

## ZONING AND PLANNING BOARD MEETING MINUTES

**February 19, 2026**, Zoning & Planning Board meeting was called to order at 6:30PM at City Hall, located at 206 S. Main Street, Three Forks, MT.

Zoning Members present were Matt Jones, Rachael Tollison, Kelly Smith, Jacob Sebens, Reagan Hooton, and Amy Laban. Niki Griffis was excused due to illness. City Planner Randy Carpenter attended at City Hall. Zoning Consultant Lee Nellis was excused due to illness. (Zoom is a virtual meeting tool allowing people to attend remotely, which started as an option during the COVID-19 pandemic and the City has continued to offer for meetings.) There was a quorum with the attendance of six Zoning Board members. The minutes were completed by City Clerk Crystal Turner.

Chairman Matt Jones called the meeting to order. He reminded everyone that the meeting was being recorded.

Public Present: Ace Meskimen, Richard Clarke and Sylvia Clarke were all present at City Hall. Anna Berghausen (616 2nd Ave W) attended via Zoom.

**PUBLIC COMMENT** (items not on the agenda): There were no comments for items not on the agenda.

### **CONSENT AGENDA**

#### **Approval of the 1/15/2026 Meeting Minutes**

Reagan Hooton moved to approve the minutes. Kelly Smith seconded the motion.

**Motion Passed Unanimously.**

### **PUBLIC HEARINGS**

#### **Public Hearing and Recommendation for a Conditional Use Application for a Log Firewood Cutting and Selling Business by Richard Clarke Located at Minor Subdivision 366, Commonly Known as (TBD) MT-Hwy 2 (next to Family Dollar)**

Kelly Smith stated she would recuse herself from this hearing, discussion and decision because she has helped the applicant significantly in preparing for this application. She moved from the Board table to the audience.

Randy Carpenter read his staff report into the record. He stated that this use is allowed in the NHB, so it does conform. However, he is concerned it would affect adjoining land (properties and occupants) due to emitting noise and particulate matter (fine sawdust). In conclusion, staff recommended denial given his concerns about impacts on adjoining properties. The staff report further stated that if the recommended approval, the applicant would have to produce a plan showing off-street parking and loading.

Applicant Presentation: Richard Clarke stated that there will not be any employees other than himself and his son. He has not presented a parking or access plan yet, because he has not heard any response from MDT. Sylvia Clarke said her husband has spoken with most of the neighbors, who all already have fences installed and no one has stated any concerns to him directly. Mr. Clarke said it would take a long time to build up a lot of sawdust. He was told by his realtor that there were no restrictions on this lot,

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and he did not do his own homework. He learned of the conditional use process and that it was required for his business, when he came into City Hall.

Board Comments: Reagan Hooton said she has heard that electric chainsaws are quieter than gas chainsaws. Mr. Clarke said electric saws are not strong enough for the work he does. Matt Jones asked if there would be a processor on site? Reagan asked what that means. Matt explained they would take the log, cut it in half, and then it would split, cut it, and dump it into a pile. Mr. Clarke said that a processor would not be used, as they do not have one, but he would like to. Rachael Tollison asked what the hours of operations would be. Mr. Clarke answered that summer would have longer hours, as that is when the weather is good and they are able to stock up. They would like 8am-5pm, six days a week. Matt asked how semitrucks would access the property. There was discussion (and demonstration on the screen) of how the Family Dollar's access from the highway is on MDT right-of-way and MDT could grant additional access on this driveway, and then exiting the property is pending MDT approval across from Illinois Street. Or they may recommend exit and entrance from the same location. Matt verified two employees: Mr. Clarke and his son, so two chainsaws would be running. Mr. Clarke said yes.

Public Comment: There was an emailed public comment letter from Julia Dobie (321 W Front Street) concerning the effects to neighboring properties such as being surrounded by residential, asked how the applicant would mitigate noise and air pollution, and how the semitrucks would access the property.

Applicant Rebuttal: Sylvia Clarke agreed they should have done their due diligence, but the realtor told them they could basically "*do whatever they wanted on this property*". Richard Clarke said he would have semitrucks for maybe 2-3 days in a row, up to 6 times a year.

Chairman Jones closed public comment.

Board Discussion: Rachael Tollison said she did not think the semitrucks would be a big deal due it being on the highway where semitrucks already travel daily. She added that she could be concerned about the chainsaw noise. Amy Laban said she grew up around chainsaws, her father was a forester and they burned 6-8 cords a year, and the noise does not bother her. She understands where this particular piece of land is, someone moving to that area should expect noise from the proximity to the highway. Reagan Hooton asked if there was a restriction on operational hours in this zone. Kelly Smith said no, it is a conditional use permit so the Board could set those hours. Amy said she remembered when the Board discussed the campground across the street, and all the various types of businesses in the area including residential, and we should keep that in the back of our minds to be consistent. Jacob Sebena said he feels that the sound will carry farther than the conversation has addressed. "Yes, there is a fence there, but those are two-stroke engines are loud machines. I would feel more comfortable if there were a way to use electric saws, but I wasn't aware they wouldn't work for this," Jacob stated. Mr. Clarke said electric saws are more for home use, and not for commercial purposes. Matt Jones said he believes it will be too noisy and is concerned with sawdust secondly. "I did speak with a couple of processors in Belgrade who told me *their sawdust flies everywhere*, but they use a processor more than a chainsaw. Personally, I would not want to live next to it. For my personal use and office, we cut a semi load last weekend and from 200 yards away, you could hear it," Matt said. He added the wood he cuts for

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personal use makes a mess in his yard. He does not think this is the right area of town for this type of business. Amy said she understands Matt's comments, but also thinks that when folks bought homes nearby, they knew they were right near the grocery store, the rodeo grounds, and that different applications for zoning could come before the City. "You bought your house in a neighborhood that is strictly residential [speaking directly to Matt]. This is an area that has a lot of different districts all coming together," Amy said. Rachael said a weekend of noise would be tolerable but feels all day for six days a week could be intolerable. Sylvia Clarke asked if the Board required them to enclose the entire property, would it still be an issue? Mr. Clarke said the fence they started building is now on hold because they do not know where the driveway will go, and whether they should continue to invest money into this property pending this [Board's] decision.

Mr. Clarke asked if they reduced the proposed operation to five days a week, would that help? Reagan Hooton commented, "That would certainly help." Rachael Tollison said she did not think the sawdust would be that big of an issue. Reagan then asked if any plumbing would need to be on this property. Kelly Smith answered no, they may have a shop but are not planning on a bathroom at this time. The Board discussed with Mr. & Mrs. Clarke where they currently operate, and about chainsaw noise in general, and other permitted uses that could work on this property.

Amy Laban moved to approve the CUP for the log firewood cutting/selling business with the condition that the business hours are 8 to 5, Monday through Friday, that the fence is complete around the property, and DOT approval for an entrance and exit is obtained. Motion died for lack of second.

This application will be heard by the City Council on 3/10/2026.

### **Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 15 – General Industrial**

Randy Carpenter explained the permitted uses would be using SIC Codes. There was an in-depth discussion regarding artisanal uses with accompanying retail uses, and what types of artisanal uses could be. It was agreed to leave the text as written "without retail".

The next topic discussed was if any residential would be allowed at a business site if the business said it was needed (like an on-site manager). Kelly Smith and Crystal Turner said they do not agree with Lee's recommendation that all permitted and conditional uses in GI should incorporate one dwelling. There was discussion that land in the GI would be purchased just to put a residence, or this clause could be taken advantage of, and how the City would have to police the issue if the person living there was an employee the home is designated for. Randy Carpenter asked if the majority of the Board was OK with removing the residential part in GI? Amy Laban asked, "If we remove it and someone applies for a CUP and say their business requires it, would there be a possibility we could allow it?" Randy answered no, it would have to at least be added to the conditional uses. "You have the batch plant in GI, and tonight's discussion on the fire wood cutter, we just said during the last hearing "No" to that type of business being next to residential, and now we are going to say yes to residential in an industrial area? That doesn't make sense, just to *solve the affordable housing issue*," Randy said. Jacob Sebena said he could not think of a use that would require a caretaker on site. Reagan likes the way it is written, with the caveat.

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Kelly Smith moved to send Chapter 15, General Industrial to the City Council, leaving B as written and removing C. Amy Laban seconded the motion.

**Motion Passed Unanimously.**

### OLD BUSINESS

#### A. Discussion Regarding Chapter 17 – Residential

Randy Carpenter clarified with Kelly Smith that this was really a remaining discussion and decision on the manufactured homes aspect of this chapter. Kelly answered yes. She explained on page 3, “Our current ordinance states mobile homes have to be 10 years or newer, and Susan [Swimley] said she can defend it if someone challenges that rule. Mobile homes should be de-titled and placed on a permanent foundation.”

Amy Laban said, “In light of the conditions, I wouldn’t have a problem with that.” Randy confirmed who on the board believes mobile homes are “OK” and we should get rid of 11-17-9.G? Rachael Tollison, Reagan Hooton, Kelly Smith, and Amy Laban all audibly agreed.

Kelly said, “Regarding Mobile Home Parks – should this be its own Zoning District, or allowed in other Zoning Districts? I think it should be its own district and allowed in other zoning. If we keep what’s documented here, a mobile home park would have to be 2 acres or more, so that will limit new ones being in any existing part of town. But if something annexes into the city limits, that property (if over 2 acres) could contain a mobile home park. There isn’t room in General Industrial if that is the case. We do have quite a few mobile home parks in city limits already too.” Reagan Hooton asked, “If we made it its own district, there is nothing on the map for it, but we would leave it as an option for future land?” Kelly and Randy Carpenter replied yes. Amy Laban asked if the Board wanted to put a maximum size on there. This question spurred good Board discussion regarding a 13-acre parcel adjacent to city limits that just went on the market. The discussion was whether a 13-acre mobile home park was too large for how the City desires to grow. There is a typo on 11-7-10 mobile home parks should read 11-17-10, but Matt suggested getting it out of Chapter 17, and making it its own chapter. Jacob Sebena said that seemed appropriate. Amy agreed.

In light of Mobile Homes Parks being its own chapter, the existing Chapter 17 would need the reference in 11-17-9 to be whatever chapter number mobile home parks become. Randy Carpenter asked if anyone sees anything in the mobile home park chapter that they want changed, and offered he feels the number of required visitor spaces is excessive. The Board agreed that there should be some sort of maximum acreage size for a park, and spell out the setbacks referenced in 11-17-10.G. It also recommended to change the required parking to 2 spaces per mobile home. Randy does not like the 2.5 parking spaces required per mobile home unit. Amy Laban felt the wording “mobile home spaces” meant parking spaces, so that could be clearer by saying “mobile home lots”.

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Randy reminded the Board this residential chapter reduces the lot size from 10,500 to 7,000 square feet. Kelly asked, "Is everyone OK with the 40% coverage max?" Everyone agreed.

Kelly Smith said the Residential chapter needs to be edited based on the Board's direction, and then next Zoning meeting it should be heard under Public Hearings to be recommended to move forward to the City Council.

Randy Carepenter said that he will also present landscaping, trash enclosure, and other residential diagrams/illustrations which will be included in some of these chapters.

### **NEW BUSINESS**

There was no new business.

**NEXT CHAPTER(S) TO COME TO THE BOARD: in March.** Rachael will be gone the week of the 23<sup>rd</sup>. Reagan will be gone as well. The Board agreed to hold the next meeting on the 12<sup>th</sup> of March. These items will be heard:

- A. Residential with illustrations for Public Hearing.
- B. CBD and HCD for Old Business.

Jacob Sebena moved to adjourn. Everyone seconded the motion. Motion passed unanimously. The meeting was adjourned at 8:25 PM.