

Minutes
Planning Commission Meeting
Town of Paonia, Colorado
April 16, 2021

RECORD OF PROCEEDINGS

The Regular Meeting of the Paonia Planning Commission was called to order on Friday, April 16, 2021 at 1:02 pm by Barb Heck, Chairperson. Formal Video Record at <https://www.youtube.com/watch?v=k92qTg6i4O4>

Roll Call

Commission members present were as follows: Chairperson Barb Heck, Commissioner Lucy Hunter, Mayor Mary Bachran and Trustee Karen Budinger. Commissioner Monica Foguth was absent.

Also present were Town Administrator/Town Clerk Corinne Ferguson and Deputy Town Clerk Amanda Mojarro.

A quorum was present, and Chairperson Heck proceeded with the meeting.

Approval of Agenda

Motion to approve agenda as presented by Mayor Bachran, seconded by Commissioner Hunter. Motion carried.

Unfinished Business

Minutes: June 22, 2020:

Motion to approve minutes as presented by Commissioner Hunter Seconded by Trustee Budinger. Motion carried.

Mayor Bachran & Trustee Budinger Abstained from voting.

Minutes were tabled until the next meeting.

New Business.

Riverbank Neighborhood Subdivision Application:

- Commissioner Hunter recused herself from the discussion.
- Administrator Ferguson read her recommendations that were included in her report in the packet.

Public Hearing:

Chairperson, Barb Heck opened the Public Comment at 1:10 pm.

Ivo Renkema, Riverbank's developer was absent, and Frederick Zimmer was the representative on his behalf. Frederick Zimmer addressed the publics and the Boards questions.

Publics concerns & comments:

- A Public member was concerned with what will happen to their ditch lateral. The other concern was regarding the wetlands and the wildlife located on lots 8, 10, 12 and 14.
- The representative stated that they will follow the ditches recommendation and stated that the surveyor did not mark or indicate the existence of wetlands in the lots mentioned by the public member.
- A public member was concerned with the bond, water tap and the moratorium that is in place and conservation easements. A statement regrading their concerns was read and was added to the permanent packet.

- A public members were concerned with the R-2 zoning. Representative stated that they were not aware of the R-2 zoning issue and that the developer would consider re-zoning.

Chairperson, Barb Heck closed the Public Comment.

Board comments:

- Concerned that the developer was not present by phone to address the public and boards questions.
- Keeping the restrictions on the curb and gutter.
- R-2 zoning – would need to go through the re-zoning contingent upon approval.
- Road variance
- A concern about an agriculture provision in the document stating that the unit owner would have agree not to complain about any noises, smells or about the agriculture law in the State of Colorado.

Motion by Mayor Bachran, seconded by Trustee Budinger to recommend to the Board of Trustees the approval of the proposed staff recommendations for Variance 1: Road width and length – Section 17-4-40 (g) cul-de-sac length and Section 17-4-50 paved area or right-of-way: **The Road length is 1,700 ft. Code requirement is no more than 500 ft. Staff recommendation to approve variance – to recommend approval of modification to emergency turn around location to area between Riverbank lots 2 & 5 which currently have a 35 ft shared utility and ditch easement. This more centrally locates the emergency turn-around. At its current location it is approximately 700 ft beyond the maximum allowed road length.** Motion carried.

Motion by Mayor Bachran, seconded by Trustee Budinger to recommend to the Board of Trustees to accept staff recommendation to deny variance 2: Change in typical road section – Section 17-4-40 (j): **to recommend deferring installation of sidewalk, curb, and gutter until such time as 50% of the parcels are sold and/or developed. Storm water runoff should be collected at intermittent collection boxes and piped to detention ponds identified on the plan (see C3.0).** Motion carried.

Motion by Chairperson Heck, seconded Mayor Bachran to recommend to the Board to continue with R-2 zoning and add restrictions to 2 livable units and restrict multi units. Vote of those present was Trustee Budinger & Mayor Bachran voted Nay. Chairperson Heck voted Aye. Motion failed.

Discussion: Public members suggested consulting the Town Attorney's and suggested to re-zone to R-1 and suggested investigating further into the wetlands issue.

Motion by Mayor Bachran, seconded Trustee Budinger to recommend to the Board to re-zone R-1. Motion carried.

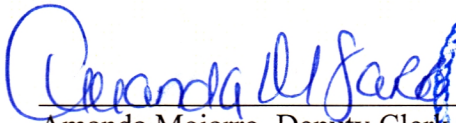
Motion by Mayor Bachran, seconded Trustee Budinger to recommend to the Board that only lots 1 & 2 be developed until the water moratorium is lifted. Motion carried.

Motion by Mayor Bachran, seconded Trustee Budinger to recommend to the Board to accept the Riverbank subdivision with the stipulations as outlined in the previous motion. Motion carried.

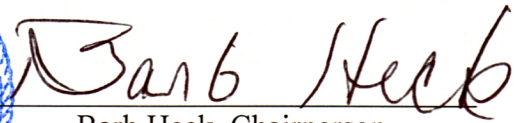
Motion by Mayor Bachran, seconded Trustee Budinger to recommend to the Board to have the applicant provide information regarding the wetlands status and bring it before the Board.

Adjournment

Chairperson Heck adjourned the meeting at 2:45 pm


Amanda Mojarro, Deputy Clerk




Barb Heck, Chairperson