

# Meeting Minutes, Boulder Town Planning Commission

## June 11, 2015

Commissioners present: Loch Wade, Donna Jean Wilson, Alyssa Thompson, and Caroline Gaudy. Tabor Dahl was absent. Peg Smith, Secretary; Peter Benson, Town Liaison.

Loch called the meeting to order at 7:08. Donna Jean moved to approve the May 2015 minutes, Alyssa seconded the motion, and DJ, Alyssa, and Loch approved. (Caroline was not present at the May meeting.)

### ***Town Request to Revise Zoning Ordinance: Replace Board of Adjustment with Land Use Hearing Officer***

Notices went out in the Insider, but local hard copy notices did not get posted. The hearing will be postponed until the July meeting.

### ***Review Applications for Conditional Use Permits***

The Planning Commission, last month, decided it needed to begin the yearly reviews of conditional use permits as described in the Zoning Ordinance. Since this hasn't been done in a long time, they decided the best way was to start at the beginning of CUPs on file with the town. The review consists of rereading the conditions of an individual permit and making sure those conditions continue to be met.

Judi Davis, Town Clerk, had assembled the files for review. Loch started chronologically, from the oldest file.

Alyssa read the overview of CUPs from the Utah League of Cities and Towns: A conditional use permit stays with the land, even if the use isn't currently taking place. It stays with that property until or unless the Town Council is informed that conditions of that permit are not being met, at which time an appeal process is initiated. All conditions of the permit must be met or the permit is voided. Alyssa's source is a pamphlet from the ULCT, based on Utah State code, section 10-9a-507, for reviewing conditional use permits.

Things to accomplish are 1) whether permits are still in effect at all, 2) whether stated conditions are being met. Following are the applications that were reviewed:

1. Gibbs Smith, Burr Trail Village- submitted July 28, 1998, approved April 11, 2001. Minutes available. **Action:** Commission determines this application is void because the 1-year time limit for action on the permit is passed. (Conditional use is non-valid if use was voided for inaction.)
2. BOSS Outfitter Headquarters, submitted Feb 9, 2000, public hearing Feb 23, 2000. Continued April 27, 2001--- still unapproved. Minutes available. Application for property developments to accommodate more students, parking, more facilities, three guest cabins and centrally located dining room and kitchen, accommodations for 60 people, and private residence for Josh Bernstein. March 2000 scheduled construction. Conditions: accepted as presented with additional--- clarification of lot size of whole dev, lot for private residence, include expansion of parking if deemed necessary, culinary water available. Zoned as residential. *Loch recommended that after a CUP is approved, there needs to be a list of the conditions and dates of reviews.* **Action:** Commission

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determines this application is void for non-action on the conditions listed: 5 acres house site is broken out from property, water hookup, deeded road and utility easement, survey of property, all of subdivision rules followed. Parking plan. Culinary water and waste disposal in place before occupancy. Sign application. Caroline suggested that the Planning Commission put into place a policy of issuing the applicant a letter when our review determines unmet conditions and/or voiding a permit. BOSS will need to apply for a conditional use permit that reflects what they actually have now.

3. Boulder Farmstead Water Company for additional storage tank behind cemetery. Submitted Feb 9, 2000, public hearing May 10, 2001; approved June 13, 2001. Site plan reviewed, Parking reviewed, approved as long as contractor has clear direction to not disturb trees or land more than needed to install the tanks. **Action:** Loch said this permit is active and valid, all conditions appear to have been met.
4. Distillery application submitted 2015--- **Action:** withdrawn by applicant; application void.
5. Boulder Farmstead Water Company--- water storage tank, Jan 31, 2007. **Action:** need to research; application in file but with no documentation on plan. (Need to add the minutes. Ask Judi to track.) Letter to Connie Reid requesting details of the application.
6. BOSS—discarding of previous CUP, public hearing Feb 5, 2004, presented April 22, 2004. New application for waste water, retail sales only for school participants, only have septic tank for trailer. Septic permit for the trailer is included. Never returned with a completed CU application. **Action:** Applicant never returned to complete the application. Commission determines this application is void. Loch said unless there are missing minutes or a missing file, we have no evidence that BOSS is operating with a valid conditional use permit.
7. Gibb Smith RV Park, **Action:** Never approved, void for inaction.

Alyssa said she has three CUPs to add to the list that are not in the files:

- Gladys LeFevre has an approved bed and breakfast,
- Hills and Hollows, March 2000 minutes include approval for the sign
- Sam Stout Boulder Excavation, early 2000?

The directional sign at the Burr Trail corner was approved with a sunset provision in the ordinance, so the town would need to revisit that. (Not CUP)

Peg will write letters to BOSS and Boulder Farmstead Water Company. Ask Judi if we can get records from the emergency period when the ordinance were determined invalid? Peg and Judi decide how to search minutes for information related to the missing records.

### ***July 9 Meeting and Agenda***

- Public hearing on Land Use Hearing Officer
- Candace and Corry CUP for a produce stand near their garden, if application is complete.
- Continue reviewing CUPs.
- Other business for Aug 13.

Alyssa moved to adjourn the meeting, Donna Jean seconded, and Loch adjourned the meeting at 8:47 p.m.

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Peg Smith, Planning Commission Clerk

Date