

## Meeting Minutes

# Planning Commission, Boulder Town

## December 14, 2010, 7:00 p.m.

Commissioners present: Tom Jerome, Brian Dick, Ray Gardner, BJ Orozco (after minutes vote), and Bobbie Cleave. Also present was Commission Clerk, Peg Smith. Brian called the meeting to order at 7:05 and recognized the one member of the public present, Boz Bosworth. Brian asked to approve the November 9 minutes. Tom so moved, and Bobbie seconded, and all approved, except BJ. Brian recused himself from voting on the McCabe portion of the discussion, as he is serving as Bevin's representative.

### ***Discussion on McCabe Preliminary Subdivision***

Tom asked Peg to review her discussion with Town Attorney, Mark McIff: The bottom line given by McIff was that only an owner of a piece of property can subdivide the property. Bevin doesn't hold title to all the land she wants to subdivide. The remedy to this is for Troy Chatwin (the person from whom Bevin is buying the land) to join with Bevin as co-applicant. The notarized letter from Troy doesn't accomplish this requirement. On the other question regarding development density, it would seem that the intent of the wording in the initial covenant would probably carry forward (no more than 3 houses on the total 30 acres).

Regarding action tonight, we have the option of approving, approving with conditions, or denying approval. Mark had said the cleaner deal would be to deny approval and let the applicants reapply. Trying to put conditions on top of a muddy situation is asking for problems down the line.

BJ said from his reading, the density issue seemed to be one of the major objections. If we want to encourage green space within residential areas, it's important that the density intent remains intact. It does seem better to start with clean slate. Tom wondered if there is a mechanism to enforce the one house per the remaining 15 acres. Brian thought a deed restriction would handle the issue. However, a deed restriction would require a third-party trustee to enforce those terms. Brian said Bevin had never received any information about 10 acre restrictions.

Bobbie wondered about Donna's question regarding greenbelt status. Since you need basically 6 acres to retain greenbelt status, (5 acres plus 1 acre for a house), this 5+ -acre subdivision would not be able to apply for greenbelt status.

Brian wondered about the next part of the process. He will find out what specific document will be required, and Troy Chatwin has to be a co-applicant on the application. The new application will also require a new public hearing.

BJ asked if a signature is all that is required, could the application be conditionally approved? Peg said the conditions need to state very specifically what is required; we don't want to miss anything, so it's a cleaner deal for the town to deny approval and have the applicants refile an application.

Tom asked for a motion. BJ moved to deny recommendation for approval based on the attorney's input. Ray seconded, and all (except Brian) approved.

Tom returned the chairmanship to Brian.

## ***Finalizing Town Survey***

Peg has the sample source: the voter registration database is in hand, and the county property rolls are being updated and then will be on the way. Pretests are completed, the town council was part of the pretest pool.

Bobbie suggested having people come before the public meeting to take the survey in person, with food or munchies offered. We could do the surveys from 5:30 to 6:45, and check off whomever takes the surveys in person so we don't have to mail to them.

Will the surveys be numbered? We don't need to assign a name to a number, but it would be nice to know we haven't received duplicates. Probably this won't be a big problem. Most people won't be clamoring to take the survey 10 times.

We need a lockbox for the museum. Ray suggested just taping up a box.

The return deadline will be February 1. The rest of the process will be discussed at the next meeting.

## ***Plans for January 11 meeting***

The next meeting is January 11.

- Bill's preliminary application for subdivision and public hearing thereof.
- Brian's new preliminary application and public hearing
- Survey rollout

## ***2011 Schedule***

The Commission agreed to maintain the second Tuesday of each month as the meeting date and to stay with 7 p.m. year-round.

Brian's term is up, but he said he'd be OK to keep going. Peg will again approach Town Council about naming an alternate.

Brian asked about goals. Tom suggesting waiting for goals until after we collate the town surveys.

Tom moved to adjourn, and BJ seconded the motion. Brian adjourned the meeting at 7:55 p.m.

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Peg Smith, Planning Commission Clerk

Date

Approved: \_\_\_\_\_ Date: \_\_\_\_\_