

# CUSTER COUNTY PLANNING COMMISSION MEETING MINUTES

Tuesday August 1<sup>st</sup>, 2023

Planning Commission members present:

Mark Hartman, Aaron Davis, Eric Lewis, Roland Bauer, Oonagh Wood, Aaron Hemingway, Phillip Abernathy

Planning Department Staff Present: Terri-Ann Kester, Laura Rosane

Guests Present: Mike Busskohl-Commissioner, Leah Vissia, Jack Brann, property owners from the Needles View Subd., Liz Allen-Deputy Sheriff, Todd Fish, Matt Hespen, Phil Lampert, Cleveland Trimble and Jesse Doyle.

Chairman Roland Bauer called the meeting to order at 4:00 PM in the Commissioner's room of the Custer County Courthouse.

Motion by Davis, seconded by Hartman, to amend the agenda and add Agenda #9 for Jesse Doyle. Unanimous vote of approval.

Motion by Wood, seconded by Lewis, to approve the minutes with of the Regular Meeting of July 11th, 2023 as presented. Unanimous vote of approval.

Conflict of Interest Declaration: Bauer, Agenda Item #4

## **Permit Petition and Plat Review:**

1. Resolution 2023 Draft: Property tax assessment for structures and facilities 500 square feet or less

Motion by Abernathy, seconded by Wood, to recommend approval of this resolution with the conditions of structures 350 square feet or less will need to get a no charge permit. Unanimous vote of approval.

2. REQUEST: Vacation of ROW: NEEDLES VIEW SUBD - LOT 10 SEC 18, T3S, R5E, BHM, CUSTER COUNTY, SOUTH DAKOTA County, South Dakota.

Discussion was held between applicant Jack Brann and the planning commission about vacating a 66' wide private access, utility & emergency access-exit easement that was platted on the Needles View Subdivision. Jack expressed that this access was never physically built on any of the land and that it is a nuisance that some of the property owners allow children to ride motor bikes and four wheelers through property owner's yards on this said "non-existing access". It also could be a liability and he would like it to be vacated all throughout the subdivision. Planning Commission decided that after some research from the commission legal counsel that since it is a "private" access easement it was declared a civil matter not a county issue.

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3. PRELIM/FINAL PLAT OF: LOT 8A AND LOT 8B, BIG SKY SUBDIVISION, LOCATED IN THE SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  OF SECTION 33, T2S, R7E, AND THE NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  OF SECTION 4, T3S, R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hartman, seconded by Hemingway, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

4. PRELIM/FINAL PLAT OF: LOT 24R AND LOT 25R OF DESPERADO RANCH SUBDIVISION, LOCATED IN SECTION 9, T6S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Lewis, seconded by Abernathy, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval with Bauer and Hartman abstaining.

5. PRELIM/FINAL PLAT OF: LOT K-1 REVISED, AND LOT K-2 REVISED OF MEYER'S SUBDIVISION, LOCATED IN THE SW  $\frac{1}{4}$  OF SECTION 27, T2S, R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Wood, seconded by Lewis, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

6. PRELIM/FINAL PLAT OF: SNYDER TRACT, OF H.E.S #494, LOCATED IN SECTION 16, T4S, R3E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Hartman, seconded by Wood, to recommend approval of this plat to the Custer County Commission contingent finding Forest Service Access. Unanimous vote of approval.

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7. PRELIM/FINAL PLAT OF: TRINITY TRACT WEST & TRINITY TRACT EAST OF PHILLIPS SUBDIVISION NO.2, LOCATED IN THE SE ¼ OF SECTION 27 AND THE NE ¼ OF SECTION 34, T3S, R3E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Abernathy, seconded by Lewis, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

8. PRELIM/FINAL PLAT OF: DAVIS TRACT OF SWEDLUND SUBDIVISION, LOCATED IN THE NW ¼ OF SECTION 17, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Motion by Davis, seconded by Hemingway, to recommend approval of this plat to the Custer County Commission without conditions. Unanimous vote of approval.

9. CLEVELAND TRIMBLE ACCESS- Agenda item requested by Jesse Doyle

- Jesse presented that Cleveland wanted some guidance on access options to his parcel #15471 that is located within Custer city limits. This parcel was previously part of the 100 acre woods forest service land. Discussion was held that there is a section line that runs north and south that borders this parcel which would have to be petitioned to be opened and built to county spec or use Little Teton Rd. that runs through his contiguous property to this parcel for access.

**Public Comment:** None

**Discussion:** None

**Adjourn.**

Motion by Davis, and seconded by Lewis, to adjourn the meeting at 6:12 p.m.

Terri-Ann Kester  
Planning Director

Attest  
Laura Rosane