

Meeting Minutes

Planning Commission, Boulder Town

April 12, 2011, 7:00 p.m.

Commissioners present: Tom Jerome, Brian Dick, BJ Orozco, Ray Gardner, and Bobbie Cleave. Also present was Commission Clerk, Peg Smith. Brian called an executive session at 7:05 during which he resigned from the Commission. Ray, acting as chairperson, recalled the meeting to order at 7:29 p.m..

Ray asked for a motion to approve the January meeting minutes. Tom so moved, Bobbie seconded the motion, and all approved.

Status on Reviewing Ordinances

The Commissioners have all started their reviews. Tom noted that some items that may seem useless or irrelevant are obviously included for our own protection as a town. BJ agreed that most of the stipulations are there for a reason; although it doesn't hurt to review the ordinances, even rewording may create more problems that it would solve.

Bobbie said that one of the problems she's seen resulting from discussions involving ordinances is that rules of order aren't always followed, and that's the reason some of the bad feeling arises from discussions. Ray said it might be helpful to go over the rules of engagement so that people can disagree and not be disagreeable and keep personal things out of the discussions. Tom thought maybe putting up general rules about meeting procedure, particularly for public hearings, might be useful. Also, maybe establishing an allowed time for presenting viewpoints will help clarify information.

Tom assigned himself to consult with the Town Council regarding a standard meeting procedure, such as following Roberts Rules of order. Peg noted the importance of having one person talk at a time during public hearings. She and Judi are required during those sessions to record the name of the person speaking, as well as the content of the comment. When public hearings devolve into dialogues or multi-conversations, capturing the required information becomes impossible. Tom thought that having a more formalized approach might encourage participants to hone their ideas into a clear, concise statement. Tom said he'd ask Judi to distribute copies of his research to the council and then request agenda time.

Regarding the ordinances, the Commissioners generally agreed with the notion that within a small town, it is preferable to think that neighbors can accommodate their other neighbors as long as an ordinance "infraction" is causing no harm. Many situations exist in Boulder similar to the McCabe subdivision, in that they were created before an ordinance even existed. The problems arise when a change is requested to one of those "grandfathered" items, and the ordinances require the new item to be brought into compliance.

Tom moved to ask the Town Council to ask the Town Attorney if there's a way to allow for an accommodation for noncompliance in cases where there is no material change to the town or neighbors. No one seconded that motion. BJ saw too many problems with fair administration of such a policy. Ray said that our challenge is our diversity and to accommodate such a wide range of visions will be tough for anyone. If we have a chance to err on the side of a common sense decision, that doesn't change the reality of the circumstance.

Tom used the Pinion Butter subdivision example: He said when we started talking about road grades, we recognized that [the original concept plan] wouldn't work. In the case of the McCabe subdivision, even without the vehement neighbor objections, the application still could not have been granted because it didn't meet the ordinance requirements. There really should be some mechanism that allows the process to work itself through, not just throw up instant roadblocks.

BJ brought up the dreaded sign ordinance. Are any of the signs in town doing any damage? When that discussion opens up, the people who are complying are the ones who object the most. What's best: fighting the book or fighting the community?

Tom withdrew his previous motion.

BJ said that basically, the ordinances protect the current landowners, and it's largely because of these ordinances that "we won't be able to own land here. But that's the value of the land, because I've seen where bad things happen to towns when ordinances are lax."

The Commissioners agreed to keep reading through the entirety of the both ordinances. In that way they can all discuss sections equally. For areas requirement application, as with subdivisions or conditional uses, Tom suggested making up a checklist for ourselves and the applicant.

The Commission is starting with the Subdivision ordinance.

Report on Town Survey

All the responses have been entered onto an Excel spreadsheet. Every single comment, every exclamation point, everything has been captured. The spreadsheet has been sent to the County Planner for tabulation, and hopefully, charts and graphs. BJ thought use of bar graphs showing both ends, an average, and some quotes for each question would be good. Visual display of the results will be important. Peg committed to having raw numbers for the next town meeting.

Plans for May 10 meeting

The Commissioners took a count and realized they would not have a quorum present for the May meeting. For June, the commissioners agreed to have the Subdivision ordinance read through, and start coming up with checklists; email each other with flagged items.

BJ moved to adjourn, and Tom seconded the motion. Ray adjourned the meeting at 8:20 p.m.

Peg Smith, Planning Commission Clerk

Date

Approved: _____

Date: _____