



PLATTE COUNTY WYOMING
Planning & Zoning Commission

AGENDA

Tuesday, March 9, 2021 at 6:00 PM
Platte County Commissioners Chambers
800 9th Street, Wheatland, WY

- A. Call to Order - Roll Call
- B. Citizen Comments
- C. Declaration of Conflicts of Interest
- D. New Business
 - a. **Request:** A request for a Simple Subdivision to divide 20-acres into 4 parcels
 - i. **Applicant:** James Angle
 - ii. **Location:** 335 Olson Road, Wheatland, Platte County, Wyoming
- E. Approval of minutes from the February 9, 2021 Regular Meeting
- F. Board discussion (If any)
- G. Adjournment

This agenda is not exclusive. Other business may be discussed as necessary



Platte County Planning & Zoning

600 9th Street · Wheatland, WY 82201 · (307)322-2962

Meeting Dates: Platte County Planning & Zoning, Tuesday, February 9, 2021 at 6:00 PM

Platte County Commissioners, Tuesday, February 16, 2021 at 10:00 AM

Applicant: James Angle

Request: A Simple Subdivision to divide 20 acres into 4 parcels

Location: 335 Olson Road, Platte County, Wheatland, Wyoming



Request Details:

Mr. Angle has applied for a Simple Subdivision to divide their 20-acre property into four 5-acre tracts. Mr. and Mrs. Angle purchased the property in April 2020. The property is currently zoned Agricultural, and the zoning will remain as such. Mr. Angle has provided a copy of the proposed Subdivision Disclosure which is included in the

attachments. Wheatland Irrigation District approved Option 2 of Water Plan Approval for Subdividers on January 6, 2021 and Mr. Angle provided a copy of the approval from the WID.

Neighbor Comments:

John Brunner letter
Terry and Deanna Brant letter
Curtis and Cheryl Walter letter
Debra Shanahan email
Shannon and Clay Brow email

Agency Comments:

WREA Operations Manager Wright - WREA's only concerns is that there is not a length for the utility easement noted on the site plan and there is not an easement to lot 3.

First State Bank VP Martinez - I am aware of this request and give approval since this property is currently financed with our bank.

Analysis:

Mr. Beal's 20-acre parcel is located in an Agricultural zoning district and has parcels ranging in size from one acre to 200+ acres within close proximity. The land to be subdivided is not located within a plated subdivision or record of survey and will not be served by a central sewage disposal system or central water supply system. The request meets the requirements to be a Simple Subdivision.

Olson Road is classified as a Category Two county road meaning it is of good quality gravel-surfaced road, is well-drained and signed, with high traffic volume, may be a main artery, connector road or local collector and is a high priority for grading, snow removal, and future improvements.

Wheatland Irrigation District approved Option 2 of Water Plan Approval for Subdividers which requires Mr. Angle to include show all WID infrastructure and easements; both recorded and unrecorded, if applicable on the plat; and show the water conveyance facility to each lot to protect each lot owner's right to receive water on the plat. If approved; per Platte County Rules and Regulations, Mr. Beal shall, within one year, submit the final plat to the Planning and Zoning Commission and the Board of County Commissioners for review and approval.

Planning and Zoning Commission Options:

In reviewing requests for this Simple Subdivision request, the Planning and Zoning Commission may:

- 1) Approve the request as proposed;
- 2) Approve the request with conditions (if applicable);
- 3) Postpone to a definite time – continues the request to the next regularly scheduled meeting of the commission to allow further review to be done (applicant would not need to reapply, certified mailing and public notice fees would be billed to the Town.);
- 4) Postpone Indefinitely – the request or motion is neither approved or disapproved and the request or motion cannot be brought up again during the meeting; however, it can be brought back as a new request at a future meeting (applicant would have to reapply and would pay the application fee, certified mailing fee, and public notice fee); or
- 5) Deny the request (with or without prejudice).

** Failure to achieve a quorum results in an automatic continuance to the next regularly scheduled meeting, and a motion fails due to the lack of a second.

Exhibits:

Applicant's Letter of Justification

Site Plan

Irrigation District Approval

Subdivision Disclosure

John Brunner letter

Terry and Deanna Brant letter

Curtis and Cheryl Walter letter

Debra Shanahan email

Shannon and Clay Brow email

Letter of Justification

I am requesting to subdivide the property in Section 17, 23N 68W, NE4 NE4, NW4 NE4. Splitting into four 5 acres parcels. For possible sale or future development.

James Beal Angle

SITE PLAN "A"

James and Audrey Angle 335 Olson Rd

Wheatland, WY 82201

Olson Rd. →



House
335 Olson

5 Acres
Lot 1

5 Acres
Lot 2

5 Acres
Lot 3

5 Acres
Lot 4

10 ft rd easement
Road
20 ft utilities easement

Road, Utilities and Irrigation Easement

irrigation for Lot 1

irrigation for Lot 2

Concrete ditch from Rock Lake Ditch

Current Headgate

2nd New Headgate

Key: ↔ diversion

Wheatland Irrigation District
Water Plan Approval Form for Subdividers

Form Adopted by the Board on August 7, 2009

Revised on July 8, 2020

Subdivision Name: Angle

Name of Developer: James B. Angle

Address: 335 Olson Rd wheatland, wy 82201

Telephone: 307-760-7351

Subdivider must select one of the following three options pursuant to Wyoming law and Platte County Regulation. Please provide all requested information when submitting to the Wheatland Irrigation District Board of Commissioners.

(1) Subdivider will relinquish all the water rights to the District

This process requires the following documents:

- a. Executed Authorization for Detachment of Water Rights form;
- b. Proof of Ownership; and
- c. Map prepared by a licensed surveyor showing:
 - i. location of lands from which the water right is being removed;
 - ii. all ditches, pipelines and other means of conveyance;
 - iii. location of all points of diversion and pivot points for circular sprinklers;
 - iv. landmarks and physical features such as highways, railroads, streams, etc.; and
 - v. delineation of ownership boundaries of lands.

(If this option is selected, the Authorization for Detachment Form must be signed and attached prior to approval by the Wheatland Irrigation District.)

(2) Subdivider will prepare a water distribution plan for approval by the District

This process requires the following documents:

- a. An executed Authorization for Detachment of Water Rights form for all water rights under planned roads and structures (the form must be accompanied by the documents described in Option 1 above);
- b. The subdivision plat must show all Wheatland Irrigation District infrastructure and easements (recorded and unrecorded), if applicable; and
- c. The subdivision plat shall show the water conveyance facility to each lot to protect each lot owner's right to receive water.

James and Audrey Angle

335 Olson road

Wheatland, Wy 82201

SUBDIVISION DISCLOSURE REPORT

IRRIGATION EASEMENTS

IRRIGATION EASEMENTS GENERALLY INCLUDE THE RIGHT OF VEHICULAR ACCESS ALONG THE EASEMENT FOR MAINTENANCE AND EMERGENCY RESPONSE. FENCES CROSSING THE EASEMENT MUST HAVE GATES TO PERMIT VEHICULAR ACCESS. IT IS ADVISED THAT YOU CONTACT THE EASEMENT HOLDER PRIOR TO ANY CONSTRUCTION ACTIVITY WITHIN THE EASEMENT INCLUDING ROADS AND FENCES. THE OWNER OF THE FACILITY WITHIN THE EASEMENT SHOULD LOCATE AND MARK HIS FACILITY UPON YOUR REQUEST.

TELEPHONE SERVICE

IT IS POSSIBLE THAT YOU MAY NOT HAVE TELEPHONE SERVICE AT THE TIME OF CLOSING. YOU ARE ADVISED TO CONTACT YOUR SERVICE PROVIDER TO DETERMINE THE STATUS OF TELEPHONE SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, IE. A CELLULAR TELEPHONE.

SALES DOCUMENTS

YOUR VESTED INTEREST/OWNERSHIP INTEREST IN THE PROPERTY WILL BE EVIDENCED BY THE SUBDIVIDER DELIVERING A RECORDED DEED TO YOU AND BY YOUR SIGNING A PROMISSORY NOTE AND MORTGAGE OR DEED OF TRUST FOR THE UNPAID BALANCE, IF ANY. YOU SHOULD READ THESE DOCUMENTS BEFORE SIGNING THEM.

TOPOGRAPHY

YOU ARE CAUTIONED TO ASSURE, YOURSELF BY PERSONAL OBSERVATION OR OTHER METHODS OUTSIDE THIS REPORT, OF THE USABILITY FOR YOUR NEEDS OF THE PARCEL IN WHICH YOU MAY BE INTERESTED.

OPEN RANGE FOR LIVESTOCK

SUBDIVIDER ADVISES THAT THIS SUBDIVISION IS LOCATED IN AN OPEN RANGE AREA IN WHICH LIVESTOCK MAY ROAM AT LARGE UNDER THE LAWS OF THIS STATE AND THAT NO PROVISIONS HAVE BEEN MADE FOR THE FENCING OF THE SUBDIVISION TO PRECLUDE LIVESTOCK FROM ROAMING WITHIN THE SUBDIVISION.

UTILITIES

SUBDIVIDER HAS MADE NO PROVISIONS FOR THE INSTALLATION OR EXTENSION OF UTILITIES. SUBDIVIDER HAS MADE NO PROVISIONS FOR UTILITIES. YOU WILL BE REQUIRED TO BEAR ALL COSTS FOR INSTALLATION OR EXTENSION OF UTILITIES.

WATER

DEVELOPMENT AND MAINTENANCE OF ANY DOMESTIC WATER SUPPLY IS YOUR RESPONSIBILITY. YOU SHOULD CONTACT A LOCAL WELL DRILLER FOR INFORMATION ABOUT DRILLING A PRIVATE WELL. INVESTIGATE ALL COSTS AND REQUIREMENTS INVOLVED. AVAILABILITY OF WATER IS UNKNOWN. ALL WELLS ARE REQUIRED TO BE REGISTERED WITH THE WYOMING STATE ENGINEER.

SUBDIVISION PURCHASERS ARE NOT ALLOWED TO USE WATER OUT OF ANY DITCH OR STREAM WITHOUT A WATER RIGHT. ANY IRRIGATION WASTEWATER IS THE RESPONSIBILITY OF WATER RIGHT HOLDER TO DISPOSE OF OR DIVERT IN A MANNER THAT DOES NOT DAMAGE THE PROPERTY OF OR CAUSE UNDUE HARDSHIP TO OTHER PROPERTY OWNERS.

SEWER/SEPTIC TACK SYSTEMS

THERE IS NO ASSURANCE THAT AN INDIVIDUAL SYSTEM CAN BE INSTALLED. PRIOR TO PURCHASE, YOU SHOULD CONTACT THE LOCAL STATE DEPARTMENTS FOR SPECIFICATION AND REQUIREMENTS. SEPTIC SYSTEM PERMITS ARE REQUIRED THROUGH THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) FOR ANY INSTALLATION, REPAIR OR REPLACEMENT OF INDIVIDUAL OR COMMERCIAL SEWAGE DISPOSAL SYSTEMS. YOU SHOULD SATISFY YOURSELF AS TO THE COST OF INSTALLING THE SYSTEM. IF AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM CANNOT BE INSTALLED, NO REFUND OF THE PURCHASE PRICE OF THE LOT WILL BE MADE.

GARBAGE SERVICES

SUBDIVIDER HAS MADE NO PROVISIONS FOR GARBAGE OR DISPOSAL SERVICES. YOU WILL BE REQUIRED TO BEAR ALL COSTS FOR GARBAGE SERVICES.

ACCESS WITHIN THE SUBDIVISION

INDIVIDUAL LOT OWNERS ARE RESPONSIBLE FOR ROAD CONSTRUCTION AND MAINTENANCE, TO INCLUDE SNOW REMOVAL. MAIL DELIVERY POINTS WILL BE AT PROPERTY APPROACHES ALONG COUNTY ROAD AT THE DISCRETION OF THE PLATTE COUNTY ROAD AND BRIDGE DEPARTMENT.

NO FIRE PROTECTION, SECURITY OR EMERGENCY SERVICES ARE PROVIDED FOR EXCEPT THROUGH LOCAL MUNICIPALITIES AND VOLUNTEER SERVICES.

COVENANTS

EACH LOT OWNER IS AWARE PLATTE COUNTY DOES NOT ENFORCE PRIVATE SUBDIVISION COVENANTS COPY OF COVENANTS MAY BE ATTAINED FROM JAMES ANGLE AT (307) 760-7351

SERVICE PROVIDERS

TDS Collection and Environmental Services • PO Box 696 • Torrington, Wyoming, 82240 • Phone: (307) 532-7515 or (307)-532-3105 • Fax: (307) 532-3467 ...CABNLE TV None

Century Link phone and internet (888) 446-1623

Wheatland Rural Electric Association • Contact Information • PO Box 988 851 Gilchrist Street Wheatland, WY 82201 • 307.322. 4232

Feb 13, 2021

Dear Ladies & Gentlemen of Planning and Zoning Committee;

Allow me to introduce myself. I am John Brunner. My wife Donna and I live two houses east of Angle's proposed development.

Donna and I will be out of State for the meeting; thus this letter.

Unable to personally talk Mr. Angle out of going forward with his plan to subdivide; I appeal to you to reject his request.

The reasons I am opposed to the subdivision are enumerated below.

- 1) It removes irrigated cropland from productivity forever. Once one puts in roads, houses etc. it will never be corn or beans again. For example the sad subdivision on the southwest corner of Palmer Canyon Rd and Ayers Rd; It has sat on land that formerly was productive farmland. Now it sits with two houses and only grows cheatgrass and jackrabbits. Why not put a subdivision on one of the county's many rockpiles.
- 2) Wellwater. Water is hard to get in this neighborhood. When the two houses west of our place were put in our well's production went to less than five gallons per minute. We drilled a new well 617' ~~feet~~ deep. Will the aquifer support three new residences? Will the State Engineer grant three new permits in such close proximity?
- 3) Traffic. The added traffic and dust on a gravel road is never a plus!

- 4) Property Values. I feel the proposed subdivision will adversely affect property values.
- 5) Irrigation Water. The Rock Lake ditch is at full capacity at $\frac{1}{4}$ cubic feet per second per 40 acres. Small acreages present a big hassle for the Irrigation district. In this neighborhood, when the ditch is full, sharing becomes a necessity. More people equals more potential for squabbles. Corn and beans should not have the same priority as fainting goat and llamas. The new neighbors (likely from California or Colorado) will need a lot of hand-holding; and considering the subdivision layout will likely be flooding each other's basements. Ever since our former water baby-sitter Larry Lebsack moved; I have been tasked with refereeing the situations that come up. I am not looking forward to the extra work.
- 6) Quality of Life. Over-crowding brings its own set of challenges. "Your fainting goat ate my garden." "I'm going to call the Sheriff if your barking dog keeps me up all night." Crowding brings out the worst in people.

Thanks to all of you for your careful consideration of our concerns.

Your Neighbor
John Brunner
802 Grange Rd
Wheatland WY
307 331-4544

February 19, 2021

Platte County Planning & Zoning
600 9th Street
Wheatland, Wyoming 82201

planner@plattecountywyoming.com

Re: PC-SS-21-16 Simple Subdivision
James & Audrey Angle

To the Board of Directors:

This letter is in regards to the above mentioned requested subdivision on Olson road southwest of Wheatland. As a neighbor of this property we are opposed to the subdivision for several different reasons.

To begin with the water situation does not seem to be very well thought out. On the east side of this property is our only access to our irrigation for our 60 acres of grass/alfalfa right across the road on Olson. This has been the access for more than 20 years and there is no mention of it on the Site Plan A that we were given. It is an underground line. The entrance box on this property needs the grates to be cleaned and maintained a minimum of twice a day during irrigation. If not maintained in a timely manner it tends to flood out a portion of what is listed as Lot 1 and the proper flow is not allowed into the underground line. We need to continue to have this access easement as it is part of our lively hood to be able to grow feed for our cattle year round. The neighbor that lives on the corner of Olson and Grange also has this as the only access point for his property for irrigation.

Along the same line of irrigation, we already have issues with different people turning on water whenever they want to and not communicating with the neighbors. This causes an issue when we are trying to irrigate our piece of property as we get shorted and fluctuation disturbs the proper flow of water. We are charged by the irrigation district for the full amount but not receiving it because the irrigation district does not know when someone is taking extra water because it has not been reported. It shows on the Site Plan, two new head gates for four lots. Are there provisions for all lots to get their water at the same time? What if someone does not want water at that same time? The Site Plan shows a line for irrigation for Lot 1 & 2 but what is the plan for getting that irrigation water. Will there be ditches? How will they be constructed? Or is the access for irrigation under ground? Will they be maintained and how?



Terry and Deanna Brant
762 Grange Road
Wheatland, WY 82201
307-331-8351 or 307-331-0223
debrantwyoming@gmail.com

Another concern that we have is with more people comes more animals. On the field previously mentioned is where we put our new born calves and their moms until ready to move to summer pasture. It has been our experience that when people move to the country they seem to think they can allow their animals to run wild. It has also been our experience, and continues to be, every single year, that these dogs come in and chase the baby calves around. In the past, there have been a couple of vicious dogs that have attacked the baby calves which could be devastating to our herd if allowed to continue. Animals need to be contained, especially when you have so many people in such close proximity to each other. Is there any provisions in this subdivision for that?

Along with extra animals, another thing that comes into play with people moving to the country is the thought that they can now hunt and target practice on their own piece of paradise. Again, right across the road and in close proximity surrounding this property, are other farm animals, baby calves and cattle. There are horses right next door on either side of these lots. If a stray bullet gets away and happens to land on another animal, nobody is going to be very happy!!!! Is this really feasible on 5 acres?

We are agriculture and live that kind of life. We move out here to be away from people and to nurture the natural way of life. We nurture wildlife and cattle and the ground. So now we have 20 acres being split up into 5 acres. More people! More problems and/or issues! The very thing all of us that live out here have worked our whole lives to get away from. If this subdivision is allowed to go through what is going to stop those that buy the 5 acres from subdividing a year or two later into 2 1/2 acre plots?! If people want to live around people then why don't they stay in town. If they want a piece of the country with such small acreage then why not look a little closer to town or in a place closer that is already subdivided and just waiting to be built on. Already approved and neighbors already informed as to the possibility of new neighbors.

We strongly request and urge you to not allow this subdivision in this area. We are a neighborly bunch out here and all work together. We welcome any newcomers that move to the existing acreages. We feel that the current acreages are suited for cattle, horses and other farm animals. If smaller acreages are allowed it will be difficult to maintain as agriculture. We all live out here with the same goals working together to support the way of life and the livelihood of each other as agriculture related, not subdivided for an influx of people to make it a "town" outside of town.

Thank you for your consideration in this matter. We look forward to a positive result.

Sincerely,

Terry Brant
Deanna Brant
Terry & Deanna Brant





Curtis & Cheryl Walter
798 Grange Rd.
Wheatland, WY 82201

February 18, 2020

Platte County Planning & Zoning Commission
Platte County Board of County Commissioners

RE: PC-SS-21-16 Simple Subdivision to divide 20 acres into 4 parcels located 335 Olson Road,
Wheatland, Platte County


We submit our objection to the application for the subdivision of the above property. We purchased our property in 2012 with the understanding the properties in this area could not be subdivided into smaller parcels, ensuring a buffer between existing properties. Dividing this property could allow for four individual residences to be built in much closer proximity than are currently in this area.

We are also concerned with access to irrigation water as our water source comes from a concrete ditch off the Rock Lake Ditch, enters a 10" underground line in the southeast corner of the above property, then runs on the east border of this property crossing under Olson Road. (Please see attached site plan). We are concerned with maintaining head pressure to enable water to be pushed to our property at the northwest corner of Grange Road and Olson Road. Additional users on the concrete ditch may not allow us to maintain a level providing the head pressure needed.

The Angle's have provided access for us to set and check our water without issue but we are concerned an additional property to cross may complicate access when it is needed in a timely manner to check for plugged grates and proper flow into the underground line.

Thank you for reviewing and considering our input.

Curtis Walter


Cheryl Walter


PLATTE COUNTY



WYOMING

Platte County Planning & Zoning

600 9th Street · Wheatland, WY 82201 · (307)269-0513

SITE PLAN "B"

James and Audrey Angle 335 Olson Rd

Wheatland, WY 82201

Olson Rd.

Riser

10" Gated Pipe

House
335 Olson

5 Acres
Lot 1

5 Acres
Lot 2

5 Acres
Lot 3

5 Acres
Lot 4

10" underground line

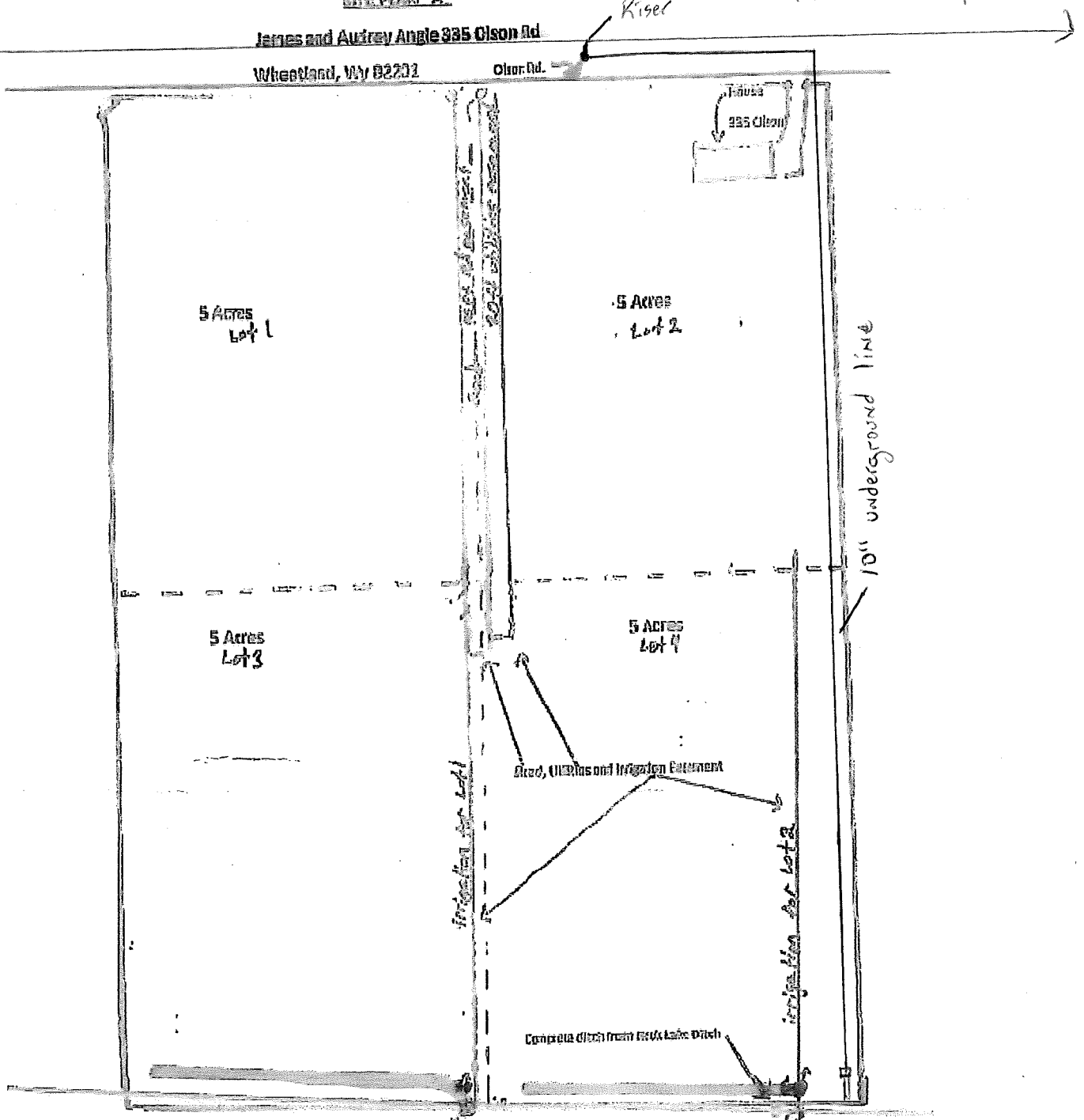
10" riser and irrigation equipment

Concrete ditch from New Lake Ditch

Key
to Diverston

Current
Headgate

2nd New Headgate



335 Olson Rd

wyomingland <wyomingland@wyoming.com>

Thu 2/18/2021 2:43 PM

To: Planner <planner@plattecountywyoming.com>

I have concerns about the 20 acres that adjoins my farm being divided into 4 five acre parcels. Is there covenants and if so who would enforce them.

The 20 acres is prime farm ground with water rights and it would only seem fair to give up the water rights because who is going to regulate 5 acre feet of water per tract of land.

Typically, as I have observed from other subdivisions people feel since they own land in the country they can let their dogs run loose. That would be a big problem for me as I have cows, calves and horses.

I am not in favor of this at all. It also sets a trend for other people to follow.

Sincerely

Debra Shanahan

Sent from my Verizon, Samsung Galaxy smartphone

PC-SS-21-16 letter

Shannon Brow <shannonbrow@yahoo.com>

Tue 2/23/2021 6:40 PM

To: Planner <planner@plattecountywyoing.com>

No Association

February 23, 2021

A.K. Clark:

We, the Browns, are adamantly opposed to proposed subdivision RC-SS-21-16. There are plenty of subdivisions within Platte County. Well thought out and already approved. We do not see the need to have one next door. We purchased this property in 1999 and are somewhat familiar with the history. It was developed by realtor Joe Bowen into long rectangular properties beginning at the county road and ending at the cement ditch. They have functioned well as rural home sites but still producing hay meadows. Each property was generally irrigated and hayed preserving open space and agricultural site. Aesthetically pleasing to owners and neighbors. That said neighboring was common and neighbors understood each other. As proposed I can see waste water going onto neighbor's properties, conflicts with livestock and pets, dust issues from traffic and heavier demand on well water supply.

We are life long Wyomingites. We have made our livelihood and raised our family in Platte County. We don't want another Colorado.

We have a major concern that this is just a rubber stamp process. As we know Mr. Angle has a managerial position with the county. Seems to be on a first name basis with the planner and do not feel like there will be a fair consideration of the cons. That said we would like an independent mediator.

*Sincerely,
Shannon and Clay Brow*



Planning & Zoning

600 9th Street · Wheatland, WY 82201 · (307) 322-2962

PLATTE COUNTY PLANNING & ZONING COMMISSION
RECORD OF PROCEEDINGS
TUESDAY, FEBRUARY 9, 2021

Call to Order – Roll Call

The regular meeting of the Platte County Planning and Zoning Commission was called to order at 6:00 PM on Tuesday, February 9, 2021, by Chairman Shepard in the Platte County Commission Chambers.

Members Present: Chairman Shepard, Commission Member Lockhart, Commission Member Klein, Commission Member Warner, Commission Member Brockman

Members Absent: none

Staff Present: Planner Clark

Citizen Comments

Chairman Shepard asked if there were any citizen comments. None

Declaration of Conflicts of Interest

Chairman Shepard asked if any of the Commission Members had conflicts of interest to declare. Chairman Shepard noted a conflict with the Shepard Farms request due to relation and would participate in the discussion but would not vote.

New Business

Request for a Simple Subdivision to divide approximately 5.5 acres out of approximately 130 acres and a request for a Simple Subdivision to divide approximately 17 acres out of approximately 130 acres

Planner Clark noted Mr. Hitt has applied for a Simple Subdivision of his father's 130-acre property to divide off approximately 5.5 acres located and to divide approximately 17 acres and create two parcels, both divisions would be off of the same parcel located in part of the SW1/4 of Section 1, Township 24 North, Range 68 West, Platte County, Wheatland, Wyoming. Mr. Hitt has provided a copy of his Power of Attorney for his father and thus can sign the application and final plat on his behalf. Mr. Hitt has had businesses show interest in this location and hopes to sell to a business to boost the economy in Platte County.

The original parcel has had pieces divided out over the years and Mr. Hitt is aware that the final acreage of the parcels must be a minimum of 5-acres to meet the Simple Subdivision lot size requirements.

Mr. Hitt has supplied a signed Wheatland Irrigation District Water Plan Approval Form for Subdividers dated September 9, 2020.

At the time of application, the previous Simple Subdivision applied for by Mr. Hitt had not yet been recorded with the Platte County Recorder's Office. The previous Simple Subdivision has now been recorded with the Platte County Recorder's Office.

These requests were heard by the Town of Wheatland Planning and Zoning Commission and Wheatland Town Council. Both approved the divisions.

The Planning Office believes that if Mr. Hitt's request to divide approximately 17 acres out of approximately 130 acres and create two parcels should be combined with his other Simple Subdivision request to divide off approximately 5.5 acres located in the northwest portion of the same 130 acres, the division should be platted and recorded as a Subdivision and if approved the following conditions should apply:

That the final plat meet all of Platte County's Subdivision requirements due to the previous approval of a Simple Subdivision from the same parcel.

That a final plat be prepared and recorded with the Platte County Recorder's Office within one year of Platte County Commissioners' approval.

Mr. Hitt stated that he is continuing to divide and sell pieces to pay for his father's care at the Legacy Home. At \$250 per day the cost adds up quickly.

Members asked for clarification of the subdivision design if combined and where these lots would be in relation to the previously recorded Simple Subdivision.

Mr. Hitt clarified that the previous Simple Subdivision was acreage to the east of Gaddy's and these parcels would be to the west of the Childhood Development Center and in the north west corner. Planner Clark noted that with the requests being combined into one Subdivision the result would be a subdivision with 4 large parcels.

Chairman Shepard asked why it could not be combined as Simple Subdivision. Planner Clark noted a clause in the regulations that requires additional divisions of previously divided acreage to be subdivisions and now that the previous Simple Subdivision has been recorded this would apply.

Motion by Commission Member Brockman was seconded by Commission Member Lockhart to combine these two Simple Subdivisions into one Subdivision with the recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Simple Subdivision to divide approximately 25.83 acres off approximately 383 acres located north of Washington Road and west of Ferguson Road

Planner Clark noted Lana Shepard has filed an application for a Simple Subdivision to divide approximately 25.83 acres off approximately 383 acres located north of Washington Road and west of Ferguson Road in part of the S2SE1/4 of Section 22, T24N, R68W, Platte County, Wheatland, Wyoming. Due to the proximity to Wheatland town limits this request for a Simple Subdivision to divide approximately 25.83 acres off approximately 383 acres will be reviewed by the Town of Wheatland Planning and Zoning Commission, Wheatland Town Council, Platte County Planning and Zoning, and Platte County Board of Commissioners. The Town Planning and Zoning Commission and Wheatland Town Council both approved this request.



Planning & Zoning

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Mrs. Shepard is requesting this Simple Subdivision with the intent of selling/trading the approximately 25-acre tract with her neighbors to clean up the boundary lines of the approximately 380-tract and convert the underutilized southeast corner into hay fields. Mrs. Shepard has supplied a signed Wheatland Irrigation District Water Plan Approval Form for Subdividers dated November 11, 2020.

During the town meeting questions from neighbors about the future of the lot. Tract would be used for a single-family residence and with the boundary line adjustment the underutilized southeast could be cleaned up and used for hay production.

It is the opinion of the Planning Office that if Mrs. Shepard's request to divide approximately 25.83 acres off approximately 383 acres is approved the following conditions should apply:

- 1) That the final plat includes the new tract and references the boundary line adjustments for ease of tracking and to ensure an accurate legal description upon completion.
- 2) That a final plat be prepared and recorded with the Platte County Recorder's Office within one year of Platte County Commissioners' approval.

Members asked about the one-mile distance and needing to go to the town for approval; Planner Clark noted that in both the town code and the county regulations that the one-mile distance is included. However, in Wyoming State Statute 34-12-103(b) it references a half-mile for towns that have a population of less than 4,000. Members asked if we could investigate changing this. Planner Clark made notes to send this question to the County Attorney as it would have to be changed on both the county regulations and town code due to the stipulation of stricter regulations rule.

Motion by Commission Member Lockhart was seconded by Commission Member Brockman to combine these two Simple Subdivisions into one Subdivision with the recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Simple Subdivision to divide approximately 22 acres into 3 parcels located at 122 Bluffview Road, Wheatland, Platte County, Wyoming

Planner Clark noted Mr. and Mrs. Kernan purchased the 8 acres recorded in Book 308 on Page 117 with a mortgage. Later the Kernan's purchases the additional 14 acres and combined it with a boundary line adjustment shown on the records recorded in Book 393 on Page 869. When the boundary line adjustment was completed the mortgage was not updated to include the additional acreage. Mr. and Mrs. Kernan want to take advantage of the low interest rates and refinance; however, without dividing the original 8 acres from the now 22 acre parcel they will be forced to include all 22 acres in the refinance and this limits their refinance options. In addition, Mr. and Mrs. Kernan want to separate off a five-acre parcel to either sell or gift to family.

Planner Clark noted that she verified with the Assessor's Office that Mr. and Mrs. Kernan's mortgage is only for their home and the 8 acres.

It is the opinion of the Planning Office that if Angie Kernan's request to divide approximately 22 acres in three 5+ acre parcels is approved the following conditions should apply:

- 1) That the final plat includes references to the boundary line adjustments for ease of tracking.
- 2) That a final plat be prepared and recorded with the Platte County Recorder's Office within one year of Platte County Commissioners' approval.

Mrs. Kernan noted that being able to obtain better interest rates on a smaller parcel.

Member Brockman added that banks are more willing to loan on smaller acreage due to the foreclosure laws related to larger acreage and the amount of time it takes to complete the process.

Motion by Commission Member Warner was seconded by Commission Member Lockhart to combine these two Simple Subdivisions into one Subdivision with the recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 858 Bordeaux Road, Platte County, Wheatland, Wyoming

Planner Clark noted Visionary Communications is requesting a Special Use Permit to place a broadband communications tower in Platte County to service the unserved and underserved areas of the county with high-speed broadband internet. We have accepted CARES Grant funding through the Wyoming Business Council to aide in servicing these areas. This tower location will be used to communicate to other tower locations in the outlying rural areas of the county. Areas that are currently considered unserved will have the opportunity to have 100Mbps internet after these towers are operational. The FCC does not require paperwork on a tower this small, but any radio equipment on the tower that is required to be licensed by the FCC will be licensed accordingly. No agency or neighbor comments.

It is the opinion of the planning office that if Visionary Communications' request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 858 Bordeaux Road, Platte County, Wheatland, Wyoming is approved the following condition should apply:

- 1) Special Use Permit will be reviewed on a complaint basis.

Merlin Hitt with Platte County Economic Development stated that improved broadband is one of the mission goals of PCED and is in favor of this project.

Member Brockman asked Visionary representatives where are you getting the signal that you can do 100 Mbps?

Greg Worthen, Special Sales Engineer for Visionary noted Visionary has multiple routes into Wheatland and Platte County, we bring in fiber and redundancy through microwave that comes into Wheatland as well. So we have microwave routes that actually go over to Goshen County and Laramie County and another route here also goes over to Albany County. We have that redundancy that way that we can build in through the fiber.



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Stacie McDonald, Director of Public Relations for Visionary added that it also depends the dishes and on what type of equipment you use.

Member Brockman asked how many can be served with this location that we are discussing and how far out can you reach?

Mr. Worthen answered, typically with the 100 Mbps like that, based on the equipment, you keep a distance of about 4 miles, but if it goes out farther it can be 50 Mbps or a step down as far as speed, it all comes down to signal strength for the distance. It is similar to your cell phone; drive up Sybille Canyon I may not be able to make a phone call, but in town I can.

Member Brockman asked if these towers used CARES funds.

Mr. Worthen confirmed, yes these were ordered with CARES funds.

Members Lockhart and Brockman asked if they had plans to put up more and if any would be on the east side of the county?

Mr. Worthen stated providing them with the area's information that is lacking coverage and Visionary could look into expanding coverage within Platte County, because they do provide services to rural areas including Shawnee to the school and areas around out there.

Member Warner asked about the equipment needing to be licensed by FCC.

Planner Clark asked if they planned on adding radios to the towers?

Mr. Worthen stated, back to your question as far as speed, when you bring a, what we refer to as a back haul to a tower, a lot of time that is licensed equipment so you can do a higher speed and if those were to be on the tower they would be licensed by FCC. If there are other radios on the tower that don't require licensing then they wont be licensed.

Chairman Shepard asked if the tower goes into disrepair who is responsible for maintenance and removal of the tower?

Mr. Worthen stated that Visionary is responsible.

Chairman Shepard recommended adding a second condition to the Special Use Permit that Visionary Communication is responsible for all maintenance and removal.

Member Brockman asked about the size of the solar panels and if they were similar to those on a stock well.

Mr. Worthen noted that depending on the size of the stock well, but these typically are larger than those on a stock well.

Motion by Commission Member Brockman was seconded by Commission Member Warner to approve this Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 858 Bordeaux Road, Platte County, Wheatland, Wyoming with the two recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 153 Small Road, Platte County, Wheatland, Wyoming

Planner Clark noted Visionary Communications is requesting a Special Use Permit to place a broadband communications tower in Platte County to service the unserved and underserved areas of the county with high-speed broadband internet. We have accepted CARES Grant funding through the Wyoming Business Council to aide in servicing these areas. This tower location will be used to communicate to other tower locations in the outlying rural areas of the county. Areas that are currently considered unserved will have the opportunity to have 100Mbps internet after these towers are operational. The FCC does not require paperwork on a tower this small, but any radio equipment on the tower that is required to be licensed by the FCC will be licensed accordingly.

No agency comments.

Neighbor comments received; Ken and Patty Small - We would like to share our support of the special use permit at 153 Small Rd and any others that are connected to Visionary Communications and this project. We have very limited options for telephone and internet in this area and are very happy that Visionary Communications has been willing to work with us. Our whole community will benefit from this project, not just our family. Currently, CenturyLink and satellite internet providers are the only communications available. No cell service is available and no other broadband companies would provide service. CenturyLink is getting very aggressive about wanting to cancel phone service and VOIP options with slow satellite internet are very frustrating. Again, we support Visionary Communications and ask that this special use permit be granted.

It is the opinion of the planning office that if Visionary Communications' request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 153 Small Road, Platte County, Wheatland, Wyoming is approved the following condition should apply:

- 1) Special Use Permit will be reviewed on a complaint basis.
- 2) Visionary Communication is responsible for all maintenance and removal.

Merlin Hitt with Platte County Economic Development stated that improved broadband is one of the mission goals of PCED and is in favor of this project.

Member Klein asked about the lifecycle of the towers.

Mr. Worthen stated it depends because technology changes all the time, I don't know if you mean the structure or the unit.

Member Klein asked about the solar panels on skids vs putting it in permanently. To me it seems like it is a test deal to see if it works and if it doesn't are you going to abandon it?

Mr. Worthen added the solar panels are attached to a skid and they do require annual maintenance. No, part of that was due to the CARES and dealing with the time constraints there. It was having things built and time constraints and easy of having things, in a sense, mass produced then trucked up and placed on site versus building on site. As far as the longevity of it, I see no reason that something wouldn't last for 10 years; the question comes down to if there isn't alternate technology that comes out and solar panels are very hardy and if they are damaged by hail then they are replaced and or refurbished.

Member Klein noted that he hopes the people allowing these to go on their property realize that they are going to be there for the next 20 to 50 years.

Mr. Worthen noted if technology changes to the point that this was obsolete that these set ups are easy to go out with a trailer and load them up and haul them away. It is not something that we would look at leaving on site if it was no longer useful. Some of these are in remote sites and we



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have had some instances where WyoLink has asked to add to the tower because they don't want to put up a structure of their own, because they have a hard time using their radio systems with some of their officers out in these areas. Those are discussions that have taken place in other counties, but not here yet. In that sense, if it came to where it wasn't used for us, but it was used for them then we visit with the landowner and work out a deal between them and the equipment owner.

Ms. McDonald noted that part of that is in their lease agreement with the landowners and we go over all of these things with the landowners and they usually use an attorney, so they look out for their best interests.

Member Brockman asked if the CARES money was through the State of Wyoming.

Ms. McDonald confirmed yes.

Motion by Commission Member Lockhart was seconded by Commission Member Brockman approve this Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 153 Small Road, Platte County, Wheatland, Wyoming with the two recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 3652 Highway 34, Platte County, Wheatland, Wyoming

Planner Clark noted Visionary Communications is requesting a Special Use Permit to place a broadband communications tower in Platte County to service the unserved and underserved areas of the county with high-speed broadband internet. We have accepted CARES Grant funding through the Wyoming Business Council to aide in servicing these areas. This tower location will be used to communicate to other tower locations in the outlying rural areas of the county. Areas that are currently considered unserved will have the opportunity to have 100Mbps internet after these towers are operational. The FCC does not require paperwork on a tower this small, but any radio equipment on the tower that is required to be licensed by the FCC will be licensed accordingly.

No agency comments.

Neighbor comments received; Steve Neff- Asked for additional information due to the confusion of the Special Use Permit request coming after the tower had already been erected and what type of services would be provided. After answering his questions no further comment was received by the Planning Office.

It is the opinion of the planning office that if Visionary Communications' request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 3652

Highway 34, Platte County, Wheatland, Wyoming is approved the following condition should apply:

- 1) Special Use Permit will be reviewed on a complaint basis.
- 2) Visionary Communication is responsible for all maintenance and removal.

Merlin Hitt with Platte County Economic Development stated that improved broadband is one of the mission goals of PCED and is in favor of this project.

Members asked for a little clarification on the tower's location.

Mr. Worthen noted that it is located on Getaway Ranch and is on the north of highway 34.

Motion by Commission Member Lockhart was seconded by Commission Member Brockman to approve this Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 3652 Highway 34, Platte County, Wheatland, Wyoming with the two recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 1256 Sybille Creek Road, Platte County, Wheatland, Wyoming

Planner Clark noted Visionary Communications is requesting a Special Use Permit to place a broadband communications tower in Platte County to service the unserved and underserved areas of the county with high-speed broadband internet. We have accepted CARES Grant funding through the Wyoming Business Council to aide in servicing these areas. This tower location will be used to communicate to other tower locations in the outlying rural areas of the county. Areas that are currently considered unserved will have the opportunity to have 100Mbps internet after these towers are operational. The FCC does not require paperwork on a tower this small, but any radio equipment on the tower that is required to be licensed by the FCC will be licensed accordingly. No agency comments.

Neighbor comments received; Kim and Lee Ludeman - My husband and I live at 1995 Sybille Rd, Wheatland, WY. We have been very excited to find out that Visionary Communication was putting up a communication tower in our area. We have been trying to get internet service to our home for several years. This tower will provide a reliable source of internet service at a reasonable price. Thank you for your time and consideration.

Ray and Michelle Parker - We are very much in favor of Visionary putting up a communications tower at 153 Small Road. It will be of huge benefit to our Sybille Canyon community as we have had major issues with good, reliable internet service.

It is the opinion of the planning office that if Visionary Communications' request for a Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 1256 Sybille Creek Road, Platte County, Wheatland, Wyoming is approved the following condition should apply:

- 1) Special Use Permit will be reviewed on a complaint basis.
- 2) Visionary Communication is responsible for all maintenance and removal.



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Merlin Hitt with Platte County Economic Development stated that improved broadband is one of the mission goals of PCED and is in favor of this project.

Motion by Commission Member Warner was seconded by Commission Member Lockhart approve this Special Use Permit to erect and operate a 50 ft communication tower with solar panel skids located at 1256 Sybille Creek Road, Platte County, Wheatland, Wyoming with the two recommended conditions.

Upon roll call the vote on the MOTION was:

YES: Commission Member Lockhart, Commission Member Warner, Chairman Shepard, Commission Member Brockman, Commission Member Klein

NO: none

MOTION DECLARED CARRIED

Approval of Minutes

Approval of Minutes – January 12, 2021

Motion by Commission Member Brockman with a second by Commission Member Klein was made to approve the minutes of the previous January 12, 2021 meeting as presented.

Upon roll call the vote on the MOTION was:

YES: Commission Member Klein, Chairman Shepard, Commission Member Lockhart, Commission Member Warner, Commission Member Brockman

NO: None

MOTION DECLARED CARRIED

Board Discussion

Planner Clark noted the next regular meeting will be March 9, 2021 at 6 p.m. with a Simple Subdivision on the agenda.

Merlin Hitt noted that it has been rumored that Robert Hilty purchased the old sugar beet location previously owned by Renewable Fiber out of Fort Collins. Rumor is Western Building Supply will be moving their truss manufacturing operation to this location as they are unhappy with their current location next to the transfer station on Y-O Road.

Planner Clark noted that the Wild Horse facility has received horses and should be building their office shortly as a Building Certificate has been issued.

Planner Clark noted that a draft violation letter for Mr. Spring at 180 S Chugwater Highway is being reviewed by County Attorney Weaver and will be sent out certified mail after receiving Attorney Weaver's go ahead. Mr. Spring needs to complete a rezone, apply for both a special use permit

and building certificate as well as work with the State Department of Environmental Quality to obtain an UIC permit and with the State of Wyoming to obtain a State Health Permit before beginning operation of a slaughter and meat packing facility.

Planner Clark asked the Commission to review the final plat of the Lee Simple Subdivision before having Chairman Shepard sign.

Chairman Shepard adjourned the meeting at 7:16 PM.

Approve:

Attest:

Chairman Planning & Zoning Commission

Planning Director