

**TOWN OF GREEN MOUNTAIN FALLS
MINUTES FROM JOINT SESSION WITH PLANNING COMMISSION AND
BOARD OF TRUSTEES
TUESDAY, OCTOBER 9, 2012**

The meeting was called to order at 6:04 p.m. by Planning Commission Chairman David Kosley.

Attendance:

Planning Commission

Lowndes	- present	Thorne	- present
Krall	- absent	LoCascio, L.	- present 6:14 p.m.

Board of Trustees:

Worthey	- present	Pitrone	- present	Price	- absent
Newberry	- present	LoCascio, R.	- present	Stevens	- absent

APPROVE MINUTES FROM SEPTEMBER 25, 2012 M/S Kosley/Lowndes to approve the minutes as submitted. All yea

APPROVE CONSTRUCTION DRAWING FOR OUTDOOR/UPSTAIRS BALCONY AND RAILING; 6565 GRANT STREET - Property Owners, Howard and Jane Price; Project Engineer and Owner Representative, Ralph LoCascio M/S Thorne/Kosley to approve the drawing as submitted. All yea

FIRST PRESENTATION: REQUEST TO PURCHASE 1,380 SF SECTION OF PUBLIC RIGHT OF WAY; 10645 UTE PASS AVENUE - Property Owner, The Green Mountain Land & Cattle Company, LLC - A letter was received from Jesse Stroope, General Manager of The Outlook Lodge making a formal request to purchase a 1,380 square foot portion of Hondo Avenue right of way to create a conforming lot for 10645 Ute Pass Avenue. The lot is less than 3800 square feet, zoned as a legal non-conforming lot. Approval of the sale would increase the square footage to create a 5,000 square foot legal conforming lot. The property owner desires to make improvements to the property and convert it from residential use to a business use. The land is zoned business. A legal nonconforming property can be maintained but not expanded. The property will be used in conjunction with The Outlook Lodge operations. An encroachment has existed on a portion of Hondo Avenue right of way since the building was constructed in 1955. Green Mountain Falls Municipal Code Section 11-116 through section 11-120 outlines the criteria for this request. The property has been taxed using the residential rate because the use was residential for the past twelve years. Chairman Kosley stated that with the change to business use, property taxes would be assessed at the commercial rate. Sales tax would also be collected. It would create a legal lot size. Increased property taxes would be received due to the increase in the assessed valuation based on the improvements being proposed. The driven portions of Hondo Avenue will not be interfered with; the encroachment will be corrected within the existing footprint. Public Works Director, Robert McArthur has performed a site visit and concluded that there would be no impact to the current use of Hondo Avenue.

The Planning Commission will also address a setback variance to the south east side of the property. A 4' side setback is being requested. The Town Clerk was requested to set a public hearing for Tuesday, October 23, 2012 at 6:30 p.m.

REQUEST FOR CLOSED EXECUTIVE SESSION PURSUANT TO THE COLORADO OPEN MEETINGS ACT - FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(e). A CLOSED EXECUTIVE SESSION MAY BE HELD UPON AN AFFIRMATIVE VOTE OF TWO-THIRDS OF THE QUORUM PRESENT. IF CONSENT TO THE CLOSED EXECUTIVE SESSION IS NOT GIVEN, THE ITEMS MAY BE WITHDRAWN FROM CONSIDERATION.

M/S Kosley/Lowndes to go into Executive Session for the purpose of determining positions related to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, under C.R.S. Section 24-6-402(4)(e). Planning Commission members Kosley, Lowndes, Lori LoCascio, and Thorne in favor; Board of Trustee members Worthey, Newberry, Pitrone, Ralph LoCascio and Pitrone in favor. None opposed. Motion passes.

M/S Lori LoCascio/Lowndes to go out of Executive Session at 7:14 p.m. LoCascio, Lowndes, Thorne, Kosley in favor; Board of Trustee members Worthey, Newberry, Ralph LoCascio and Pitrone in favor. None opposed. Motion passes.

OTHER BUSINESS: The Planning Commission Chairman acknowledged a letter and drawing dated 10/02/12 from Dick Bratton addressing the New Town Hall Project, Phase 2, and Site Selection. Bratton wrote that he encourages the Planning Commission to recommend the flagpole park site on Ute Pass Avenue to the Board of Trustees for a new town hall. **No other** business was presented that required Planning Commission discussion or action.

CORRESPONDENCE: **No correspondence** was received that required Commission discussion or action.

The meeting was adjourned at 7:16 p.m.

David Kosley, Chairman

ATTEST: _____
Chris Frandina, Town Clerk/Treasurer