



# Town of Wheatland Planning and Zoning Commission

Regular Meeting February 3, 2022

## Call to Order – Roll Call

The regular meeting of the Town of Wheatland Planning and Zoning Commission was called to order at 5:30 p.m. on Thursday, February 03, 2022, by Chairman Pile in the Town Hall Council Chambers.

Members Present: Chairman Pile, Member Holt, Member Mitchell, Alternative Member Windom, Member Becker

Members Absent: Member Futch, Member Kanwischer

Staff Present: Planner Clark, Town Clerk Wright

## Election of Chairman and Vice Chairman

Planner Clark noted that per the by-laws the chairman for 2022 will be voted in at the Planning and Zoning meeting after the first Town Council meeting of the calendar year and no member can serve two consecutive years as chairman per the planning and zoning by-laws.

Planner Clark asked if anyone would volunteer to be the new chairman? Member Holt volunteered to be the Chairman.

Motion by Member Mitchell with a second by Member Becker was made to appoint Member Holt as Chairman for 2022.

Upon roll call the vote on the MOTION was:

YES: Member Becker, Member Pile, Alternate Member Windom, Member Mitchell

NO: None

MOTION DECLARED CARRIED

Planner Clark asked if anyone would volunteer to be the new vice chairman? Member Pile volunteered to be the Vice Chairman.

Motion by Alternate Member Windom with a second by Member Becker was made to appoint Member Pile as Vice Chairman for 2022.

Upon roll call the vote on the MOTION was:

YES: Member Becker, Member Pile, Alternate Member Windom, Member Mitchell

NO: None

MOTION DECLARED CARRIED

## Citizen Comments

Chairman Holt asked if there were any citizen comments. None were noted.

## Declaration of conflicts of interest

Chairman Holt asked if there were any conflicts of interest in the matters to come before the commission. None were noted.

## New Business

### A request for a Special Use Permit to operate an in-home daycare within a Residential District

Planner Clark noted Adriana Leinen has applied for a Special Use Permit to operate an in-home daycare within a Residential District located at 804 14th Street, Wheatland, Wyoming. According to Wheatland Municipal Code childcare facilities operating within a residential district require a Special Use Permit to be granted by the Planning & Zoning Commission to be in compliance. Comment from Electrical Superintendent Pinneo was no concerns. Comment from Police Chief Willadsen was, as long as she's following DFS guidelines, I am fine with this. No neighbor comments were received. Mrs. Leinen's request

for a Special Use Permit to operate an in-home daycare within a Residential District located at 804 14<sup>th</sup> Street, Wheatland, Wyoming is a requirement to obtain state licensing through the Department of Family Services. The Department of Family Services is the main enforcing authority for daycares within the state and has several requirements and guidelines that the applicant is required to meet and follow to maintain licensing. As with many towns, Wheatland lacks state certified childcare options, especially for children under two years of age. Adding additional childcare options to Wheatland could help economic development within the community. The Planning Office recommends approval of Mrs. Leinen's request for a Special Use Permit to operate an in-home daycare within a Residential District located at 804 14<sup>th</sup> Street, Wheatland, Wyoming with one condition to schedule an initial childcare facility inspection with the Building Inspector. Alternate Member Windom asked Mrs. Leinen for her background. Mrs. Leinen stated that she had several years' experience working with small children. Chairman Holt asked if you Mrs. Leinen had met with DFS? Mrs. Leinen stated she had met with DFS and has started the process to become state certified, but they have not scheduled the in-home site visit yet. Member Mitchell asked if the age of the children will be under two years old. Member Becker asked if Mrs. Leinen would have additional employees besides herself and how many children she was allowed to have in her care. Mrs. Leinen confirmed that she intends to offer services for children under the age of two, she does not intend to have additional employees, and she is limited to two children per DFS guidelines. Member Mitchell and Member Becker noted that this is a need for the community, especially for this age group. Vice Chairman Pile asked if Mrs. Leinen planned to add additional children in the future. Mrs. Leinen noted she has a dream of eventually opening a center downtown, but that is a far future dream and wants to start with an in-home daycare first to see how it goes.

Motion by Member Becker with second by Alternate Member Windom to approve Mrs. Leinen's request for a Special Use Permit to operate an in-home daycare within a Residential District located at 804 14<sup>th</sup> Street, Wheatland, Wyoming.

Upon roll call the vote on the MOTION was:

YES:, Member Becker, Vice Chairman Pile, Alternate Member Windom, Member Mitchell

NO: None

MOTION DECLARED CARRIED

#### Request for a Special Use Permit to operate a meat processing facility with on-site slaughter in a Light Industrial District

Planner Clark noted Mill Iron L, LLC has applied for a Special Use Permit to operate a meat processing facility within a Light Industrial District located at 1810 9<sup>th</sup> Street, Wheatland, Wyoming. SUP requests are reviewed by the Wheatland Planning and Zoning Commission. Comment received from Electric Superintendent Pinneo was no concerns. Comment from Police Chief Willadsen was, looks good to me. It's been a processing plant several times before and I have never seen or heard of issues when being operated in the past. Comment from Water/Wastewater Superintendent Keck was, how is the solid and animal waste going to be handled? Blood handling cannot be discharged directly into the sewer system without first going through a pretreatment or bucket and added to compost. Pretreatment and handling plans for wastewater need to be approved by the Town and possibly DEQ. Pretreatment is required to be designed by an engineer. The on-site wastewater system from the floor drains feeds into a manhole which is a lift station and does not contain any pretreatment before discharging into the Town's system. Comment from Town Clerk Wright was the Town of Wheatland is concerned about the possible effect the biological matter could potentially have on the Town's wastewater system. The applicant should be required to coordinate with the Town's water/wastewater department to ensure the Town's system is not adversely affected by this operation. In addition, the applicant should be required to obtain and provide engineered pretreatment and handling plans for wastewater and any additional required state and/or federal permits. No neighbor comments were received before the completion of the report. Noel Scruggs, owner of Park Lane Village mobile home park, noted being in support of the project and hopes it will bring more economic opportunities to the town.

Mill Iron L, LLC's request for a Special Use Permit to operate a meat processing facility with on-site slaughter within a Light Industrial District located at 1810 9th Street, Wheatland, Wyoming is a requirement of the Wheatland Municipal Code. As stated in Mill Iron L's letter of justification, they are working with the corresponding state and federal agencies to obtain the required state and federal permits to accompany this special use permit. In addition to working with the USDA, Mill Iron L has been working with the Building Inspector and Electrical Inspector to address all required updates to bring the building into compliance. Although, not currently required by the Wheatland Municipal Code, Mill Iron L is willing to install a privacy fence along the chute area to meet the proposed Industrial code updates and this is noted on their site plan. Currently, 1810 9th Street is utilized as a meat processing facility with on-site slaughter. Mill Iron L is required to apply for a special use permit, because Town of Wheatland special use permits are non-transferable. The Planning Office recommends approval of Mill Iron L's request for a Special Use Permit to operate a meat processing facility with on-site slaughter within a Light Industrial District located at 1810 9th Street, Wheatland, Wyoming with the following five conditions: Continue to coordinate with the Building and Electrical Inspectors during the building update process, continue to coordinate with the Water/Wastewater Department to ensure the drain system adequately captures the required fats and debris to work with the Town's system, provide a copy of the discharge permit from DEQ, before operation can begin, provide a copy of the pretreatment and handling plan, before operation can begin, and provide the Planning Office with a copy of all state and federal permits issued in relation to the special use permit.

Merlin Hitt with Platte County Economic Development noted that PCED is in favor of this request and these type of facilities are a need in the state and it is on the Governor's list of needs in the state to add value to our beef ranchers. Per Mr. Hitt, Mr. Thayer intends to have one employee and that is one more person employed in Wheatland that currently isn't. Brian Jenkins with the Wheatland Rock Shop asked what is going to happen to the inedible parts? Lauren McGuire answered that the facility will meet all USDA requirements and the USDA regulations are quite a bit more stringent than the town code is, USDA requires that inedible pieces are to be rendered and hauled off, USDA will not allow pieces to go down the drainage system, a lot of the concerns will be addressed by USDA and there is an inspector onsite for all kill days, and currently there is a cold storage area for inedible piece to be stored until they are picked up by the company that will be disposing of them. Mr. Jenkins asked if they would be processing their own cattle and then selling to the public. Ms. McGuire confirmed that they will be processing their own cattle and offering custom cut work, which is where they process another rancher's animal, but our goal is to process our own animals as much as we can. Kim Yomen asked if they have plans down the road to expand and slaughter for other ranchers? Ms. McGuire noted that they hope to expand, and it would probably be on a small scale and it will depend on the needs of the community. Ms. Yomen asked what the max number of live animals allowed on-site. Ms. McGuire noted that there is, but she didn't know what it is off hand. Ms. Yomen noted being concerned of the affects that having live animals on-site could have to the area in town. Ms. McGuire noted that the feed lots close to that area have many more live animals on-site than this facility would ever have. Vice Chairman Pile clarified that the animals would come into slaughter and would be moved from the truck to the slaughter area and then it would be done, the cattle won't be hanging out for a day or three down the road. Ms. McGuire confirmed that is correct they will be processed the day they arrive. Mr. Hitt noted that Kelly Packing is located in a residential area Torrington that has been in operation for many years. Member Becker asked if they would also be processing wild game. Ms. McGuire noted that wild game is not their forte, we are cattle people. Member Becker stated he was asking because of the timeframe required to shut down between the two to prevent cross contamination. Ms. McGuire confirmed that the USDA does not allow beef and wild game to cross paths, however we do have an operable meat shop for personal use at home, in the future if we chose to do game processing instead of shutting down this facility we would utilize the other facility, because we already have the special use permit in place in the county, but that's not our goal. Member Becker praised the idea of only cutting domestics, because we have such a backup on even getting a kill date. Alternate Member Windom asked Mr. Jenkins what his plans are for the rock shop. Mr. Jenkins noted that they are looking at using the location for a bait shop. Alternate Member Windom noted that he wanted to know if it would cause this item to be a conflict. Member Mitchell noted that she is in favor of this request, because we are losing our last dairy in the county.

Motion by Member Becker with second by Member Mitchell to approve Mill Iron L's request for a Special Use Permit to operate a meat processing facility with on-site slaughter within a Light Industrial District located at 1810 9th Street, Wheatland, Wyoming with the five conditions recommended by the Planning Office.

Upon roll call the vote on the MOTION was:

YES:, Member Becker, Vice Chairman Pile, Alternative Member Windom, Member Mitchell

NO: None

MOTION DECLARED CARRIED

### **Planning and Zoning Fee Schedule Resolution**

Planner Clark noted that the fee schedule was discussed during the December meeting and the changes and corrections requested from that meeting have been included in the schedule included in the packet. Per the Commission's request the fees will be reviewed in the last quarter of each year.

Alternate Member Windom asked if the fees on the special use permits are changing or remaining the same. Planner Clark noted that those are remaining the same and the lines highlighted in green in the packet are the ones that are either new or have been updated. Alternate Member Windom noted having a concern about the little people aka mom and pop operations and they have to pay for a permit and I don't want them to be hurt by it and I don't want to see a change in that. Planner Clark reiterated that the special use permit fee was not changed. Chairman Holt noted that special meeting was a change. Planner Clark confirmed that is a charge that was added. Alternate Member Windom asked what a special meeting is. Planner Clark noted that the chairman can call a special meeting if requested by the applicant and with this fee we can charge for our time for the meeting, staff time, and overhead costs, it is a way for the town to break even on their expenditures for the meeting. Chairman Holt explained further that if they requested a special meeting due to time constraints we would be making sure that the fees associated with holding the special meeting are covered. Vice Chairman Pile asked if any of the fees were raised. Planner Clark noted that existing fees remained the same, but additional fees were added, the industrial permit had been in the code, but a fee was never established, thus the planning office compared the industrial fees to other municipalities to come up with a base rate and \$350 is still low compared to other municipalities, floodplain development we added the engineering and professional fees to it, engineering fees we haven't been able to charge for and made that one the actual cost of the engineer's time, aviation development will be a new fee once the airport ordinance is approved by council, preapplication meeting was added, as well as the publication fees, and violation was taken directly out of the code. Alternate Member Windom noted being confused on the Impact Ministries de-annexation that wasn't approved by Council and will there be addition planning and zoning fees assessed to them? Planner Clark noted that it will depend on their plans moving forward and if there are any changes during development, they still need to have a meeting with Council to complete the other portion of their planned use development agreement that should have been completed when the planned unit development rezone was approved. Vice Chairman Pile asked if they still had to pay for any and all building permits, correct? Planner Clark confirmed yes. Alternate Member Windom asked if they will need additional building permits for development changes. Planner Clark noted that building permits fall under the building inspector and not planning and zoning. Alternate Member Windom noted that he was concerned about roping in after the fact fees.

Motion by Member Becker with second by Member Mitchell to approve Planning and Zoning Resolution 2022-01 adopting the 2022 Planning and Zoning Fee schedule.

Upon roll call the vote on the MOTION was:

YES:, Member Becker, Vice Chairman Pile, Alternate Member Windom, Member Mitchell

NO: None

MOTION DECLARED CARRIED

**Approval of Minutes –**

Approval of Minutes – December 2, 2021 Regular Meeting

Motion by Alternate Member Windom with a second by Member Mitchell was made to approve the minutes of the December 2, 2021 Regular Meetings as presented.

Upon roll call the vote on the MOTION was:

YES: Member Bullock, Member Mitchell, Member Kanwischer, Alternate Member Windom

NO: none

MOTION DECLARED CARRIED

**Board Discussion**

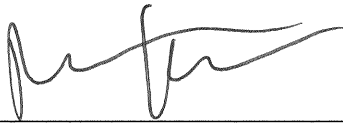
Planner Clark noted there are no agenda items for the March meeting and thus the workshop will begin at 5:30 pm on March 3, 2022. Thus far, there is a special use permit on the agenda for April. There are several openings on the Board of Adjustment and one opening on Planning and Zoning if anyone can think of someone that would be willing to volunteer their time. These would be great volunteer positions for professionals looking to add skills to their resumes. Commission Members suggested reaching out to Jordan Hamm and Steve McCarty.

**Adjournment**

Meeting adjourned at 6:07 p.m.

Approve:

Attest:



Planning & Zoning Commission Chairman



Planner Clark