

Meeting Minutes

Boulder Town Planning Commission

August 14, 2008, 8:00 p.m.

Commissioners present: Elaine Roundy(acting chair), Ray Gardner, and BJ Orozco. Also present were Peg Smith, clerk; and Curtis Oberhansly, Planning Coordinator. Members of the public present included Cliff Fuller, Bill Muse, Don Montoya, Sergio Femenias, Ashley Coombs, Eva Moore, Corey Folsom, and Mary Jane Coombs.

Elaine opened the meeting at 8:10 p.m. BJ moved to approve the July 10 minutes, Ray seconded, and all approved.

Old Business

Bill updated the status on SITLA: At least 175 signatures were gathered on the petition that was circulated through town and forwarded to SITLA. A SITLA board meeting is scheduled for Sept 4, at which, presumably, the four proposals received would be discussed. SITLA is expected to respond to Boulder Town following that meeting. (A copy of the packet containing the Town's response to the SITLA RFP is on file in the Town office.)

Eva asked if SITLA would still accept letters. Bill said, "yes," they will accept letters at any time and would continue to accept signatures on the town's petition.

Discuss Concepts Related to Sign Ordinance

[Clerk's note: The remaining discussions in this meeting were conceptual in nature; the Planning Commission had not requested or received any related documentation from any of the parties.]

Bill said the Town has received a couple complaints about Gibbs Smith's' new ranch sign and John Austin's Boulder Creek Canyon Ranch sign.. Judi has sent out letters to the two parties stating the complaints and requesting their response. The complaints regarded the signs being larger or higher than allowed by the Town's sign ordinance.

Curtis said that a clause in the new LUDMA statute may render as legal a previously non-complying sign that's been renovated and is of the same size. However, he said that that would be open to interpretation and would need more research.

Elaine asked if it is better to ask first, or just go ahead and do something, then ask forgiveness. She said Brent Cottam had been stopped by the commission before when he raised the question about his sign lighting at the Boulder Exchange.

BJ wondered if the ranch entrance signs should be looked at again to see if they might be acceptable; maybe the ordinance could be revised.

Land Use and General Plan

The Town Council voted in August to take the next month to review the Planning Commission's recommended General Plan revisions. He said there was some concern about the land use section and whether a Land Use Map was to be included.

Discussion on Lovato Property

Bill bought an option from Craig Lova to sell the Lovato property. Bill asked for a spot on the agenda to ask general questions regarding subdivision, easements, etc.

The main points regarded the road and utility easements and infrastructure, the requirements of which were different at the time Craig bought the property than they are now, especially if the property would be subdivided. Bill wanted to know the requirements to be able to appropriately disclose information to potential buyers.

Since the access to the Lovato property passes several other individuals' properties, they would all have to agree on improving the road or any other infrastructure elements along the easement. Some of the attendees had questions:

1. Eva asked Curtis if anything had been done previously that wasn't legal. Answer: no, anything under four lots didn't have to comply with the streets ordinance..
2. The existing road had never dedicated by the town. It would need to be dedicated by ordinance.
3. Craig has been using that road for years, was operating under the description of a 25 foot utility easement.
4. Any property divided into two or more lots is a subdivision. The current ordinance now specifies a 40 foot road easement and plus 10 feet for utilities.
5. If a 50 foot easement is required beyond the original 25-feet that Craig used, does half of that easement across the private property of each of the other owners? Presumably yes, and if an application to subdivided were submitted, access would be one of the big areas to address and would have to conform to the current ordinance.
6. What can Craig do back on his site without the access? Probably he could only sell the property to a single buyer and not subdivide.

Bill will verify the easement and ownership issues. Curtis suggested getting together with the property owners to discuss easements and access. Bill emphasized that he was only asking questions at this point and was not ready to submit a conceptual plan for subdividing or anything else at this point.

Ray moved to adjourn, BJ seconded the motion, and Elaine adjourned the meeting at 9 p.m.

Margaret Smith, Planning Commission Clerk

Date

Approved: _____ Date: _____