

**Meeting Minutes**  
**Boulder Town**  
***Planning Commission***  
**December 14, 2017**

Commissioners present: Carla Saccomano, Colleen Thompson, Donna Jean Wilson, Tabor Dahl, Perry Tancredi. Secretary, Peg Smith; Town Council Liaison Pete Benson. Members of public: Mark Nelson, Curtis Oberhansly, Daniel Kennedy, Randy Catmull. Carla called the meeting to order at 6:02 p.m.

Nov 6 minutes Colleen moved to approve; Perry seconded; Colleen, Perry, Carla approved. Nov 9 minutes, Colleen moved to approve with an edit, Perry seconded. Tabor, Colleen, Perry, and Carla approved. Nov 21 minutes, Perry moved to approve, Tabor seconded, all approved.

***Discuss status of community work groups***

Carla has updated list of participants. She said the Community Identity group seemed well-rounded and represented various points of view, so she hosted an introduction meeting at her home. They discussed initial concepts of Boulder and got to talk to each other. Donna Jean wondered about having people on committees who don't live in Boulder. Carla said that had been discussed earlier in the process. Only recommendations would come out of the groups, not decisions. Tabor agreed that people who don't vote in Boulder shouldn't be in the groups. Colleen said she was ok to take all seven of those Community Identity and get them started. Perry said at least give preference to people who live in town. Carla said this has come up many times in this process. There's a value in having opinions of people whether they live in town or not. Colleen: I think we did discuss this, but we didn't make a clear decision.

Perry: It's valuable to get opinions of people who don't live within town boundaries, and they are affected. But we should be able to fill the committees from people within town. If we can't fill the committees, then ok. I don't feel super strongly about it, but some people in town might discount [what they come up with], so let's just take that off the table. Donna Jean said they should live in the town. Carla said people who live in the Draw or Black Ledge, this is their town. They support the town, help with school, are involved with life of the town. They don't care less about this place. Tabor: It's easy to discount what outsiders say, and then we have to deal with that. What if it were people who have their PO box here. These are going to be open meetings. Perry: Any one is invited to the meetings, but the recommendations need to come from the town people. Pete: having town people lends legitimacy, but there's also the matter of having more ideas. Tabor: Maybe it would motivate more town people to get involved. Perry: If we don't have 5 people for a committee, then consider people who live out of town. I really want to avoid going through a months' long process and then have people at the end discount the recommendations. Carla: I would like to think people would react to the merit of the proposal and not who proposed it. Perry moved to give preference to people who live within town to be on the committees, but the meetings should be open to anyone. Donna Jean seconded. Vote: Perry, Colleen, Tabor, and Donna voted in favor of the motion. Carla voted against.

The Commission purged the list of group volunteers of outsiders.

Inclusion of subject matter experts from outside Boulder Town will be ok.

## Boulder Town Planning Commission, Meeting Minutes

Tabor wanted to clarify his comments about “outsiders” being beyond this area.

To solicit more group members, advertise more—bulletin board and pegboard. Mark will make sure his kids know. Tabor will put in church bulletin.

Carla has the set of data layers for all the info that could be put on the maps. Pete suggested prioritizing the layers. Carla asked for input on prioritizing.

### ***Continue Nov 21 work meeting discussion on roads***

Perry: I think we need to completely reassess the private roads issues. Every ordinance we have should be able to tie back to the General Plan. Actually, what we have now works counter to most the general plan. So it's not a matter of just fixing some specific language, but looking at whole roads plan. Perry will come up with some recommendation. DJ: They're all private roads except those that have been paved. Perry: What benefit does the town get with private road? DJ: The town gets C road funds from the state. Mark: We've been trying to get some funds to fix our road, and they don't have any more funds.

Pete: It would be useful for Town Council to come up with a policy on roads and subdivisions. It is preferable for a developer to develop the roads, and then the town will take it over as a dedicated road to maintain it. Donna Jean said as in upper Boulder, where the developer brought the road up to grade, then the town took it over. Pete: If a road is to remain a private road, we should require a very clear commitment of how the road is to be maintained, like a road association. Tabor: Part of the independent nature of Boulder residents is one of the reasons why we have private roads. Perry: “private road” is not a driveway, it services more than one property (clarify) I think the attitude that “this is my property” is part of what works against following the general plan. It just leads to creating more roads and less planning. We need to decide what is most important to us.

Perry will start on a recommendation.

### ***Discuss Fox Grove Phase 2 subdivision application***

Daniel: The overall reason for doing this is to create a Lot 6 for my in-laws, but instead of pieces here and there, I wanted to create a plan. [need to refer to plat map] Access to Lot 6 is the new road on the north. The north road, when the final phase is complete, would extend to Lot 7, 8, 9, remainder lot for Phase 3, and Hansen lot (seven lots total accessed) and access would extend to the turnaround, then built out to Boulder Town road specs and dedicated to town. Access to southeast lot and Lot 10 would be from 1700 South, transferring my easement. Could do an easement along the frontage and work something with the Coombs. Perry said every intersection has to be a right angle; Daniel said it's a driveway, not a road. Carla said Lot 10 is not a legal lot (depth/width ratio).

Discussion continued from the map.

Carla: on your proposal, you said you were going to move the hydrant between Lot 3 and 4, and that's already been agreed to. Daniel: I can amend my Phase 1 plan. I'm proposing making Lot 6 a little closer and then make the fire hydrant be closer to Lot 6 and other lots. Once Phase 3 is done, I would agree to bring fire suppression all the way down and all the way back. Pete asked if Daniel was willing to do a bond or development agreement to guarantee that happens. Daniel said typically with subdivision phases, you agree to the whole thing, but you don't develop it upfront. If I ever sell a lot, I've agreed to the roads standard if not already completed, as well as fire suppression, etc. Tabor said it seems you'd want the town to dedicate the road, but it can't if the road isn't built. So build out the initial access road, then extend later. Pete said do what you do with an agreement with the town, and make sure you don't end up with a landlocked lot. Perry said it would be easier to create the middle lots now and settle the access. Carla said the

## Boulder Town Planning Commission, Meeting Minutes

town attorney wanted to see a cash bond posted and would like to see documentation that you've reached an agreement with the 1700 South people and the Coombs's. Also, a question on the water hookups for Phase 1 Fox Grove. Randy Catmull said approval of Phase 1 plat was a shock to him because Boulder Farmstead letter to Kennedy stipulated purchase of the water hookup per lot. This needs to be taken care of for Lots 1,2, 3, and 4 and take care of the water hydrants before any other water plans can be made. They discussed location of water meters, Kennedy getting the water rights. Curtis said the state does not allow 1.73 acre/foot for drilling a well. It's only open to old lots of record. So you have to own the water and be able to transfer rights, or you have to buy from Boulder Farmstead. Maybe you can find water rights for the back lots. Right now you have a subdivision that was approved on the basis on not having dry lots.

Carla: So we want something in writing from Boulder Farmstead, along with documentation from 1700 South. Sounds like a Coombs agreement not an option, but documentation for any agreement.

Daniel: So instead of a Phase 3, not create Lots 7, 8, 9, 10. Perry said I don't think you can create those lots without fire suppression. Daniel: So if you don't allow phasing, these are really two separate subdivisions. Phase 2 is just creating Lot 6, using the existing road on plat, with Dee Hansen the second access; the remainder whole. A fire hydrant moves closer to Lot 6.

Tabor: I appreciate the map that shows these other lots. I'd rather see a full plan. I don't know why we can't recognize a Phase 3 to see the plan for when is developed. Perry said it would be more expensive because he has to figure out the water, fire suppression, etc. Future development still needs to meet the ordinance. Curtis agreed and said when you approve a subdivision, you approve it in total. Once you plat a lot, it's sellable and recorded with the county, and you assume the liability for following your own ordinance and the infrastructure is in there. The answer is a bond. It can be a cash bond or they go to an agency. You have to find out from the town whether this will be a dedicated road or private road? A road association that binds by deed that every owner agrees to. So the Town has absolute assurances within period of bond, that requirements are met. If you want to do that now so these lots are platted, then you have to have a total agreement, get the bonding done. Most bond period is 12 months. Or agree with PC to a preliminary plat. Then you can put in the infrastructure, but the final plat lays with the town. It's not recorded until all infrastructure is in and TC and PC agree to the conditions.

Carla: When the final plat is recorded, who is responsible for putting in the conditions on the recorded plat? The town is responsible for directing the subdivider what those notes should be. Carla said some of the required notes aren't on the final plat. There were three conditions the Planning Commission had recommended to the TC. Daniel said the TC approved without conditions added.

Daniel: to clarify, for concept review for Lot 6 and nothing else? Perry: you're creating two lots: Lot 6 and the big remainder. You'd need water, access and fire suppression for those lots. Daniel isn't sure at this point.

### ***Discuss Zoning Ordinance items to be included in Town's resolution for review status of specific Conditional Use applications***

There was a proposal for a resolution town council to put a moratorium on CUPs that need to be revised before considering new applications. We need to agree that we're going to discuss the transient lodging definitions under the conditional use permits. As an example, we have RV park and RV campground conditional across all zones. I don't think we necessarily want this. We know with guest ranch there's no requirement for a horse. We have nothing on vrbo, and so we're probably missing out on taxes for the town. We need to go back to TC that we support a moratorium on x CUPs. I'm most concerned with transient lodging definitions. Perry said he'd

## Boulder Town Planning Commission, Meeting Minutes

support that. Tabor said we just need to very clear with what we're looking at. I wonder with the complexities with the road, can other issues be solved faster and back off from the roads. I'd like to really be focused and make a recommendation to the town that reflects that focus. Meg Ryan had previously mentioned how problematic all CUPs are. It may not be that easy to do but it would be nice to make things permitted, and not have CUPs. Carla: Perry will look at language on the roads, and that will take some time. You're talking about creating other zones than what we have, maybe? But if we look just at the transient rentals as a component, are the definitions enough, and should these be conditional in all zones. Or should there be land size requirements, or something else that should be added. This would include: Lodge, hotel, motel, guest ranch, resort, BnB, RV park, campground. We don't have VRBO and air bnb at all. What we do have, the definitions are poor.

Perry: 1) look at definitions, and if not have or need to be revised, 2) look at zones they're allowed in, 3) permitted or remain conditional, and then maybe in different than current zones.

Carla said we'll ask town council to add this list to their resolution.

Keep working on roads? Tabor: I think that's biting off a lot.

Perry moved to put a moratorium on transient room rentals, Tabor seconded. All approved. Pete said he will edit the resolution to include these items.

Carla: Should we set another work meeting to work on this? Or include this in our next regular meeting? Perry and Colleen preferred a separate meeting. Our next regular meeting is Jan 11. Commissioners agreed on **January 3 (Wed), 6 p.m.**

### ***Discuss upcoming business***

Work to recruit more town people for the committees. Once we have enough people, we start the group. Colleen asked for more description on the first meeting. Carla said, "this is not a secret." Go talk to other people. We wanted people to get a sense of where each other was coming from. They each have copies of the RPG booklet and General Plan. Not every single meeting will be scheduled in public, but some will be. We wanted to get at least the first up and running in December, and we've done that. The rest should be up and running before the end of January. Tabor said Feb 1 cutoff point. Get more people on, then have the committee itself select someone from the group to be in charge. Perry: We should start as soon as we've good job of recruiting. If you don't get on first round, there'll be more. Prospects should contact anyone on Planning Commission. Perry will continue to maintain master list.

Agenda items for Jan 11... look at list of things and decide priority for next year.

- Zoning in lower Boulder—how to address
- Work groups
- Ward Coombs
- Kennedy subdivision?

Tabor moved to adjourn, Perry seconded. All approved. Carla adjourned the meeting at 8 p.m.

---

Peg Smith, Planning Commission Clerk

Date