



City of Laramie

Community Development Department
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MINUTES

Joint Meeting of the Laramie Planning Commission and the Albany County Planning and Zoning Commission

February 11, 2008 4:30 PM
City Council Chambers
City Hall
406 Ivinson, Laramie, WY

The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Community Development Department 24 hours in advance of the meeting.

1. CALL TO ORDER/ ROLL CALL

Meeting convened at 4:38 p.m.

Laramie Planning Commission Members present: Dave Paulekas, Kaye Willis, John Hester, Scott Mullner, Tim Nyquist and Vicki Henry

Laramie Planning Commission Members absent: Anne Larsen

Albany County Planning and Zoning Commission Members Present: Jim Thompson, Kendra Burn, Chris Nicholson and Rob Fischer

Albany County Planning and Zoning Commission Members Absent: Cheri Frank

There was a quorum present at all times.

Council Liaison: Jodi Guerin

City of Laramie Staff present: Peter Wysocki, Community Development Director; Derek T. Teini, Associate Planner; Charles W. Bloom, Associate Planner; and Sara Davis, Community Development Administrative Assistant

Albany County Planning Staff Present: Doug Bryant, Albany County Planning Director; and Laura Ottoson, Associate Planner

Guest Speakers: Jack Wittman, Susan Licher, John Evans, Kimberly Starkey, James Pollack, Geoffrey Letchworth, Eric Mulver, Bob Blake, Hannah Griscom, Jeannette Reisenburg, Craig Clang, Seth Carson, Vern Hinkley, Kent Marshall, Matt Burkhart, Stan Trueblood, Brian Waickus, Klaus Hanson and Bill Baker

2. APPROVAL OF AGENDA

No changes were made to the agenda.

3. DISCLOSURES

No disclosures.

4. PRESENTATION OF THE CASPER AQUIFER PROTECTION PLAN UPDATE AND THE AMENDMENT TO LARAMIE MUNICIPAL CODE CHAPTER 17.82, AQUIFER PROTECTION OVERLAY ZONE

Mr. Wysocki gave a brief introduction of the Plan and provided some background information on the Plan and Ordinance.

RECESS

Jack Wittman, Wittman Hydro Planning Associates, gave a presentation of the Casper Aquifer Protection Plan version 3.0. A copy of the presentation power point is included in the official minutes.

5. PUBLIC HEARING ON THE CASPER AQUIFER PROTECTION PLAN UPDATE AND AMENDMENT TO THE AQUIFER PROTECTION OVERLAY ZONE

Many citizens stated concerns about the Casper Aquifer Protection Plan and the amendments to the Aquifer Protection Overlay Zone Ordinance. Some of the citizen concerns were as follows: degradation of the water supply; standards not strict enough; previously collected data not utilized; funding for the monitoring of the water supply; costs to individual home owners and developers; alternatives for the Sunset Acres development regarding replacement of septic systems; the definition of vulnerable features; exposed bedrock not included in definition of vulnerable features; use of EPA standards as City standards; section 8 of the ordinance is vague; parts of the ordinance are contradictory; lack of EAC involvement; lack of science in the Plan; exposure of contaminants along 1-80 and the Aquifer; harm private septic systems may cause; data on septic systems being include in the Plan without monitoring being conducted; prohibited behavior in the APO Zone; development occurring before all data needed to set standards is collected; DEQ standards; language used in the ordinance; the technical committee and how it was formed; how the standards were formulated; use of hydrologists who worked on the old Plan; and funding for all projects/procedures listed in the Plan.

Mr. Wittman and staff addressed most of these issues. Their responses were as follows: monitoring of the water should be done before standards are set; previously collected data can be used as historical information, but the source of where the data came from and the applicability of the data to be used as standards cannot be done; septic systems have been proven to cause problems with water quality; will need an Eastside Water Feasibility Study to evaluate cost of replacing septic systems with City utility lines; exposed bedrock does not cause the same problems as fractures and should be treated differently; agreed that section 8 is vague, but the site evaluation option will define and allow for smart decisions; the science is focused in Chapter 3; some members of the community did comment and work on the Plan; the City and County should work on a Sewer Feasibility Study; cannot guarantee that degradation will not occur; the City is going to try to get funding from the State; and the ultimate goal would be to purchase conservation easements.

RECESS

6. LARAMIE PLANNING COMMISSION AND ALBANY COUNTY PLANNING AND ZONING COMMISSION JOINT DISCUSSION OF THE CASPER AQUIFER PROTECTION PLAN UPDATE AND PROPOSED AMENDMENT TO THE AQUIFER PROTECTION OVERLAY ZONE

Overall, the Commissioners agreed that the Plan was well written and that the public comments were valuable. Some of the Commissioners stated they felt they would need more time to really consider all the public comments and make a recommendation. Some of the Commissioners concerns were the contractions when addressing exposed bedrock issues, degradation of the water supply, water quality standards, vagueness of some of the language in the document, limitation of development on the Aquifer, costs and funding for implementation of the Plan, costs

of utility hook-ups, and possibilities of requiring a moratorium in the County and City until monitoring is complete.

Mr. Wittman stated that the exposed bedrock is a vast area of the land and cannot recommend including this as a vulnerable feature. Mr. Wittman continued to state that anti-degradation should be a goal, but it is hard to obtain. Mr. Wittman also stated that the plan is not perfect, but he believes that the first step should be to make a plan of action which would include monitoring the water, gathering data and tweaking the standards after more information is known. Mr. Wittman concluded by stating that the most danger comes from not taking steps to prevent the risks.

Some of the Commissioners recommended receiving funding from the State, hiring Staff to act as coordinator of the monitoring and creating a committee to oversee the coordinator's progress.

7. ADJOURNMENT OF THE ALBANY COUNTY PLANNING AND ZONING COMMISSION

The Albany County Planning and Zoning Commission adjourned their meeting at 8:45 p.m.

8. LARAMIE PLANNING COMMISSION RECOMMENDATION OF THE CASPER AQUIFER PROTECTION PLAN TO THE CITY COUNCIL

Ms. Henry motioned to recommend the Casper Aquifer Protection Plan to the City Council.

Ms. Willis seconded the motion.

Mr. Nyquist, Ms. Henry, Mr. Mullner, Mr. Hester, Ms. Willis and Mr. Paulekas approved the motion. Ms. Larsen was absent. Motion carried unanimously.

9. LARAMIE PLANNING COMMISSION RECOMMENDATION OF THE AMENDMENT TO THE CASPER AQUIFER PROTECTION OVERLAY ZONE ORDINANCE TO THE CITY COUNCIL

Ms. Willis motioned to recommend the amendment to the Casper Aquifer Protection Overlay Zone Ordinance to the City Council.

Mr. Nyquist seconded the motion.

Ms. Willis, Mr. Nyquist and Mr. Paulekas approved the motion. Ms. Henry, Mr. Mullner and Mr. Hester opposed the motion. Ms. Larsen was absent. Motion failed.

Ms. Henry motioned to recommend the amendment to the Casper Aquifer Protection Overlay Zone Ordinance to the City Council with the following amended language:

1. Propose on section 6 Change Section 6.A. to include:
 - A. Exposed Casper Formation bedrock.
 - B. Shallow depth to ground water in the Casper Formation, defined as any location where the depth to ground water from the surface is less than 70 feet and there is no effective confining layer between the surface and the ground water. Non-drilling methods shall be used to determine depth to ground water.
2. Change Section 8.B. to include:
 - A. Delete "in review of the site specific investigation, the qualified professional will assess whether the site and development plans" from 8.B.

- B. Delete “interfering with municipal and residential well’s ability to produce drinking water that meets all federal primary drinking water standards with no treatment” from 8.B.a.
- C. Add “this ordinance and” to section 8.B.c., so it reads “complies with this ordinance and all other applicable requirements of the City regulations.”

Mr. Nyquist seconded the motion.

Ms. Henry approved the motion. Mr. Nyquist, Mr. Mullner, Mr. Hester, Ms. Willis and Mr. Paulekas opposed the motion. Ms. Larsen was absent. Motion failed.

Mr. Mullner motioned to recommend the amendment to the Casper Aquifer Protection Overlay Zone Ordinance to the City Council with the following amendments:

- 1. To include a paragraph on shallow depth to ground water
- 2. To set a time frame for achieving minimum standards of 2 years and to include the current maximum levels as standards for what has already been assessed until a study is complete and more information is known.

Mr. Hester seconded the motion.

Mr. Nyquist, Mr. Mullner, Mr. Hester, Ms. Willis and Mr. Paulekas approved the motion. Ms. Henry opposed the motion. Ms. Larsen was absent. Motion approved.

10. CITIZEN COMMENTS - Non-Agenda Related Topics – No Action Can Be Taken

No comments.

11. PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS

No reports and comments.

12. CURRENT PLANNING PROJECTS

OLD BUSINESS:

No items.

NEW BUSINESS:

No items.

13. ADJOURNMENT

Mr. Paulekas adjourned the meeting at 9:14 p.m.

Dave Paulekas, Planning Commission Chair

Date

Respectfully submitted ~ Sara Davis, Administrative Assistant

Date