

**TOWN OF GREEN MOUNTAIN FALLS
PLANNING COMMISSION MINUTES
TUESDAY, JANUARY 22, 2013**

The meeting was called to order at 6:06 p.m. by Planning Commission Chairman Kosley.

Attendance: Lowndes - present Thorne - present
 Krall - absent LoCascio - absent

APPROVE MINUTES FROM JANUARY 8, 2013 M/S Kosley/Lowndes to approve the minutes as submitted. All ye

PRELIMINARY DISCUSSION OF THE CONSTRUCTION OF AN APPROXIMATE 2,833' DRIVEWAY, 10' WIDE, BEGINNING ON MYRTLE STREET PUBLIC RIGHT OF WAY AND TRAVERSING OVER APPROXIMATELY 60 ACRES OF RAW LAND WITHIN A SECTION OF THE GMF TOWN LIMITS IN EL PASO COUNTY AND ON INTO UNINCOPORATED TELLER COUNTY – Howard and Margaret Burgess, Property Owners

The property owners corrected the width of the proposed driveway; 14' and not 10'. Chairman Kosley requested that the property owners and contractors be given copies of the PC minutes from February 8, 2011 addressing the Conceptual Site Plan for a Driveway Access the Burgesses' requested at that time. Kosley noted that several of the discussion points from that meeting remain key issues for the Commission. Kosley and Thorne stated that there were discrepancies with the legend details as well as a lack of details in general on the plan submitted by JPS Engineering. Burgess explained that there is more detail work being done by the engineer but Burgess wanted to discuss and receive clarification from the commissioners before the engineer can go forward. Building contractor, Andre Leclercq and excavation contractor, Rusty Woods were present with Burgess.

Kosley requested that Burgess' engineer contact the Colorado Department of Transportation to obtain the forms and requirements to ascertain whether a Stormwater Construction Permit will be necessary. These permits are administered by Public Health and the Environment. The State's Erosion Control and Stormwater Quality Guide states that construction sites that disturb one or more acres require permit coverage and a stormwater management plan is a requirement. Kosley stated that if the State determines a permit is not needed, the Planning Commission would require that the recommendations applicable to the project contained within the guide be incorporated into the construction. Implementation of the Town's Hillside Overlay codes to include a Land Suitability Analysis and adherence to the grading codes would be required. Re-vegetation of cut slopes was discussed again with the discussion centering around the State's Stormwater Management Plan requirements. Kosley suggested that the commissioner would discuss and define what a successful revegetation would be. Excavator Rusty Woods stated later in the meeting that he felt the hillside would be improved after the project because there is little vegetation that currently exists and Burgess would be adding a considerable amount of good soil and sustainable vegetation. The Town would require an improvement security for 125% of the cost of the project. The Town may engage the services of an independent engineer to inspect and advise as the project is implemented at the property owner's expense. The severity of the cuts and erosion issues were a major concern. Apprehension was voiced by the commission and audience members as to whether or not Burgess would be able to successfully find water on the building site and drill a well. Chairman Kosley asked if Burgess had considered going in through forest service land in order to get the preliminary geotech information needed. Kosley stated that there could not be any land disturbance on property within town limits without going through the planning commission as Burgess is doing. Burgess stated that he does not have another entry to the site and if he cannot drill a well, he would build on the 40 acres in El Paso County within the town limits and request a tap from the City of Colorado Springs. Burgess discussed donating the 40 acres in

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Teller to the Forest Service if he cannot build on that site. He also discussed putting a deed restriction on the 40 acres within the town limits stating that only one home could be built. Burgess will research a Conservation Easement on that acreage to protect the backslope. Trails Committee Chairman Dick Bratton stated that he originally opposed the project in 2011 mainly because of the access; he wanted to maintain the hillside for the community as a permanent pristine backslope. He stated that he favored an access and building site from and above Howard Gulch. He now understands that Burgess has exhausted every avenue with the property owners of that land. Bratton feels that Burgess is being cooperative and sensitive to the needs of the community as exemplified by his seeking a Conservation Easement, discussions to make Horseshoe Trail a permanent trail and the limitation of only one building site on each of the 40 acres he owns. Bratton did recommend that the driveway be no wider than 10' in order to minimize environmental impact and drainage issues. Fire Department Chief, Steve Murphy was present and recommended that the driveway be at least 12' to safely accommodate fire trucks. The commissioners, the property owners and audience members all agreed on a common goal and that was to assure the least adverse impact on the hillside, the neighbors and the community. Burgess reiterated that his proposed building site would not be seen and while he stated that the driveway would not be seen from most areas in town, several audience members disagreed. The commissioners encouraged Burgess' engineer to work with the fire district and their recommendations on the driveway width and the need for pullouts in certain areas along the driveway. Neighboring property owners, Gene Mauzy and Lana Fox were present and expressed concern with potential drainage control and erosion issues with the installation of the driveway. Mac Pitrone expressed concern for drainage and erosion controls. He questioned where the culverts would drain. He also was concerned with the size of the cuts and the retaining walls and felt that the detail in Section A was unrealistic. Pitrone supported the fire district's recommendation on the width of the driveway. Both Pitrone and the commissioners were concerned about the lack of detail for the proposed 200' of driveway ingress off of Myrtle Street public right of way. Chairman Kosley will request documentation from the property owner stating that the town will not be responsible for the maintenance of the 200'. Burgess replied that with direction he is obtaining from this meeting, the engineer can go forward with detailed plans.

OTHER BUSINESS: **Chairman Kosley** is researching one of the Commission's potential sites on their short list for a new Town Hall building with the owners, Elk Crossing Business Park, LLC. **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 7:32 p.m.

David Kosley, Chairman

ATTEST: _____
Chris Frandina, Town Clerk/Treasurer