for having a north wind come in and it switches to a West wind.

2:45:46.300 --> 2:45:47.310

Sophie Moiese Room

And it switches.

2:45:47.320 --> 2:45:51.240

Sophie Moiese Room

Again, we are inundated with dust.

2:45:51.770 --> 2:46:0.910

Sophie Moiese Room

The other thing is they've got the concrete plant sitting down next to the wetland.

2:46:2.220 --> 2:46:11.330

Sophie Moiese Room

There is a pipe drainage pipe that goes from the concrete plant area straight into the wetland.

2:46:11.700 --> 2:46:22.70

Sophie Moiese Room

We have contacted Army Corps of Engineers to see what the the replicate replication of it.

2:46:22.380 --> 2:46:24.730

Sophie Moiese Room

That's not the right word, but what the?

2:46:26.880 --> 2:46:36.200

Sophie Moiese Room

Problems that can be caused by washing out trucks, rounds or water spillage from the concrete.

2:46:36.440 --> 2:46:42.700

Sophie Moiese Room

How that's going to affect that wetland because that wetland is our aquifer.

2:46:42.940 --> 2:46:44.340

Sophie Moiese Room

That is our well water.

2:46:45.430 --> 2:46:51.250

Sophie Moiese Room

We are all at the same depth in our wells as what that wetland is.

2:46:52.50 --> 2:46:58.860

Sophie Moiese Room

So there's a lot more riding on this and I agree with the last two people that have spoken.

2:46:59.120 --> 2:47:2.220

Sophie Moiese Room

This pitch should have never gotten to where it is right now.

2:47:3.330 --> 2:47:11.970

Sophie Moiese Room

It was grandfathered in as a 15 acre pit and no homeowner has ever been notified that a permit has been granted.

2:47:12.150 --> 2:47:13.0

Sophie Moiese Room

We have not been.

2:47:14.240 --> 2:47:19.110

Sophie Moiese Room

We were never notified that the asphalt plant was coming or the cement plant.

2:47:19.260 --> 2:47:24.300

Sophie Moiese Room

Everything has been kept under the table in top secret.

2:47:25.730 --> 2:47:33.360

Sophie Moiese Room

We don't know what to do if this zoning variance goes through, is it gonna just be more of the same?

2:47:34.590 --> 2:47:36.660

Sophie Moiese Room

Are we going to just keep?

2:47:36.670 --> 2:47:42.90

Sophie Moiese Room

Well, you know, we'll just creep out a little bit a little bit until it's in our front yard.

2:47:44.410 --> 2:47:51.270

Sophie Moiese Room

I you know this is this is super important to all of us and.

2:47:53.150 --> 2:47:55.30

Sophie Moiese Room

I know money, money talks.

2:47:56.450 --> 2:48:4.420

Sophie Moiese Room

But you know John Kappas's story about the big open fields, and one farmhouse really doesn't sound that bad to me.

2:48:5.460 --> 2:48:11.740

Sophie Moiese Room

It's a lot better than looking at an ugly gravel pit, so that's my.

2:48:13.690 --> 2:48:14.300

Sophie Moiese Room

Thank.

2:48:14.470 --> 2:48:15.420

Sophie Moiese Room

Thank you, Miss Harris.

2:48:16.600 --> 2:48:18.150

Sophie Moiese Room

I call her on the line.

2:48:18.160 --> 2:48:20.40

Sophie Moiese Room

Who is trying to get in earlier?

2:48:20.80 --> 2:48:21.210

Sophie Moiese Room

Feel free to jump in.

2:48:21.70 --> 2:48:21.250

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Yeah.

2:48:21.220 --> 2:48:24.0

Sophie Moiese Room

Introduce yourself and share US share with us your comment.

2:48:24.780 --> 2:48:25.90

d885e3b1-d775-41e0-a0ad-5eae48d90197

Sure.

2:48:25.100 --> 2:48:31.330

d885e3b1-d775-41e0-a0ad-5eae48d90197

I I apologize for not being able to be on at sight on person, but I'm up on King Rd.

2:48:31.340 --> 2:48:32.490

d885e3b1-d775-41e0-a0ad-5eae48d90197

My name is Dan Monroe.

2:48:32.500 --> 2:48:35.890

d885e3b1-d775-41e0-a0ad-5eae48d90197

I've been a community member here for 17 years.

2:48:36.500 --> 2:48:41.620

d885e3b1-d775-41e0-a0ad-5eae48d90197

I'm about a mile southwest of the pit where I live with my with my family.

2:48:41.630 --> 2:48:42.930

d885e3b1-d775-41e0-a0ad-5eae48d90197

I'm looking up at the elk herd.

2:48:42.940 --> 2:48:53.0

d885e3b1-d775-41e0-a0ad-5eae48d90197

As a matter of fact, right now, umm, I have the advantage of being able to to type some idea down, whereas everybody in the room just has to jump up in front of people.

2:48:53.10 --> 2:49:0.950

d885e3b1-d775-41e0-a0ad-5eae48d90197

So I have a bit of an advantage here, perhaps and respect to the zoning variance that the Commissioners were talking about.

2:49:1.650 --> 2:49:9.820

d885e3b1-d775-41e0-a0ad-5eae48d90197

I believe this argument is is not consistent with your previous discussion you had regarding the subdivision that did not have zoning.

2:49:10.510 --> 2:49:24.100

d885e3b1-d775-41e0-a0ad-5eae48d90197

You decided to approve that subdivision because the community didn't have zoning, but in our community we do have a legal agreement which says basically that there can be no significant further significant industrial growth in our Community.

2:49:24.880 --> 2:49:32.250

d885e3b1-d775-41e0-a0ad-5eae48d90197

So in my opinion, you'd be doing a an end round of our legal agreement by ignoring the existing legal document that we have.

2:49:33.200 --> 2:49:36.390

d885e3b1-d775-41e0-a0ad-5eae48d90197

Why do we continue to ignore zoning in our community?

2:49:36.780 --> 2:49:38.150

d885e3b1-d775-41e0-a0ad-5eae48d90197

And yet enforce it and others.

2:49:39.780 --> 2:49:54.330

d885e3b1-d775-41e0-a0ad-5eae48d90197

My second point is I think it's it's ironic and and and disappointing that several of our neighborhood roads in this community are poorly maintained and basically mud roads, Sun Valley, Carlton Creek King Rd.

2:49:54.980 --> 2:49:58.970

d885e3b1-d775-41e0-a0ad-5eae48d90197

John Kappas had a a wonderful presentation.

2:49:58.980 --> 2:50:7.890

d885e3b1-d775-41e0-a0ad-5eae48d90197

He sounds like a great business man, but he talks about the fantastic quality of the aggregates that other neighborhoods in in Missoula County benefit from.

2:50:7.900 --> 2:50:9.240

d885e3b1-d775-41e0-a0ad-5eae48d90197

But why not our neighborhood?

2:50:9.370 --> 2:50:10.820

d885e3b1-d775-41e0-a0ad-5eae48d90197

Are taxes certainly warrant?

2:50:11.630 --> 2:50:13.370

d885e3b1-d775-41e0-a0ad-5eae48d90197

Uh paved Rd to our homes too?

2:50:14.610 --> 2:50:34.850

d885e3b1-d775-41e0-a0ad-5eae48d90197

Umm, I'm looking out at the window again at the at the elk herd and I I think it would be shocking if we'd risk this, this incredible natural resource and the cabin grounds and the by degrading it and narrowing the corridor that the animals have to get to the river.

2:50:37.170 --> 2:50:41.320

d885e3b1-d775-41e0-a0ad-5eae48d90197

If any of you folks have, uh, outside of the community, have turned N onto Hwy.

2:50:41.330 --> 2:50:47.770

d885e3b1-d775-41e0-a0ad-5eae48d90197

93 by Trader Brothers it's an extremely dangerous intersection.

2:50:47.780 --> 2:50:58.450

d885e3b1-d775-41e0-a0ad-5eae48d90197

Already now you have to pull out steady traffic coming out of Missoula and going into Missoula throughout the day with the, you know, additional truck traffic.

2:50:58.460 --> 2:51:15.910

d885e3b1-d775-41e0-a0ad-5eae48d90197

We already see very difficult and and very dangerous, oftentimes foggy conditions for us to be doing anything other than making our neighborhood and the community members safer is just for criminal.

2:51:16.380 --> 2:51:20.10

d885e3b1-d775-41e0-a0ad-5eae48d90197

So it would be something to think about.

2:51:20.50 --> 2:51:27.520

d885e3b1-d775-41e0-a0ad-5eae48d90197

I don't know if we need to put a traffic light in there or not, but I I I certainly appeal to the Commissioners to not approve this expansion.

2:51:27.530 --> 2:51:30.770

d885e3b1-d775-41e0-a0ad-5eae48d90197

I think it would be, uh, real detriment to our community.

2:51:31.200 --> 2:51:32.750

d885e3b1-d775-41e0-a0ad-5eae48d90197

So thanks for your time and your service.

2:51:34.840 --> 2:51:35.610

Sophie Moiese Room

Thank you, Dan.

2:51:35.620 --> 2:51:39.670

Sophie Moiese Room

And maybe what we'll do is alternate between in the room and folks online.

2:51:39.680 --> 2:51:46.70

Sophie Moiese Room

I do see another hand up online, but first is there someone in the room that would like to come on up and introduce yourself?

2:51:49.630 --> 2:51:55.660

Sophie Moiese Room

Hello, I'm Eugene Kay Shepherd of 6686.

2:51:55.670 --> 2:51:56.660

Sophie Moiese Room

Sun Valley Rd.

2:51:57.170 --> 2:51:58.930

Sophie Moiese Room

Lived at that address about 30 years.

2:52:0.850 --> 2:52:2.750

Sophie Moiese Room

Thank you for this this forum.

2:52:2.760 --> 2:52:14.80

Sophie Moiese Room

The opportunity to, you know, to give an opinion, I imagine there's a world bring this, this, you know, just doesn't happen, that you just get what this forced upon you.

2:52:14.90 --> 2:52:17.410

Sophie Moiese Room

So I appreciate the the opportunity.

2:52:18.250 --> 2:52:32.720

Sophie Moiese Room

I don't envy the Commissioners that you have to sit there and listen to someone you know, try to tell you that it's dega enormous hole in the earth and and it's a beautiful thing.

2:52:32.850 --> 2:52:35.80

Sophie Moiese Room

Now, the virtues of destroying nature.

2:52:35.900 --> 2:52:41.120

Sophie Moiese Room

Ohm how it's you know it's it's the way to go in life.

2:52:41.700 --> 2:52:44.150

Sophie Moiese Room

I do not envy you.

2:52:44.160 --> 2:52:45.460

Sophie Moiese Room

Have to sit there and listen to that?

2:52:45.830 --> 2:52:51.530

Sophie Moiese Room

Umm, I grew up about 100 miles east of here and I born and raised there.

2:52:52.400 --> 2:52:55.430

Sophie Moiese Room

Yeah, one time is the site of the largest Superfund.

2:52:57.420 --> 2:52:59.780

Sophie Moiese Room

Designated area in the United States.

2:52:59.790 --> 2:53:9.0

Sophie Moiese Room

You know, when I was growing up there and industrial, they tell you everything what you want to what they think you want to hear, what they want you to hear.

2:53:9.700 --> 2:53:9.960

Sophie Moiese Room

Umm.

2:53:10.460 --> 2:53:13.970

Sophie Moiese Room

And it's only about one thing, though, for industry is profit.

2:53:14.360 --> 2:53:23.770

Sophie Moiese Room

Get the get the money and and get out of there and let the the suckers who you know who believe you all along do with the mess when you're gone.

2:53:24.220 --> 2:53:33.710

Sophie Moiese Room

That's exactly how it goes and and so so that that's that's one of the biggest things that I think we need to be cognizant of here.

2:53:33.880 --> 2:53:37.830

Sophie Moiese Room

Second thing is this is settled law I've heard.

2:53:37.840 --> 2:53:39.150

Sophie Moiese Room

So I've looked at it.

2:53:39.160 --> 2:53:39.630

Sophie Moiese Room

I'm not.

2:53:39.640 --> 2:54:9.290

Sophie Moiese Room

I know I'm not a legal expert and I haven't done, you know, gone into any documents or anything other than what has been posted related to this, but in all indications are this is settled law that because you're an entity within our community that has some sway decided they want something, then you know, it seems like the this situation is already set to yes.

2:54:9.540 --> 2:54:16.110

Sophie Moiese Room

Let's see if anyone can come up with a way to to turn it to know why isn't it started out as.

2:54:16.120 --> 2:54:20.630

Sophie Moiese Room

No, it feels like it's it's already slanted towards, yes.

2:54:21.460 --> 2:54:36.190

Sophie Moiese Room

So I feel like settled law, and if this is everything that's, you know, the the zoning that's in place if if we can't trust that if the if that's just has no no.

2:54:38.360 --> 2:54:39.130

Sophie Moiese Room

Teeth to it.

2:54:39.140 --> 2:54:39.490

Sophie Moiese Room

What?

2:54:39.500 --> 2:54:42.10

Sophie Moiese Room

What are good or any of our agreements?

2:54:42.20 --> 2:54:44.620

Sophie Moiese Room

Is this another broken treaty that it feels like?

2:54:47.50 --> 2:54:54.230

Sophie Moiese Room

And then the you know, I my kids are all grown and and I could look the other way on this.

2:54:54.290 --> 2:54:59.900

Sophie Moiese Room

I could just, you know, put the blinders on and just say, well, I I got what I wanted out of this.

2:55:0.50 --> 2:55:3.300

Sophie Moiese Room

I sent my kids to the school and and all that.

2:55:3.410 --> 2:55:15.470

Sophie Moiese Room

But I I drive by that pit every day and when you see it every day you you're gonna little a complete understanding what you're actually looking at and it it's not a great thing at all.

2:55:15.840 --> 2:55:16.350

Sophie Moiese Room

This is a.

2:55:16.420 --> 2:55:17.850

Sophie Moiese Room

This is hogwash.

2:55:18.240 --> 2:55:19.370

Sophie Moiese Room

Isn't necessary.

2:55:19.380 --> 2:55:26.450

Sophie Moiese Room

Yeah, there's many, many things in our society that that aren't awesome, that we all but we need.

2:55:27.60 --> 2:55:29.260

Sophie Moiese Room

But the truth is, it's not.

2:55:29.310 --> 2:55:38.900

Sophie Moiese Room

This is not a pleasant thing to be near around, or unless you're after profits, then it is something that probably people like.

2:55:39.650 --> 2:55:46.420

Sophie Moiese Room

But as far as I think are huge issue took to look at and and for me it just it.

2:55:46.490 --> 2:55:50.120

Sophie Moiese Room

It holds the most weight in this argument is is the wildlife.

2:55:50.420 --> 2:56:26.190

Sophie Moiese Room

When I heard that the fishing game was relatively sure that the the area of where we're talking about expanding into was likely to be used by a mother grizzly bear, that's huge red flag to me that's I think you're, you know, tread lightly and that if you if you're gonna rip a giant hole in the earth where you know something like a a, a grizzly bear is gonna wander through expecting to to find what you know she needs there.

2:56:26.780 --> 2:56:29.330

Sophie Moiese Room

This is not hypothetical either.

2:56:29.340 --> 2:56:33.930

Sophie Moiese Room

If you, you know, research ethyl the grizzly bear, I I've tracked her.

2:56:33.940 --> 2:56:41.830

Sophie Moiese Room

I I know when all that was happening, I was watching where she was at and it it was within sight distance of where I live.

2:56:42.360 --> 2:56:44.470

Sophie Moiese Room

Yeah, she was in the trees and I never saw her.

2:56:44.480 --> 2:56:46.910

Sophie Moiese Room

But that caller doesn't lie.

2:56:46.920 --> 2:56:54.920

Sophie Moiese Room

She was right there, right where we're talking about that bear walked right down the middle of a I went 93 through Lolo at 4:00 in the morning.

2:56:55.390 --> 2:57:4.820

Sophie Moiese Room

Nobody saw pulled it off beautifully, but you know I, you know, when she goes and then she goes back the rest of her journey.

2:57:4.890 --> 2:57:10.350

Sophie Moiese Room

I'm sure that I just believe in the power of nature, that that's institutional knowledge.

2:57:10.360 --> 2:57:15.840

Sophie Moiese Room

If you're a grizzly bear, may be passed on to you know her offspring or whatever.

2:57:15.850 --> 2:57:23.340

Sophie Moiese Room

But I I would imagine you're running a little bit long, so I truly believe that there's more grizzly bears that will expect to find that.

2:57:24.610 --> 2:57:26.140

Sophie Moiese Room

You know when in good shape.

2:57:26.150 --> 2:57:27.550

Sophie Moiese Room

Now, with a huge hole in it.

2:57:28.950 --> 2:57:29.480

Sophie Moiese Room

Thank you.

2:57:29.750 --> 2:57:30.130

Sophie Moiese Room

Thank you.

2:57:32.510 --> 2:57:35.140

Sophie Moiese Room

Alright, looks like we do have a hand up online.

2:57:35.150 --> 2:57:37.110

Sophie Moiese Room

Sheryl, who do we?

2:57:39.860 --> 2:57:40.200

Sophie Moiese Room

Ben.

2:57:45.170 --> 2:57:46.530

Ben Crocker

Ohh yes, can you hear me OK?

2:57:47.240 --> 2:57:48.50

Sophie Moiese Room

Yes, we can hear you.

2:57:49.560 --> 2:57:51.520

Ben Crocker

Hi, Ben Crocker I own.

2:57:53.560 --> 2:57:58.550

Ben Crocker

18960 Maple Lane in live there with my family. Uh.

2:57:59.870 --> 2:58:12.690

Ben Crocker

I will share more direct fence line with the proposed expansion of the Western excavating operation.

2:58:12.700 --> 2:58:19.900

Ben Crocker

Then I believe anyone else, UMI would say that and they've been a great neighbor.

2:58:20.840 --> 2:58:27.150

Ben Crocker

Uh, ****, one thing I like is they only operate during, you know, Monday through Friday.

2:58:29.230 --> 2:58:39.930

Ben Crocker

Uh, you know when when we're not, there's never noise or or machines operating outside of normal business hours.

2:58:40.740 --> 2:58:49.220

Ben Crocker

We have received no dust, no nuisance whatsoever from the existing operation and.

2:58:51.420 --> 2:58:54.170

Ben Crocker

Uh, I think Westerns are very well run company.

2:58:54.240 --> 2:58:54.490

Ben Crocker

Uh.

2:58:54.500 --> 2:58:55.300

Ben Crocker

Very professional.

2:58:56.170 --> 2:58:58.460

Ben Crocker

Umm, you do?

2:58:58.470 --> 2:58:59.820

Ben Crocker

I do.

2:58:59.830 --> 2:59:2.960

Ben Crocker

I dream of having a gravel pit off of my fence line.

2:59:3.10 --> 2:59:3.920

Ben Crocker

No, nobody does.

2:59:3.930 --> 2:59:7.230

Ben Crocker

But you know, we're dealing a little bit with the NIMBY principle.

2:59:7.240 --> 2:59:8.410

Ben Crocker

They're not in my backyard.

2:59:9.150 --> 2:59:11.270

Ben Crocker

Umm, we all need gravel.

2:59:11.470 --> 2:59:19.140

Ben Crocker

We all live in houses made a, you know, built on foundations of concrete and drive on gravel roads and and has to come from somewhere.

2:59:20.180 --> 2:59:22.870

Ben Crocker

Uh, I would I like their plan.

2:59:22.920 --> 2:59:33.540

Ben Crocker

I especially like that it doesn't include putting a massive subdivision in the what is right now, just an unused field that borders my pasture.

2:59:33.550 --> 2:59:34.560

Ben Crocker

I would much rather have.

2:59:36.750 --> 2:59:42.430

Ben Crocker

You know a little bit of industry there then have a neighborhood there certainly.

2:59:45.240 --> 2:59:49.810

Ben Crocker

I in regards to the wildlife, yes, the elk passed through there.

2:59:49.820 --> 2:59:54.550

Ben Crocker

Oftentimes they spend the night in my pasture or in the when it's now a vacant field.

2:59:56.240 --> 2:59:58.140

Ben Crocker

They typically don't stay too long.

2:59:58.510 --> 2:59:59.110

Ben Crocker

Umm.

2:59:59.830 --> 3:0:8.880

Ben Crocker

I see in the plan that there is accommodations for for their movement and you know sometimes they don't take that route.

3:0:8.890 --> 3:0:13.50

Ben Crocker

Sometimes they go through the pastures of what used to be the McClay ranch.

3:0:14.150 --> 3:0:18.890

Ben Crocker

Umm, I understand the concerns of my neighbors and and respect them.

3:0:19.490 --> 3:0:27.410

Ben Crocker

Umm, but you know, I would encourage you to come out and walk my property line if you wish.

3:0:27.420 --> 3:0:29.560

Ben Crocker

And and see what's really going on out there.

3:0:29.570 --> 3:0:33.660

Ben Crocker

We've myself and my family, we've never considered them a nuisance.

3:0:34.650 --> 3:0:36.390

Ben Crocker

Umm and.

3:0:38.470 --> 3:0:43.930

Ben Crocker

You know, it's not wilderness area, it's it's just an unused what used to be a pasture.

3:0:44.590 --> 3:0:57.30

Ben Crocker

And I think that once they're done with their reclamation plan, it'll be much nicer than it is currently and appreciate you giving me the opportunity to to speak today.

3:0:57.40 --> 3:0:57.420

Ben Crocker

Thank you.

3:0:59.420 --> 3:1:0.430

Sophie Moiese Room

Thank you, Ben.

3:1:0.900 --> 3:1:9.650

Sophie Moiese Room

Let's go back to the room here, and before we take any more bites at the apple, is there anyone here who has not spoken?

3:1:10.160 --> 3:1:11.200

Sophie Moiese Room

Who would like to come on up?

3:1:17.90 --> 3:1:18.200

Sophie Moiese Room

Good evening, commissioners.

3:1:18.210 --> 3:1:19.520

Sophie Moiese Room

My name is Tori Fort.

3:1:19.530 --> 3:1:21.630

Sophie Moiese Room

I live at 18900 Maple Lane.

3:1:27.400 --> 3:1:48.220

Sophie Moiese Room

So my husband and I have done a little bit of research since finding out about this expansion and in 1993, Missoula County produced a zoning permit stating that this operation was not zoned residential to the zoning had been residential since 1976.

3:1:50.10 --> 3:1:55.360

Sophie Moiese Room

To our knowledge, there was no public hearing at the time, as is required by our zoning statutes.

3:1:56.530 --> 3:2:5.220

Sophie Moiese Room

All subsequent permits have been issued based on this one and when out without the proper procedures to include the people most affected by these decisions.

3:2:7.350 --> 3:2:11.980

Sophie Moiese Room

Now we're looking at expanding an already massive mining operation.

3:2:12.90 --> 3:2:13.220

Sophie Moiese Room

That's right in my backyard.

3:2:15.220 --> 3:2:18.630

Sophie Moiese Room

In the proportions that should have never been allowed in a residential area.

3:2:19.440 --> 3:2:24.40

Sophie Moiese Room

I, on the other hand, do have three small children under the age of 6.

3:2:24.190 --> 3:2:25.220

Sophie Moiese Room

This is a very emotional.

3:2:27.730 --> 3:2:31.340

Sophie Moiese Room

Time in my family's lives to think that this is what we're going to deal with.

3:2:32.790 --> 3:2:51.390

Sophie Moiese Room

Umm, we are concerned about the water in the aquifer near the gravel pit and my children playing a backyard next to where Western plans to set up a cement and asphalt plant that will billow toxic asphalt fumes, dust particles and cement rock particles into the air that they breathe every day.

3:2:53.60 --> 3:3:3.510

Sophie Moiese Room

The fact that they identified dust, isn't it as a problem needing miss mitigation prove that this is a big problem and does does does not stay underneath the six foot berm.

3:3:5.420 --> 3:3:10.310

Sophie Moiese Room

The common thing my 6 year old son says to people when they come into our house.

3:3:10.320 --> 3:3:16.460

Sophie Moiese Room

Our guests is if they know what a gravel pit is, he asks me about gravel pits.

3:3:16.460 --> 3:3:25.390

Sophie Moiese Room

Now it's become something that our family discusses a lot, which is something I don't want. Umm.

3:3:30.590 --> 3:3:41.320

Sophie Moiese Room

Just another point of history that we found, the plan of operations in the 1993 contract that we got from DQ records request the gravel pit was shut down.

3:3:41.730 --> 3:3:42.520

Sophie Moiese Room

Excuse me.

3:3:42.630 --> 3:3:47.150

Sophie Moiese Room

The contract with the gravel pit was to shut down in the fall of 1998.

3:3:48.270 --> 3:3:53.30

Sophie Moiese Room

That permit was for 3.5 acres, and the land was to be reclaimed.

3:3:54.430 --> 3:4:0.430

Sophie Moiese Room

If that had been done, if Missoula County had followed what they had said in 1993, we wouldn't even be here today.

3:4:11.700 --> 3:4:14.260

Sophie Moiese Room

Sorry, I'm just looking at the last things I wanted to say.

3:4:14.960 --> 3:4:21.300

Sophie Moiese Room

Umm yeah, I I wanna say that I want my children to have a clean, a healthy and a safe environment.

3:4:22.510 --> 3:4:25.180

Sophie Moiese Room

Which to me is granted in the Constitution.

3:4:25.450 --> 3:4:27.910

Sophie Moiese Room

I believe that we should have this right.

3:4:29.460 --> 3:4:31.540

Sophie Moiese Room

The gravel pit is not in the right location.

3:4:31.640 --> 3:4:35.590

Sophie Moiese Room

We live in a great state with an abundance of land for extracting resources.

3:4:37.20 --> 3:4:41.950

Sophie Moiese Room

This is not a hardship in my opinion, for Western to find another location for their operation.

3:4:42.140 --> 3:4:50.130

Sophie Moiese Room

In fact, I would say that it is something inherent to the nature of their industry, to be away from residents and out of the harm.

3:4:50.240 --> 3:4:51.920

Sophie Moiese Room

The direct harm of people.

3:4:54.290 --> 3:4:55.450

Sophie Moiese Room

So how do we get here?

3:4:55.510 --> 3:5:0.660

Sophie Moiese Room

If the county at uphold upheld the zoning at several points in time, this gravel pit would have been shut down.

3:5:3.340 --> 3:5:4.410

Sophie Moiese Room

They should invest.

3:5:4.480 --> 3:5:7.640

Sophie Moiese Room

Western should invest in finding another location, they said.

3:5:7.650 --> 3:5:8.600

Sophie Moiese Room

They have 20 years.

3:5:8.760 --> 3:5:12.690

Sophie Moiese Room

They should invest in finding another location more appropriate for the nature of this business.

3:5:14.80 --> 3:5:19.750

Sophie Moiese Room

The county has the opportunity to use the power their representatives were entrusted with by their voters to do the right thing.

3:5:20.140 --> 3:5:32.280

Sophie Moiese Room

I implore that the Commissioners move to not allow this gravel pit variance to go forward and to strictly enforce the statutes of ZD 40 and deny the use variance requested by Western.

3:5:32.410 --> 3:5:33.140

Sophie Moiese Room

Thank you.

3:5:33.800 --> 3:5:34.680

Sophie Moiese Room

Thank you, Tori.

3:5:35.190 --> 3:5:36.280

Sophie Moiese Room

Let's go back online.

3:5:36.290 --> 3:5:40.360

Sophie Moiese Room

Is there anyone online or on the phone who would like to comment?

3:5:45.320 --> 3:5:45.540

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Yep.

3:5:43.620 --> 3:5:45.580

Sophie Moiese Room

OK, grant. Kier.

3:5:46.500 --> 3:5:47.40

Sophie Moiese Room

Mr Kier.

3:5:48.560 --> 3:5:49.830

Grant Kier

Good afternoon, commissioners.

3:5:50.60 --> 3:6:0.170

Grant Kier

My apologies, I had other meetings today, so if my testimony here is redundant to others, then please forgive me, but maybe I'll add to the case made previously.

3:6:0.180 --> 3:6:19.630

Grant Kier

If that's the case, I just wanted to take a second to acknowledge that on our work to try to support Community efforts to add workforce housing and affordable housing across the county's, a lot of what we've heard from the development community are the current and anticipated challenges of the cost and availability of gravel.

3:6:20.390 --> 3:6:30.510

Grant Kier

And I don't imagine that there's many folks who want a gravel pit in their backyard, and I'm sympathetic to that.

3:6:30.560 --> 3:6:42.990

Grant Kier

But we are facing real challenges with the availability of this product and it's so essential for the roads and foundations of the very things we're trying hard to deliver at the most affordable rate.

3:6:43.40 --> 3:6:55.20

Grant Kier

So forcing these resources to be further from the places where we're trying to consolidate housing and impacts would add to the cost and impact of delivering that kind of housing and they just wanted to.

3:6:56.490 --> 3:7:11.490

Grant Kier

Bring the awareness to the sort of broader economic challenge that's faced by trying to push these things too far away from the very places where we're trying to invest in that density and consolidation to create more livability and affordability. Thanks.

3:7:12.580 --> 3:7:13.110

Sophie Moiese Room

Thanks.

3:7:13.120 --> 3:7:19.70

Sophie Moiese Room

And just for the record, grant, are you off in comment as an individual or as a representative, Zoe?

3:7:17.950 --> 3:7:19.880

Grant Kier

My apologies, Commissioner, I am.

3:7:19.890 --> 3:7:24.600

Grant Kier

I'm I'm calling today in my role as the CEO of the Missoula Economic Partnership.

3:7:24.610 --> 3:7:24.950

Grant Kier

Thank you.

3:7:25.550 --> 3:7:26.240

Sophie Moiese Room

OK.

3:7:26.310 --> 3:7:26.670

Sophie Moiese Room

Thank you.

3:7:29.420 --> 3:7:31.160

Sophie Moiese Room

OK, here in the Sophie Moiese room.

3:7:31.170 --> 3:7:35.460

Sophie Moiese Room

Anyone else who has not commented yet who would like to OK come on up.

3:7:39.500 --> 3:7:50.40

Sophie Moiese Room

Hi, my name is Alice Tully and I'm here sort of to little bit of past history and of statement on behalf of my son.

3:7:50.390 --> 3:7:53.180

Sophie Moiese Room

I lived on Mullen Rd for over 20 years.

3:7:53.310 --> 3:7:56.740

Sophie Moiese Room

I was there when that gravel pit was started by Hugh Frame.

3:7:57.90 --> 3:8:14.180

Sophie Moiese Room

It was supposed to be a very, very small gravel pit and look what we have out there on Mullen Road now for years we fought to get berms built to get trees and get mitigating circumstances, so we didn't have to look at the gravel pit, trees died, watering.

3:8:14.190 --> 3:8:20.810

Sophie Moiese Room

There was always an excuse, but at any rate, my son now owns the property and I just asked him to please.

3:8:20.820 --> 3:8:26.870

Sophie Moiese Room

He's at work and make a small statement that I could just read, if you will allow me, yes.

3:8:30.530 --> 3:8:30.960

Sophie Moiese Room

And what?

3:8:30.970 --> 3:8:32.160

Sophie Moiese Room

What is your son's name?

3:8:32.270 --> 3:8:33.680

Sophie Moiese Room

His name is Paul Tully.

3:8:33.690 --> 3:8:35.970

Sophie Moiese Room

Paul, OK, very good, he says.

3:8:36.160 --> 3:8:46.640

Sophie Moiese Room

Uh, I grew up and still own the property at 5355 Mullen Rd in Missoula, which is less than 7/10 of a mile West of Western excavating.

3:8:46.650 --> 3:8:51.650

Sophie Moiese Room

Large gravel pit operation at 4685 Mullen Rd.

3:8:52.100 --> 3:9:3.350

Sophie Moiese Room

That gravel pit mechanism began as a small operation in the early 1980s and assurances were made by the operator that would be small and a neighborly operation.

3:9:3.730 --> 3:9:10.250

Sophie Moiese Room

As the years passed and the operation was sold to new owners, the gravel pit grew and grew.

3:9:10.390 --> 3:9:13.360

Sophie Moiese Room

Concrete plant, asphalt plant, etcetera.

3:9:13.690 --> 3:9:22.600

Sophie Moiese Room

With that growth came more track truck traffic, more noise, more dust, and more odors associated with an asphalt plant.

3:9:22.830 --> 3:9:41.250

Sophie Moiese Room

And yes, that operation, like the proposed operation expansion that's planned for what we're talking about today, has weekday operating hours, but it starts early and ends late and have no doubt it is noisy, nearly almost a mile away.

3:9:41.480 --> 3:9:45.710

Sophie Moiese Room

And winds often carry the dust and odor throughout the neighborhood.

3:9:46.220 --> 3:9:59.850

Sophie Moiese Room

Gravel pits and their associated works are a necessity for local economics and infrastructure infrastructure projects, but it is a balancing act between residences and businesses.

3:10:0.400 --> 3:10:5.830

Sophie Moiese Room

That said, the neighborhood that they're talking about, the expansion needs to be aware.

3:10:6.610 --> 3:10:18.970

Sophie Moiese Room

But while it's a small operation at present, the new expansion proposal will likely ramp up its operation considerably and become as large and busy as the Mullen site has been.

3:10:19.400 --> 3:10:23.200

Sophie Moiese Room

That means increased noise, truck traffic, dust and smells.

3:10:24.250 --> 3:10:37.610

Sophie Moiese Room

I am sure that Western excavating will say that they intend for operations to remain small, but the Mullen site was supposed to remain that way as well as good neighbors and stewards.

3:10:37.620 --> 3:10:44.620

Sophie Moiese Room

They intend to be there, but there is no way to keep a large gravel pit operation out of sight and out of mind.

3:10:45.30 --> 3:10:45.510

Sophie Moiese Room

Thank you.

3:10:47.550 --> 3:10:48.840

Sophie Moiese Room

Thank you, Miss Dolly.

3:10:49.230 --> 3:10:50.640

Sophie Moiese Room

So let's go back online.

3:10:50.650 --> 3:10:52.720

Sophie Moiese Room

Anyone online or on the phone who would like to comment?

3:10:55.540 --> 3:10:58.10

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Let's hear this is Dan Monroe again on King Rd.

3:10:58.20 --> 3:10:59.650

d885e3b1-d775-41e0-a0ad-5eae48d90197

I just have just one quick question.

3:10:59.660 --> 3:11:1.390

d885e3b1-d775-41e0-a0ad-5eae48d90197

I appreciate you guys staying late.

3:11:3.290 --> 3:11:10.190

d885e3b1-d775-41e0-a0ad-5eae48d90197

If you're legal counsel is in the room, I was just curious, but he would answer, or he or she would answer the question.

3:11:11.180 --> 3:11:13.610

d885e3b1-d775-41e0-a0ad-5eae48d90197

Why do we have zoning at all?

3:11:14.200 --> 3:11:35.840

d885e3b1-d775-41e0-a0ad-5eae48d90197

If the Commissioners can create a variance for a private enterprise to expand when it's explicitly stated that that's not allowed in our zone, how does that legally happen and what do we have as a community at our disposal to the counter that short of hiring our own legal representative?

3:11:38.80 --> 3:11:38.920

Sophie Moiese Room

Thank you.

3:11:38.530 --> 3:11:39.650

d885e3b1-d775-41e0-a0ad-5eae48d90197

What's going on?

3:11:40.430 --> 3:11:40.940

Sophie Moiese Room

Yeah.

3:11:40.950 --> 3:11:42.340

Sophie Moiese Room

The thank you, Ben.

3:11:42.350 --> 3:11:46.390

Sophie Moiese Room

I will take that as a public comment and and.

3:11:48.790 --> 3:11:49.860

Sophie Moiese Room

Well, OK.

3:11:49.870 --> 3:11:53.570

Sophie Moiese Room

Our our legal counsel is wanting to respond, so.

3:11:56.0 --> 3:11:56.410

d885e3b1-d775-41e0-a0ad-5eae48d90197

Thanks.

3:11:56.690 --> 3:11:59.820

Sophie Moiese Room

Zoning wouldn't be constitutional.

3:11:59.890 --> 3:12:11.260

Sophie Moiese Room

Are the courts have said for 100 years, one of the reasons that zoning is constitutional and doesn't violate people's, umm, 5th Amendment rights to use their property?

3:12:11.270 --> 3:12:18.60

Sophie Moiese Room

Exactly as they want is that is by allowing variances from zoning.

3:12:18.330 --> 3:12:19.820

Sophie Moiese Room

That is what that is.

3:12:19.830 --> 3:12:26.640

Sophie Moiese Room

One of the components of the zoning regulation that makes it constitutional.

3:12:26.890 --> 3:12:45.770

Sophie Moiese Room

So if we if we didn't have a process to appeal zoning regulations and ask for a use variance, the very process that we're going through right now, the entire system of zoning in our country would would not pass constitutional muster.

3:12:47.730 --> 3:12:48.620

Sophie Moiese Room

Thank you, John.

3:12:48.630 --> 3:12:49.960

Sophie Moiese Room

Thanks for the question, Ben.

3:12:50.230 --> 3:12:53.860

Sophie Moiese Room

Here in the room, additional public comment, I see some.

3:12:53.870 --> 3:12:55.240

Sophie Moiese Room

I see a couple people poised.

3:12:55.250 --> 3:12:55.690

Sophie Moiese Room

Come on up.

3:12:58.460 --> 3:13:1.140

Sophie Moiese Room

Hi, my name is Louis Arches and I live on Maple Lane.

3:13:1.150 --> 3:13:7.380

Sophie Moiese Room

Also, I'm First off before I forget, I just wanna refute a few things I heard here today.

3:13:8.350 --> 3:13:12.260

Sophie Moiese Room

One of the things was I said the people to the South don't have a view of the gravel pit.

3:13:13.80 --> 3:13:18.190

Sophie Moiese Room

I defy you to come to my house, look out my bedroom window and tell me that you don't see a gravel pit.

3:13:18.880 --> 3:13:24.390

Sophie Moiese Room

Second, I heard a call or say that they operate within their hours.

3:13:24.840 --> 3:13:25.640

Sophie Moiese Room

That's false.

3:13:26.410 --> 3:13:30.440

Sophie Moiese Room

They routinely wake me up at 6:00 o'clock in the morning with their backup beepers.

3:13:30.770 --> 3:13:32.200

Sophie Moiese Room

We live in a neighborhood.

3:13:32.210 --> 3:13:49.80

Sophie Moiese Room

I appreciate, you know, 50 years of growth, what you didn't see out here in Missoula, but if you go back 50 years, you will see a neighborhood back where I live and we came together, put zoning in place, citizen initiated for what we wanted.

3:13:51.290 --> 3:13:54.100

Sophie Moiese Room

So that's some of the things I want to say.

3:13:54.150 --> 3:13:58.400

Sophie Moiese Room

I I can agree with the muddy Rd comment, our roads are ****.

3:13:59.10 --> 3:14:0.960

Sophie Moiese Room

Sorry, can I say that our roads are crap?

3:14:2.720 --> 3:14:16.0

Sophie Moiese Room

And umm, as far as the wildlife corridors go and all that, I can attest to month ago I saw I counted over 100 elk just below the Cunningham court.

3:14:16.300 --> 3:14:19.170

Sophie Moiese Room

I have counted over 60 elk sleeping in my pasture.

3:14:20.640 --> 3:14:21.530

Sophie Moiese Room

Grizzly bears.

3:14:22.120 --> 3:14:25.910

Sophie Moiese Room

OK, you had your little dot up there for potential corridor.

3:14:26.360 --> 3:14:34.940

Sophie Moiese Room

There's a reason why 2 summers ago, the first grizzly bear to be trapped in the bitter mountains and over 90 years was trapped in our neighborhood.

3:14:37.110 --> 3:14:40.810

Sophie Moiese Room

These animals are gonna have an impact now.

3:14:42.750 --> 3:14:50.420

Sophie Moiese Room

If they operated within their hours that they said that they would operate in, you know, most of us, it's an old neighborhood.

3:14:50.430 --> 3:14:52.340

Sophie Moiese Room

We don't have central air.

3:14:52.770 --> 3:14:56.640

Sophie Moiese Room

We rely on opening our windows at night to cool our houses down.

3:14:57.350 --> 3:15:0.400

Sophie Moiese Room

That's why I get woken up by the machinery starting up at 6:00.

3:15:0.470 --> 3:15:10.700

Sophie Moiese Room

If they're worried about their contractors and their and their equipment getting out before the rush, then they ought to advocate for a stop light at Old Highway 93 and 93.

3:15:10.810 --> 3:15:13.270

Sophie Moiese Room

I will agree it is a dangerous intersection.

3:15:13.740 --> 3:15:25.900

Sophie Moiese Room

I know people that drive 3 miles out of their way to Florence so they can enter the highway from the light if they wanted to advocate for a stoplight down there, I'd be right behind them.

3:15:26.210 --> 3:15:35.40

Sophie Moiese Room

I'd I join their fight with them and I think everybody in our neighborhood would, so I've been there almost 20 years.

3:15:35.440 --> 3:15:42.970

Sophie Moiese Room

I don't know their property values, they didn't show very many houses for sale in Maple Lane in the in the time I've been there, almost 20 years.

3:15:43.30 --> 3:15:50.700

Sophie Moiese Room

I only know of three properties on our street that have turned over 1 due to death and two others family that moved in.

3:15:50.710 --> 3:15:52.480

Sophie Moiese Room

Just hear this last summer.

3:15:52.670 --> 3:15:57.80

Sophie Moiese Room

One and one other property, so I don't know what it's doing to our property values.

3:15:57.90 --> 3:16:1.100

Sophie Moiese Room

I can't imagine it's bringing them up by having a gravel pit there.

3:16:1.150 --> 3:16:7.740

Sophie Moiese Room

I don't mind the gravel pit, but it was zoned and to to be that small footprint.

3:16:8.0 --> 3:16:16.540

Sophie Moiese Room

If you pass the variance, it's the people, the community, our community, that loses if you don't pass the variance, nobody loses.

3:16:16.970 --> 3:16:18.80

Sophie Moiese Room

They don't lose either.

3:16:18.130 --> 3:16:19.370

Sophie Moiese Room

Western doesn't lose.

3:16:19.510 --> 3:16:22.0

Sophie Moiese Room

They knew what they were getting into when they bought that.

3:16:22.560 --> 3:16:27.100

Sophie Moiese Room

It said they couldn't expand, so nobody loses.

3:16:27.970 --> 3:16:28.310

Sophie Moiese Room

Thank you.

3:16:29.800 --> 3:16:31.570

Sophie Moiese Room

Thank you very much.

3:16:32.300 --> 3:16:35.770

Sophie Moiese Room

Let's go online and then to the back of the room.

3:16:35.780 --> 3:16:37.630

Sophie Moiese Room

Anyone online or on the phone like to comment?

3:16:41.190 --> 3:16:41.820

Sophie Moiese Room

OK, Sir.

3:16:41.830 --> 3:16:42.220

Sophie Moiese Room

Come on up.

3:16:49.930 --> 3:16:51.490

Sophie Moiese Room

My name's Alan Foss.

3:16:52.770 --> 3:16:54.310

Sophie Moiese Room

I live again the Maple lane.

3:16:56.640 --> 3:16:59.610

Sophie Moiese Room

I have been where I'm living today.

3:16:59.920 --> 3:17:3.30

Sophie Moiese Room

I have had that property since 1966.

3:17:3.40 --> 3:17:7.600

Sophie Moiese Room

The house we live in is the house that I built in 1966.

3:17:8.920 --> 3:17:11.500

Sophie Moiese Room

In 19 in 1972.

3:17:13.370 --> 3:17:25.90

Sophie Moiese Room

You folks or your your ancestors, they okayed 5 acres per house where these people's pit is today.

3:17:26.320 --> 3:17:36.900

Sophie Moiese Room

Dan Hendrickson started his little pit, one man, one little backhoe, 1 loader and he never had a permit.

3:17:37.220 --> 3:17:38.500

Sophie Moiese Room

I know this for a fact.

3:17:38.510 --> 3:17:39.700

Sophie Moiese Room

I know Stan personally.

3:17:40.670 --> 3:17:51.610

Sophie Moiese Room

Somehow he kept that Pip going, and when we passed the zoning law, it was security.

3:17:52.820 --> 3:17:54.900

Sophie Moiese Room

We thought that we would always have.

3:17:56.920 --> 3:18:0.110

Sophie Moiese Room

The zone and then to find out.

3:18:0.120 --> 3:18:4.100

Sophie Moiese Room

Now the western material wants to change the zone.

3:18:5.660 --> 3:18:7.360

Sophie Moiese Room

They want to put in a shipment plant.

3:18:7.370 --> 3:18:9.130

Sophie Moiese Room

They want to put in a hot plant.

3:18:9.500 --> 3:18:19.830

Sophie Moiese Room

They're hauling 5060 trucks a day out of there during the summer, and if they have, if they have cement and they have black top, that's going to double.

3:18:20.460 --> 3:18:22.550

Sophie Moiese Room

We already have highway problems.

3:18:24.610 --> 3:18:25.740

Sophie Moiese Room

That's all I have to say.

3:18:25.750 --> 3:18:26.210

Sophie Moiese Room

Thank you.

3:18:27.340 --> 3:18:28.630

Sophie Moiese Room

Thank you, Mr.

3:18:28.640 --> 3:18:37.850

Sophie Moiese Room

Fox and just to be clear, contrary to appearances, I was only in the second grade in 1972, so it would have been my ancestors in this position.

3:18:40.640 --> 3:18:41.160

Sophie Moiese Room

You're wonderful.

3:18:44.380 --> 3:18:44.760

Sophie Moiese Room

Thank you.

3:18:46.140 --> 3:18:49.980

Sophie Moiese Room

Alright, anyone online or on the phone?

3:18:54.90 --> 3:18:57.670

Sophie Moiese Room

OK, anyone else in the room who has not commented yet?

3:19:1.860 --> 3:19:2.300

Sophie Moiese Room

Come on up.

3:19:6.990 --> 3:19:9.380

Sophie Moiese Room

Commissioners, my name is Stefan Fort.

3:19:9.450 --> 3:19:11.870

Sophie Moiese Room

I'm I live on 18900 Maple Lane.

3:19:14.650 --> 3:19:18.50

Sophie Moiese Room

If you allow me, I'll use John Kappas's words and take you on a tour.

3:19:18.420 --> 3:19:19.790

Sophie Moiese Room

It won't go very far.

3:19:19.800 --> 3:19:20.860

Sophie Moiese Room

It's just my backyard.

3:19:21.730 --> 3:19:28.90

Sophie Moiese Room

I live 1 property away from at the South of the pit and from my backyard I see our gravel pit.

3:19:29.770 --> 3:19:30.650

Sophie Moiese Room

That's what I see.

3:19:30.660 --> 3:19:32.700

Sophie Moiese Room

That's why I can hear that's what I can smell.

3:19:33.180 --> 3:19:35.40

Sophie Moiese Room

And my young children can do too.

3:19:36.0 --> 3:19:40.990

Sophie Moiese Room

Pretty soon if this use variance is granted, we will see it here at and smell it even more.

3:19:41.260 --> 3:19:47.500

Sophie Moiese Room

The thousands of people commuting to to Missoula Daily will soon get to enjoy the enhanced view and smell as well.

3:19:48.760 --> 3:19:52.350

Sophie Moiese Room

Gravel extra excavation comes with an unavoidable nuisances.

3:19:52.400 --> 3:19:53.50

Sophie Moiese Room

Nuisances.

3:19:53.310 --> 3:20:2.990

Sophie Moiese Room

It is destructive in nature and causes severe disturbances to local natural resources, mainly aquifers, mainly to aquifers, which is what has the whole neighborhood very worried.

3:20:3.60 --> 3:20:7.190

Sophie Moiese Room

If this operation expands, gravel is a necessity.

3:20:7.200 --> 3:20:9.760

Sophie Moiese Room

I understand, but this is not the right location.

3:20:11.90 --> 3:20:21.550

Sophie Moiese Room

Land owners in 1976 already expressed this opinion and had it written into law, it is time for the county to uphold that law and listen to the land owners who live in the zoning today.

3:20:22.670 --> 3:20:35.450

Sophie Moiese Room

An overwhelming majority of the land owners within the zoning in question joined the petition against the use variance and would like to see their zoning upheld, which would be and which would be a first in regards to history of this pit.

3:20:36.540 --> 3:20:40.970

Sophie Moiese Room

The benefits of the proposed use variance and expansion are heavily biased towards Western.

3:20:41.180 --> 3:20:48.300

Sophie Moiese Room

No compensation is planned to mitigate the loss of enjoyment of the neighbors, property and loss and value.

3:20:48.770 --> 3:20:58.470

Sophie Moiese Room

The only party who will be compensated as a seller at this point, not even a study on the risks to water or or air quality, has been presented to the neighbors.

3:20:58.960 --> 3:21:5.930

Sophie Moiese Room

No other option or comparison was offered to the public to understand the potential impact on gravel price and availability.

3:21:6.160 --> 3:21:8.280

Sophie Moiese Room

We have to fully trust Western's word on that.

3:21:9.160 --> 3:21:14.850

Sophie Moiese Room

Supposedly, Missoula County is running low on gravel resources, but no, no data was brought forward.

3:21:16.20 --> 3:21:25.740

Sophie Moiese Room

DQ DQ permit states that, owing to exceptional circumstances, hours and rates of operations can be adjusted and increased at will.

3:21:26.890 --> 3:21:38.430

Sophie Moiese Room

I have recordings of activity activity as neural as early as 5:00 AM and on Sundays as far as I know there was no published uh announcement for exceptional circumstances as of right now.

3:21:39.280 --> 3:21:42.470

Sophie Moiese Room

At the pace Missoula County and Montana, at large is growing.

3:21:42.840 --> 3:21:54.410

Sophie Moiese Room

I fear that large scale projects and exceptional changes in hours of operations and increase in production will become the norm and all medications that were brought forth today will be voided.

3:21:55.280 --> 3:21:58.780

Sophie Moiese Room

I therefore can only ask to not grant this use variance.

3:21:59.580 --> 3:21:59.940

Sophie Moiese Room

Thank you.

3:22:0.760 --> 3:22:1.430

Sophie Moiese Room

Thank you.

3:22:2.120 --> 3:22:5.290

Sophie Moiese Room

Anyone else in the room who has not commented yet?

3:22:7.990 --> 3:22:13.600

Sophie Moiese Room

And would like to, I should say anyone online or on the phone who has not commented yet.

3:22:13.610 --> 3:22:14.150

Sophie Moiese Room

Who would like to?

3:22:16.530 --> 3:22:17.990

Sophie Moiese Room

Emily, would you like the last word?

3:22:20.490 --> 3:22:20.860

Sophie Moiese Room

Thank you.

3:22:20.870 --> 3:22:22.850

Sophie Moiese Room

I'm a nervous speaker, Emily Dabrowski.

3:22:22.860 --> 3:22:35.200

Sophie Moiese Room

Again, I missed one point that I did wanna make and that it has to do with the land use that has been put forth in in these proposals and they're asking to expand the mining.

3:22:35.210 --> 3:22:45.520

Sophie Moiese Room

But I have also observed while living right next door that there have been several employees or other people boondocking on the existing site and living in fifth wheel trailers and other trailers.

3:22:46.10 --> 3:22:54.220

Sophie Moiese Room

And so I see this as a double dipping in this land use by having people living there as well as having an operational mine.

3:22:54.610 --> 3:23:11.910

Sophie Moiese Room

And with that, in addition to the hours of operation, which I've also observed on the weekends as well as during the weekdays, is that I would like to ask who is in charge of monitoring and policing that and addressing that as that comes are are we the citizens, the ones who are going to be flagging this and.

3:23:14.390 --> 3:23:19.80

Sophie Moiese Room

How do we what's our path for addressing this as the neighbors in the community?

3:23:19.350 --> 3:23:20.240

Sophie Moiese Room

So thank you all.

3:23:20.250 --> 3:23:23.660

Sophie Moiese Room

Appreciate you and excellent question that we will seek an answer for.

3:23:25.520 --> 3:23:26.460

Sophie Moiese Room

OK.

3:23:26.740 --> 3:23:30.750

Sophie Moiese Room

Uh, thank you everyone for sticking out this afternoon.

3:23:30.760 --> 3:23:31.20

Sophie Moiese Room

Uh.

3:23:31.30 --> 3:23:37.560

Sophie Moiese Room

As a reminder, we will be reconvening, I have to take this up again on April 4th.

3:23:38.160 --> 3:23:45.110

Sophie Moiese Room

At this time, we will recess as the planning and zoning Commission reconvene, as the board of County Commissioners.

3:23:45.120 --> 3:23:47.850

Sophie Moiese Room

Is there any other business to come before the board this afternoon?

3:23:50.300 --> 3:23:52.200

Sophie Moiese Room

Alright, see none.

3:23:52.210 --> 3:23:53.190

Sophie Moiese Room

We will be adjourned.

3:23:53.200 --> 3:23:54.980

Sophie Moiese Room

Thank you everyone for your thoughtful comments.