

June 18, 2025

City of Lander  
240 Lincoln Street  
Lander, Wyoming

RE: Statement Regarding Appeal #2025-01

**Valued Members of the Board of Adjustment,**

My name is William Bayless, son-in-law of legal property owners of 29 Smith Creek Road, Kim and Kimberlee McKinney, as part of Killebrew Ranches Family Trust.

I write to you today as a member of a working ranch family and as a land steward, seeking your support in recognizing my small-scale timber processing and forest management activities as a legitimate extension of agricultural use. I also seek to validate the decision made by the City of Lander Zoning Commission in approving our zoning compliance for this property. My family's livelihood is rooted in Wyoming's rural traditions, and I believe our ranching, forestry, and portable sawmilling activities reflect these values and align with both local and state land use policy. The primary purpose of our development of this property is to establish an agricultural accessories building for storing and maintaining our forestry and ranching equipment, creating a space for processing the timber salvaged through my forestry and land management operations, and building a permanent residence for our growing family.

**Agriculture Encompasses Forestry and Incidental Processing**

My wife, Elissa, and I are year-round employees of Killebrew Ranch, a multi-generational agricultural operation where we manage livestock, irrigate fields, and maintain a large family garden. In addition, I own and operate Crosscut Lumber and Timberworks LLC, specializing in timber stand improvement, fire mitigation, forest management services, noxious weed removal, and custom carpentry and sawmilling. These services are rooted in forest health and land management best practices, and I hold certificates and licenses through the Wyoming Department of Agriculture and other entities to conduct aspects of my work.

Lander City Code 4-12-1 defines agriculture broadly, including "plant production" such as nurseries and the cultivation of crops and livestock. This code also defines what operations are permitted on agriculturally zoned land. This code is included here for reference. Forestry, the growing and harvesting of trees naturally fits within this definition. Trees are a renewable crop, even if they grow over decades rather than seasons. Using the timber I harvest to create sustainable products for farms and ranches is a logical, traditional extension of agricultural practice. Excluding forestry from agriculture would limit responsible use of our local natural resources by those who work the land.

Even federal policy, which Mr. Zuspan has cited in prior discussions, recognizes forestry work performed by a farmer on their land as qualifying agricultural activity. This understanding is fundamental to how we live and operate.

### **The Portable Sawmill Revitalizes Undervalued Local Resources**

The portable sawmill is not an industrial enterprise as defined in Mr. Zuspan's appeal. The portable sawmill I own is operated intermittently, and is but a tool used to process timber, secondary to our core agricultural and forestry work. I strive to better utilize the raw material salvaged through my services in sustainable and mindful ways. This includes post and pole fencing, saw timber, firewood, animal bedding, and soil amendments for local farmers and ranchers. These forest products are much needed in our rural area, and being sourced locally they offer affordable building material options as primary dollars valued added products that promote economic development in our community.

To process these materials, I own a small hobby-scale portable sawmill which has a twenty-five horsepower Kohler gasoline engine, equivalent to that of a common residential riding lawnmower. We have made a video comparing the engine capacity and volume of the sawmill to a standard lawnmower as an example. This portable sawmill is a but a tool that supports our ability to ethically use the resources around us in sustainable ways, in keeping with Wyoming's traditions of self-reliance and stewardship. Like other tools used in agriculture my sawmill is used intermittently, and there are weeks at a time I where I do not operate it. I have no intention of creating a factory or large retail operation as defined by Mr. Zuspan with this simple and non-commercial type sawmill. This is a modest, rural operation, that might best be described as a cottage industry, complementary to our ranching life.

### **Precedent Supports Small Sawmills in Agricultural Zones**

There is clear precedent in Wyoming for small sawmills operating in agricultural zones. For instance, a similar in capacity portable sawmill is currently active at 930 North Lane within Lander city limits on unincorporated land. This mill is used to process timber for agricultural uses as well as to supplement a furniture and cabinetry business, and is in a less rural setting than our property. Platte County also provides another strong example, allowing sawmills that produce under 50,000 board feet per year in agricultural districts, recognizing the difference between small rural operations and industrial facilities (cited below). I mill far less than that annually and operate well within responsible, small-scale definitions.

The City of Lander could adopt a similar approach in its proposed revisions to Title 4. Clarifying that small-scale sawmills or other similar tools integrated with forestry and ranching activities are permitted or conditionally permitted in agricultural zones would support rural livelihoods like mine and uphold Wyoming's agricultural heritage.

### **A Reasonable Path Forward**

The concerns made by neighbors about noise and impacts along Smith Creek Road have been carefully considered throughout our planning and design process, well before breaking ground. Elissa and I have made a point of communicating openly with nearby property owners, offering reasonable solutions including limited operating hours, assistance with road maintenance (both physically and financially), and installing fencing to reduce noise and visual impacts at our own expense.

Our land use will not further damage Smith Creek Road. Our driveway begins just past where city maintenance ends at the Blue Ridge Apartments. We receive approximately three to five log

truck deliveries per year tied to our fire mitigation work in Dubois. These deliveries are not part of our regular and daily operations, and we plan to notify neighbors in advance to maintain transparency. Aside from these, we experience only occasional passenger vehicle traffic, comparable to other rural properties. We've taken steps to improve the road by filling potholes during our initial dirt work. Since we rely on a well-maintained road, we are committed to continuing to take care of it moving forward.

Additionally, I want to emphasize that our agricultural activities will be separate from children's play areas and are as far separated from neighboring structures as possible. We have intentionally placed the building location as far away from other structures as the topography and adjacent property boundaries will allow. The Blue Ridge apartments have a dedicated playground away from Smith Creek Road and well away from our property. We have mindfully considered these as well as other aspects of the surrounding area in determining where the building site will be located. We are committed to ensuring safety and minimizing any disruption to our community.

Other communities have found constructive solutions to similar concerns. For instance, in Dunn County, Wisconsin, a small sawmill was approved by [special exception](#) with conditions on noise and hours of operation. This balanced approach allowed the landowner to continue their work while addressing neighbor concerns.

### **In Conclusion**

Based on the factual scope of operations, the small scale of production of timber products to be done on this property, and not only City Codes but State and Federal Statutes, I believe that the City of Lander Zoning Commission rightfully and correctly granted a zoning compliance to operate a small scale portable sawmill for the purpose of wood processing on this agriculturally zoned property. The activities to take place on this property will by no means be industrial in scale, and will be incidental not only our family farm and ranching operation but many others across our local community. This zoning decision directly affects not only my livelihood, but those within this community that depend upon my services and goods.

To prohibit the processing of forest products on our property and to classify this small portable sawmill as "industrial" would not only contradict policies in other Wyoming counties but would also disregard the reality of land use, management, and sustainability in agricultural communities like ours. Throughout this building process my family and I have considered many aspects of this location and neighborhood to best fit in with the surroundings. I am not seeking to establish a disruptive commercial operation, but rather to continue a traditional, small-scale practice that reflects our values and contributes meaningfully to the community. By better utilizing local raw materials and timber, we are practicing responsible land stewardship, enhancing the local economy, and supporting Landers rural way of life.

I appreciate your consideration and respectfully request your support in recognizing our ranching and forestry operation as a legitimate extension of our agricultural use.

Respectfully,  
William Bayless

**Lander City Code 4-12-1:** which defines what an Agricultural District is and what is permitted within:

1. Intent. This district is intended to provide for a compatible mixture of single family residential dwellings and agricultural uses at a density slightly lower than that for single family districts alone, plus accessory public and semi-public uses offering services to the surrounding areas. This zone encourages animal husbandry, agriculture, viniculture, horticulture, aquaculture and family or small commercial farming. Such areas will by nature be on the outer fringes of the City.
2. Permitted Uses. The following uses may be operated as permitted uses in the district:
  1. single family detached dwellings;
  2. manufactured homes;
  3. agricultural (shall include horticultural uses, nurseries and the production of crops and livestock).

**Platte County Wyoming Zoning Rules and Regulations**  
**Chapter VIII – Class V – AGRICULTURAL CLASSIFICATION**

Section 1. Purpose These regulations serve to help define and control development in the Agricultural District and may include multiple family occupation in either separate accessory structures or incorporated within the business structure for property owner/manager families and employees. When additional uses are requested, but not listed in sections 2 or 3, the Planning Commission and the Board of Commissioners will determine whether the use meets the intent of either Section 2 or 3 below.

Section 2. Allowed uses

Allowed uses, which may include associated outbuildings, such as, but not limited to, garages, shops, barns and storage buildings. When additional uses are identified but not listed below, the Planning Commission and the Board of Commissioners will make a determination of whether the use meets the intent of Section 2 or 3 below.

- A. Farming/ranching;
- B. Hunting camps;
- C. Dude ranches, fish hatcheries, wild game refuges, fish and game farms, and bed and breakfast facilities;
- D. Agricultural support business;
- E. Seasonal sales stand for products produced on the premises;
- F. Agricultural research and development;
- G. Sawmills producing fewer than 50,000 board feet per year;