



## LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

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Planning • Building

### MEMORANDUM

**TO:** Laramie County Board of County Commissioners

**FROM:** Michael Surface, Senior Planner

**DATE:** November 1, 2022

**TITLE:** PUBLIC HEARING regarding the Subdivision Permit and Plat for Open Range Estates, located in Section 4, less a portion, T.15N., R67W., of the 6<sup>th</sup> P.M., Laramie County, WY.

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### EXECUTIVE SUMMARY

Lovas Engineering, LLC, on behalf of Double B Ventures, LLC, has provided a Subdivision Permit and Plat application for Open Range Estates located at 2098 Road 220. The application has been submitted to subdivide approximately 572 acres into 92 single-family residential tracts averaging 6.22 acres gross. The development proposes 5.03 miles of interior roadway within 80' dedicated rights-of-way. It is anticipated that the project will provide a fire cistern.

### BACKGROUND

The property is unplatted with two residences; their associated structures, as well as several agricultural-use buildings located in the southeast portion of the property, which will remain. The surrounding area consists of rural residential and agricultural properties of varying acreage.

The pertinent sections of the Laramie County Land Use Regulations which apply include.  
**Section 2-1-101** governing the requirements for Subdivision Permit and Plat.  
**Section 1-2-104** governing Public Notice.

### DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Rural Ag Interface (RAI). Rural residential uses are primarily anticipated in these areas. Commercial uses in this designation shall not have a significant impact to the surround residential area. Development should consider

limited water availability, delayed response times from emergency services, and existing topography. Cisterns and fire-wise planning are encouraged here due to unreliable water resources. The subject property is located outside the Plan Cheyenne and zoned boundaries and therefore is not impacted by those guidelines and standards.

According to the Order of the State Engineer for the Laramie County Control Area dated April 1, 2015, this property lies within the Conservation Area, in which the well spacing requirements for new permits are indicated at one (1) well for domestic use per each lawfully subdivided lot or one (1) per each ten (10) acres of any other legal parcel of land.

According to the AMEC Memo dated January 31, 2014, the property lies within Zone 2 of the study area. Development standards dictate that lots within this zone shall be a minimum of 5.25 acres to sufficiently recharge groundwater after withdraws from a pumping well.

The State Engineer's Office sent a letter to the Board of County Commissioners on September 20, 2022. The letter indicates an existing stock well (Permit P5906.OP) should be abandoned and the water right cancelled prior to the Board of County Commissioners approving the subdivision. There is a spacing conflict and leaving the well in place may prevent a future lot owner from developing their own water source.

The letter also recommends that GPS coordinates and legal location description be provided for the domestic and stock well under permit P91464.OW. Failure to provide this information could delay the application process for other lot owners within the subdivision.

A subdivision of more than 5 lots requires submittal of a Chapter 23 Study to the Wyoming Department of Environmental Quality (DEQ). Approval from DEQ, in the form of a "Non-Adverse Recommendation" is required prior to recordation of the plat. A non-adverse recommendation was received from Wyoming DEQ. Notes required to be added to the final plat, and other pertinent documents are:

1. All lots must satisfy Cheyenne/Laramie County Environmental Health Division standards.
2. All residences with more than 4 bedrooms shall be constructed with advanced Nitrogen removal technology. An unfinished basement is considered to have two (20 additional bedrooms.

It is noted the Wyoming DEQ recommendations were received after the staff report package was delivered to the Planning Commission.

The subdivision plat shows seven (7) interior roadways with 80' rights-of-way. There are three (3) proposed accesses off Ridley Road (Road 220). There are no access points on the western side of the subdivision.

The *Open Range Estates – Traffic Impact Study* by Sustainable Traffic Solutions shows the Laramie County threshold of 350 ADT will be surpassed on the portion of Road 220 (Ridley Road) between the proposed Open Range Estates and Interstate 25 to the east.

Section 3-5-108 Street Design of the Laramie County Land Use Regulations requires all roads and streets within the county, except state highways, to be designed and built according to the standards referred to in the chapter. A Developer Agreement will be needed to fulfill the developer's responsibility in this matter.

The Environmental and Services Impact Report states that the developers anticipate, through discussion with the Laramie County Fire Authority, that a water cistern will be required to be located within the subdivision. The report anticipates approximately 95 children to be added to the school district, but that they may not all be new students. Agency review comments were received regarding small wastewater system and water well requirements, addressing, road construction, and clerical errors on the map.

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received by staff.

The Planning Commission held a public hearing on this application October 13, 2022. The Planning Commission voted 4 – 0 to recommend approval of the subdivision permit and plat to the Board of County Commissioners with six (6) conditions. No public comment was made at the meeting.

### **RECOMMENDATION and FINDINGS**

**Based on evidence provided, staff and the Planning Commission recommends the Board find that:**

- a. This application meets the criteria for a subdivision permit and plat pursuant to section 2-1-100 of the Laramie County Land Use Regulations.

**Staff and the Planning Commission recommend the Board approve the Subdivision Permit and Plat for Open Range Estates with the following conditions:**

1. All agency comments regarding errors on the plat shall be addressed prior to recordation.
2. The Developer Agreement shall be signed and executed by all parties prior to plat recordation.
3. Instructions from the State Engineer's Office letter concerning wells dated September 20, 2022 shall be followed by the developer, and must be accomplished prior to plat recordation.
4. Installation of the fire cistern is to be coordinated with the appropriate county officials.
5. All interior roadways are to be built to County standards prior to issuing a building permit.
6. The notes from the "Non-Adverse Recommendation" letter provided by Wyoming DEQ are to be placed on the plat prior to plat recordation.

## **PROPOSED MOTION**

**I move to approve the Subdivision Permit and Plat for Open Range Estates and adopt the finding of fact a, and the six (6) conditions of the staff report.**

## **ATTACHMENTS**

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Plan Map**
- Attachment 4: SEO Control Area Map**
- Attachment 5: AMEC Memo Area Map**
- Attachment 6: Applicant's Project Narrative Letter**
- Attachment 7: Agency Comments Report**
- Attachment 8: Final Plat Revised 10.4.22**
- Attachment 9: Resolution**



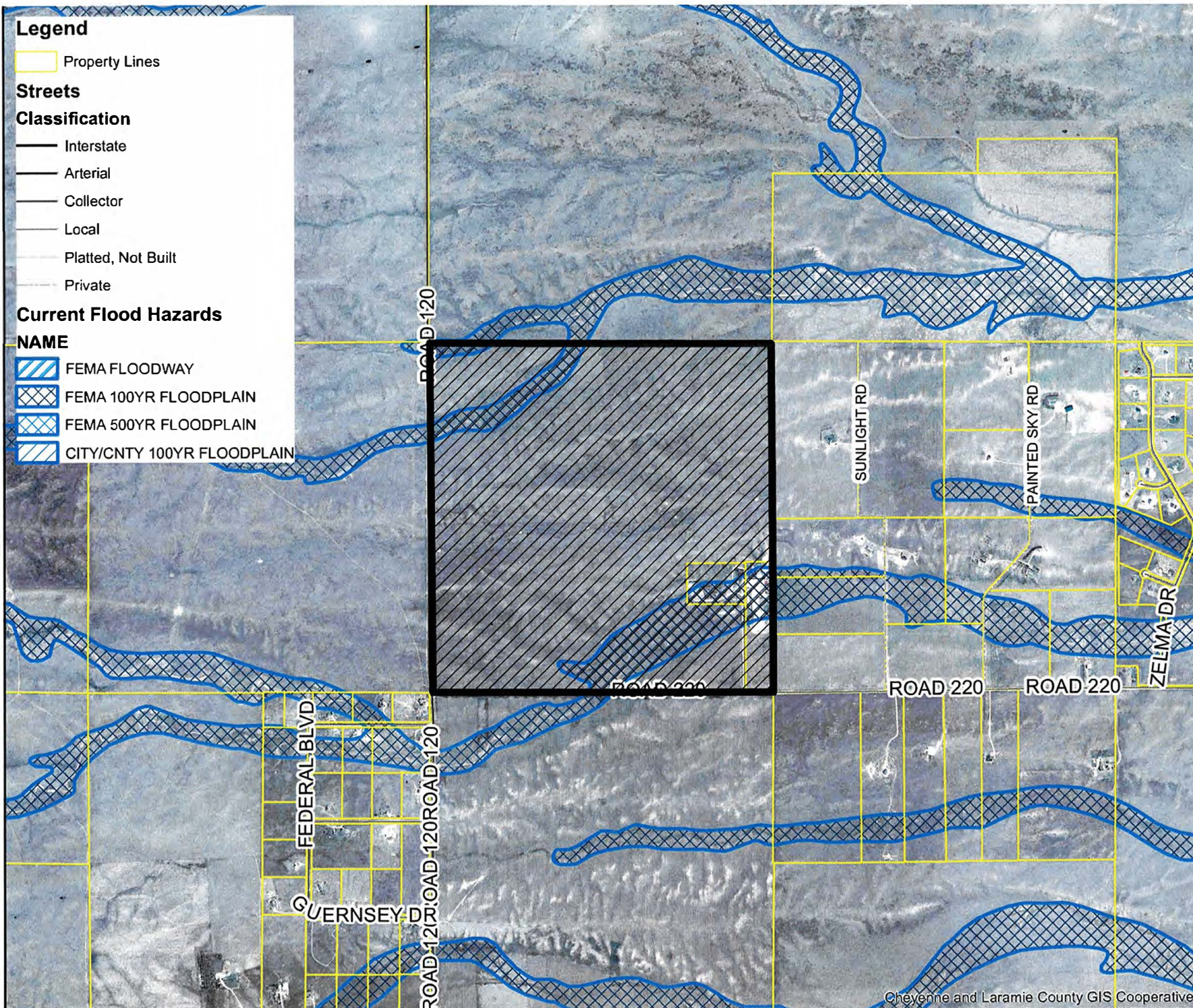
## Subdivision Permit and Plat

### Location Map



A number line representing distance in feet. The line starts at 0 and ends at 2,300. There are major tick marks at 0, 1,150, and 2,300. The word "Feet" is written below the line. The line is divided into 7 equal intervals by 8 tick marks. The first interval is from 0 to 230, the second from 230 to 460, the third from 460 to 690, the fourth from 690 to 920, the fifth from 920 to 1,150, the sixth from 1,150 to 1,380, and the seventh from 1,380 to 2,300. Each interval represents 230 feet.

Cheyenne and Laramie County GIS Cooperative



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only.



## Legend

 Property Lines

# Laramie County, Wyoming



**Open Range  
Estates**

**Subdivision  
Permit and  
Plat**

**PZ-22-00288**

**Aerial Map**

**Subject  
Property**



April 2022



0 500 1,000  
Feet

Eagleview



Laramie  
County,  
Wyoming



Open Range  
Estates

Subdivision  
Permit and Plat

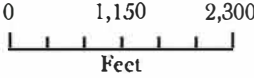
PZ-22-00288

Comprehensive  
Plan Map

Subject  
Property



April 2022



Legend

Property Lines

Future Land Use Districts

OTHER

Urban-Rural Interface (URI)

Rural Metro (RM)

Rural Ag Interface (RAI)

Ag & Range Land (AGR)

Current Flood Hazards

NAME

FEMA FLOODWAY

FEMA 100YR FLOODPLAIN

FEMA 500YR FLOODPLAIN

CITY/CNTY 100YR FLOODPLAIN

AGR

RAI

Cheyenne and Laramie County GIS Cooperative

\*This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only.







# Legend

memo\_zone



## Laramie County, Wyoming



Open Range Estates

Subdivision Permit and Plat

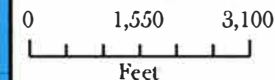
PZ-22-00288

AMEC Memo Area Map

Subject Property



May 2022



Cheyenne and Laramie County GIS Cooperative





Mr. Justin Arnold – Program Manager  
Laramie County Planning & Development  
Via: email

[Justin.arnold@laramiecountywyo.com](mailto:Justin.arnold@laramiecountywyo.com)  
[planning@laramiecountywyo.com](mailto:planning@laramiecountywyo.com)

**RE: OPEN RANGE ESTATES – FINAL PLAT & SUBDIVISION PERMIT TRANSMITTAL  
NARRATIVE**

8/31/2022

Dear Mr. Arnold,

As the Agent for and on behalf of Double B Ventures, LLC I'm please to submit a Final Plat & Subdivision Permit Application package and associated required documents for the above referenced Project. The Open Range Estates Project contains 572 acres and is located in a portion of Section 4, Township 15 North, Range 67 West of the Sixth Principal Meridian. This subdivision proposes to develop the existing parcel into (92) rural residential tracts averaging 6.22 acres per tract (gross). The Development proposes construction of approximately 26,570 LF of internal roadway inside proposed 80' rights-of-way dedicated as a part of the plat. Additionally, the southern 40' of Section 4 will be dedicated to Ridley Road ROW on the Final Plat.

A Wyoming DEQ Chapter 23 Study has been submitted.

Correspondence with Laramie County Fire Authority have taken place; it is anticipated that the Project will provide a water source (fire cistern) within the Project boundary.

As demonstrated by the enclosed *Open Range Estates - Traffic Impact Study* by Sustainable Traffic Solutions, the Laramie County threshold of 350 ADT will be surpassed on the portion of Road 220 (Ridley Road) between the proposed Open Range Estates and I-25. Therefore, Laramie County requires the Developer to install asphalt pavement on the portion of the existing county road which does not have asphalt pavement. It is proposed that the Developer purchase a 24-month surety bond for the present value of asphalt pavement installation on the ≈ 10,000 LF of existing Ridley Road which needs to be paved. It is proposed that an agreement between the County and the Developer be executed and the surety bond be purchased prior to plat recordation rather than requiring the Developer install asphalt pavement prior to allowing the plat to be recorded; this will allow the Developer to record the plat, construct the subdivision's internal roadways, then sell some lots to fund the installation of asphalt pavement on Ridley Road while ensuring the Developer fulfills their commitment to paving the road.



Enclosed with this Letter are the following documents as required by Laramie County Land Use Regulations:

- Pre-Application Meeting Minutes (by Ms. Marissa Pomerleau – Associate Planner)
- Completed Subdivision Permit Application
- Warranty Deed
- Final Plat
- Community Facilities Fees Acknowledgment Letter
- Conceptual Drainage Plan
- Traffic Impact Study
- DEQ Chapter 23 Study Submittal Acknowledgement Letter
- DEQ Chapter 23 Study
- Plat shapefiles (NAD83 Wyoming State Plane East Feet)
- Final Plat Fees Receipt

Subdivision Permit Application and Final Plat fees have been paid. If you have any questions or require additional information, please contact me directly.

Respectfully Submitted,



Christopher S. Lovas, PE | Lovas Engineering, PC



**PUBLIC AGENCY REVIEW**

**STATE ENGINEER'S OFFICE LETTER  
CONCERNING WELLS AND PERMITS SEPTEMBER 20, 2022**

**WYOMING DEQ NON-ADVERSE RECOMMENDATION  
WITH STIPULATIONS SEPTEMBER 27, 2022**

**APPLICANT RESPONSE TO PUBLIC AGENCY REVIEW**

**PZ-22-00288**

**Subdivision Permit (26 Lots or More)**

**Black Hills Energy:** Black Hills Energy, Eric Underhill

**CenturyLink:** CenturyLink, Darrin Klawon

**County Assessor:** County Assessor, Kaycee Eisele

Please note, our office will reach out to Lovas Engineering for a legal description on the remaining portion of the parcel that is NOT included in this plat.

Advise: Our records show other parcels in Laramie County using the street name "Blue Bonnet Lane".

**County Engineer:** County Engineer, Scott Larson

1. The Conceptual Drainage Analysis is adequate for the plat submittal. A final Drainage Analysis shall be submitted with the design/construction plans.
2. A Floodplain Development Permit application shall be submitted for the roadways that are located within the floodplain.
3. Note 1 should be changed to indicate fire protection will be provided by the "Laramie County Fire Authority" and not Fire District No. 2.
4. The last sentence in Note 2 should be changed to "All roadways shall be privately maintained."
5. Existing Road 220 and 120 should be labeled "Road 120" and "Road 220". The word "County" should be removed.
6. Road 220 appears adequate to handle the new subdivision. However, Road 120 will need to be brought up to current County requirements. For example, the existing width appears to vary but only be approximately 24' in width. A design for how to bring this roadway up to the current requirements shall be submitted to the County with the design/construction plans.
7. It would be helpful if the right-of-way for Road 120 south of Road 220 was shown to illustrate that Road 220 terminates and Road 120 continues to the south.
8. A note should be included on the plat that indicates no Tract shall access off Road 220. All Tracts shall use interior roadways to gain access with the exception of Road 120.
9. The plat should include easements at the north end of Barlow Road, Blue Bonnet Road, and Charley Road for cul-de-sacs to be constructed for emergency vehicles to turn around until such time that the roads are extended to the north.
10. The plat should not include the names of adjacent property owners as those can change at any time without notice with respect to the platting process.
11. The Traffic Impact Study appears to be adequate for this development.



#### Surveyor Review

1. Considering the size of this subdivision with the number of TRACTS in the subdivision (92) and considering the configuration of the TRACTS within the ROADS in the subdivision, it is recommended (but not a requirement) that the blocks be numbered.
2. The signature of the PLANNING COMMISSION CHAIR should be notarized on the Final Plat.
3. There are a few notes spread throughout the plat describing the 20' GENERAL UTILITY EASEMENT (TYP.), however it would be helpful if there was a line-type LEGEND for the subdivision plat clearly and distinctly identifying the various line types shown on the plat. The LEGEND could include the 20' GENERAL UTILITY EASEMENT, the COUNTY ROAD RIGHT-OF-WAY, the FEMA 100 YR FLOOD PLAIN boundaries and any other line types necessary and helpful for accurate interpretation and use of the subdivision plat.

**County Public Works Department:** County Public Works Department, Molly Bennett  
Comments prior to review engineer comments being submitted:

1. Note 1 on the plat shall read: FIRE PROTECTION WILL BE PROVIDED BY THE LARAMIE COUNTY FIRE AUTHORITY.
2. Right-of-way (ROW) and grading (G) permit applications will be required for this subdivision. Laramie County policy dictates that a letter of compliance shall be issued for the ROW&G permits prior to building permit application submission(s). Please be sure to follow the attached flow chart regarding next steps after the subdivision permit and plat. If phased construction/buildout is planned, indicate as such at the time of ROW application submission.
3. Tracts 90, 88, 82, 80, 78, 76, 70, and 68 shall be allowed private driveway access onto Road 120 (Telephone Road). Shared driveways between tracts are preferred, where possible. All other tracts shall access interior subdivision rights-of-way.
4. Add a note on the plat indicating: No tracts shall access Ridley Road/Road 220.
5. Due to the rights-of-way being dedicated to the public, access permit applications through Public Works will be required for each tract within this subdivision. Call (307-633-4302) or email ([permits@laramiecountywy.gov](mailto:permits@laramiecountywy.gov)) Public Works for more information.

Comments related to review engineer comments:

1. All roads and intersections adjacent to the subdivision shall be upgraded to County standards due to this development. Design plans shall be included with the ROW permit application.
2. The Floodplain development permit application shall be approved prior to the ROW&G permits being approved by Public Works.
3. Indicate location (and appropriate ROW) for Dead-End Fire Apparatus Access Road Turnarounds on the plat.
4. Update the plat as indicated within the review engineer's comment number 7.

**County Real Estate Office:** County Real Estate Office, Laura Pate

**Emergency Management:** Emergency Management, Matt Butler

**Environmental Health:** Environmental Health Department, Tiffany Gaertner  
Regulations:

## LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

### Comments:

Wastewater permits are required for each lot. Small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. drainages and floodplains. Provide layout with dimensions for well, house, and septic systems on Tracts 41, 38, 39, 71, 68, 64, 65, 40, and 36 prior to development. Tracts 36 and 40 may not have the physical space for septic systems. Septic systems are not allowed on greater than 15 percent slope. Also, keep wastewater systems out of easements. A DEQ letter must be submitted to this office along with the signed final plat prior to application for any permits. Chapter 23 report has been submitted.

**Intraoffice:** Planners, Cambia McCollom Comments Attached 09/20/2022  
The name "Sue" sounds similar to the existing "Sioux". There is an existing "Bluebonnet". Please consider alternative names for these roadways. You may also consider reviewing "Charley" (Charles) and "Percy"(Pershing), as they could get easily misconstrued in an emergency situation.

Road 120 was established as an 80 ROW "north on section lines as near as may be and in accordance with the field notes of the survey" (Commissioner Journal J Page 4). This depiction shows it wholly outside of Section 4.

**Laramie Co School Dist No 1:** Laramie Co School Dist. No. 1, Jeff Daugherty

**Laramie Co School Dist No 2:** Laramie Co School Dist. No. 2, Kim Nelson



**Laramie County Fire Authority:** Laramie County Fire Authority, Manuel Muzquiz

Ensure cul de sacs and dead end roads comply with the Dead-End Fire Apparatus Access Road Turnaround requirements in the Laramie County Land Use regulations. Subdivision is more than 5 road miles from Fire Station and more than 3 road miles from a water cistern. LCFA requests a water cistern of 30,000 gallons be installed in subdivision for fire protection water.

**Laramie County Weed & Pest:** Laramie County Weed & Pest, Brett Nelson

**Planners:** Planners, Michael Surface

This is a subdivision permit and plat. To be approved:

1. All stipulations from the preliminary development plan are to be met.
2. All stipulations for the subdivision permit and plat are to be met.

**Sheriff's Office:** Sheriff's Office, Amber Shroyer

**WY State Engineer's Office:** Wyoming State Engineer's Office, Lisa Lindemann  
See letter to Board of County Commissioners

**WYDOT:** WYDOT, Taylor McCort

**Wyoming DEQ:** Wyoming DEQ, Colin McKee

**Wyoming Game & Fish Dept:** Wyoming Game & Fish, Wyoming Game and Fish Dept



# State Engineer's Office

HERSCHLER BUILDING, 2W CHEYENNE, WYOMING 82002  
(307) 777-7354  
seoleg@seo.wyo.gov

MARK GORDON  
GOVERNOR

BRANDON GEBHART, P.E.  
STATE ENGINEER

September 20, 2022

Laramie County Board of Commissioners  
309 West 20th Street  
Cheyenne, WY 82001  
[commissioners@laramiecounty.com](mailto:commissioners@laramiecounty.com)

**RE: Open Range Estates Subdivision (WDEQ 22-262), Laramie County**

Dear Commissioners:

The State Engineer's Office – Ground Water Division received application material related to the Open Range Estates Subdivision from the Wyoming Department of Environmental Quality, requesting information and advice to the Water Quality Division.

The proposed subdivision is to be located in parts of Section 4, T15N, R67W, Laramie County, Wyoming. The subdivision is made up of 92 lots. Water supply is proposed to be provided by individual on lot wells. Based upon the review of both the subdivision application and a preliminary search of the agency's water rights database, the State Engineer's Office offers the following:

Our office reviewed the referenced submittal in compliance with W.S. 18-5-306. We find that in respect to W.S. 18-5-306(a)(xi) the subdivider needs to address the following items:

1. In regards to the stock well under Permit P5906.0P, our office recommends that the subdivider abandon the well and cancel the water right. **This action should occur prior to county commissioners granting this proposal.**
  - a. We find that the existence of this well could present a **spacing conflict** under the State Engineer's Order for the Laramie County Control Area, and may **prevent a future lot owner from developing their own water source**. As part of our review we considered the age of the well and the construction, as well as what would be required to get the well and associated water right permitted correctly for domestic use as it relates to a subdivision.
  - b. In the event that the owner of the lot where this well is located would get this permit assigned in their name, they would still need to file a modern day priority application to add domestic use to this well. It would likely be found that the well in its current condition may not be suitable for domestic purposes and an application to deepen/relocate may need to be filed. In such a case the new lot owner would be responsible for abandoning the old well bore. Furthermore, since the existing water right is for stock use only, if the lot owner has no intent to use the well for stock then this could create a permitting conflict by adding domestic use to the well under a new application.
  - c. Until it is determined which lot the well and water right would be located in, it could present a challenge for multiple future lot owners in getting their well permits approved in a timely manner.

Surface Water  
(307) 777-6475

Ground Water  
(307) 777-6163

Board of Control  
(307) 777-6178



2. In regards to the domestic and stock well under Permit P91464.0W, our office recommends that the subdivider provide GPS coordinates for the well and legal location description including subdivision name and lot number, as well as legal location description including subdivision name and lot number of where the domestic and stock use is occurring. This action can be filed via official request to our office to update records along with a warranty deed showing current ownership of the property. Failure to submit this information could delay the application process for other lot owners associated with this subdivision.

Additional Comments:

3. The proposed subdivision is located within the Conservation Area identified under the 2015 State Engineer's Order for the Laramie County Control Area. Well spacing requirements will be assessed to any well permit applications received by our office as defined within the Order.
4. The proposed subdivision is located within the North Cheyenne Study Area and as such well permits within this area are issued with conditions and limitations regarding well construction requirements.
5. An approved permit from the Wyoming State Engineer's Office is required prior to the drilling of any water well. The procurement of the necessary and appropriate State Engineer water right permit allows the applicant to attempt to develop a water supply adequate to meet the proposed needs, and is no guarantee that any water will be physically available.
6. If any new wells are proposed, they must be constructed in accordance with the State Engineer's Office Rules and Regulations, Part III. Water Well Minimum Construction Standards.
7. Any well not to be used must be properly plugged and abandoned as outlined in the above referenced rules and regulations.
8. Any wells developed for uses that do NOT fall within the definition of domestic or stock use require adjudication by the Board of Control.

In all correspondence regarding this application, please reference "State Engineer Subdivision Review Number 2022-41-2".

If you have any questions, please feel free to contact me at (307) 777-6166, or if you prefer email, at [markus.malessa@wyo.gov](mailto:markus.malessa@wyo.gov). Thank you for the opportunity to comment on the subdivision application.

Sincerely,

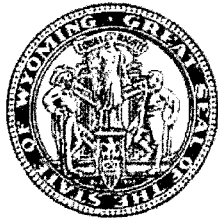


Markus Malessa  
Natural Resources Analyst

TRANSMITTED VIA EMAIL

Cc: Dennis Lewis, P.E., DEQ Water Quality Division, 200 W. 17th Street, Cheyenne, WY 82002,  
[dennis.lewis@wyo.gov](mailto:dennis.lewis@wyo.gov)  
Laramie County Planning & Development, 3966 Archer Pkwy, Cheyenne, WY 82009,  
[planning@laramiecounty.com](mailto:planning@laramiecounty.com)  
Lisa Lindemann, Administrator, Ground Water Division  
Nathan Graves, P.E., Administrator, Surface Water Division  
Cheryl Timm, Administrator, Board of Control Division  
Cory Rinehart, Superintendent, Water Division I  
Kasey Kiel, Hydrographer/Commissioner, Water Division I, District I

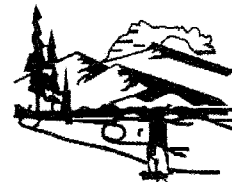




Mark Gordon, Governor

# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Todd Parfitt, Director

September 27, 2022

Laramie County Board of Commissioners  
309 West 20<sup>th</sup> Street  
Cheyenne, WY 82001

RE: **Non-Adverse Recommendation,**  
Open Range Estates Subdivision, Laramie  
County WDEQ/WQD Application #2022-262

Dear Commissioners:

The Wyoming Department of Environmental Quality Water Quality Division has completed the review of the proposed Open Range Estates Subdivision located in Section 4, T15N, R67W, 6<sup>th</sup> P.M., in Laramie County, Wyoming. The Open Range Estates Subdivision will create 96 lots out of approximately 607.28 acres. The information was submitted by Thomas D. Baker, Managing Member of Double B Ventures, LLC, signed by, John Wetstein PE, PG, Wyoming Licensed Engineer and Wyoming Professional Geologist. This letter represents the recommendations of the Wyoming Department of Environmental Quality Water Quality Division as required by W.S. 18-5-306(c).

## **Findings as to the safety and adequacy of the proposed sewage system:**

The proposed sewage system is the use of individual on-site septic tanks and leach fields permitted by and constructed to Wyoming Department of Environmental Quality Water Quality Rules and Regulations and the standards established by the Cheyenne/Laramie County Environmental Health Division. The information submitted addresses the safety and adequacy of the proposed sewage system, provided the statements indicated in the "**Notes required to be added to the final plat**" are adhered to.

## **Findings as to the safety and adequacy of the proposed water system:**

The proposed water system is the use of individual water supply wells completed on each lot. Each well must be permitted by and constructed to the Wyoming State Engineer's Office standards. The information submitted addresses the safety and adequacy of the proposed water system, provided compliance with the statements indicated in the "**Notes required to be added to the final plat and other pertinent documents**" is maintained.

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200 West 17th Street, Cheyenne, WY 82002 • <http://deq.wyoming.gov> • Fax (307) 635-1784

ADMIN/OUTREACH  
(307) 777-7937

ABANDONED MINES  
(307) 777-6145

AIR QUALITY  
(307) 777-7391

INDUSTRIAL SITING  
(307) 777-7369

LAND QUALITY  
(307) 777-7756

SOLID & HAZ. WASTE  
(307) 777-7752

WATER QUALITY  
(307) 777-7781

**Notes required to be added to the final plat, and other pertinent documents:**

1. All lots must satisfy Cheyenne/Laramie County Environmental Health Division standards.
2. All residence with more than 4 bedroom shall be constructed with advanced Nitrogen removal technology. An unfinished basements is considered to have two (2) additional bedrooms.

**Conclusions:**

The Wyoming Department of Environmental Quality has a "No Adverse" recommendations applicable to the Open Range Estates Subdivision.

**Disclaimer:**

The Non-Adverse recommendation provided above has nothing to do with, nor has any bearing on the water rights associated with the Open Range Estates Subdivision. Any questions or concerns about the water rights for the Open Range Estates Subdivision should be directed to the State Engineer's Office.

Nothing in Wyoming Department of Environmental Quality recommendations or comments regarding the proposal for the Open Range Estates Subdivision shall be construed to relieve Thomas D. Baker of the obligation to obtain any permits or additional approval from any local, state or federal agencies as required by law, rules, regulations, or ordinances. Nothing in these recommendations commits the Wyoming Department of Environmental Quality or Laramie County to the issuance of required permits for construction, operation, or modification of water supply or sewage systems.

Sincerely,



Jason Fernandez, PE.  
Assistant Southeast District Engineer  
Water & Wastewater Program, Water Quality Division

cc: Thomas D Baker, Double B Ventures, LLC, [chexcavation@hotmail.com](mailto:chexcavation@hotmail.com)  
John Wetstein, PE,PG, Engineering Associates, [john.wetstein@eaengineers.com](mailto:john.wetstein@eaengineers.com)  
Laramie County Planning & Development Office, 3966 Archer Pkwy, Cheyenne,  
Wyoming 82009  
Cheyenne/Laramie County Environmental Health Division, 100 Central Avenue  
Cheyenne, Wyoming 82007  
Markus Malessa, SEO via email, [markus.malessa@wyo.gov](mailto:markus.malessa@wyo.gov)





Mr. Michael Surface – County Planner  
Laramie County Planning & Development  
Via: email

[planning@laramiecountyny.com](mailto:planning@laramiecountyny.com)  
[michael.surface@laramiecountyny.gov](mailto:michael.surface@laramiecountyny.gov)

RE: OPEN RANGE ESTATES – FINAL PLAT AGNECY COMMENT RESPONSES – PZ-22-00288

10/5/2022

Dear Mr. Surface,

Enclosed is the Open Range Estates Final Plat updated to reflect comments received from your Team on 9/23/22. For the convenience of the Laramie County Planning & Development Department during review, responses to each comment received on 9/23/22 have been provided on the following pages.

If you have any questions or require additional information, please feel free to contact me directly.

Respectfully Submitted,

A handwritten signature in blue ink that reads 'Christopher S. Lovas'.

Christopher S. Lovas, PE | Lovas Engineering, PC

**County Assessor (Kaycee Eisele):**

1. *Please note, our office will reach out to Lovas Engineering for a legal description on the remaining portion of the parcel that is NOT included in this plat.*

A record of survey has been completed for the remaining portion of the parcel; the record of survey has been reviewed by the Planning & Development Office and will be recorded prior to recordation of Open Range Estates.

2. *Advise: Our records show other parcels in Laramie County using the street name "Blue Bonnet Lane"*

Addressed. This name has been changed.

**County Engineer (Scott Larson):**

1. *The Conceptual Drainage Analysis is adequate for the plat submittal. A final Drainage Analysis shall be submitted with the design/construction plans.*

Noted.

2. *A Floodplain Development Permit application shall be submitted for the roadways that are located within the floodplain.*

Noted.

3. *Note 1 should be changed to indicate fire protection will be provided by the "Laramie County Fire Authority" and not Fire District No. 2.*

Addressed.

4. *The last sentence in Note 2 should be changed to "All roadways shall be privately maintained."*

Addressed.

5. *Existing Road 220 and 120 should be labeled "Road 120" and "Road 220". The word "County" should be removed.*

Addressed.

6. *Road 220 appears adequate to handle the new subdivision. However, Road 120 will need to be brought up to current County requirements. For example, the existing width appears to vary but only be approximately 24' in width. A design for how to bring this roadway up to the current requirements shall be submitted to the County with the design/construction plans.*

The plat has been revised so that no lots will access Road 120. Additionally, see note 8, which has been added.



7. *It would be helpful if the right-of-way for Road 120 south of Road 220 was shown to illustrate that Road 220 terminates and Road 120 continues to the south.*  
8 *A note should be included on the plat that indicates no Tract shall access off Road 220. All Tracts shall use interior roadways to gain access with the exception of Road 120.*

Addressed and see note 8.

8. *The plat should include easements at the north end of Barlow Road, Blue Bonnet Road, and Charley Road for cul-de-sacs to be constructed for emergency vehicles to turn around until such time that the roads are extended to the north.*

Addressed. 100' radius access easements have been added; the civil construction drawings will design a cul-de-sac which is IFC compliant.

9. *The plat should not include the names of adjacent property owners as those can change at any time without notice with respect to the platting process.*

Addressed.

10. *The Traffic Impact Study appears to be adequate for this development.*

Noted.

11. *Considering the size of this subdivision with the number of TRACTS in the subdivision (92) and considering the configuration of the TRACTS within the ROADS in the subdivision, it is recommended (but not a requirement) that the blocks be numbered.*

Noted. The Owner has elected to not number blocks with lots, rather keep tract numbers

12. *The signature of the PLANNING COMMISSION CHAIR should be notarized on the Final Plat.*

Addressed.

13. *There are a few notes spread throughout the plat describing the 20' GENERAL UTILITY EASEMENT (TYP.), however it would be helpful if there was a line-type LEGEND for the subdivision plat clearly and distinctly identifying the various line types shown on the plat. The LEGEND could include the 20' GENERAL UTILITY EASEMENT, the COUNTY ROAD RIGHT-OF-WAY, the FEMA 100 YR FLOOD PLAIN boundaries and any other line types necessary and helpful for accurate interpretation and use of the subdivision plat*

Addressed.

**County Public Works Department (Molly Bennett):**

14. *Note 1 on the plat shall read: FIRE PROTECTION WILL BE PROVIDED BY THE LARAMIE COUNTY FIRE AUTHORITY.*

Addressed.

15. Right-of-way (ROW) and grading (G) permit applications will be required for this subdivision. Laramie County policy dictates that a letter of compliance shall be issued for the ROW&G permits prior to building permit application submission(s). Please be sure to follow the attached flow chart regarding next steps after the subdivision permit and plat. If phased construction/buildout is planned, indicate as such at the time of ROW application submission.

Noted.

16. Tracts 90, 88, 82, 80, 78, 76, 70, and 68 shall be allowed private driveway access onto Road 120 (Telephone Road). Shared driveways between tracts are preferred, where possible. All other tracts shall access interior subdivision rights-of-way.

The internal roadways have been shifted so that no lots will access Road 120. Additionally, see note 8, which has been added.

17. Add a note on the plat indicating: No tracts shall access Ridley Road/Road 220.  
5. Due to the rights-of-way being dedicated to the public, access permit applications through Public Works will be required for each tract within this subdivision. Call (307-633-4302) or email (permits@laramiecountywy.gov) Public Works for more information.

Addressed.

18. All roads and intersections adjacent to the subdivision shall be upgraded to County standards due to this development. Design plans shall be included with the ROW permit application.

The internal roadways have been shifted so that no lots will access Road 120, and the internal roadways do not connect to Road 120. Please confirm that Road 120 will not need to be upgraded to County standards.

19. The Floodplain development permit application shall be approved prior to the ROW&G permits being approved by Public Works.

Noted.

20. Indicate location (and appropriate ROW) for Dead-End Fire Apparatus Access Road Turnarounds on the plat.

Addressed.

21. Update the plat as indicated within the review engineer's comment number 7.

Addressed

**Environmental Health Department (Tiffany Gaertner):**

22. Wastewater permits are required for each lot. Small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. drainages and floodplains. Provide layout with dimensions for well, house, and septic systems on Tracts 41, 38, 39, 71, 68, 64, 65, 40, and 36 prior to development. Tracts 36 and 40 may not have the physical space for

septic systems. Septic systems are not allowed on greater than 15 percent slope. Also, keep wastewater systems out of easements. A DEQ letter must be submitted to this office along with the signed final plat prior to application for any permits. Chapter 23 report has been submitted.

Noted.

**Intraoffice (Planners, Cambia McCollom):**

23. The name "Sue" sounds similar to the existing "Sioux". There is an existing "Bluebonnet". Please consider alternative names for these roadways. You may also consider reviewing "Charley" (Charles) and "Percy" (Pershing), as they could get easily misconstrued in an emergency situation.

Road 120 was established as an 80 ROW "north on section lines as near as may be and in accordance with the field notes of the survey" (Commissioner Journal J Page 4). This depiction shows it wholly outside of Section 4.

Addressed.

**Laramie County Fire Authority (Manuel Muzquiz):**

24. Ensure cul de sacs and dead end roads comply with the Dead-End Fire Apparatus Access Road Turnaround requirements in the Laramie County Land Use regulations. Subdivision is more than 5 road miles from Fire Station and more than 3 road miles from a water cistern. LCFA requests a water cistern of 30,000 gallons be installed in subdivision for fire protection water.

Noted. Additionally, the developer will install a 30,000 gallon cistern for use by Laramie County Fire Authority. Product submittals and design will be available for review during the Civil Construction Drawing submittal and review process.

**Planners (Michael Surface):**

25. All stipulations from the preliminary development plan are to be met. All stipulations for the subdivision permit and plat are to be met.

Noted.





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT  
LOCATED IN A PORTION OF SECTION 4, T.15N., R.67W., OF THE 6<sup>TH</sup> P.M.,  
LARAMIE COUNTY, WY,  
TO BE PLATTED AND KNOWN AS OPEN RANGE ESTATES.**

**WHEREAS,** Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

**WHEREAS,** the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

**WHEREAS,** the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

**WHEREAS,** this resolution is the subdivision permit for Alpine Valley.

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING,** as follows:

The Laramie County Board of Commissioners finds that:

- a. This application is in conformance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations.

**And the Board approves the Subdivision Permit and Plat for Open Range Estates with the following conditions:**

1. All agency comments regarding errors on the plat shall be addressed prior to recordation.
2. The Developer Agreement shall be signed and executed by all parties prior to plat recordation.
3. Instructions from the State Engineer's Office letter concerning wells dated September 20, 2022 shall be followed by the developer, and must be accomplished prior to plat recordation.
4. Installation of the fire cistern is to be coordinated with the appropriate county officials.
5. All interior roadways are to be built to County standards prior to issuing a building permit.
6. The notes from the "Non-Adverse Recommendation" letter provided by Wyoming DEQ are to be placed on the plat prior to plat recordation.

**PRESENTED, READ, AND ADOPTED THIS \_\_\_\_\_ DAY OF**

**\_\_\_\_\_, 2022.**

LARAMIE COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Troy Thompson, Chairman

ATTEST:

\_\_\_\_\_  
Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

\_\_\_\_\_  
Laramie County Attorney's Office