

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
NOVEMBER 10, 2009

The Jefferson County Planning Commission met on Tuesday, November 10, 2009, with the following Commission members present: Arnold Dailey, President; Robert Reynolds, Vice-President; Lynne Deming, Secretary; Ed Dunleavy; John Maxey; Jim Surkamp; John Sidor and Thomas Trumble. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, Planner; Jennifer Snyder, Zoning Administrator; Jonathon Saunders, County Engineer; Jennilee Hartman, Planning Clerk; Stephen Groh, Assistant Prosecuting Attorney; and Amy Puetz, Office Assistant.

Ms. Ellen May was absent with notification.

Mr. Dailey called the meeting to order at 7:02 PM.

1. Approval of minutes for October 27, 2009 meeting. Mr. Maxey moved to approve the minutes with the correction that Mr. Dunleavy was absent with notification. Mr. Sidor seconded the motion which carried 6 for and 2 abstentions (Mr. Dunleavy and Mr. Reynolds).

Reconsideration of the minutes for October 13, 2009. Mr. Trumble moved to approve the minutes. Mr. Dunleavy seconded the motion, which carried 6 for and 2 abstentions (Mr. Dailey and Ms. Deming).

2. Citizen Communications. Ms. Lyn Widmyer, County Commissioner, approached the Planning Commission to express appreciation for the Planning Staff's work on the public outreach for the zoning ordinance vote.
3. Request for postponement. None.
4. Final Plat Public Hearing for the Breckenridge East, Phase 1A Subdivision (PC File #07-31). This phase is to consist of 23 single-family lots and 1 single-family residue lot on 99.21 acres.

Mr. Rivard read from his staff report and recommended approval. Mr. Saunders read from his staff report and recommended approval.

Mr. Andy Ferretti with Pleasants Development, agent for B.C. Partners, Inc., was available for questions.

Mr. Dailey opened the public hearing. There was no response therefore Mr. Dailey closed the public hearing.

Discussion followed in regards to the consistency of the project with the Community Impact Statement. Mr. Maxey moved to approve the project conditional to receiving another final

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
NOVEMBER 10, 2009
PAGE 2 of 3

plat for the remainder of the 101 lots for this phase of the project within six (6) months in accordance with section 7.1-17 of the Subdivision Regulations. Mr. Surkamp seconded the motion. Discussion ensued. Mr. Maxey withdrew his motion with an agreement that staff would investigate establishing a policy regarding sectionalized final plats that are not consistent with the Community Impact Statement.

Mr. Reynolds moved to approve the final plat with the staff recommended motion. Mr. Dunleavy seconded the motion which carried unanimously.

5. Request by Robert McCoy for a variance to re-open the Allemont Subdivision and to extend the current time period for approval of the final plat for a period of six (6) months.

Mr. Rivard read from his staff report and recommended approval to re-open and grant variance. Mr. Saunders read from his staff report and deferred to Planner.

Discussion between the Planning Commission and staff ensued regarding research done in regards to documents submitted.

Mr. Jeff Stitely with Southport Associates, representing Robert McCoy, was available for questions. Mr. Robert McCoy was also available for questioning to clarify reasons for the project being delayed.

Mr. Dailey opened the public hearing. An e-mail from Mr. Gil Garcia was submitted. There were no other respondents. Mr. Dailey closed the public hearing.

Mr. Reynolds moved to re-open the file and grant the variance for six (6) months until May 10, 2010. Mr. Surkamp seconded the motion. Motion resulted in indecision with 4 for (Mr. Surkamp, Mr. Trumble, Mr. Reynolds, and Mr. Dailey) and 4 against (Ms. Deming, Mr. Maxey, Mr. Dunleavy, and Mr. Sidor). Mr. Surkamp moved to approve the variance with a four (4) month extension. Motion died for lack of second. After a short discussion, Mr. Maxey moved to approve the re-opening of the file and granting a six (6) month extension using the staff recommended motion with the provision that staff and the applicant re-evaluate the storm water management proposal in light of reducing nitrogen to the river. Mr. Surkamp seconded the motion. Mr. Trumble called the question. Call the question carried in favor unanimously. The vote on Mr. Maxey's motion to approve carried 5 for, 3 against (Ms. Deming, Mr. Dunleavy, and Mr. Sidor).

6. Motion to recommend to the County Commission the acceptance of the Blue Ridge Mountain Study Grant. Ms. Brockman offered an update on the status of the grant but asked that any action be tabled until the November 24, 2009 meeting. Mr. Reynolds asked that a work plan and a budget be made available.
7. Director's report.

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
NOVEMBER 10, 2009
PAGE 3 of 3

- a. Activity Report. Copy of planning staff schedule was submitted with the agenda packets.
- b. Zoning Ordinance discussion. Ms. Brockman proposed to focus on issues related to the subdivision regulations and the zoning ordinance on the November 24, 2009 meeting enabling staff to prepare some recommendations. There was an exchange of suggestions of what issues should be looked at with priority.

Mr. Dailey called for a break at 8:22 PM to change the CD. Mr. Dailey called the meeting back to order at 8:27 PM.

- c. Update on Violation related to logging at Old Standard Quarry. Ms. Snyder handed out an update including the results of the site visit and the final decision that there is no violation.
- d. Faraway Farms Update. Ms. Brockman explained that the District Court had dismissed the case and that our representing attorney had already submitted a motion to reconsider. The Planning Commission requested that Ms. Brockman contact the representing attorney for more information.
- e. History of Extension requests over the last year. A spreadsheet was submitted in the agenda packets of all the extension requests and results from the last 12 months. Mr. Sidor requested that staff set on the agenda, for the November 24, 2009 meeting, a place for discussion on policy relating to subdivision phasing and also to economy issues in regards to variances.
- f. Work Plan Discussion. Ms. Brockman conveyed that the County Commission has requested a work plan from all department heads which she will submit to the Planning Commission also.

8. County Commission Liason Report. None.
9. Planning Commission Exchange. There was further conversation on policy changes regarding phasing and variances.
10. President's Report. None.
11. Reports from Legal Counsel and legal advice to PC. None.
12. Actionable Correspondence.
13. Non-Actionable Correspondence.

Ms. Deming moved to adjourn the meeting at 9:05 PM. Mr. Sidor seconded the motion, which carried unanimously. A detailed transcript of the meeting may be found on CD #____. These minutes were prepared by Amy Puetz.