

Beaverhead County Planning Board Meeting  
Commissioners' Room, County Courthouse  
August 8, 2024 at 1:00 pm

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At 1:00 p.m. the Regular Planning Board Meeting commenced.

**Planning Board Members Present:** Rich Lawson, Kristen Bailey, Ken Scalzone, Larry Volkening, Vana Taylor, Justin Stanchfield, Larry Yuhas.

**Planning Board Members Absent:** Kelly Rowe, Justin Yoder.

**Others Present:** Melanie South, Mark South, John Seymour, Dorothy Seymour, County Secretary Rochelle Hoerning, County Planner Rob Macioroski, Fire Chief BJ Klose, County GIS Coordinator Tracy Sawyer, Cornerstone Surveyor Travis Wilson, County Attorney Sky Jones, County Sanitarian Tom Wagenknecht.

**Opening:** Chairman Kristen Bailey called the meeting to order at 1:02pm.

**Action on Previous Minutes:**

MOTION: *Vana Taylor moved, and Justin Stanchfield seconded that the minutes of June 13, 2024 be approved. A verbal vote was taken and the motion carried unanimously.*

**Planning Board Member Reports:**

Larry Yuhas didn't have anything to report.

Vana Taylor read her report to the group. A copy of this report can be found in the Beaverhead County Courthouse, Planning Department. Vana stated that the commercial property has been really popular. The Grasshopper Inn is under contract, should close at the end of the month. She believes that people are waiting to see what the interest rate does. There were about 57 properties that had a price drop recently.

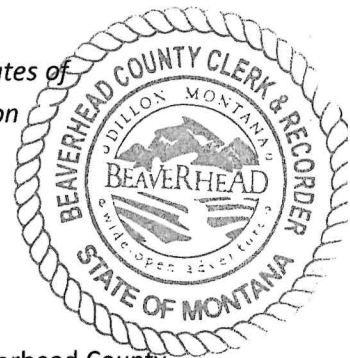
Ken Scalzone stated that things are slow, no building in his area.

Larry Volkening stated that there are some new power poles going in along Smith Road. The bicycle camp has about 3,200 people a month showing interest. They have had about 300 campers there already. They received some funding from United Way, they are working on trails. They also purchased some picnic tables.

Justin Stanchfield stated that its been interesting lately. There was a transformer incident, construction that started, and then a fire happened. There are about 200 people there fighting the fire, but you don't really see them. The fire is making the area very smokey. Everyone is trying to hay, but it's not a good



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Stacey Reynolds, Clerk and Recorder  
By: *[Signature]*



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crop because of how dry it is. The creeks, springs and river are really low. Not much for sale in his area right now.

Rich Lawson reported that they tore Roses Cantina down. The people that own the Jackson Hot Springs Lodge will build apartments to house employees. The old Stockman's Bar got tore down as well in Wisdom. There is a new home being built in the Steel Creek Subdivision. Things are dry, there have been a few fires.

Kristen Bailey reported that things are dry in her area also. Some people are still haying, but it is slowing down. The Lima Dam is doing ok for August. There is a home being built. The Lima pool is up and going, its free to swim and heated.

**Planners Report:**

Rob reported that we received our first Family Transfer Survey this year. We followed the new Subdivision Regulations, it went really well.

There is a new cell tower outside of Wisdom, Verizon will be the provider. He received an extensive Floodplain Permit located near the point of rocks. It's a pretty lengthy process, FEMA is involved, so we will see how it works out. Rob explained that the DES Mitigation Team, Rostan and Region 8 FEMA visited Beaverhead County and looked at some potential projects.

**Public Comments & Questions:**

No public comments or questions.

**Discussion & Action- Seymour Road Variance Request:**

Rob stated that some Planning Board members took a field trip to the Seymour property this morning to look at the road. There was some concern mentioned about the first section of the road. The biggest issue that keeps coming up in that area is the lack of emergency access.

Ken stated that the road is a long distance, the width is a concern due to how narrow it is. Getting Emergency vehicles onto that road is a concern. It should meet County Road Standards. He mentioned a similar road to this (Morrison Lane) and that the Planning Board was going to require them to bring the road up to County Road Standards as well.

Rob informed the group that we require a 60- foot right of way width. We could possibly do a 24-foot road width. However, his concern about safety remains. The current width of the road is 12-feet.

Vana asked John how many acres he originally purchased. Per John, 160 Acres. He stated that he put the road in when he purchased the property and it contains more gravel than most County Roads. The



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family that he is selling the property to has lived there for the last 11 years, so there wouldn't be any increased traffic. As far as the Emergency access, you could go out the back near the dump road. He expressed that his purpose of this split is to help provide Mr. and Mrs. South with an affordable piece of land that they can build a home on.

John stated that he believes a fire truck could have used his road to access the fire that occurred at the landfill the other day. As far as turning around, there is enough room for people to turn around and go back out. He stated that it's just going to be used as a driveway to the homes, it's not an actual road. He reiterated the purpose of this split is to provide the South's with affordable land so that they can build a home and remain in the community.

Larry V. talked about how Clarks Lookout Subdivision and Pioneer Lookout Subdivision road access being an issue, and how it is still an issue. He believes that we should keep that in mind while we talk about this road variance request.

Kristen clarified with John that the South's are currently living in a home near John's home. John stated that this split would allow them to build a new home. The home that they are currently living in would be vacated.

Mr. South stated that he is moving his business shop up there, so there would be ample room for large trucks to turn around. They have horses as well, so he is going to put in a big area for turnaround spots. The home that they are currently living in is only about 400 square feet. Their family is out growing the current home.

Vana asked Travis if there is a deed restriction on the 160 acres. Per Travis, no.

Kristen asked John if he has talked with the neighbors to see if he can expand that narrow piece of the road to 60 feet. Per John, no. He explained to the group that he isn't creating a 20-lot subdivision. He is just creating one lot for the South's. So, to purchase some of the neighbor's property in order to bring the road up to County Standards would be cost prohibited for just one lot.

John stated that the narrow part of the road is approximately 100-yards from Lovers Leap. Beyond that, past the gate, he owns the rest of the property on both sides. He could potentially make it 24-feet, but 65-feet would be challenging.

Sky asked if John has been in contact with any of the utility companies regarding the power lines. If they were to extend the road, some of the poles might need to be relocated. Per John, if they were to extend the road to 60-feet than they would go toward the neighbor's land, not the poles. John stated that the pole line is the boundary line, there is a pin there.



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John stated that he doesn't know what else he can do if the Planning Board denies the Variance Request. He stated that it didn't seem too difficult when other people asked for a Variance Request and referenced the 6-lot Reynolds Subdivision. Rob explained that they did have a 60-foot wide easement. John stated that they weren't suppose to develop that Subdivision until the road was widened and referenced a letter for the Commissioners'. Per Rob, I have no knowledge of that.

Larry Y. mentioned a similar issue with Top of the Hill Meats, in Polaris. No further discussion on that Variance Request.

Tom asked Mr. South what type of business he has. Mr. South explained that it's an upholstery business for cars and boats, sometimes furniture. He stated that his business wouldn't really increase the traffic on that road.

Kristen stated that we need to continue to think about public safety. The road would need to accommodate 2 fire trucks an ambulance. Sky asked BJ what his thoughts are. BJ stated that if there was a structure fire, it would require fire tenders. He does not think that you could pass 2 tenders on the majority of the road. He referenced the fire that was recently up in that area and explained that they had to use off road vehicles. They used M916's and everything was off-road. Those aren't used for structure fires; the tenders are only 2-wheel drive. If you were to widen the road to 24-feet. What would you do with the snow during the winter time? Per john, he has a 7-foot snow plow and they plow the road frequently. Mr. South stated that when he blades the road, he goes wide with it and pushes the snow off the road. He stated that people have to access the tower that's located up there, so he keeps the road clear.

John asked the group if it would help to put 4 or 5 turn outs for the emergency vehicles. It would be a lot more feasible for him to do that. The base is really good, its mostly clay and holds the gravel really well. That might be a solution for the emergency vehicles.

Larry V. asked if that road would continue to be a private road? Per Rob, yes.

Larry Y. stated that the turn outs sound like a good idea to him. He asked if we could add that as a condition of approval to the variance request. Kristen stated that the concern is still the narrow part of the road.

Tom asked the group to discuss the possibilities of widening the road to 24-feet. He thinks that could be a potential solution. Per John, it could happen with a portion of the road. However, he would have to bring in a bunch of fill dirt, it is really steep on one side. It was a previous gravel pit area for the highway, so they cut the road up. He suggested putting a turn out on the hill, but to make it the entire road 24-feet, he isn't sure that's an option.



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Mr. South stated that they have had emergency services come up there during the winter looking for hikers. He opened gates for those emergency vehicles and they had no problems getting up there.

Larry V. asked if there are any deed restrictions right now. Per John, no. Larry V. asked if future owners could potentially subdivide the property. Per John, potentially I guess so, if they ever sold the property. However, those new owners would have to meet with the Planning Board and go through Subdivision review. Kristen suggested placing a deed restriction saying that the land can not be further divided. Rob stated that it could also be placed on the face of the plat.

Justin S. asked Sky what flexibility we have as a Planning Board with Road Variance Requests. Per Sky, the reason we have Variances is to avoid precedent. What the precedent is going to be is what the Subdivision Regulations are. He believes that each Variance Request should be looked at individually. The only time it should be compared to another Variance Request is if every single element is very similar. His main concern is liability. He stated that the Planning Board has the option to table this and have John come back with some other options.

John asked the group if he was to place a Deed Restriction, widen the spots where he can, and put in turn arounds, would that be efficient enough for the Variance request? He believes that we can work together to come up with a solution in order to develop places like this. He said if the Board decides to table this, he will explore his options. But, his hopes are that the Board will approve his request so that they can move forward.

Tom asked if it's a possibility to get a 24-foot road way in that 35-foot easement as it sits now. He asked BJ if that would be efficient and to elaborate. Per BJ, a 24-foot road way would ease the situation a little bit, along with turn outs strategically placed. He is still concerned about the snow though during the winter time. Mrs. South stated that they do have a tractor and can bucket the snow and completely remove it from the road. BJ reiterated his concern with the snow on a 24-foot road way.

Sky suggested that they contact the other landowners and see if they can get a snow removal easement that allows snow pile up on their property. Mr. South stated that he doesn't think the snow would be an issue and they have the necessary equipment for snow removal and they keep the road clear. John stated that the way the hill is cut, it just doesn't get snow drifts on it. Its when you drop over to the ravine, and there is plenty of space there to remove the snow.

With no further business to discuss, the group agreed to table the discussion.

The following motion was made:



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**MOTION:** *Ken moved to table the Road Variance Request while John Seymour explores options and alternatives such as an easement, 24-foot width road, turn outs and utility placement. Vana seconded the motion. A verbal vote was taken and the motion carried unanimously.*

The group agreed to table this discussion until next month's meeting scheduled for September 12, 2024.

**Public Comments & Questions of Non-Agenda Items:**

Vana asked if there are any subdivisions coming up. Per Rob, yes, a couple of Minor Subdivisions may be in works for review soon.

**ADJOURN:**


With no further business to discuss, the following was made:

**MOTION:** *Larry Y. moved, and Justin S. seconded to adjourn the meeting. A verbal vote was taken and the motion carried unanimously. The meeting adjourned at 2:25 PM.*

**Submitted:**

  
Secretary, Rochelle Hoerning

**Approved By:**

  
Chairman, Kristen Bailey

