

Sublette County, Wyoming
Planning and Zoning Commission
Official Minutes
November 17th, 2022

I. ROLL CALL: A meeting of the Sublette County Planning and Zoning Commission was held in the Board room of the Sublette County School District Administration building and was called to order at 6:02 pm. Chairperson, Chris Lacinak chaired the meeting.

Members Present: Blake Greenhalgh, Maike Tan, Ken Marincic, Pat Burroughs, and Chris Lacinak

Members Absent: None

Staff Members Present: Sublette County Planner, Dennis Fornstrom, Associate Planner, Tess Soll, and Deputy County Attorney, Clayton Melinkovich

Staff Members Absent: None

II. Amendments to the Agenda: None

III. New Business:

Item 1. To approve the amended minutes of the August, 18th meeting.

MOTION: Comm. Burroughs moves to approve the August 18th amended minutes.

Seconded: Comm. Tan

Board Discussion: None

VOTE:

Comm. Burroughs AYE

Comm. Greenhalgh AYE

Comm. Marincic AYE

Comm. Tan AYE

Comm. Lacinak AYE

Motion carries 5/0

Item 2. To approve the minutes from the September 15th meeting.

MOTION: Comm. Burroughs moves to approve the September 15th minutes.

Seconded: Comm. Greenhalgh

Board Discussion: None

VOTE:

Comm. Burroughs AYE

Comm. Lacinak AYE

Comm. Marincic AYE

Comm. Tan AYE

Comm. Greenhalgh AYE

Motion carries 5/0

Item#3. To approve the minutes from the October 20th, 2022 meeting.

MOTION: Comm. Burroughs motions to approve the October minutes with amendments.

Seconded: Comm. Greenhalgh

Board Discussion: Comm Lacinak proposes an amendment to the October minutes to include that the P&Z members will provide an optional summary rationale of recommendations for the P&Z office to pass onto the BOCC within six (6) days of the P&Z meeting. Comm Lacinak would like to confirm what the final dates are for the community workshops, which are December 8th, 2022, and January 26th, 2023, and what will be discussed to be included.

VOTE:

Comm. Burroughs AYE
Comm. Lacinak AYE
Comm. Greenhalgh AYE
Comm. Tan AYE
Comm. Marincic AYE

Motion carries 5/0

IV. Public Hearings:

*All agenda items were introduced by Chairperson, Chris Lacinak.

Agenda Item #1. An application by Shelley Smith & Tory Holtermann requesting a Partial Vacation / Modification to a Filed Subdivision Plat pursuant to Chapter XII, Subchapter IV, Section 4 of the Sublette County Zoning and Development Regulations. Proposing a Boundary Line Adjustment between Lots 4 and 5, of the Jim Bridger Estates Third Filling.

Mr. Fornstrom describes the new lot configuration the applicant is proposing. The proposed lot configuration will not affect West Fontenelle Dr, or other roads, and meets the regulation requirements of Sublette County.

No Public Comment

MOTION By: Comm Greenhalgh motions to approve the application by Shelley & Troy Holtermann for a partial vacation/modification to the subdivision plat for lots 4 & 5 of Jim Bridger Estates.

Second by: Comm. Marincic

Board Discussion: None

VOTE:

Comm. Burroughs AYE
Comm. Tan AYE
Comm. Marincic AYE
Comm. Lacinak AYE
Comm. Greenhalgh AYE

Motion carries 5/0

Agenda Item #2. An application by Dry Wind LLC, John A. Sulenta, requesting a Change of Zoning District Boundary pursuant to Chapter VIII, Section 2, of the Sublette County Zoning and Development Regulations. This proposal would reclassify 44.20 acres from A-1, Agricultural Zoning to 26.34 acres of (RR-20) Rural Residential 20 acres, and 17.86 acres of (I-L) Light Industrial. This parcel is described as T33N, R109W, SEC 25, S2NW(PT), NWNW(PT). of Sublette County, Wyo., and lies on the Northerly side of US Hwy 191 directly across from the Airport Industrial Subdivision.

Mr. Fornstrom summarizes the history of this parcel with a previous zoning and minor subdivision request in 2010. This project was never moved forward by the applicant, and the applicant is now before the board with a new application for zoning and minor subdivision. Mr. Fornstrom describes and states for the board the surrounding zoning districts in relation to the parcel. Most being I-L and I-H with residential across the HWY. The applicant has an approach permit from WYDOT and Mr. Sulenta does have access from Bridle Bit Ln for the proposed RR-20 parcel.

Public Comment

Amy Belveal- homeowner on Bridle Bit Ln. Opposed to application for the following reasons:
Access/turn lane, wildlife, screening from industrial lots

Keith Gunther- property owner to the north. Opposed to the application for access issues

Ryle Wilson- Airport Manager for the Town of Pinedale. Neither opposed nor in favor. Mr. Wilson provided the board with the building regulations when building within 20,000 ft of the airport runway and what those requirements/permitting are.

Amy Belveal- further concerns on access and safety

Brandon Scurlock- Game & Fish reviewed the proposal for wildlife values. Not in the grouse core, not in the corridor, and outside the crucial winter range.

Phil Belveal- homeowner on Bridle Bit Ln. Opposes the application for concerns regarding the uses in I-L.

Amy Belveal- further concerns on light, noise, dust, etc...

Phil Belveal- further concerns about water usage and how the I-L lot may affect that.

Dan Bailey- references a property owner who had a previous issue with an I-L lot next to their residential property.

Public Comment closed

MOTION by: Comm. Marincic motions to approve the Dry Winds change in zoning district boundary pursuant to Ch. VIII, Sec 2, of the Sublette County Zoning and Development regulations. This proposal would reclassify 44.20 acres of A-1 to 26.34 acres of RR-20 zoning and 17.86 to I-L zoning.

Second by: Comm. Greenhalgh

Board Discussion: All board members acknowledge the Chair and signify they have considered all 10 findings.

VOTE:

Comm Burroughs NAY

Comm. Lacinak NAY

Comm. Tan NAY

Comm. Marincic AYE

Comm. Greenhalgh NAY

Motion fails 4/1

Agenda Item 3. An application by Dry Wind LLC, John A. Sulenta, requesting a Minor Subdivision pursuant to Chapter XII, Subchapter V of the Sublette County Zoning and Development Regulations, for a 40.20-acre parcel described as T33N, R109W, SEC 25, S2NW(PT), NWNW(PT). of Sublette County, Wyo., and lies on the Northerly side of US Hwy 191 directly across from the Airport Industrial Subdivision. The Dry Winds Minor Subdivision will create two lots, one lot being 26.34 acres in size, and one lot being 17.86 acres in size.

*Without recommending approval of the rezone, the minor subdivision would also fail as recommending approval of this minor subdivision would create a nonconforming A-1 lot. Guidance was given to the board as to appropriate action on this agenda item by Deputy County attorney, Mr. Melinkovich.

MOTION by: Comm. Greenhalgh motions to deny agenda item 3 application by Dry Wind LLC, requesting a Minor Subdivision pursuant to Chapter XII, Subchapter V of the Sublette County Zoning and Development Regulations, for a 40.20-acre parcel.

Comm Lacinak friendly amendment Ch 12 (XII), Subchapter 5 (V)

Second by: Comm Tan

Board Discussion: None.

VOTE:

Comm Burroughs AYE

Comm Lacinak AYE

Comm Tan AYE

Comm Marincic AYE

Comm Greenhalgh AYE

Motion carries 5/0

***Recess at 7:15 p.m.**

***In session at 7:22 p.m.**

Agenda Item 4. An application by Jackson Fork Ranch, LLC proposing to amend their existing Conditional Use Permit for a Guest Ranch, located in T36N, R114W, Sections 2, 3, 9, and 10. to include the entirety of the Jackson Fork Ranch, and the additional property of the Dead Shot Holdings, LLC. Pursuant to Chapter V, Conditional Uses of the Sublette County Zoning and Development.

Mr. Fornstrom summarizes the proposal and gives a brief history of the original CUP applied for in 2004, and heard again in 2010 for a guest ranch. Mr. Fornstrom conveys to the board that the CUP was granted with one condition, the condition limited the occupancy to 15 people at any one time and in 2010 the CUP was limited to 478 acres. With the current proposal before the board, the applicant is asking for the entirety of the JFR including the newly acquired Dead Shot Ranch to come under the CUP granted in 2010. The Deadshot has the existing infrastructure to support the request as well as access to water and septic. This proposal complies with our current regulations.

Public Comment

Ann Balderston- Hoback Ranch resident. Opposed, staffing concerns

Melissa Harrison- Bondurant resident. Opposed. Read prepared letter.

Betina Sparrow- Hoback Ranch resident. Opposed.

Dan Bailey- Bondurant resident. Opposed. Read prepared letter.

Brandon Scurlock- Game & Fish rep. Wildlife value analysis

Joy Ufford newspaper- sent an email to Mr. Bousman, Mr. Fornstrom & Mr. Melinkovich regarding the status of this meeting (read email to the board). Concerns of wildlife fencing, open range area.

Jocelyn Moore- Opposed. Feels a rezone is more appropriate.

Fred Moore- Bondurant resident. Opposed. Traffic concerns and guest ranch occupancy.

Dan Bailey- Bondurant resident. Opposed. Questions the validity of the current guest ranch regulation language.

Melissa Harrison- Bondurant resident. Opposed. Feels the county should hire the experts versus the applicant providing their own experts.

Lisi Krall- Bondurant resident. Opposed. Concerns about ownership of the road, traffic study, and felt the timing of the application discouraged public input.

Public comment closed at approximately 9:45 p.m.

**At Approximately 11:03 p.m. a motion was made by Comm. Greenhalgh to convene an executive session to discuss the legal ramifications of the 'committee of the whole.*

Second by: Comm. Marincic

VOTE:

Comm. Greenhalgh AYE

Comm. Marincic AYE

Comm. Tan AYE

Comm. Burroughs AYE

Comm. Lacinak. AYE

MOTION carries 5/0

***Reconvened at 11:49 from executive session.**

Board discussion: Comm. Burroughs addresses the applicant and asks for consent to table this application for the purposes of gathering more information provided by the applicant.

The applicant's representative declined to provide additional information and ask's the board for an up or down vote on the application before them.

MOTION by: Comm. Greenhalgh to deny Jackson Fork CUP permit to operate a guest ranch at the property owned by Jackson Fork ranch property.

Second by: Comm. Tan

Board Discussion: Comm. Burroughs requests an addendum to the motion to include findings. Comm. Lacinak asks the board to provide YES or NO to CUP findings A and B and confirm they have considered the eight (8) criteria in the CUP regulations:

Comm. Greenhalgh- Finding A: YES
Finding B: NO, based on insufficient information from the applicant.

Comm. Marincic- Finding A: YES
Finding B: YES

Comm. Lacinak- Finding A: NO
Finding B: NO

Comm. Burroughs- Finding A: NO
Finding B: NO

Comm. Tan- Finding A: NO
Finding B: NO

VOTE: Main Motion

Comm. Greenhalgh AYE, I have considered the 8 criteria prior to my vote.

Comm. Burroughs AYE

Comm. Tan AYE

Comm. Lacinak AYE

Comm. Marincic NAY


MOTION carries 4/1

V. Old Business: None

VI. General Public Comment: Ann Balderston inquired how the P&Z board considers/determines detriment to property values as it relates to criteria found in the zoning regulations. Dan Bailey comments on how property should be assessed in value vs county tax base.

VII. Adjournment: The meeting was adjourned by Chairperson Chris Lacinak at 12:05 a.m.

PLANNING AND ZONING COMMISSION
SUBLETTE COUNTY, WYOMING


Chris Lacinak, Chairman

Attest:


Dennis Fornstrom, Sublette County Planner

***** Please note that a digital audio recording of the meeting is available at the Planning and Zoning Office and online by going to the Sublette County Website. These minutes are a written summation of the meeting.**

