

LINCOLN COUNTY PLANNING BOARD MINUTES
TUESDAY, MAY 20, 2025 – 4:00 PM
LINCOLN COUNTY COURTHOUSE – LIBBY | NORTH ANNEX VIDEO CONFERENCE

MEETING CALLED TO ORDER: 4:08 PM

BOARD MEMBERS PRESENT:

☒ <u>John Damon, Chair</u>	☒ <u>Veronica Bovee Anderson</u>	☒ <u>Paul Johnson</u>
☒ <u>Ernie Anderson</u>	☒ <u>Roberta McCanse</u>	☒ <u>Jim Gibson</u>
☐ <u>Kurt West</u>	☒ <u>Scott Mattheis</u>	☒ <u>Doug Fryer</u>

STAFF: Jesse Haag, Kristin Smith, Alisha Osborne

PUBLIC: Andy Evensen, Gary Grant (online), Julie Grant (online), Rob Pluid.

AGENDA

- Meeting called to order at 16:08.
- Approval of April 15, 2025, Meeting Minutes.
 - V. Bovee-Anderson Motions to approve.
 - S. Mattheis seconds the motion. All in favor, motion carries.
- Grant Lakeshore Permit Application
 - A. Osborne presents the Staff Report.
 - P. Johnson says it looks iffy.
 - J. Grant offers that the footings can be deeper.
 - P. Johnson says the ground there is not compacted.
 - D. Fryer suggests an additional sonotubes footing.
 - K. Smith says the Board can insert the word “minimum” as an alternative solution.
 - J. Gibson asks how the piers will be poured.
 - J. Grant explains the contractor will guide them but they will do the work themselves.
 - The Board discusses dock removal and storage methods. G. Grant explains they will float it out and plan to store it offsite.
 - V. Bovee-Anderson motions to add the 3-foot minimum and approve. S. Mattheis seconds the motion. All in favor, Motion passes.
- Pluid Lakeshore Permit Application
 - A. Osborne presents the Staff Report.
 - P. Johnson asks about the size of the dock.
 - J. Damon comments on the measurements not adding up.

- A. Osborne explains that is the reason for the variance, and it may also include the gangway length.
- E. Anderson motions to approve. V. Bovee-Anderson seconds the motion. All in favor, Motion passes.
- Schreiber Meadows North Subdivision Application
 - J. Haag presents the Staff Report. He explains the variance request for turnouts, the Fisher River Valley Volunteer Fire and Rescue requirements, the access road and cistern requirements. He summarizes the main points for consideration, including the agricultural impacts, water rights details, residential use and the Montana Department of Transportation geologic data for the Board.
 - P. Johnson asks how the wells will affect the lake.
 - J. Haag explains that we do not have the data to back that up, and explains the water usage and additional information on monitoring and enforcement impacts. He explains the road length variance and that the approach is the biggest challenge. He says the septic needs approval from Department of Environmental Quality; the solid waste will need hauled and explains the impacts to services such as emergency services will be slowed and strained due to location and other factors. He explains the geology of the area and provides a synopsis of the stability risk based on historical data and current developments, as well as the fuels reduction, required buffers, and guidelines per the regulations.
 - J. Damon asks the developer to speak.
 - A. Evensen explains the water impacts, the surface water for downstream users, and the connection of the wells.
 - S. Mattheis asks about the Condition number 20 for no recreational camping.
 - A. Evensen says it means except Lot 10, as they did not want to have those restrictions on that lot.
 - J. Haag explains his conversation with Kris Kraft regarding that.
 - S. Mattheis says it is a forest service road and asks about the water channel.
 - P. Johnson talks about the fire egress, and asks for confirmation of no secondary egress.
 - A. Evensen affirms.
 - P. Johnson asks about the turnouts.
 - A. Evensen says the turnouts are approved by the fire department
 - J. Haag says it is added to the variance request based on the fire department approval.
 - J. Damon asks about the fire turnouts.
 - K. Smith says they can mark the turnouts before construction prior to final plat.
 - The board discusses the road maintenance agreement; the parkland and cistern maintenance plan.

- P. Johnson asks about Lot 6 south, Lot 1 north, and asks if it is in the 50-foot setback.
- A. Evensen clarifies it is in the no build zone.
- R. McCanse asks about landslides.
- K. Smith says it from the Geotech on condition number 15.
- R. McCanse asks a water aquifer question given the concerns with the water users downstream.
- J. Gibson says they are allotted so much groundwater.
- J. Haag says the conditions restrict the usage.
- D. Fryer says the condition should be modified to reflect the surface water usage.
- S. Mattheis says it will affect a different spot.
- J. Haag says they must keep it under ten acre-feet.
- J. Gibson asks about the water users downstream.
- The Board discusses water use and irrigation on the condition added in article 4. P. Johnson asks about the electrical ground power.
- A. Evensen says he can provide that.
- The board discusses fences and possible changes to the covenants for condition number 33.
- A. Evensen says that Fish Wildlife and Parks does not like fences and the wildlife management site is not the entire site, and cannot restrict people from accessing the lake.
- S. Mattheis asks if Montana Department of Transportation could cover the cost. The board discusses mitigating the impacts to public resources.
- D. Fryer asks whose responsibility it is to develop. The boards discuss the encroachment issues.
- J. Damon says there is no motion.
- E. Anderson asks about the easement.
- A. Evensen says he will check for a proscriptive easement as it is needed for reaching the gauging station.
- J. Damon says that he has seen the Montana Department of Transportation letter showing it is owned and controlled by the US Forest Service, however it showed no book and page. The board discusses possible public access issues.
- A. Evensen says there is no reason to abandon the road as the Forest service would want that there.
- P. Johnson mentions firewise principles and says it is odd that it says no metal roofs, as asphalt burns and is not allowed.
- J. Damon says it looks like the covenants are the same for both north and south.
- The board discusses various covenants, conditions, campground, amendments, easements, and changes for Lot 1. The board discusses what would happen if the Forest Service says no to the easement.
- J. Haag asks if the easement is listed as (cond?) for legal access to Lot 1 and the gauging station for Condition 8, as we require proof of access

to those who need it. He says they need to submit documents clarifying the easement on USFS road 3675A.

- E. Anderson motions for a condition amendment on condition number 8 regarding access to Lot 1.
- A. Evensen asks about the covenants.
- K. Smith says as long as they are not contradictory.
- J. Haag discusses the roads and explain the standards.
- J. Gibson discusses the water use.
- J. Haag explains the turnouts and the driveway standards.
- J. Damon Calls for a 5 minute break at 17:59.
- P. Johnson asks about the catch basins.
- A. Evensen says it will be in the Department of Environmental Quality requirements.
- K. Smith explains condition number 34.
- J. Damon asks a question about the requirements.
- The Board has a discussion on the preliminary plat requirements and the differences in preliminary and final plat requirements.
- S. Mattheis makes a motion.
- A. Evensen asks for clarification on condition 11.
- J. Haag explains it means they must obtain Base Flood Elevations, and the Federal Emergency Management Agency needs to sign off on it. He explains the upcoming mapping project for the county.
- A. Evensen argues that he does not want to map the floodplain.
- J. Haag re-words what he means.
- V. Bovee-Anderson motions to strike condition 11, and FEMA approved BFEs should be determined prior to final plat.
- The board discusses wording for clarification on condition 11.
- V. Bovee-Anderson withdraws the motion.
- D. Fryer motions to accept.
- S. Mattheis seconds the motion. Motion passes.
- A. Evensen asks about the slope requirements.
- J. Haag provides and explanation of Lot 10 slope stability clarification, and access road and suggests striking the words "on subdivision" and adding "Lot 10". S. Mattheis motions to accept the change. All are in favor.
- A. Evensen argues about the perennial stream determination that was made by state agencies.
- J. Haag explains the wildlife corridor delineation and the reasoning.
- V. Bovee-Anderson and J. Damon agree with the government agencies' definition of the term.
- K. Smith suggests that a conservation easement be considered.
- The Board discusses conservation easement solutions.
- J. Damon asks A. Evenson for his reasoning on why they want the concessions they are requesting.
- A. Evensen cannot give a valid reason.

- The Board discusses the reasoning for the definitions, wildlife corridor mitigation and buffer zones. The discuss the conditions, and vote on adding on number 24 proposed condition.
 - V. Bovee-Anderson motions to accept.
 - S. Mattheis seconds the motion.
 - K. Smith says there is a new Condition 8, changed conditions 11 and 15, and new condition 24.
 - S. Mattheis and motions to approve with amendments.
 - E. Anderson seconds the motion. J. Damon calls for the vote. R. McCanse abstains and all others are in favor. Motions and 2 variances pass.
- Schreiber Meadows South Subdivision
 - J. Haag says there is one variance for the road length.
 - The Board discusses numbering.
 - J. Damon says the drawing is questionable.
 - The board considers that requirement 9 corresponds to change #12, strike 16.
 - K. Smith clarifies a condition as new condition 24, relative to water extraction.
 - E. Anderson motions to approve with the changes.
 - S. Mattheis seconds the motion.
 - J. Damon calls for the vote. R. McCanse abstained, P. Johnson voted nay, all other board members in favor. Motion passes.
- Growth Policy
 - Deferred to June.
- Planning Staff Update
 - J. Haag says there will be a major subdivision next month, Nordic Way II, and we are not slowing on subdivisions. There is also a trailer park on the edge of town. The contract for K. Smith to redo the subdivision regulations is on the Commission Agenda for tomorrow. We have several Lakeshore and a large subdivision near Eureka coming up soon. We currently are working on multiple violations.
- Public Comment.
 - None.
- Adjournment 18:51
 - S. Mattheis motions to adjourn.
 - V. Bovee-Anderson seconds the motion.