

# Meeting Minutes

## Boulder Town Appeals Authority

**March 1, 2006, 7:00 p.m.**

Board members and alternates present: Mark Nelson, Loch Wade, Larry Ripplinger, and Randy Ripplinger. Don Montoya and Jeff Sanders were absent; Secretary, Peg Smith; and Planning Coordinator, Curtis Oberhansly were present. Public attending: Sergio Femenias

Mark brought the meeting to order at 7:22 p.m. The February 15 minutes were reviewed and approved, with Loch moving to accept the minutes, and Larry seconding the motion. Loch then moved to approve the agenda, Larry seconded, and all approved.

The only item of business to discuss was the review of the finalized applications for variance and appeal. Mark asked for comments

### ***Finalize Revisions to Appeal and Variance Applications***

Larry questioned the need in both applications to request tax clearance documentation. The Appeal Authority is not a taxing body, so "why should we care," he asked. He didn't see the need to create more paperwork and hassle for the applicant than was necessary. Loch and Curtis generally defended leaving the tax clearance instruction in the applications, partly because the original application had been checked by the city attorney and those words were included there. Also, tax clearance proof would be required in some cases regarding sub-divisions or conditional uses, and it may as well be part of all application packages---it doesn't need to be considered if it is not relevant. Larry agreed with the reasoning, and the checkbox requesting that item was kept.

Curtis suggested softening the 30 day notification requirement of a final decision and replacing that with "a reasonable time." Mark expressed concern about the ambiguity, but was assuaged by the comment that the notice also first stipulates "as required by law, or within.....time" If the statute requires a certain time limit, the Appeal Authority would automatically abide by that.

The filing fee for both applications was set at \$75. The fee, as previously discussed, needs to be within reach of applicants, yet provide a means of covering some of the costs of preparing a case for potential court hearings.

Larry moved to forward the revised, corrected applications to the Town Council for their approval, along with the increased filing fee for both applications. Loch seconded the motion, and all voted in favor. Loch agreed to present the applications to the Council at the meeting the next evening, March 2.

Loch moved to adjourn, Larry seconded the motion, and Mark adjourned the board at 8:00 p.m.

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Margaret Smith  
Appeals Authority Secretary

Date

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