



CITY OF LANDER
BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

Thursday, May 21, 2026 at 6:00 PM
City Council Chambers, 240 Lincoln Street

AGENDA

Join Zoom Meeting

<https://us06web.zoom.us/j/88438443655?pwd=oneeKgnh78gL1D3v27clDEawHRPDuQ.1>

Attendance: Chair Zach Mahlum, Members, Kara Colhoff, Mary Greene, Jonathan Rensch, and Joe Henry. City Attorney Adam Phillips, Council Liaison Dan Hahn and Chad Cassady, Assistant Public Works Director Hunter Roseberry, Anne Even for Recording Secretary Rajeane Strube Fossen

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. **BOARD OF ADJUSTMENT MINUTES** of May 7, 2026

3. BOARD OF ADJUSTMENT - NEW BUSINESS

4. BOARD OF ADJUSTMENT - OLD BUSINESS

A. Untable S 26.01 Gannett Peak Phase 2

B. S 26.02 Gannett Peak Phase 2

5. PLANNING COMMISSION - NEW BUSINESS

6. PLANNING COMMISSION - OLD BUSINESS

7. ADJOURNMENT



BOARD OF ADJUSTMENT & PLANNING COMMISSION MEETING

CITY OF LANDER

Thursday, May 07, 2026 at 6:00 PM

City Council Chambers, 240 Lincoln Street

MINUTES

Attendance: Chair Zach Mahlum, Members, Kara Colhoff, Jonathan Rensch, Mary Greene, and Joe Henry. City Attorney Adam Phillips, Council Liaison Dan Hahn and Chad Cassady, Recording Secretary RaJean Strube Fossen

1. CALL TO ORDER

An amended agenda was presented by RaJean. Zach asked for another amendment to move the planning commission items before the BOA items. Mary moved to amend, Kara seconded. Amended agenda passed.

2. APPROVAL OF MINUTES

A. BOARD OF ADJUSTMENT MINUTES of April 16, 2026

Joe moved to accept the minutes, Jonathan seconded. Motion passed with Kara abstaining due to absence.

3. BOARD OF ADJUSTMENT - NEW BUSINESS

- A. Non- action item - Discussion of CU 26.05 STR application for a Commercial Property, 240 N 8th Allen Kerkhove, owner took the oath. RaJean explained that his application payment was processed before it was determined that his property is in a commercial zone and he is not required to get a CU permit. Mr. Kerkhove asked about the STR fire inspection requirements as he would like to have that done.

RaJean will process a refund and get with the owner regarding a voluntary fire inspection. There are other commercial STR properties that have asked for and received inspections.

RaJean asked the Board if they would like to consider adding requirements to STR in commercial zones and the discussions are reflected in a later agenda item under Planning old business.

4. BOARD OF ADJUSTMENT - OLD BUSINESS

5. PLANNING COMMISSION - NEW BUSINESS

- A. Boundary Revision of S 26.01 Riverwood Estates Phase 2A replat approved April 16, 2026

Dave Fehringer agent for the owner took the oath. He described the proposed boundary changes for Phase 2A. Cottonwood Drive is paved and ready to go with all the utility infrastructure also complete. Dave told the Board that a Certificate of occupancy cant be granted for the two existing residences until all the infrastructure is inspected and accepted by the City.

Kara asked if there were any negative ramifications with the shorter length of Cottonwood and traffic due to dead end. Dave replied that there will be a graveled road installed to connect to Poor Farm Road.

Jonathan asked if the 3 lots at the end that are not complete are the only thing stopping the commercial sale of the lots. Dave replied yes.

Kara asked if Phase 3 includes mitigation measures for those Phase 3 lots. She and Dave noted that the developer has been filling those lots. An engineer will have to do a letter of map revision prior to phase 3 approvals. Kara asked if the flood map shown is the updated version or the old version. (she is referring to the Corps of engineers 2020 floodplain data versus the existing FEMA NFIP floodplain data). Dave replied that all designs are based on the FEMA published version.

RaJean read the City letter stating that the boundary changes do not affect the infrastructure already built but an approved gravel road will have to be provided from the northern boundary to Poor Farm Road to meet subdivision fire access requirements. City S approval of the new version of S26.01 contingent on the future pathway be noted on the drawings. City Staff recommends approval of S26.01 as revised.

There was no public comment from the audience. Kara moved to approve S 26.01 revisions with the City stipulations from the recommendation letter. Mary seconded. Motion passed.

B. S 26.02 Final Plat, Gannett Peak Phase 2

Dave Fehringer, agent for the owner, is already under oath. Phase 2 was originally going to complete the subdivision but increasing development costs makes it so that it is only workable at this time to develop all lots along Robinson Street and finish the remainder in a third phase at a later date.

Zach confirmed the phase one boundary and that those lots are already built out.

Jonathan asked if there are wetlands to the North. Dave replied that they were already dedicated to the city during Phase 1.

Kara asked if any lands would have to be drained to build out phase 3. Dave replied that Phase 3 area not in the perceived wetland area and it was approved at the first phase long ago.

Mary asked if wetland designations ever need to be revisited. She is observing the lands as very wet when she walks. RaJean clarified the "wetlands" are defined by national inventories and what you see on the ground may not warrant local or federal controls.

Janet Loyka took the oath to ask how many lots are in phase 2 and other basic layout questions. She took a proposed plat map with her.

Pete Loyda took the oath. He is concerned about the location of where Sinks Canyon Road turns from 25 to 40 to 55 mph. He thinks it makes sense to extend the slower speed to the South with all the additional traffic. He has talked to WYDOT (who controls the State Road)

about speed limit changes but noted that it is the in City of Lander and should be requested. Zach stated that the speed limits are outside the planning commission's capacity. RaJean stated that she will pass on the concern to Lance so he can pass it on to WYDOT. Mr. Loyka also asked if there are HOA regulations that will be enforced. Dave responded that the HOA is in effect but enforcement is by the private entity and not the planning commission or the City.

Kara would like to table the vote to research her wetlands questions. Dave clarified that the concerns are in phase 3 which is not on this agenda for approval.

Jonathan asked what happened in 2012 for wetland delineations. Dave responded that he worked on the original plat but not the wetland delineation.

Joe asked what effects the developer would have in the event the motion to table is passed. Dave said the infrastructure is in the bid process right now and it could delay the construction process.

RaJean read the City Staff recommendations. She described to the Board about wetland delineations during the subdivision process. Since the wetlands were approved in the first phase and are now owned by the City of Lander, she does not feel that requests or conditions on the wetlands are within the purview of this phase 2 deliberation.

Motion to table to the next meeting was made by Kara, Joe seconded. In the discussions RaJean noted that she is gone and there are currently no agenda items for the May 21st meeting. Jonathan asked what the the table would accomplish. Kara wants to personally dig into the wetland designation and see what this board can recommend as an approval for this Phase 2 plat. Dave reiterated that the topic for tabling is not appropriate because this was approved by a previous planning commission and is on City owned land. Kara wants to look at the NWI and familiarize herself with the area.

Zach took a moment to read section 4-9-8 Dedication of Public Lands. where item F. states that any land dedications shall be taken in Phase 1 and not future phases. He interprets that this to mean that this current Planning Commission does not have a mechanism to revisit that. This Board does not generally overturn decisions of previous boards.

Joe feels a table would be pointless based on Zach's interpretation. Kara does not feel the discussions during this meeting are sufficient to make a clear decision tonight. Discussions were held on options to table the item, approve it with contingencies, approve it as presented, and not approve it but still take the recommendation to City Council.

Mary is comfortable with a longer timeframe for research.

Zach called for the question. Kara Aye, Mary Aye, Joe Aye, Jonathan Nay, and Zach Nay. Motion passed to table the vote until May 21st.

In later discussions, Chad complimented the Board on deliberating on tough issues because the Council will likely have the same questions. Also later in the discussions Dan relayed a concrete business story about how the public perception of "harm" and damaging the environment is not always correct.

6. PLANNING COMMISSION - OLD BUSINESS

A. Update on Title 4 STR proposed changes

1. Discussion STR to all zones?

RaJean started by stating that past discussions of the commission reflected how STRs should be allowed in all zones including R-Med and Ag. Zach and Kara stated that they are in favor of all zones including R-Med and Ag. Discussion on commercial zone centered around if the overall intent was to provide safe, health and welfare for citizens during their stay in a STR. It was suggested that the commission propose a license or STR by right in commercial zones but still make owners demonstrate compliance with collecting taxes and fire safety inspections. The members talked about what enforcement for non compliance would look like and then how to revoke permissions if deemed necessary. The consensus was to allow STR with a Conditional Use Permit in all zones except Commercial and then draft a Registration option for commercial zones so that owners still comply with collecting taxes and getting a fire inspection.

Chad asked if the "Owner occupied" requirement is still a part of the ordinance to present to council. Zach felt that it will be presented to council as such.

2. Azora contract services update

RaJean made an Azora data presentation of the STR software the City purchased. The data presented was based on a single data search and is not final but she compared it with what has already been permitted by the commission. Discussions followed based on the accuracy of the data, how to show proof of STR operations, and ultimate enforcement avenues should a permission need to be revoked or someone is in violation of the City Code. The consensus was that the process is useful and will save a lot of staff resources.

7. ADJOURNMENT

at 7:30 pm

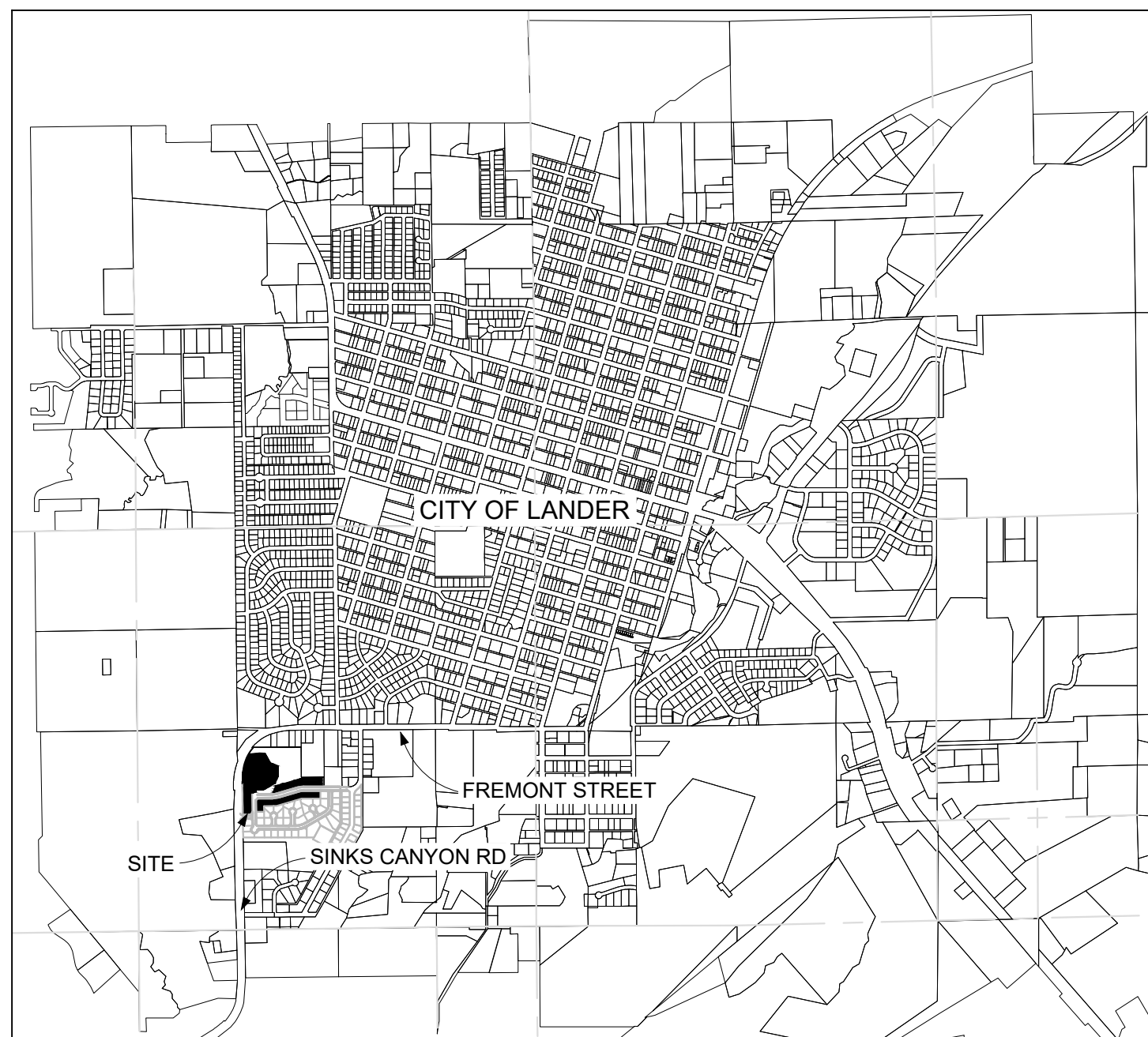
GANNETT PEAK ESTATES - PHASE 2

A SUBDIVISION WITHIN THE CITY LIMITS OF LANDER, WYOMING

SECTION 24, T33N, R100W, 6th PM,

FREMONT COUNTY, WYOMING

PRELIMINARY PLAT FOR REVIEW



VICINITY MAP
SCALE: 1" = 2000'

LEGEND:

Found Existing Monument as noted
Set 1-1/2" Aluminum Cap PELS 10052
Subdivision Boundary
Utility Easements

PLAT INFORMATION:

20 LOTS - 260,332 SF (5.98 AC.)
ZONE R2

CITY COUNCIL CERTIFICATE:

Approved by the City Council of Lander on this ____ day of ____ 2026.

Mayor

City Clerk

CLERK OR RECORDERS CERTIFICATE:

This plat was filed for record on the Office of the Clerk and Recorder at ____ o'clock ____, on the ____ day of ____, 2026 and is duly recorded in Plat Cabinet ____ Page ____, No ____

Clerk

Deputy Clerk

PLANNING COMMISSION CERTIFICATE:

This plat approved by the City Of Lander Planning Commission on this ____ day of ____ 2026.

Chairman

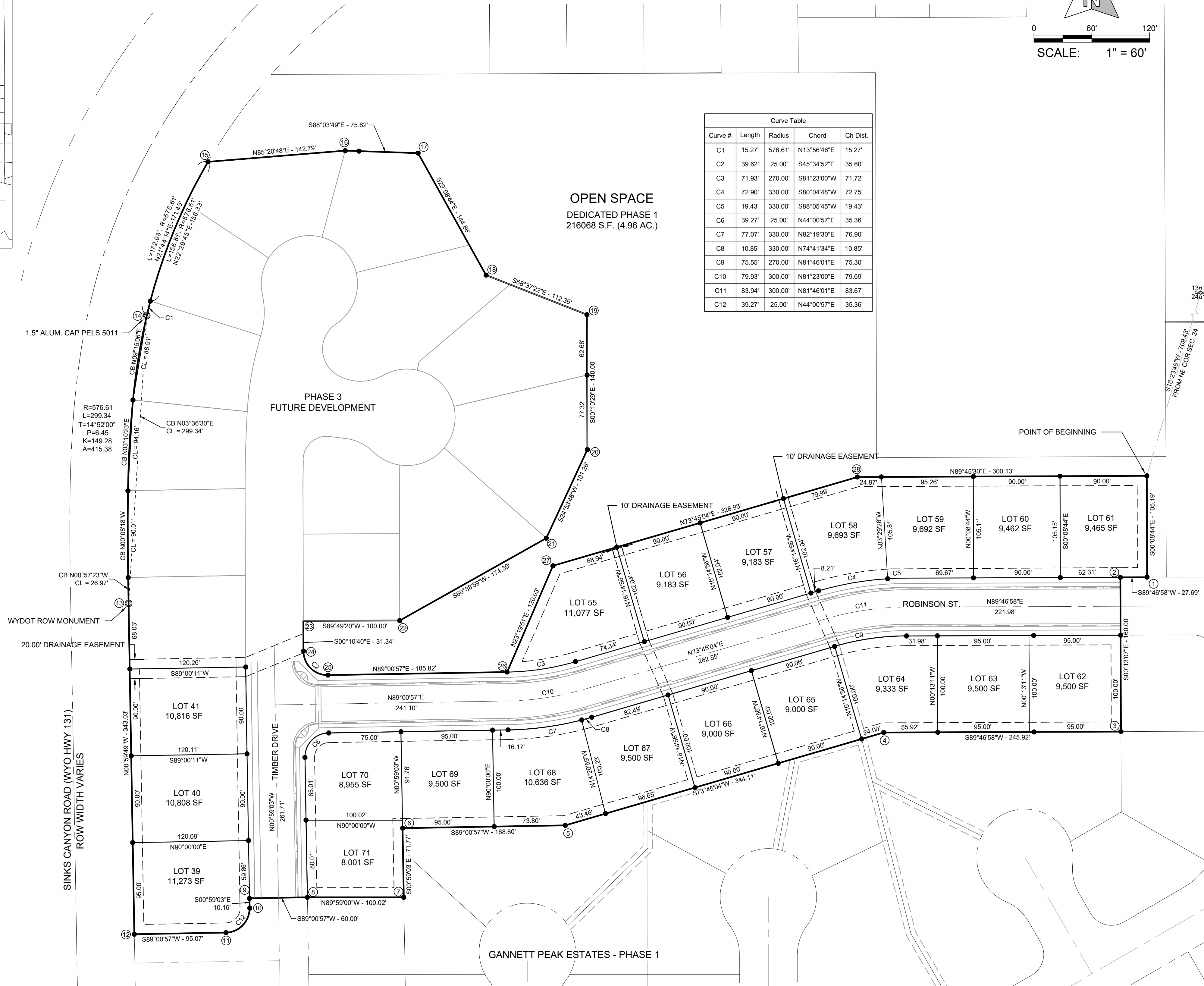
CITY ENGINEER CERTIFICATE:

Data on this plat approved by the City Of Lander Engineer on this ____ day of ____ 2026.

City Engineer

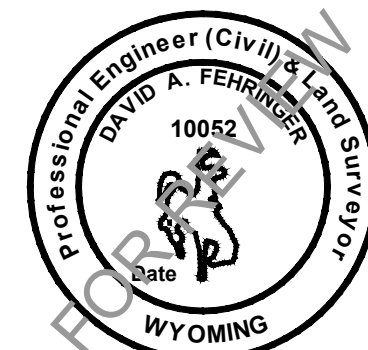
GENERAL NOTES:

- Property zoned R-2
- Streets 60' in width
- Flood Zone "X"
- Considering the bearings on this plat are based upon WYOMING STATE PLANE COORDINATES, WEST CENTRAL ZONE, NAD83, U.S. Survey feet. The distances are based upon a grid to ground scale factor of 1.0003175737 referenced from control point NGS "HART" with a latitude of 42°50'16.188N and a longitude of 108°43'02.355W and an ellipsoid height of 5337.6 feet.
- Storm Drainage facilities already in place from Phase 1
- Water rights:
T1261 1874 OR02/027
T1266 1879 OR02/027
- Setbacks:
front to edge of pavement: 28'
rear: lesser of 20' or 20% lot
depth sides: 10'
side yard on flanking street for corner lots: 23'
- Subdivider:
Gannett group
Steve Palmer
PO Box 589
Lander, WY 82520



CERTIFICATE OF SURVEYOR

I, DAVID A. FEHRINGER, OF LANDER, WYOMING DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS PLAT IS A TRUE, COMPLETE, AND CORRECT REPRESENTATION OF THE GANNETT PEAK ESTATES - PHASE 2 SUBDIVISION; AS LAID OUT, PLATTED, DEDICATED AND SHOWN HERON, THAT SUCH PLAT WAS FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS, AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH THE CITY OF LANDER REGULATIONS GOVERNING THE SUBDIVISION OF LAND.



CERTIFICATE OF OWNERSHIP AND DEDICATION:

Know all men by these presents that the undersigned THE GANNETT GROUP, INC., being the owner, proprietor, or parties of interest in the land shown on this plat do hereby certify: That the foregoing PLAT designated as:

GANNETT PEAK ESTATES - PHASE 2, to the City of Lander, Fremont County, Wyoming.

Located in the NE1/4NE1/4 of Section 24, T 33 N, R 100 W of the 6th P.M., more particularly described as follows:
Commencing at the said Northeast Corner of Section 24, thence S.16°23'45"W., a distance of 709.43 feet to the POINT OF BEGINNING;

Thence S.00°08'44"E., a distance of 105.19 feet to point no. 1;
Thence S.89°46'58"W., a distance of 27.69 feet to point no. 2;
Thence S.00°13'07"E., a distance of 160.00 feet to point no. 3;
Thence S.89°46'58"W., a distance of 245.92 feet to point no. 4;
Thence S.73°45'04"W., a distance of 344.11 feet to point no. 5;
Thence S.89°00'57"W., a distance of 168.80 feet to point no. 6;
Thence S.00°59'03"E., a distance of 71.77 feet to point no. 7;
Thence N.89°59'00"W., a distance of 100.02 feet to point no. 8;
Thence S.89°00'57"W., a distance of 60.00 feet to point no. 9;
Thence S.00°59'03"E., a distance of 10.16 feet to point no. 10;
Thence a curve to the right having a radius of 25.00 feet, length of 39.27 feet, chord bearing of S.44°00'57"W., and a chord length of 35.36 feet to point no. 11;
Thence S.89°00'57"W., a distance of 95.07 feet, more or less, to the easterly right-of-way of Sinks Canyon Road (Wyoming Highway 701) to point no. 12;

Thence proceed along said right-of-way N.00°59'49"W., a distance of 343.03 feet to point no. 13. Said point being the beginning of a spiral curve;
Thence proceed along spiral curve a distance of 299.34 feet, having a radius of 576.61 feet, a chord bearing of N.03°36'30"E., to point no. 14 being the beginning of a curve to the right;
Thence proceed along curve to the right a distance of 172.08 feet, having a radius of 576.61 feet, a chord bearing of N.21°44'14"E., a distance of 171.45 feet to point no. 15;

Thence N.85°20'48"E., a distance of 142.79 feet to point no. 16;
Thence S.88°03'49"E., a distance of 75.62 feet to point no. 17;
Thence S.29°08'44"E., a distance of 144.86 feet to point no. 18;
Thence S.00°10'29"E., a distance of 140.00 feet to point no. 20;
Thence S.24°53'48"W., a distance of 101.26 feet to point no. 21;
Thence S.00°38'59"W., a distance of 174.30 feet to point no. 22;
Thence S.89°49'20"W., a distance of 100.00 feet to point no. 23;
Thence S.00°10'40"E., a distance of 31.34 feet to point no. 24 being to beginning of a curve to the left;

Thence proceed along a curve to the left a distance of 39.62 feet, having a radius of 25.00 feet, a chord bearing of S.45°34'52"E., a distance of 35.60 feet to point no. 25;
Thence N.89°00'57"E., a distance of 185.82 feet to point no. 26;
Thence N.23°19'51"E., a distance of 120.03 feet to point no. 27;
Thence N.73°45'04"E., a distance of 328.93 feet to point no. 28;
Thence N.89°45'30"E., a distance of 300.13 feet, more or less, to the POINT OF BEGINNING.

Said GANNETT PEAK ESTATES - PHASE 2 contains 10.51 acres, more or less, and

That this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s), and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and

That the undersigned owner(s) of the land shown and described on this plat does (do) hereby dedicate to the City of Lander, and its licensees for perpetual public use all easements within the boundary lines of the plat as indicated and not already otherwise dedicated for public use.

Utility easements as designated on this plat are hereby dedicated to the City of Lander and its licensees for perpetual public use for the purpose of installing, repairing, re-installing, replacing and maintaining sewers, water lines, gas lines, electric lines, telephone lines, cable television lines and other forms and types of public utilities now or hereafter generally utilized by the public.

Drainage easements as designated on this plat are hereby dedicated to the City of Lander and its licensees for public use to accommodate the flow or storage of storm waters and shall be kept free of all structures or other impediments.

EXECUTED this ____ day of ____, 2026

STEVE PALMER, PRESIDENT
THE GANNETT GROUP, INC

STATE OF WYOMING)
) SS.
COUNTY OF FREMONT)

The foregoing dedication was acknowledged before me by STEVE PALMER, this day of ____, 2026.

By: _____

Witness my hand and official seal

My commission expires _____



FREMONT
ENGINEERING | SURVEYING

155 N 1ST ST., STE A
LANDER, WY 82520

307.206.1007 | FREMONTSURVEYING.COM



CITY OF LANDER
SUBDIVISION CHECKLIST – TITLE 4-9-4
NON-REFUNDABLE FEES
PRELIMINARY PLAT \$600.00 (Includes recording fees)

Email: _____
Phone: _____

Section 4, Item B.

For Office use only: Case # _____ Public hearing date _____

Date Received _____ Date Fee Paid _____

Date of public notice _____

Name of **Applicant** The Gannett Group

Address PO BOX 589, Lander, WY 82520 Phone: 307-305-0736

Do you own this property Yes ☒ No _____

If no, Name of **Owner** _____

Address _____

Note: the Owner may be required to sign the application.

Legal Description of Property (Street address, subdivision lot and block numbers, or attached a
Legal description prepared by a surveyor)
SECTION 24, T33N, R100W, 6th PM

Name of Subdivision Gannett Peak Estates - Phase 2

Total area of this subdivision: 10.51 acres.

If part of a proposed larger development, total adjacent area contemplated for future subdivision
N/A acres.

Number of Proposed Lots: 20 Typical Lot Size 9000-11000 SF

Linear feet of proposed streets: Total 1150 Arterial _____
Collector _____ Local 1150

Existing Zoning R2 Proposed Zoning R2
(Please fill out a Request for Re-Zoning if appropriate)

Type of Development Proposed:

Residential (single-family)	<u>8.41</u>	acres
Residential (multi-family)	_____	acres
Commercial	_____	acres
Industrial	_____	acres
Open Space (Title 4-9-8)	_____	acres
Street Rights-of-Way	<u>2.11</u>	acres
Other _____	_____	acres



CITY OF LANDER
SUBDIVISION CHECKLIST – TITLE 4-9-4
NON-REFUNDABLE FEES
PRELIMINARY PLAT \$600.00 (Includes recording fees)

Name of
Surveyor Dave Fehringer Email dave.f@fremontsurveying.com
Address 155 N 1st St, STE A, Lander, WY Phone 307-206-1007

Name of
Engineering firm Fremont Engineering & Surveying Email chat@fremontsurveying.com
Address 155 N 1st St., STE A, Lander, WY Phone 307-206-1007

PRELIMINARY PLAT CHECKLIST -

- (1) Preliminary Plats shall be submitted in one (1) hard copy, and one (1) electronic copy to City Administration. The Preliminary Plat shall consist of a drawing or drawings and accompanying material and documentation as follows:
- (2) The Preliminary Plat drawing shall be prepared at a scale of 1" = 100' or larger for subdivisions where the majority of lots are less than five (5) acres in size. The scale may be reduced to 1" = 200' for subdivisions in which the minimum lot size is five (5) acres or more. The face of the drawing shall contain the following information:
 - (a) The name of the subdivision. The name shall not duplicate or too closely resemble the name of any subdivision previously filed in the County.
 - (b) Date of preparation, scale and north arrow. The top of each sheet shall represent north wherever possible.
 - (c) A vicinity map drawn at a scale of 1" = 1,000' or 1" = 2,000' showing the location of the proposed subdivision in the City and its relationship to surrounding development.
 - (d) The names, addresses and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the Preliminary Plat.
 - (e) A legal description of the subdivision boundary.
 - (f) The boundary lines of the subdivision in a heavy, solid line and referenced to section or quarter section lines.
 - (g) A description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey.
 - (h) Existing contours at an interval of two (2) feet unless portions of the proposed subdivision has such severe slopes that, as determined by the City Engineer, intervals greater than two (2) feet would be more suitable.



CITY OF LANDER
SUBDIVISION CHECKLIST – TITLE 4-9-4
NON-REFUNDABLE FEES
PRELIMINARY PLAT \$600.00 (Includes recording fees)

Section 4, ItemB.

- (i) General location and extent of any significant natural features such as wooded areas, streams, drainage ways, or lakes and wetlands as designated on <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>.
 - (j) Floodplains of designated streams as delineated on Fremont County map server. And <https://www.fema.gov/flood-maps>.
 - (k) Location, dimensions, and names of existing roads, streets, alleys, rights-of-ways and structures within and within twenty (20) feet immediately adjacent showing how they relate to the proposed subdivision layout.
 - (l) Location, size, and grades of existing sewers, water mains, gas lines, pipelines or other underground utilities or installations within the proposed subdivision or immediately adjacent thereto. Contact the Public Works Department for information.
 - (m) Location and dimensions of all easements of record labeled with the Fremont County document number.
 - (n) Existing zoning and land use of proposed subdivision and immediately adjacent areas.
 - (o) Location and width of proposed streets, alleys, pedestrian ways and easements.
 - (p) Layout, numbers and approximate dimensions of proposed lots and blocks.
 - (q) Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use with the use noted.
 - (r) A summary of the total number of acres, number of lots, acreage of commercial or industrial areas, acreage of open space, amount of land in rights-of-way and other descriptive material useful in reviewing the proposed subdivision.
- (3) The following information and material shall accompany the Preliminary Plat drawing:
- ☐ (a) Payment of the total amount of the Preliminary Plat fee.
 - ☐ (b) A statement explaining how and when the subdivider proposes to install water, sewer, paving, sidewalks, drainage ways, and other required improvements.
 - ☐ (c) A statement describing the development and maintenance responsibility for any private drives, pathways, or open spaces.
 - ☐ (d) A soils report with the recommendation of a qualified professional engineer regarding soil suitability, including corrosion hazard, erosion control, sedimentation, and flooding problems.



CITY OF LANDER
SUBDIVISION CHECKLIST – TITLE 4-9-4
NON-REFUNDABLE FEES
PRELIMINARY PLAT \$600.00 (Includes recording fees)

- ☐ (e) A description of any phasing and scheduling of phases for the development if the Final Plat is to be submitted in separate phases.
 - ☐ (f) If appropriate, a petition for annexation to the City of Lander if the land to be subdivided is contiguous to and, either by itself or as part of a larger tract, or is completely surrounded by the boundaries or the city.
 - ☐ (g) If necessary for annexation or a change of zoning district, an application for appropriate City zoning for the subdivided area if the area is to be annexed or if the existing zoning district does not allow the type of use proposed.
 - ☐ (h) A completed Preliminary Plat check list on the standard forms provided.
 - ☐ (i) Information as to appurtenant water rights as evidenced by the State Engineers office, including but not limited to quantity, source and applicable documents.
 - ☐ (j) A copy of the warranty deeds or proof of clear title to the lands within the legal description.
- (4) After receipt of the Preliminary Plat, application fee, and all required supporting material, City Administration shall schedule the Plat for consideration at the appropriate regular meeting of the Planning Commission which occurs after the allowed twenty-one (21) day City administration review period from the date on which the Plat was submitted.



City of Lander Board of Adjustments and Planning Commission

May 5, 2026

City Staff Comments on S 26.02 Gannett Peak Phase 2

City staff received no written public comments on this subdivision request. One plat map was distributed. The application is in order and meets the requirement to be deliberated by the Planning Commission.

Phase 2 is a partial completion from the preliminary plat, only completing the lots adjacent to Robinson Street. The remaining lots will be completed in a future phase. This phasing is allowed per Code section 4-9-4.3. B which states:

“Final platting may be accomplished in stages covering reasonable portions of the area of an approved Preliminary Plat.

City Administration received a letter of request from the owner to move forward with the construction, wherein the City would approve the final plat but withhold the filing until the project is complete in lieu of posting performance bond. Section 4-9-4.3 O. states:

“As an alternate procedure and at the request of the developer, the City Council may approve a Final Plat and instruct the City Administration to withhold the approved Final Plat from recording for a period of time to allow the developer to install all of the required public improvements according to the plans and specifications approved by the City Engineer/Public Works Director. This procedure, when approved by the Council, shall be in lieu of the guarantees for installation of improvements”

City staff recommends approval of S 26.02 Gannett Peak Phase 2 with the contingency that the final plat not be filed until the infrastructure construction is completed, inspected and approved by the City Engineer or the owner provides the required collateral in accordance with 4-9-4.3 O.

RaJean Strube Fossen
Lance Hopkin
Hunter Roseberry



City of Lander Board of Adjustments and Planning Commission

May 12, 2026

Second letter for City Staff Comments on S 26.02 Gannett Peak Phase 2

As discussed in the May 7, 2026, deliberations on S 26.02, the City staff reviewed the Phase 1 open space dedication in regard to the Commissioner's questions on the area identified by the members as "wetlands". The area was engineered and designated as a stormwater retention basin for the subdivision and is not classified as a national wetland. City staff made the following determinations:

1. *The Phase 1 application properly addressed and designed the subdivision to accommodate findings from the National Wetlands Inventory map and Corps of Engineers.*
2. *The area was designed to retain and naturally filter stormwater from the entire subdivision. The infrastructure for the stormwater system for the entire plat boundary was constructed, inspected and completed as part of Phase 1.*
3. *The NWI map lists two designations for this area; PEM1CX which is classified as roadside ditches and man-made stormwater retention basins, and PABFX which is classified as human-engineered habitats, not subject to National Wetland regulations.*
4. *The original boundary of the full plat including Phases 2 and 3 have been surveyed to eliminate any "wetlands" from the proposed lots.*
5. *The area of concern was formerly dedicated to and accepted by the City of Lander to meet the open space requirements of Title 4.*

All surface drainage from natural areas and residential lawns, and street stormwater considerations were appropriately designed, deliberated, and approved in Phase 1. Based on these determinations, the Planning Commission may not add conditions on Phase 2 or 3 that have already been deliberated and recorded for the completion of Phase 1. Members may discuss personal preferences with City administration since the area of concern is City-owned public property.

City staff recommends approval of S 26.02 Gannett Peak Phase 2 as presented with the contingency that the final plat not be filed until the infrastructure construction is completed, inspected and approved by the City Engineer or the owner provides the required collateral in accordance with 4-9-4.3 O.

RaJean Strube Fossen
Lance Hopkin