

**TOWN OF GREEN MOUNTAIN FALLS  
PLANNING COMMISSION MINUTES  
TUESDAY, FEBRUARY 12, 2013**

The meeting was called to order at 6:05 p.m. by Planning Commission Chairman Kosley.

**Attendance:** Lowndes - present      Thorne - absent  
                  Krall - present            LoCascio - present 7:00 p.m.

**APPROVE MINUTES FROM JANUARY 22, 2013 M/S Lowndes/Kosley to approve the minutes as submitted. All ye**

**Chairman Kosley opened the Public Hearing at 6:08 p.m.**

**PUBLIC HEARING – REQUEST FOR SPECIAL USE TO OPERATE A VACATION RENTAL BY OWNER – 6816 COLORADO STREET; PROPERTY OWNERS, SHAWN AND ROBIN MEYERS; REPRESENTATIVE, JANET MIKITA** Chairman Kosley summarized the application for 6816 Colorado Street. The Meyers' recently purchased this three bedroom, two bathroom 104 year old cabin near two other properties that they own; one that they operate as a VRBO. They proposed to rent to approximately six guests. The Town Clerk reported that the site had been posted with the Public Hearing Notice. Seven informational packets were sent to property owners within 100' of the petitioner's property. To date, six letters of input have been received; five in favor of granting the special use and one opposed, Jo Lester year round resident at 6820 Colorado Street. In a letter addressed to the Planning Commission and Board of Trustees, Lester was concerned with the town endorsing several business operations throughout residential neighborhoods with special uses. In the letter, she discussed that she has three vacation rentals in her neighborhood and that her privacy has been compromised with loose dogs, honking horns, vacationers coming and going at all hours slamming doors, and parking issues. Lester questioned whether permits were being applied for with the upgrades being done on the cabin. Robin Meyers contacted the town clerk and stated that he is not doing any permit work at this time, simply cosmetic upgrades. Lester is particularly concerned because parking on this property is a few feet from her fence. Lester states she can no longer enjoy the use or privacy of her front or back yards with strangers renting on a daily or weekly basis. Chairman Kosley had reviewed the lodging reports submitted by the Meyers for their VRBO on Park Avenue and summarized that there appeared to be less than 30 rentals for 2012. The Chairman stated that the property could be occupied by year round residents which may cause noise and privacy concerns as well. Property owner of a vacation rental for the past 13 years, Vince Guthrie, was present to speak on the Meyer's behalf. He stated that they have been good neighbors and care about their property and the neighbors. Trustee Pitrone spoke with Jo Lester and stated that a primary concern is parking at the cabin that will be close to her fence and with car lights shining into her residence. Trustee Lowndes suggested that the Meyers' could notify their renters of this concern and possibly consider defining a parking layout. Discussion ensued concerning the fact that a special use is subject to annual renewals and can be revoked based on reports of noncompliance with a special use criteria. There being no further comments from the petitioner's representative, Board or audience members, the public hearing was closed at 6:18 p.m.

**The commissioners discussed the following findings:**

- five letters received in favor of granting the special use; one opposed.
- there have been no complaints received showing bad management or non-compliance for the special use operated by the Meyers' in 2012.
- increased revenues through sales and lodging taxes will be received.
- the petition conforms to the requirements of the zoning ordinances.

**M/S Kosley/Lowndes to recommend that the Board of Trustees grant a special use for property at 6816 Colorado Avenue to operate a vacation rental by owner. All yea.**

**REVOCABLE PERMIT REQUEST – TO REPLACE RETAINING WALLS ENCROACHING ON A PORTION OF FOSTER AVENUE RIGHT OF WAY: LAKEVIEW TERRACE HOTEL, 10580 FOSTER AVENUE; JESSE STROOPE, REPRESENTATIVE FOR THE HISTORIC GREEN MOUNTAIN FALLS FOUNDATION, LLC. CONTRACTOR, STERLING PENMAN, PENMAN CONSTRUCTION**

A request for a revocable permit to install new masonry retaining walls on the property to replace the existing railroad tie retaining walls that are failing was received by property manager, Jesse Stroope. Details of the retaining walls were received. This would be part of the preliminary phase in beautification of the Lakeview Terrace. The gazebo and cabin will be removed from the property. The retaining walls are needed to shore up the installation site for the Cloud City sculpture installation scheduled to begin in June 2013. The Clerk was requested to set the public hearings for this revocable permit request for Tuesday, February 26, 2013 before the Planning Commission and for Tuesday, March 5, 2013 before the Board of Trustees for approval.

The regular meeting was closed at 6:51 p.m. Commissioner Kosley, as listed on the agenda, requested a closed session pursuant to the Colorado Open Meetings Act. Town Attorney Lisa Tormoen Hickey was present.

**M/S Kosley/Krall to go into Executive Session 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) and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under C.R.S. Section 24-6-402(4)(a). All yea**

**M/S Kosley/Lowndes to invite Trustee Mac Pitrone and the Town Clerk to attend the Executive Session. All yea**

The Planning Commissioners came out of Executive Session at 7:55 p.m.

**M/S Kosley/Lowndes that Chairman Kosley will present a brief summary of the Planning Commission findings and recommendations for the Town Hall location at the Board of Trustees meeting on Tuesday, February 19, 2013 and request approval to move forward with negotiating a contract. All yea**

**OTHER BUSINESS:** The Town Clerk requested direction on a preliminary submittal discussion with New Vision Construction. The contractor is bidding a job on Belvedere Avenue to raise the roof on the primary residence and replace the roof on the garage with a pitched roof. The contractor asked if the submittal could bypass Planning Commission and go directly to Regional Building being the footprint was not being changed. The consensus was that all structural changes come before the Planning Commission. **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 8:28 p.m.

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David Kosley, Chairman

**ATTEST:** \_\_\_\_\_  
Chris Frandina, Town Clerk/Treasurer