



## 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.

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