

**TOWN OF GREEN MOUNTAIN FALLS
BOARD OF TRUSTEES MEETING
AGENDA FOR REGULAR MEETING
TUESDAY, NOVEMBER 4, 2008**

7:00 PM

- 1) CALL TO ORDER / ROLL CALL**
- 2) ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA**
- 3) CONSENT AGENDA: APPROVE MINUTES, 10/21/08
BILLS DUE AND PAYABLE: \$16,381.02
PLANNING COMMISSION MINUTES, 10/28/08**
- 4) PUBLIC HEARING: REQUEST FOR A SPECIAL USE IN
RESIDENTIAL ZONE TO OPERATE A VACATION RENTAL BY
OWNER – 6824 DOUGLAS PLACE; Property Owner,
Douglas Bryan Fenley**
- 5) CITIZENS' INPUT – Items not Listed on the Agenda**
- 6) PUBLIC HEARING – APPROVE ORDINANCE 05-2008
AN ORDINANCE AMENDING THE GREEN MOUNTAIN FALLS
MUNICIPAL CODE, CHAPTER 11, STREETS, SIDEWALKS AND
PUBLIC PROPERTY, ARTICLE II ENCROACHMENTS,
OBSTRUCTIONS AND EXCAVATIONS**
- 7) BOARD OF TRUSTEES REVIEW OF PROPOSED AMENDMENT
TO CHAPTER 10, GENERAL OFFENSES, ARTICLE XIV, HOUSE
CARS, TRAILERS, AND TENTS**
- 8) REPORTS: Mayor Stevens-Marshall's Department / PPACG
& PPRTA Boards
Trustee Pitrone-Public Works\Regional Building Advisory Board
Trustee King-Grant Research\Administration\PPACG & TES
Alternate
Trustee Newberry-Parks
Trustee Useman-Manitou School District 14 Liaison
Trustee Bratton -Trail's Committee / TES Representative
Trustee Worthey-GIS \ Urban Forestry**
- 9) OLD BUSINESS / NEW BUSINESS**
- 10) MUNICIPAL CORRESPONDENCE**
- 11) ADJOURNMENT**

8:00 PM

**BOARD OF TRUSTEES
TOWN OF GREEN MOUNTAIN FALLS
MINUTES OF REGULAR MEETING
TUESDAY, NOVEMBER 4, 2008**

The meeting was called to order at 7:00 p.m. by Mayor Stevens.

ATTENDANCE:	Pitrone	present	Useman	present	King	present
	Bratton	present	Newberry	present	Worthey	absent

ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA – No request for changes were received.

**CONSENT AGENDA: APPROVE MINUTES, 10/21/08
BILLS DUE AND PAYABLE: \$16,381.02
PLANNING COMMISSION MINUTES, 10/28/08**

M/S Pitrone/Bratton to approve the Consent Agenda as submitted. All yea

CITIZEN'S INPUT – No input received.

The Public Hearing was called to order at 7:05 p.m. by Mayor Stevens.

PUBLIC HEARING REQUEST FOR A SPECIAL USE IN RESIDENTIAL ZONE TO OPERATE A VACATION RENTAL BY OWNER – 6824 DOUGLAS PLACE; Property Owner, Douglas Bryan Fenley Neighbor Brian Billow had written authorization to represent Douglas Bryan Fenley at this hearing. Fenley is requesting a special use to operate a vacation rental. He would like to begin renting in the Spring/Summer of 2009. Twelve packets of information and request for input were sent to neighbors within 100' of the petitioner. To date, nine letters favoring the request for special use have been received. No opposition to the use has been received. A special use is not transferable. If the use is abandoned for one year, a new application would need to be submitted. An annual review may be done if neighborhood concerns are generated. There being no further comments from audience or Board members, the public hearing was closed at 7:10 p.m. **M/S Bratton/King to grant the special use for 6824 Douglas Place based on the Planning Commission's recommendation and findings to include:**

- no neighborhood or community opposition to the request has been received.**
- there have been three successful special uses in the immediate neighborhood over the past five years with one currently in operation.**
- increase in revenue to the Town will be experienced through sales and lodging taxes as well as to local businesses. All yea**

The Public Hearing was called to order by Mayor Stevens at 7:12 p.m.

PUBLIC HEARING TO APPROVE ORDINANCE 05-2008 – AN ORDINANCE AMENDING THE GREEN MOUNTAIN FALLS MUNICIPAL CODE, CHAPTER 11, ARTICLE II, ENCROACHMENTS, OBSTRUCTIONS, EXCAVATIONS - This is the third meeting that the amendments have been discussed before the Board of Trustees as presented by Public Works Director, Robert McArthur. Certified letters notifying the various local utility companies involved with road cuts requests of the amendments and public hearing were sent. The Public Hearing Notice and the amendments were published in the Courier View. No responses have been received concerning the ordinance amendments. There being no further comments from the audience or Board members, the Public Hearing was closed at 7:16 p.m. **M/S Bratton/Newberry to approve Ordinance 05-2008. All yea**

BOARD OF TRUSTEES REVIEW OF PROPOSED AMENDMENT TO CHAPTER 10, GENERAL OFFENSES, ARTICLE XIV, HOUSE CARS, TRAILERS, AND TENTS The Board has reviewed possible amendments to Article XIV as well as recommendations submitted by recreational vehicle owners Delena and Don Hubschmitt that would provide exemptions to the current code that prohibits large motorized or non-motorized vehicles over 22' from being stored or parked on private property. Research by the Marshal and Town Clerk found that other municipalities also apply 22' as the maximum motorized and non-motorized vehicle length. The exemption criteria presented to the Board members and reviewed by the Town Attorney concerned the Board. If approved, it would give property owners that had been complying with Article XIV throughout the years to consider applying for an exemption because that avenue would now exist. The Board, if they accepted the criteria and exemption procedure, would be at a disadvantage to refuse an exemption request if the criteria were met by the petitioner. Discussion ensued that owners may want to bring larger vehicles back into the community. The Board members discussed setting a precedent with adding exemptions to ordinances which would comprise what the ordinance was designed to do in the first place. Marshal Ford did not favor adding an exemption clause and supported the current code. Board members also discussed that more than a majority of large vehicle owners stored them outside the community in compliance with the code. There had only been two requests to the Board for consideration of exemptions to the Code; the Hubschmitts' and Norman Armentrout.

M/S King/Bratton to withdraw Board of Trustee consideration and review of an exemption clause to Chapter 10, Article XIV. All yea

REPORTS: Marshal Ford's report was entered into the record by Mayor Stevens. **Mayor Stevens: PPACG/PPRTA:** No report. **Trustee Pitrone: Public Works / Regional Building Department** Public Works Director Robert McArthur's report was entered into the record. **Pitrone** reported that the Regional Building staff is working on a presentation and IGA to collect their member entities construction use tax for a 1% fee. Building officials will present this to the Town upon their completion of the IGA. **Trustee King: PPACG Alternate / TES Alternate Rep / Admin / Grant Research** – King stated there was no further progress on the mason work or the electric lights to report on for the Gazebo restoration. The State Historic Fund requested that the Town employ an engineer to look at the Gazebo wall foundation. Robert McArthur dropped the water level and he and King met with engineer Ralph LoCascio who will submit his review to the Society. King stated that though the project is exceeding budget, there is ample money in the fund for completion and the installation next spring of the memorial walkway.

Trustee Useman: Manitou School District 14 – No report.

Trustee Worthey: GIS – No report. **Urban Forestry** - No report

Trustee Bratton: Bronc Day Liaison/Annual Trails – Bratton reported that he had a good response to the trails work day on Saturday, October 25th and November 1st with six volunteers at the site. He is requesting volunteers for Saturday, November 8th. The scope of work is to cut and clear brush back in order for volunteers to build an extension of the Thomas Trail eastward.

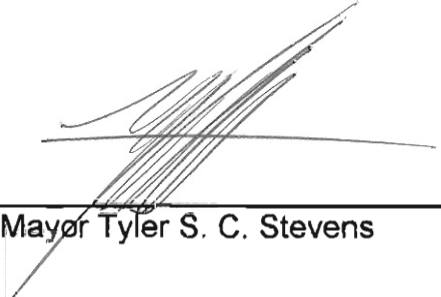
Trustee Newberry: Parks – No report.

UTE PASS EXPRESS BUS SHELTER - **Public Works** Director, Robert McArthur submitted the most recent information received on the 5" x 10" glass aluminum shelter. McArthur requested that the board review color and location because the Mountain Metro Transit staff will be pouring a 6' x 11' pad within the next week or so. The bus will start daily runs on Monday, November 10, 2008. The board members confirmed that the location was at the Columbine Lodge where the school bus stop is and that the color decided upon at the August 19th meeting was structure to be brown and roof to be a light green patina color. Delivery of the shelter is four-six weeks out. McArthur will be meeting with Metro staff later in the week. An ADA ramp will also be poured with the foundation slab.

NEW BUSINESS - No new business was brought before the Board of Trustees requiring discussion or action.

CORRESPONDENCE - Resident Nancy Cowan sent a response to Robert McArthur's October 17, 2008 memo. Cowan requested a meeting at her residence with McArthur and Trustee Pitrone. No other correspondence was received that required Board discussion or action.

The meeting was adjourned at 8:06 p.m.



Mayor Tyler S. C. Stevens

ATTEST: 
Chris Frandina, Municipal Clerk