

**BOARD OF TRUSTEES  
TOWN OF GREEN MOUNTAIN FALLS  
MINUTES OF REGULAR MEETING - TUESDAY, OCTOBER 20, 2009**

The meeting was called to order at 7:08 p.m. by Mayor Protem Dick Bratton

**ATTENDANCE:** Pitrone present Useman absent King present  
Stevens absent Newberry present Worthey absent

**ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA – No changes presented.**

Trustee King requested that the Planning Commission Minutes be called out from the Consent Agenda for further discussion and clarification.

**CONSENT AGENDA**

**- APPROVE BOARD OF TRUSTEES MINUTES: 10/06/09**

**- APPROVE BILLS DUE AND PAYABLE: \$6,567.94**

**M/S King/Pitrone to approve the Consent Agenda with the Planning Commission Minutes being called out for further discussion. All ye**

**PLANNING COMMISSION MINUTES OF 10/13/09 - Trustee King requested further clarification on Municipal code as said codes would relate to information submitted from Ben Stephens dated 10/09/09. The Town Clerk reviewed research from the town files regarding legal nonconforming uses that are grandfathered into current zoning. The clerk also reviewed Sections 16-708 of the current zoning code that addresses nonconforming development and the continuation of said use. The research showed that an apartment existed in the rear of the business located at 6970 Lake Street in 1972. The garage was built in 1980 by then owners Marvin and Anita Jones, who lived in the apartment. Several other owners of a retail business at that location continued to use the apartment. It remains occupied at this time. The Town of Green Mountain Falls did not have an IGA with the Regional Building Department to review constructions drawings and building plans at the time these uses were applied for. The Town zoning codes did not contain a procedure for applying for an apartment in a business district as are currently addressed in the zoning codes. The Black Bear Restaurant and the El Pueblo Building (both containing living areas upstairs) would be two of many legal nonconforming uses and/or lots within the Town boundaries. (Bill and Jan Clark owned and operated Pikes Pub and Grub, now The Black Bear, and presented before the Planning Commission in 1978 to replace an existing outside stairway that accessed a second level residence). There are also several duplexes and four plexes in Town that have a legal non-conforming use in a single family residential zone.**

**M/S King/Pitrone to accept the Planning Minutes of 10/13/09 into the record. All ye**

**CITIZEN'S INPUT – No input received at this meeting.**

**BOARD OF TRUSTEES APPROVAL OF TERMS OF OFFICE FOR TRAILS COMMITTEE MEMBERS**

Trustee Bratton provided all members with a copy of the Trails Committee Minutes from the 10/08/09 meeting. Bratton was elected Chairman and Claudia Eley Vice Chair at the first meeting. Billow, Bratton, Eley, Kosley, Krick, and Wey will serve two year terms and Grabon, McCormick, Mountford, Urban and Worthey will serve a one year term.

**M/S King/Newberry to approve the terms of office as presented. All ye**

**OLD BUSINESS: No old business presented.**

**NEW BUSINESS - Trustee Pitrone recommended** preparing a letter outlining that the Town of Green Mountain Falls has a Planning Commission and zoning and land use codes. He suggested that such letter could be sent initially to title companies and presented to new buyers (within the town limits) at the point of closing. Pitrone stated that this information may alleviate new property owners from starting repairs or improvements to a residence without a Planning Commission submittal. Pitrone referred most recently to a property that recently sold in his neighborhood where the new owner started implementing off street parking and landscaping on the Catamount Street public right of way. Pitrone's recommendation was favorably received by the Board members. It was recommended to reference the Town's website to the letter. **No other** new business was brought before the Board of Trustees requiring discussion or action.

**REPORTS: Marshal Ford's** report was entered into the record by Mayor Protem Bratton.

**Mayor Stevens: PPACG/PPRTA:** No report.

**Trustee Pitrone: Regional Building/Public Works Department - The** Regional Building Department gave the Town \$500.00 to be used for educational purposes. It will be earmarked for the Planning Commission's proposed update of Chapter 16, Zoning. **Robert McArthur's** report was submitted into the record.

**Trustee King: Pool / PPACG Alternate / TES Alternate Rep / Admin / Grant Research -** No report.

**Trustee Useman: Manitou School District 14 -** No report.

**Trustee Worthey: GIS -** No report.

**Urban Forestry:** No report.

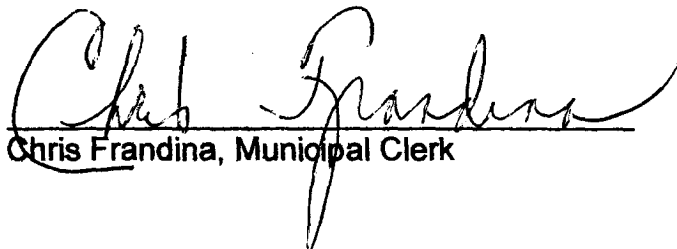
**Trustee Bratton: North Slope** Recreation area closed for the season and will reopen on May 1, 2010. Wallace Reserve Trails have been named and marked. Bratton submitted an updated map. Signs have been posted to advise hikers to respect and be aware of areas of the Wallace Reserve trails that extend onto private property.

**Trustee Newberry: Parks - The** new pool fence is almost complete. Hoops and backboard installation will be completed by 10/30/09.

**CORRESPONDENCE: The** Town Clerk reported that resident Patrick Jones had called to follow-up on an email request he had sent to the board members on 10/06/09. Jones requested that the Town restrict wind chimes and amend the Noise Ordinance to reflect the restriction. No reply from the Board members was received. **The Mayor and Board** members received a letter dated 10/12/09 from Tiffany Snyder addressing what she felt was the Marshal's partiality in enforcing the law in Green Mountain Falls. Snyder also sent a copy of the letter to the Municipal Judge, Town Attorney, and the El Paso County District Attorney. Marshal Ford's written response to Snyder's letter of complaint was also submitted to the Board members along with a copy of the Municipal Harassment Code. No comments received from the Board. **No other** correspondence was received requiring Board of Trustee discussion or action.

The meeting was adjourned at 7:49 p.m. ~

ATTEST:

  
Chris Frandina, Municipal Clerk

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Mayor Protem Dick Bratton