

**PLANNING BOARD RECOMMENDATIONS FOR
ELK RUN AT ST. REGIS FIVE LOT SUBDIVISION**

February 27, 2017

Recommendations for Conditional Approval:

1. The future lot owners should participate in improvements to Old Highway 10 and/or Four Mile Road in proportion to their impact on the sections of road utilized. Language such as "Acceptance of a deed for a lot within this subdivision shall constitute assent of the lot owner to waive the right of protest to a future Rural Special Improvement District/ Special Improvement District for improvements to Old Highway 10 and/or Four Mile Road, including, but not limited to, paving, bridge upgrade, the installation of drainage facilities, curbs and gutters, pedestrian walkways or bikeways, based on benefit; the waiver shall run with the land and shall be binding on the transferees, successors and assigns of the owners of the land," shall be printed on the face of the plat.
2. The developers will donate \$100 per lot at the time of sale to the Mineral County Sheriff's Department to be dispersed by the Mineral County Treasurer after subdivision development.
3. Slopes of 25 percent or greater should be noted as no development or disturbance areas for residences.
4. The road construction plans and specifications must be submitted for review to the Mineral County Environmental Health and Planning Department. The name of the engineer that will certify that the proposed road has been constructed to Mineral County standards must be provided prior to site work on the proposed subdivision. If bonding occurs for road construction, the developer shall post 125 percent of the highest of three qualified bids that are acceptable to Mineral County if road improvements are not completed prior to final plat. The potential road easement between lots three and four, for access to lot five, will be noted on the plat.
5. If additional lots are created from lot five, the requirement for dust abatement must be met.
6. Storm water runoff easements will be obtained for any off-site retention locations.
7. The proposal will be reviewed by the Mineral County Environmental Health and Planning Department for water supply, sewage disposal facilities, storm water runoff, and solid waste with final review by the Department of Environmental Quality. The Certificate of Subdivision Approval will be filed with the plat.
8. All new utilities should be placed underground.
9. The legal and physical access for the proposed lots within the subdivision will be noted as public easements on the face of the plat for proposed lots one through four.

10. An open range statement should be placed on the face of the plat. It will be stated on the plat that lot owners will be responsible for fencing out livestock and that open range area is surrounding the proposed subdivision.
11. All taxes assessed must be paid in full prior to filing of the final plat in accordance with MCA 76-3-611 (1b). The Mineral County Treasurer shall sign the plat verifying that the taxes have been paid.
12. The Mineral County Attorney must review and approve the title platting report (title guarantee). If any of the property has a mortgage or lien, a "consent to plat" form must be signed by the holders of said mortgage or lien and the "consent to plat" form filed with the final plat. The title platting report shall also be filed with the final plat.
13. The developer shall pay \$75.00, plus \$5.00 per lot, for final plat review and approval. The fee shall be paid to the Mineral County Treasurer.
14. The developer shall inform any future lot owners that an address must be assigned by the Mineral County Environmental Health and Planning Department in compliance with the Mineral County addressing plan. Road signs shall be installed as required.
15. An approved noxious weed management and revegetation plan shall be filed along with the final plat.
16. A road maintenance agreement or plan will need to be proposed, approved and noted on the plat. If additional lots are created from proposed lot five then those lot owners would need to participate in road maintenance funding for the subdivision road.
17. The shared well between Amended Parcel A of Certificate of Survey 604B and the proposed lot five will be clarified for the easement location and a revised shared water well agreement filed when the proposed lot five title transfers.
18. Conditions that are to be affected by the governing body should be placed on the plat which would allow for Mineral County to enforce the specified conditions. Conditions that should be included in this section would be fire prevention landscaping, no motorized access to U.S. Forest Service lands, noxious weed control, driveway grades being less than or equal to eight percent and prohibition of activities that would attract wild animals, such as feeding or inappropriate garbage disposal.

Page 3

Planning Board Recommendations for Elk Run at St. Regis

February 27, 2017

19. The Nugget Campground operates a two-cell lagoon with spray irrigation system and may be located within 500 feet of residences. The normal operation of the lagoon may create odors that individuals find objectionable. The operation of the lagoon shall be noted on the plat to inform future lot owners of this fact.

20. These conditions will be valid for a period of three years with the right to request an additional year extension to complete the conditions of preliminary plat approval.

Tim Read, R.S.
By Tim Read, R.S. for the Mineral County Planning Board