

**Town of Bayfield
Planning Commission Meeting
March 13, 2007 7:00 P.M.
11 West Mill Street
Bayfield Town Hall, Bayfield CO 81122**

Minutes of the Regular Meeting of the Bayfield Planning Commission
Held March 13, 2007 at 7 p.m:

Commissioners Present: Bob McGraw, Joan Hanna, Robert Piccoli, Carol Blatnick, Bill Miller , and James Harrmann

Staff Present: Justin Clifton, Joe Crain, Pat Anselmo, and Ron Saba

Agenda Items for March 13, 2007 Regular Planning Commission Meeting

Call the Meeting to Order: Chairman Piccoli called the meeting to order at 7:04 p.m.

Approval of Minutes: January 9, 2007: Joan moved to approve the minutes of January 9 with one minor correction. (page 2, item 2, change ‘met’ to ‘meet’). Bob McGraw seconded. Vote was four in favor, Herm abstained from the vote as he was not present. Motion carried.

February 13: Minutes of February 13 should be corrected as follows: page one, last paragraph, change ‘back’ to ‘front’ and ‘front’ to ‘back’.

Bob McGraw moved to approve the minutes of February 13 as corrected. Carol seconded. The vote was four in favor, Joan abstained, explaining she was absent. Motion carried.

General Public Input: Bruce Stevens, owner of S & S Chemical informed the Planning Commission that he spoke to the owners of the Valiant Chair building and informed the Planning Commission that they have made an offer on the structure. The owners have asked for an appraisal. As owners of the LLC, they want to be sure they get the most value if the building is sold.

No other public input was given. This segment closed at 7:10 p.m.

Action Agenda #1: Sanitation District Update: This update was given by Justin Clifton, (verbally). He stated that he could, in the future, provide written reports if the commission so wishes. The growth restrictions were discussed. Getting the restrictions lifted is the Towns primary objective. Justin said he is still fine tuning a management agreement between the District and the Town.

The Sanitation District board meets a week from tomorrow to consider capital improvement options as well as different treatment alternatives.

The State has told Justin that if the Sanitation District operations do not close the gap between the amount allowed and the amount being run through, immediate consequences can be expected. Ron and his crew have been checking different businesses for amounts of loading. The District has offered reward money for information leading to the arrest

and conviction of the people who are illegally dumping. They are also trying to get information out giving some guidelines for ways to bring the loading amounts generated by the Town residents down.

By the end of March, Justin intends to approach the State with information that includes capital improvement plans, and will at that time suggest that restrictions be lifted. Justin hopes the negotiation process will help solve the problem. Carol asked about the composting containers that Reid Ross mentioned during the last Town Board meeting. Herm asked if the Town has records of all sewer taps that have been paid, and/or businesses that have divided (split their floor plan) to allow additional businesses to operate, which, in turn adds to the increase in the amount of sewer use. Justin replied 'we continue to scrutinize business use and to assign appropriate fees'. Herm then gave the example of the large building that was constructed, paying for one tap, and then turned into three different businesses, which have received all the benefits without meeting the costs. Justin explained that the past decisions by the Sanitation District may limit the future charges, simply because of precedent. The operating revenue and tap fees have, in the past, been co-mingled. David Black replied that the Sanitation District was operating as a quasi-governmental entity. They did not segregate these revenues, which is a violation of government statutes. Justin said he could not speculate on the political mindset of the Sanitation District during past operations. David replied that Brad should not be on the Sanitation Board, it is a definite conflict of interest.

Ron commented that winter flows average 250,000 gallons a day through the sewer treatment facility. Summer flow is significantly higher.

Robert Piccoli questioned if the size of the plant being considered is going to be large enough to accommodate future growth.

Justin answered that the problem has been an accumulative one, it should be reduced substantially each year. Robert then asked about the delivery process. Justin said the district board has agreed to get a team to coordinate the design build.

Herm then mentioned it has been a year, nothing has happened, and questioned 'Why?' Justin replied, the higher the government level you deal with, the slower the process goes. Carol said they appreciate the hard work that the town team has done. She asked if Ron could report on more detailed findings. He said the problems are everywhere, the infrastructure is poor, is very old, and was made out of substandard products. The water lines were placed in 1955 in the old part of Town. They will need to be replaced.

Justin confirmed that, 'if we can't find a way out of the finance conundrum, we can't follow through with taking it on'. Bill Miller then stated that the town knew, and the sanitation district knew that problems were occurring several years ago. He asked 'When are they going to replace Bud?' Brad said Bud went astray in that he (Bud) didn't say, "I'm not a manager." He was not counterproductive, he just didn't understand the processes. Brad then agreed, Bill is correct. Brad said it is happening all over the state. Joan mentioned that the Town Board had emphasized that new development should be paid for by new developers. Brad said they have been. Bob McGraw asked that Justin please put his comments in writing from now on. Justin said he would be glad to do so. Robert Piccoli added one last comment, 'there will be rate increases and rightfully so.'

Action Agenda #2: Dove Ranch Subdivision Preliminary Plat:

Brad requested an amended sketch plan last fall. The park area, which is 2.588 acres, was established at that time. The land was expected to be a turn-key park.

Tonight the discussion is regarding Unit one, Phase three, Dove Ranch Subdivision, Preliminary Plat. All lots on the left side can be gravity fed for water.

The lots that are higher up will need to be supplied by a tank that is to be placed at a higher elevation.

Joe reminded the Planning Commission that the previous options for the location of the second tank included state school land, and land offered (at no cost to the Town) by Jack Roe. The first tank construction is almost complete. Within one week, it will be on line. Without the tank being in place on the Roe property, the higher lots will have no water source. They cannot depend upon pumps. The electricity for the existing pumps can go off from time to time. As a consequence, this leaves no fire flow, or residential supply. Brad will bring in certain sections of Unit 1 for final plat; however, he will not bring the entire phase in for final plat.

Joe, this design is consistent with what was submitted originally. Joe said Brad did an excellent job. Joe pointed out that the corners highlighted in black on the map need special consideration. The Planning Commission needs to be sure that there will be enough space provided by setbacks, especially if a developer wants to resituate a house footprint, turning it on the lot. Brad reassured Joe there would be a twenty foot set back on each side of the corner lots.

Cheston Hart, from the Division of Water Resources, has supplied a reply to the request for proposals. Joe has not had good results from people that were to return comments, i.e., not many had been returned.

Staff recommends that the Planning Commission relay its approval to the Town Board, contingent upon the six conditions listed by the Town Planner, (see attachment).

Justin requested that the verbiage on Item five be modified. He would like 'until the water storage tank on the Roe property is under construction' to be struck. He prefers, 'that both the Planning Commission and the Town board will review any final plat that contains any lots above the elevation of 7160 feet in light of the status of the water tank located on the Roe property before any final approvals are given, (also attached). He wants the Boards review on anything above the 7160 elevation, on a case by case basis. Robert Piccoli prefers 'completed' instead of 'under construction'

Robert also said it would be unwise to expect the water crew to run to the pumps every time the electricity goes off. Joe said there should be a back up system on the existing pumps. When they are not functioning, the crew needs to know when that happens. It needs an alarm system of some sort. Justin wanted to 'preserve flexibility' on the Town's part by doing reviews on a case by case basis.

Brad gave his presentation. He is not concerned with timing necessarily. It was his understanding that the pumps were planned to serve the entire subdivision. He remembers talk of a temporary generator, but financing (or lack of) was the concern back then. He would like to do the park area, but the town is not allowing growth because of the Sanitation districts situation. His development will be demand based. If there is no demand, he will not start. The road itself would run about a million dollars.

He is willing to coordinate with timing on the new tank. He invited the board to walk around the area that he intends to develop. He mentioned that he met with BP concerning their neighborhood storage plans.

Joe reconfirmed to Brad, the Board will allow preliminary plats, and *then hold the final plat; the final plat will not be recorded until the sewer situation is operable.*

Joe said that there are 45 homes that have building permits paid along with sewer taps paid and these will be o.k. for C.O. (certificate of occupancy).

Bill Miller asked about the tentative plans for the park. “Will they bring the plans back to be approved?” Brad replied that the park plans had already been run by both Planning Commission and the Town Board and they will continue to bring the plans in for approval. They are down to selecting the play structures. Brad hopes to get the park done this year. The Board has not seen the most recent iteration. Brad reaffirmed that Andy will be involved with Brads crew and Brad again invited the board to come visit his office and review the plans at any time.

Chairman Piccoli opened the meeting for public comment at 8:20 p.m. None was given. Public Comment closed.

Bill Miller wanted to reconfirm that any building plans above the 7160 elevation line will come to the Planning Commission for review.

According to Joe, the final plat goes to the town board if all conditions have been met in the preliminary plat.

Bob McGraw asked if Ron had any comments. He did not.

Joan moved to recommend approval of Dove Ranch Subdivision, Preliminary Plat, Unit 1, Phase 3, Lots 3 and 4 of Section 1, Township 34 North, Range 7 West, NMPM to the Town Board, contingent upon meeting items one through four, and item six, and paragraph five as is to be re-written by Justin. Bob McGraw seconded. The vote was five in favor. Motion carried unanimously.

Robert Piccoli said the NPD estimate seems to be taking a lifetime, and asked why.

Debbie said that Dove Ranch has complied with everything the Army Corp has asked for. They (Army Corp) now want to completely re-design the thing. The swamp plan is all upstream from the development, per Brad. He has detention plans for all intents and purposes. Kara has had the plans for over two years.

The School District drains approximately 100 acres. Brad said that if the town experiences a 100 year event, the north end of town will flood, and the downtown part will flood.

Action Agenda #3: Reschedule April Planning Commission Meeting:

Joe is going to be gone April 10. He has asked for the regular meeting of the Planning Commission to be re-scheduled for April 24. Joan said o.k., Bob McGraw is ok with that date. Joan made a motion to reschedule the regular Planning Commission meeting to April 24. Bill Miller seconded. The vote was five in favor, motion carried unanimous.

Action Agenda #4: New/Unfinished Business:

Joe said that there are several people who want to change the zoning in Town Center. They do not want any commercial to be allowed. Val Ushuck does not have a C.O. on the remodel she did. David Black will definitely be there when the zoning for Town Center is discussed.

According to Joe, Pamela intends to stay in Bayfield until the end of summer.

Bill Miller asked ‘what are the feelings of the Planning Commission members about the design of the new town hall?’

Justin replied that there will be a workshop discussion concerning the design, this will be at 5:30 on March 20.

A short discussion on building designs followed.

Joan asked about placing bird nests in the parks, the Rotary is entertaining this. Carol also asked if the Rotary club could be allowed to maintain the islands and medians along the highway.

Herm made a Motion to adjourn. 8:45 p.m.

Bill Miller seconded.

Vote was five in favor. Motion carried unanimously.

APPROVED:

Robert Piccoli
Planning Commission Chair

Pat Anselmo
Town Clerk