

Sublette County, Wyoming  
Planning and Zoning Commission  
Official Minutes

April 22, 2021

The regularly scheduled meeting of the Sublette County Planning and Zoning Commission was held in the Lovatt Room of the Sublette County Library on this date. Present were Sublette County Planner Dennis Fornstrom, Assistant Planner Alan Huston and Commissioners Blake Greenhalgh, Maike Tan (6:23), Pat Burroughs, and Chris Lacinak. Ken Marincic was absent (excused). Also present was assistant County Attorney Clayton Melinkovich.

Chairman Blake Greenhalgh called the meeting to order at 6:15 PM. and welcomed everyone to the evening meeting. Chairman Greenhalgh spoke to the rules governing public input and decorum.

**First order of business:**

Minutes of the March 18<sup>th</sup>, 2021 meeting were approved. The motion to approve was made by Comm. Lacinak and seconded by Comm. Burroughs. Vote to approve was unanimous. 4/0

**Old Business:**

During the March meeting the matter of the new forthcoming County road standards was discussed and action on the item was tabled. This evening Mr. Fornstrom spoke to the statutory requirements and to the formatting differences between the old and new documents making the generation of a redline copy impractical. It was indicated that the County Commissioners have sole statutory responsibility for adoption of such standards and that the early presentation of the document to the P&Z board was a courtesy and required no action by the P&Z board. Mr. Fornstrom noted new road standards impacted the planning department in so far as their impact on subdivision standards and requirements. Comm. Lacinak clarified that the matter appeared to have been originally brought before the board somewhat in error. (Comm. Tan arrives)

No action was taken and the matter died for lack of motion.

**New Business:**

**Items on the agenda were introduced by the Chairman as follows:**

**Item #1.**

Chairman Greenhalgh introduced the first item as noted in the agenda posting, a request by The Bradley Trust requesting a change of Zoning District Boundary (5 acres of the 100.8) to be changed from A-1 to I-L). Mr. Fornstrom elaborated upon the request noting a family division would be forthcoming which would establish the said parcel. The use desired by the Trust would require I-L zoning (storage sheds). Mr. Fornstrom explained the family division process briefly. Comm. Greenhalgh commended the applicant on the composition of the application.

**Action #1:**

Comm. Burroughs made a motion to approve the applicant's request as recommended by staff. Comm. Tan seconded the motion. Motion passed unanimously 4/0.

**Agenda Item #2**

Chairman Greenhalgh introduced a variance request from Jason and Melinda Moyes as advertised. Mr. Fornstrom elaborated upon the particulars involving this variance to setback requirements required in Chapter III, Section 4. Mr. Fornstrom indicated the larger vehicles common now made use as currently built difficult. This property is typically referred to as the Rim Station. Eng. Aaron Seehafer with Rio Verde spoke to the particulars (two-sided hooded pump, location, concrete bollards, and other gas pump setbacks around the county). Comm. Lacinak inquired as to the practicality of barricades given the curvature. It was noted that WYDOT does not have any particular setback requirements from right-of-

way. Mr. Moyes spoke to his plans. Some public comment (inaudible), and two public comments in support.

## **Action #2:**

A motion was made by Comm. Tan to approve the request as recommended by staff. Comm. Lacinak seconded the motion. The applicant's request was approved unanimously 4/0.

## **Agenda Item #3**

Chairman Greenhalgh introduced the Terry/Ellsworth request for Boundary line adjustment and Replat as described in the agenda. Mr. Fornstrom elaborated on the particulars and noted all changes would occur within the boundaries of the two properties. The purpose was to correct existing setback violations by modification of the common border. The shape of the resulting lots was discussed by board members. Mike Jackson spoke to the shifting of the line north approx. 5'.

## **Action #3:**

Comm. Lacinak made a motion to approve the applicant's request as recommended by staff. Comm. Burroughs seconded the motion. Motion passed unanimously 4/0.

## **Agenda Item #4**

Chairman Greenhalgh introduced the last item of the night as noted on the agenda, a request from Benjamin Cilensek proposing a Partial Vacation and Replat in Green River Ranch Unit A. Mr. Fornstrom spoke to the particulars of this request and the accompanying request for Change of Zoning District Boundary. The lots referenced would cease to be in the subdivision and if approved would be described through meets and bounds and rezoned to one contiguous A-1 parcel. Unless changed, the current CCRs would remain in force.

Ben Cilensek was present to provide the nature of the request and expressed his desire to preserve and enhance the property. Multiple wells and tree planting were noted in his enhancement efforts. Mr. Cilensek felt the better fencing, minimal livestock and general improvements he was planning would improve the subdivision. Comm. Burroughs clarified the location and inquired why the vacation request. Mr. Cilensek suggested this was a step in a process towards rezoning A-1 (35 acres or larger) and benefitting from certain agriculture exemptions. Mr. Fornstrom clarified the animal units guidelines for RR vs. A-1. Mr. Cilensek desired one parcel.

Public Comment was solicited by Chairman Greenhalgh. Neighboring property owner Dell Patno sought clarification of the role of covenants, and their likely violation by any agricultural enterprise. Mr. Patno was opposed to the applicant request and noted past fencing matters.

Rick Johnson, road grader operator in the subdivision, canal operator and long-time resident noted several items of interest. Resulting parcel would not be contiguous in the one sense of the word given the subdivision roads crisscrossing the proposed A-1 parcel. Also noted was the reduction of revenue for the HOA given per lot assessment would be reduced if lots ceased to exist. Mr. Johnson methodically noted the applicant's rezone request would fail to meet many, if any, of the guidelines listed in the P&Z regulations. Also noted was the reduction in property tax revenue the county would experience. Among other things Mr. Johnson noted that the roads were private subdivision road for the use of lot owners in the subdivision, Mr. Cilensek might find himself preclude from using the existing roads. Mr. Johnson opined that the associated water rights were insufficient and best use was likely residential. Ponds were permitted for one time fill.

Comm. Tan inquired to specifics of road use and Comm. Burroughs inquired about the "contiguous" parcel created given road easements. Mr. Johnson noted a property to the east of the subdivision was required to purchase a right of way through the subdivision. Comm. Lacinak sought more clarification and Mr. Melinkovich inquired as to other points of access into the subdivision. Discussion regarding access continued for some time.

Karen Lane, a neighbor to the north, spoke of concerns with Mr. Celinsek selling the property and with concerns animals would be on the road. She also spoke to the current working of the HOA and adjoining subdivisions. She, and many of her neighbors would look favorably toward the proposal if the concerns she expressed were addressed.

Chairman Greenhalgh voice his general opposition to this particular rezone. Comm. Tan inquired of the applicant if the difference in animal unit limits per zone would affect his plans. Mr. Cilensek suggested yes and indicated that if some of the tax savings realized from a change to A-1 was not forthcoming his plans may change somewhat. He also spoke to the winter parking and wind rows he permits. Comm Tan expressed some concern as to what the future could hold as A-1 parcel changed hands. Mr. Cilensek noted some uncertainty was involved. Mr. Melinkovich noted some covenants could be established. Mr. Johnson commented further as did Mrs. Lane. Comm. Burroughs spoke to the much broader uses allowed in any A-1 zone, suggesting narrow permitted uses at this time might be more appropriate. Mr. Melinkovich noted current covenants would continue to temper many uses, but might be challenged. Mr. Patno spoke to likely expenses neighbors would suffer in seeking adjudication of covenants.

### Action #4:

Motion to recommend the approval of partial vacation as requested by the applicant's was made by Comm. Burroughs. Comm. Tan seconded the motion.

Those in favor: Comm. Tan.

Those opposed: Comms. Lacinak, Burroughs, Greenhalgh.

Motion to recommend approval failed 3/1.

Chairman Greenhalgh and Comm. Burroughs spoke briefly to the applicant regarding the future of his use and the process in general.

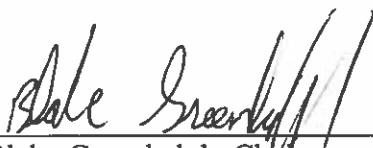
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With no other items on the agenda the public was released and further discussion among the board and planning staff centered around STR policy, decision-making and upcoming STR workshop.


Comm. Lacinak voiced some frustration at the confusion around the road standards and Mr. Fornstrom concurred that more effective communication was indicated.

There being no other business, Chairman Greenhalgh adjourned the meeting at 8:24 P.M.

PLANNING AND ZONING COMMISSION  
SUBLETTE COUNTY, WYOMING

  
\_\_\_\_\_  
Blake Greenhalgh, Chairman

Attest:

  
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Dennis Fornstrom, Sublette County Planner

\*\*\* Please note that a digital audio recording of the meeting is available at the Planning and Zoning Office.

