

1 **Planning & Zoning Commission Minutes**

2 July 17, 2018

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4 This is a regular meeting of the Park County Planning & Zoning Commission held at
5 7:00pm in the EOC Room of the County Courthouse at 1002 Sheridan Ave., Cody, WY.

6
7 **Commission Members Present:**

8 Marion Morrison, Chairman
9 Kimberly Brandon-Wintermote, Vice Chairman
10 Linda Putney
11 Duncan Bonine
12 Debora Smith (Bush)

13
14 **Staff Present:**

15 Joy Hill, Planning Director
16 Kim Dillivan, Planner II
17 Patti Umphlett, Planning Department Administrative Assistant

18
19 Chairman Morrison opened the meeting at 7:00pm.

20
21 **APPROVAL OF MINUTES**

22
23 Chairman Morrison asked the Board for comments or changes on the June 19, 2018
24 meeting minutes. Chairman Morrison asked Planning Staff if her suggested changes were
25 incorporated into the minutes. Patti Umphlett, Planning Department Administrative
26 Assistant indicated that they were. There being no further discussion, a MOTION was
27 made by Commissioner Smith, SECONDED by Commissioner Bonine to approve the
28 minutes as corrected. Motion was carried unanimously.

29
30 **REGULAR AGENDA**

31
32 **PUBLIC HEARING BLOXHAM SUP-162:** Tina Bloxham requests approval of a special
33 use permit for a Pet Crematorium in Rural Residential 2-acre (RR-2) Zoning District, 180
34 Road 3DX, Cody, WY.

35
36 Chairman Morrison introduced the Commission and Staff. Chairman Morrison opened the
37 Public Hearing at 7:02pm and reviewed the Rules of Procedure for Public Hearing.

38
39 There being no comments from the Commissioners, Kim Dillivan, Planner II, presented
40 the Staff Report, addressing the various requirements for the proposed pet crematorium.
41 Kim also indicated that often the remains resulting from the cremation process are
42 returned to the pet owners upon request; therefore much of the resultant "waste" from the
43 process does not require disposal by other means. Public comments were received via
44 email today and shared with the Commission. Following the reading of the Staff Report,
45 there were questions and discussion between the Commission and Staff. Commissioner
46 Wintermote asked for clarification that the existing veterinary clinic did not have an SUP.
47 Kim verified that it does not. Chairman Morrison asked why this use did not require a site
48 plan review. Kim added that due to the size and type of use, a site plan was not required.
49 Commissioner Bonine asked about the first comment in the email regarding a concrete
50 slab. Kim said he understands the crematorium is mobile and temporary; placed on a

51 metal frame. Commissioner Morrison added that the letter indicated the structure would
52 be attached to a steel frame with no mention of a concrete slab.

53
54 Chairman Morrison asked applicant Tina Bloxham if she wanted to add any additional
55 information. Tina addressed the questions in the email and added that she can provide
56 answers. She confirmed that the crematorium will be on a steel frame; the stacks are
57 removable. It is about 80% designed and can be moved with a winch truck. The
58 incinerator is very heavy and will not be able to be removed from the building. The design
59 is that it will be fixed to the steel frame so it can be moved without damaging the
60 incinerator. There will be no concrete slab. There will be no visible emissions, odors or
61 liquid leakage. She has several test studies and technical documents from ThermTech
62 and is happy to share the information with anyone interested. As far as a flume study, she
63 indicated that animals are 98% water and carbon. She added technical information to
64 support the cleanliness of emissions and lack of noise disturbance related to the use of
65 the facility. Commissioner Brandon-Wintermote asked what would happen if someone
66 dropped off a pet when she isn't present. The applicant stated that she will have a chest
67 freezer accessible for them. Commissioner Wintermote asked about the waste for those
68 who do not wish to keep their animal's remains. The applicant indicated that her first
69 inclination is to take the remains and use them in her flowerbeds. She said the majority
70 of ashes are returned to owners in her experience. Commissioner Brandon-Wintermote
71 asked about the status of the DEQ permit. The applicant indicated that it would cost \$500.
72 She added that the ThermTech representative said they will assist you with the purchase
73 of required permits. She is a little concerned about signing a contract with them without
74 having a County permit. She offered to provide a copy of the DEQ permit upon obtaining
75 it. Commissioner Putney asked if there is special training for running a crematorium. The
76 applicant said they deliver the machine and she will need a contractor to connect the gas
77 and electricity. They are on-site and she will pay \$2000 for them to train her and run
78 quality tests on the machine. Commissioner Putney asked if anyone else would use the
79 machine. The applicant said no. Commissioner Putney asked if there are more permits
80 required. The applicant indicated that she was only aware of the need for an air-quality
81 permit from DEQ. The applicant added that the average 100lb dog yields approximately
82 3lbs of ashes. Commissioner Putney mentioned that the vet gave her permission to use
83 the property. She asked if they have an agreement in case there is a falling out. The
84 applicant said yes. Commissioner Putney said she was looking at the specifications and
85 had questions about the pitch of 14'. The applicant said her warranty would be voided if
86 she didn't protect the unit (cover it), so her design accounts for more than 14' feet height.
87 Commissioner Putney asked about hours of operation. The applicant said they would
88 match those of the veterinary clinic, however she is available during off-hours to do pick-
89 ups for emergencies. Commissioner Putney said she understands the plan is for the
90 crematorium to be moved and asked if the applicant had considered road regulations for
91 moving a unit that large on a county road. The applicant's husband said the unit will be
92 on a skid so it can be winched onto a trailer. He has a trucking company that moves
93 oversized equipment regularly. The top stack will be removed during transport. Over
94 height permit is required for anything over 17' high and 14' wide. Commissioner Bonine
95 is asking why so much consideration is being made to the unit being transportable. The
96 applicant said the veterinary clinic will outgrow the current site. Amanda Marsh said the
97 short-term plan for the clinic was to use the house, but they plan to look into a commercial
98 lot in town down the road. At that time, they would want the unit to be easily moveable.
99 The hope is that whenever/wherever Amanda moves her clinic, Tina would follow. The
100 applicant indicated that the bank was more comfortable with the unit being moveable.

101 Chairman asked if the applicant discussed moving the unit with the manufacturer. The
102 applicant said yes. Chairman asked why the removable wall is needed. The applicant
103 said it will need to be ¾ built before the incinerator arrives. The Chairman mentioned her
104 surprise that no smoke or odor will result. The applicant said this is a very high-tech
105 machine; she can provide photos of what is being used for an incinerator at Big Horn in
106 Powell. She has never smelled burnt flesh from that homemade unit. Chairman said she
107 noticed the neighbor to the north is in support of the project. She asked if there was a
108 reason why the unit will not be placed more to the south of the parcel. Amanda Marsh
109 added that there are future plans for that space. It will be less readily visible in the planned
110 location as well. The neighbor to the north, Boutelle won't even be able to see it. Planning
111 Director, Joy Hill, added that she had reviewed research related to human crematoriums
112 as part of a proposed project outside of Greybull in Big Horn County and the research
113 showed the most often the high-tech units have stricter EPA emissions guidelines than
114 many industrial processes common to the area.

115
116 Public Comments:

117 Sue Boutelle added that the unit will be within a few feet of her property and she has no
118 qualms about the proposed use.

119
120 Ulrike Opitz – mentioned that the energy requirements seem to be huge and wondered if
121 they will impact anyone else's energy supply. The applicant said she visited with a
122 representative at Black Hills Energy and he indicated that there would be no problem,
123 they had already dealt with the one at the funeral home in town. They understand her
124 needs and did not seem concerned in any way. Chairman added that the electrical
125 requirements are very minimal.

126
127 Rita Mainini – neighbor to the northwest; she is concerned about emissions; she called
128 and spoke with someone that works with the one in Powell. She said they are cautious
129 on a windy day and pay attention to which direction the wind is blowing so they don't blow
130 the smoke in the neighbors' direction. She is also concerned about the hours for the
131 burning. The applicant responded that she would like Mainini to see the incinerator in
132 Powell; the unit is not even comparable to the one she is proposing to use. She recalls
133 the odor from the Powell unit being like gas or diesel or a hot smell. She has never seem
134 smoke coming from it. She has worked there and does not recall them being concerned
135 about the wind direction being taken into consideration. She is happy to provide all the
136 information about her proposed incinerator to anyone who is interested. Mainini added
137 that it takes a large dog 3 hours to burn and it smokes heavily during the first 20 minutes
138 depending on the fat content of the animal.

139
140 Connie Demple – her family would prefer not to have the crematorium in the area for the
141 same reasons others are concerned. They have a commercial business already going
142 and growing rapidly. She suggested waiting until they grow out of the current space and
143 move the use elsewhere. Kim asked for clarification about the Powell unit being
144 homemade; also asked if she currently transported animals to Powell to which the
145 applicant answered yes to both. The applicant's spouse said most of the animals they
146 would be cremating would be transported by himself or Tina, thus not adding much traffic
147 to the road.

148
149 Rita – neighbor; asked about the location of the Powell crematorium because she had
150 driven by one time and it smelled terrible.

151 Commissioner Smith asked if the specifications list how long it takes to cremate each
152 animal. The applicant added that it was between 75-100lbs per hour. She mentioned that
153 incinerators also differ in how quickly they heat up; her proposed unit gets up to
154 temperature quickly. Chairman asked if she does dogs individually or in batches. The
155 applicant said it depends upon owner request. This incinerator will hold 350lbs. She would
156 only do batches where owners do not wish to have their ashes returned. She could use
157 special bricks to do multiple small animals, if needed.

158
159 Chairman asked about clarification on hours of operation. The applicant said she needs
160 training on how long it takes to incinerate and cool down. She is not going to leave the
161 unit while it is in operation. She anticipates during daylight hours she would conduct the
162 work.

163
164 Commissioner Putney asked how many animals she expects to have per day. The
165 applicant said she can estimate based upon how many animals she takes to the Powell
166 locations. Last year she took 230 animals and year before 196.

167
168 Commissioner Smith asked if it was less than one per day. The applicant said it varies
169 and her spouse indicated that volume tends to be high around the holidays.

170
171 Commissioner Putney asked how many freezers and what storage capacity will be
172 available. The applicant said she anticipates one large chest freezer will be on site, though
173 she hasn't completely decided. Commissioner Putney asked if the specs provided were
174 for the machine to be purchased. The applicant said yes. Commissioner Putney asked if
175 she spoke with the manufacturer about moving the unit because it recommends being
176 placed on a slab. The applicant said she spoke with them and they said it would be fine
177 as proposed (moveable). Commissioner Putney asked about the risk of fire since it is
178 within another structure and wondered about dotted lines on the drawings provided. The
179 applicant said she has information about how to make the facility fire safe and she intends
180 to set it up exactly per the specifications. She added that her drawings include complete
181 door (swing) space. Commissioner Putney asked if this SUP is specific to this location.
182 Kim said yes. The SUP does not go with the unit. The applicant said she understands
183 that if the unit is moved she will require a new SUP.

184
185 Chairman Morrison asked if people would be able to come inside the structure where the
186 crematorium to place their animals in the freezer and is that safe. The applicant said no,
187 it is not ideal and she hopes to put a chest freezer around the back/outside of the building
188 so no others will enter the building. She intends to shelter the freezer to make it less
189 visible. Her spouse added that most of the transport is done by the operators rather than
190 the public.

191
192 Connie Demple asked what would prevent a random person from putting a dog in the
193 freezer. The applicant said she is not sure what would prevent that. She cannot place an
194 animal in the unit without authorization. She could not cremate a randomly delivered
195 animal.

196
197 Rita Mainini cautioned the commissioners that they are setting a precedence if they
198 approve this use.

199

200 Commissioner Brandon-Wintermote added that Amanda Marsh does not have an SUP
201 for her business at this time. Chairman added that Kim said she is working towards getting
202 an SUP and it is being handled independently of this application.
203

204 Chairman mentioned that it sounds like a great business and research was done well, but
205 she is concerned about putting an industrial use in a residential area; however the
206 regulations allow for it so it is in the hands of the commission to make the decision.
207

208 Commissioner Smith added that she feels it is suitable and a good match to the veterinary
209 clinic on site. She feels comparing the Powell unit to this one is like comparing apples to
210 oranges. She added that adding appropriate signage about drop-offs and a security
211 camera would be helpful. Commissioner Putney added that she feels we may be putting
212 the cart before the horse since the vet business has not yet been approved. Chairman
213 added that the hearing can be continued or closed.
214

215 A MOTION was made by Commissioner Putney, SECONDED by Commissioner Smith to
216 close the Public Hearing at 8:05pm. Motion was carried unanimously.
217

218 After discussion among the Commission members, a MOTION was made by
219 Commissioner Putney to defer the decision until the meeting on August 21, 2018 so the
220 veterinary clinic can be taken into consideration at the same time. She would like the
221 resolution to state as #14 in the findings language that this SUP is specific to this location.
222 Commissioner Bonine said the SUP needs to be specific to the machine proposed (to be
223 added to the findings as #15 above about location). Commissioner Putney added that
224 the resolution conditions should state that the DEQ permit be required prior to installation;
225 and she would like to see a condition that a plan for solid waste disposal be determined
226 and approved before P&Z resolution/approval. Commissioner Brandon-Wintermote
227 would like hours of operation to be listed as a condition. Chairman Morrison added that
228 additional information will be required from the applicant: establishing hours of operation
229 and having a plan for solid waste.
230

231 Finding #14 has been moved to conditions and added prior to installation.
232 Finding #15 is added stating this SUP is specific to incinerator and location proposed.
233 Conditions added; A Wyoming DEQ Air Quality Permit is required prior to installation.
234 A solid waste disposal plan will be established prior to approval, and Hours of Operations
235 will be specified prior to approval.
236

237 Chairman Morrison asked Staff to provide clarification to the applicant.
238

239 SECONDED by Commissioner Brandon-Wintermote. Commissioner Bonine said he
240 understands this business is somewhat incidental to the clinic, however she is fairly well
241 established and gets remains from other clinics to serve her business. He does not feel it
242 needs to be deferred. Three for and one opposed. Motion to defer carries.
243

244 **PUBLIC HEARING Mandie Mae Major Subdivision:** Robert O. and Sherry Ann Taylor
245 request approval of a subdivision permit to divide an 8 acre portion of Lot 51 - 4 of the Lot
246 51 Subdivision into a one (1) acre lot and seven (7) acre lot in the GR-P zoning district,
247 936 Lane 11, Powell WY. The Public Hearing was opened at the June 19th, 2018 Planning
248 and Zoning Commission meeting.
249

250 Chairman Morrison re-opened the Public Hearing at 8:16pm.

251
252 Planning Director stated the applicant, Mr. Taylor, has withdrawn his application.

253
254 There being no other discussion, Commissioner Brandon-Wintermote made a MOTION
255 to close the public hearing. SECOND by Commissioner Bonine. All in favor. Motion
256 carried.

257
258 **OTHER BUSINESS**

259
260 1. Chair's Report

261 a. In the process of pouring through the recommended changes to the
262 regulations, she wondered about the lack of requirement for a sketch plan
263 for the industrial application from tonight's discussion. She would like to look
264 at the requirements for sketch plan review in upcoming discussions about
265 regulation changes. Another item for review: accessory housing units. Also,
266 in the zoning area of GR-P where 1-acre lot sizes are allowed, she wonders
267 if it is incongruous to allow for smaller than 5-acre lot sizes being that that
268 area is largely agricultural. Commissioner Bonine asked if it is fair to say
269 that GR-P is an agricultural area. Perhaps a look at the Land Use Plan is
270 needed; Putney added that it is medium intensity. Chairman Morrison added
271 that it is hard to discern the two areas on the Land Use Plan.

272 b. Commissioner Putney asked for a recap of this morning's hearing about the
273 proposed regulation changes. Chairman summarized the meeting. The
274 Planning Director presented the Staff Report and some of her own
275 recommended changes. There were numerous comments offered to the
276 commissioners focused around three primary subjects: Highway
277 Commercial Business, VRBOs in Ptarmigan View and the owner living on-
278 site at the rental. Chairman Morrison summarized the comments that were
279 made on the various subjects of concern. She added that the intent is to do
280 some house cleaning on the bigger items of removing Road and Bridge and
281 Septic requirements from the documents. She added that we need input
282 from the county attorney, the commissioners and the public. Following the
283 adoption of the general changes, we can embark upon specific VRBO
284 issues. The Planning Director added that the conditions of resolutions
285 should be stated completely prior to decision-making. Commissioner Smith
286 added that it is helpful to do so as well. Discussion ensued about the
287 process planned for getting to adoption of changes to the regulations.

288 c. Commissioner Putney mentioned public notices and the public feeling they
289 are not well informed. She also asked if the Commission could be given
290 access to iDocs. The Planning Director will ask the Board for their thoughts.

291 d. Chairman discussed the recommendation to change the meeting time. It
292 was agreed that future meetings will be held at 6pm.

293
294 2. Planning Director's Report

295 a) None

296
297 **ADJOURN**

298

299 There being no other business, a MOTION was made by Commissioner Smith to adjourn
300 the meeting at 9:20pm. SECOND by Commissioner Putney. All in favor.

301
302 Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Patti Umphlett", is written over a horizontal line.

Patti Umphlett, Secretary

303
304
305

PLEASE SIGN IN

PLANNING and ZONING COMMISSION MEETING

July 17, 2018

		Bloxham SUP-162	
		Mandie Mae Major Subdivision	
	Please PRINT your name	Name of the HEARING OF INTEREST	DO YOU WISH TO SPEAK
1	SUSAN Boutelle	crematorium	maybe
2	Amanda Marsh	crematorium	maybe
3	Paula Blush	CREMATORIUM	
4	Shiloh Wallingford	crematorium	
5	Peta Mainini	crematorium	maybe
6	Natalie Dimple	crematorium	No
8	Greg Dimple	crematorium	NO
9	Connie Dimple	" "	Maybe
10	FRED DELLA VOLPE	"	No
11	BERNHARD OPITZ	h	No
12	ULRIKE OPITZ	u	No
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*Park County Planning & Zoning Department
1002 Sheridan Avenue
Cody, Wyoming
(307) 527-8540*

PARK COUNTY PLANNING & ZONING COMMISSION

Regular Meeting 7:00 P.M., Tuesday, July 17th, 2018 in the Alternate Emergency Operating Center (EOC Room), basement of the Courthouse Addition
1002 Sheridan Ave. Cody, WY. 82414

Meetings of the Park County Planning & Zoning Commission are open to the public. For more information please contact the Park County Planning & Zoning Department at 527-8540 or 754-8540.

APPROVAL OF MINUTES

Approve minutes from June 19th, 2018 meeting.

AGENDA

1. **PUBLIC HEARING Bloxham SUP-162:** Tina Bloxham requests approval of a special use permit for a Pet Crematorium in a Rural Residential 2-acre (RR-2) Zoning District, 180 Road 3DX, Cody, WY.
2. **Continued PUBLIC HEARING Mandie Mae Major Subdivision:** Robert Taylor and Sherry Ann Taylor request approval of a subdivision permit to divide an 8 acre portion of Lot 51 - 4 of the Lot 51 Subdivision into a one (1) acre lot and a seven (7) acre lot in the GR-P zoning district, 936 Lane 11, Powell, WY.

OTHER BUSINESS

1. Chair's Report
2. Planning Director's Report

ADJOURN