

The meeting of the Meeker Planning Commission was called to order by Chairman Gary Hindman Monday, July 27, 2009, at Town Hall at 5:35 p.m.

Members Present: Chairman Gary Hindman
Terry Goedert
Martha Griffin
Jerry Belland ó new member ó arrived at 5:45 p.m.

Members Absent: Keith Rholl

Others Present: Anna Smith, Town Planner
Sharon Day, Town Administrator

Citizens present: Jason Steiner Applicant
Roston Steiner Applicant
Mike Whalin Applicant
Mike Cook Applicant

APPROVAL OF AGENDA

Chairman Gary Hindman asked if there were any changes to the revised agenda with none noted.

A motion to approve the revised agenda as presented was made by Commissioner Griffin, seconded by Commissioner Goedert. All ayes, motion carried.

APPROVAL OF THE MINUTES

Chairman Hindman inquired if there were any changes, corrections or additions to the June 8, 2009 Planning Commission minutes, with none noted

A motion to approve the minutes of June 8, 2009 as presented was made by Commissioner Griffin, seconded by Commissioner Goedert. All ayes, motion carried.

PUBLIC PARTICIPATION

None

PUBLIC HEARING

a) Public Hearing – Applicants Mike and Lisa Cook, 1162 Mimi Circle – Lot 147, Sanderson Hills Subdivision, are requesting to construct a 6-foot fence 37 feet beyond the front of their home and then 15 feet for transitioning to the fence to 4 feet in height but fence will not extend beyond front of the adjacent neighbor’s home.

Chairman opened the Public Hearing at 5:38 p.m.

Town Planner Anna Smith provided the following report: The subject property of 1162 Mimi Circle (Lot 147 Sanderson Hills Subdivision) is located at the end of the cul-de-sac and is zoned R-1, Single-Family Residential. The applicants are requesting to construct a 6-foot fence 37 feet beyond the front of their home and then 15 feet for transitioning the fence to 4 feet in height on the property line between their property and that of 1160 Mimi Circle (Lot 148); however the fence will not extend beyond the front of the adjacent neighbor’s home.

The subject property is a deep, somewhat pie-shaped lot with the home situated towards the rear of the property. As a result of the configuration of the adjacent lot of 1160 Mimi Circle (Lot 148), the placement of the newly constructed (2008) home on that property (Lot 148), and the orientation of the

Cooks' home on their lot (Lot 147), the Cooks would like to erect a fence that will provide privacy. Per 18.1.139 (D) (I) of the Meeker Municipal Code, 6-foot fences are restricted to side and rear yards, while front yards fences are restricted to 4 feet in height. "Front yard" is defined as "the open, unoccupied space on the same lot as the principle building, extending the full width of the lot and situated between the street right-of-way and the front of the principle building, projected to the side lines of the lot." Had it been the adjacent property owner proposing to install this fence in the location proposed by the Cooks, a variance would not be needed since the fence would not extend beyond the front of that property's principle building. However, since it is the Cooks wishing to install the fence and since the front of their principle building is recessed 52 feet back from the front of the adjacent structure, a variance is required.

The request has been advertised in the paper as mandated in the Meeker zoning ordinance. A sign has been posted on the site and letters have been sent to adjacent property owners. At this time, the Town has received no comments from the public.

Recommendation: Staff recommends approval of the applicants' request to construct a 6-foot fence 37 feet beyond the front of their home and 15 feet to transition the fence to 4 feet in height on the property line between 1162 Mimi Circle (Lot 147 Sanderson Hills Subdivision) and 1160 Mimi Circle (Lot 148 Sanderson Hills Subdivision), with the 6-foot height not extending beyond the front of the principle building on 1160 Mimi Circle, contingent upon the Cooks obtaining an encroachment agreement to locate the fence along and across the platted side yard utility easement. The recommendation is based on the Code as described below:

SECTION 18.1.146 FINDINGS

That the variance granted is without substantial detriment to the public good and does not impair the intent or purpose of the Code and Comprehensive Plan, including the specific regulation in question;

The request is without substantial detriment to the public good. A variance request would not be necessary if it were the adjacent property owner seeking to install the fence since the front of their principle building on 1160 Mimi Circle (Lot 148 Sanderson Hills Subdivision) is located closer to the right-of-way than that of the Cooks' home at 1162 Mimi Circle.

That there exists on the subject property exceptional topography, shape, or other extraordinary and exceptional situation, or a condition, such that strict application of the zone district requirement would result in peculiar and exceptional practical difficulties to or exceptional undue hardship upon the owner of the subject property;

The shape of the lots and the placement/orientation of the principle buildings on the lots result in a peculiar situation creating the need for the Cooks to request a variance for the fence. But had it been the adjacent property owner wanting to install the fence, a variance would not have been necessary.

That the exceptional situation or condition, pursuant to paragraph B of this Section above was not induced by any action of the applicant and is not a general condition throughout the zone district;

This was not a situation created by the applicant. Depending on the placement of structures on the remaining vacant lots within the re-platted lots of the Resubdivision of the Sanderson Hills Subdivision, Phase 2, it is possible similar situations such as this could result. And, if it is the owner of the principle building that is farther recessed on the property requesting a fence and not the owner with the shorter front yard distance, then the situation where a variance is necessary would be created again. Such individual instances would need to be evaluated.

That the hardship, pursuant to paragraph B of this section, cannot practically be corrected by means other than a variance;

The other way of addressing this matter would be for the adjacent property owner to install the fence, however, that property owner has relocated out of the area and the Cooks have not been able to contact the owner. Therefore, there are no practical means other than a variance to address this request.

Chairman Hindman asked for questions, or comments from the applicant and the Commissioners with none noted. Chairman Hindman closed the Public Hearing at 5:45 p.m.

A motion was made by Commissioner Griffin to recommend approval of Mike and Lisa Cook's request to construct a 6-foot fence 37 feet beyond the front of their home and 15 feet to transition the fence to 4 feet in height on the property line between 1162 Mimi Circle (Lot 147 Sanderson Hills Subdivision) and 1160 Mimi Circle (Lot 148 Sanderson Hills Subdivision), with the 6-foot height not extending beyond the front of the principle building on 1160 Mimi Circle, contingent upon the Cooks obtaining an encroachment agreement to locate the fence along and across the platted side yard utility easement, seconded by Commissioner Goedert. All ayes, motion carried.

Planner Smith outlined the 10-day appeal process to the applicant.

Commissioner Jerry Belland arrived at 5:45 p.m.

b) Public Hearing – Applicants Roston Steiner/Jason Steiner, 262 Park Avenue – Lot 4, A and E 5 feet of Lot 5, Block 16 Town of Meeker, is requesting to construct an 8-foot porch that will extend 16 feet into the required 25-foot front yard setback.

Chairman Hindman opened the Public Hearing at 5:47 p.m.

Planner Anna Smith provided the following report: The subject property of 262 Park Avenue (Lots 4, A and east 5 feet of Lot 5, Block 16, Town of Meeker) has an existing single family residential structure located towards the front of the property and is zoned R-1A, Single-Family Residential. The applicants are currently in the process of building a detached garage, which meets setbacks, at the rear of the property. The applicants are requesting a variance to construct an 8-foot porch that will extend 16 feet into the required 25-foot front yard setback.

The existing single family residential structure, built in 1903, currently sits 17 feet from the property line, 8 feet within the 25-foot front yard setback with an additional 8 feet to the paved edge of Park Avenue. The applicants have identified in the application that water stands at the front door and 2 inches of snow comes in through the front door. Therefore, to protect the front door access, they are requesting to build an 8-foot covered porch. They state that the 8-foot size for the porch is because material is sold in 8-foot lengths and they would rather not waste material or money to build a smaller size porch.

The request has been advertised in the paper as mandated in the Meeker zoning ordinance. A sign has been posted on the site and letters have been sent to adjacent property owners. At this time, the Town has received no comments from the public.

Recommendation: Staff recommends approval of the applicants' request for a variance to construct an 8-foot porch that will extend 16 feet into the required 25-foot front yard setback. The recommendation is based on the Code as described below:

SECTION 18.1.146 FINDINGS

That the variance granted is without substantial detriment to the public good and does not impair the intent or purpose of the Code and Comprehensive Plan, including the specific regulation in question;

The request is without substantial detriment to the public good. The proposed variance does not create a situation that impairs the intent of the applicable ordinance beyond what currently exists.

That there exists on the subject property exceptional topography, shape, or other extraordinary and exceptional situation, or a condition, such that strict application of the zone district requirement would result in peculiar and exceptional practical difficulties to or exceptional undue hardship upon the owner of the subject property;

Due to how flat the property is, water and snow tend to stand at the front door and, depending on the height of the standing water/snow, will get into the house. Therefore, to protect the front door access, the applicants are requesting to build a covered porch. As a result of the location of the existing residential structure (built in 1903) within the 25-foot front yard setback, a variance to construct any size porch in front of the house would be necessary.

That the exceptional situation or condition, pursuant to paragraph B of this Section above was not induced by any action of the applicant and is not a general condition throughout the zone district;

There still exists several homes in town that were built prior to the establishment of current setback requirements and some may be located within those setback distances, so it is possible another situation like this could be presented to the Town for consideration of a variance. This situation was not created by the applicant.

That the hardship, pursuant to paragraph B of this section, cannot practically be corrected by means other than a variance;

There are no practical means other than a variance to address this request.

Chairman Hindman asked for questions or comments from the applicant and the Planning Commission with none noted. Chairman Hindman closed the Public Hearing at 5:52 p.m.

A motion was made by Commissioner Goedert to recommend approval of the applicants' request for a variance to construct an 8-foot porch that will extend 16 feet into the required 25-foot front yard setback, seconded by Commissioner Griffin. All ayes, motion carried.

Planner Smith outlined to the applicant the 10-day appeal process. Planner Smith noted for the record, the two prior variance requests had been on a previous agenda, but due to a lack of a quorum, all the adjacent property owners had been re-notified that the meeting had been rescheduled and no comments had been received.

c) Public Hearing – Applicants Mike and Mary Whalin, 718 Water Street – E 15feet of Lot 10 and Lots 11 & 12, Block 53, Town of Meeker, are requesting a 6-foot variance from the required 12 ½ foot setback on 7th Street to construct an 8'6"x12' enclosure on the western portion of an existing 17'x12' concrete slab.

Chairman Hindman opened the Public Hearing at 5:55 p.m.

Planner Anna Smith provided the following report: The subject property of 718 Water Street (East 15 feet of Lot 10 and Lots 11 & 12, Block 53, Town of Meeker) has located onsite an existing single family residential structure along with other accessory structures (a shop/garage and a shed) and is zoned MR Mixed Residential.

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The applicants are requesting a 6-foot variance from the required 12½-foot setback on 7th Street to construct an 8ø6øx12ø enclosure on the western portion of an existing 17øx12ø concrete slab.

The subject property is very unique in that the property has a Water Street address but does not physically abut Water Street. The property sits south of the alley, as shown on the attached plot plan, with access to the onsite residence and shop/garage from 7th Street. Per Mr. Whalin, historically most of the entire block with the exception of Lots 5, 6 and 7 were owned by the Whalin family and over the years the other lots have been sold off. The property to the west, 760 Water Street, was the applicantø great grandfatherø and grandfatherø residence and is another situation where the property has a Water Street address but does not physically abut Water Street. In 2006, a request at 760 Water Street was reviewed for a variance from the required 25-foot front yard setback to install a carport and the front yard was determined to be off of the alley. That variance was granted.

In 1984, the applicants were granted a building permit to construct at 718 Water Street a 40øx32ø shed (the shop/garage located at the northern end of Lot 12). At that time, properties south of the alley were considered to be in the Open zoning district (see attached old zoning map), which had no setback requirements. Therefore, the existing structures on Lot 12 were placed in very close proximity to the property line adjacent to 7th Street, to the point that an existing shed (and the concrete pad in question) actually extend out into 7th Street right-of-way. In 1991, as explained in the submitted application, the applicants received another building permit to construct a 12øx25ø shed, which was never built. But per Mr. Whalin, it would have been at the location of the existing 17øx12ø concrete pad. However, by that time, the Townø zoning map had been amended (signed by the Mayor in 1986) to reflect that the MR zoning district extended to the edge of the White River. The applicants state in the application that after pouring the slab, the building inspector stopped the construction since the zoning had changed and they had to get a variance, but they never resumed construction due to winter and the expiration of the permit the following year. Neither the Whalins nor the Town have been able to find documentation to confirm a variance application being submitted and/or being reviewed by the Town on this matter, not in the minutes or the site file.

The applicants are now requesting to construct on the western portion of the existing 17øx12ø concrete slab an 8ø6øx12ø enclosure for a walk-in cooler. Using the similar determination that the front yard of the subject property is the yard abutting the alley, as was the case for 760 Water Street, the required setback for 7th Street would be 12½ feet. The proposed enclosure would extend 6 feet into the 12½-foot setback.

The request has been advertised in the paper as mandated in the Meeker zoning ordinance. A sign has been posted on the site and letters have been sent to adjacent property owners. At this time, the Town has received no comments from the public.

Recommendation: Staff recommends approval of the applicantsø request for a 6-foot variance from the required 12½-foot setback on 7th Street to construct an 8ø6øx12ø enclosure on the western portion of an existing 17øx12ø concrete slab. The recommendation is based on the Code as described below:

SECTION 18.1.146 FINDINGS

That the variance granted is without substantial detriment to the public good and does not impair the intent or purpose of the Code and Comprehensive Plan, including the specific regulation in question;

The request is without substantial detriment to the public good. The proposed variance does not create a situation that impairs the intent of the applicable ordinance beyond what currently exists. 7th Street is a dead-end street with one additional residential property to the south of Mr. Whalinø property. Placing an additional enclosure that is located 6 feet away from the property line would not create any additional

detriment to the public good from that of the existing structures that are located immediately adjacent to and over the property line.

That there exists on the subject property exceptional topography, shape, or other extraordinary and exceptional situation, or a condition, such that strict application of the zone district requirement would result in peculiar and exceptional practical difficulties to or exceptional undue hardship upon the owner of the subject property;

The topography or shape of the property does not create any undue hardship. The applicants desire to utilize the existing concrete slab rather than pour a new slab elsewhere onsite and to take advantage of the easy access to electricity for the proposed walk-in cooler. The property is unique in that it is addressed off of Water Street, but does not physically abut Water Street, and based on the alley being determined as the front yard, as was done with 760 Water Street, 7th Street would then be considered as corner street with the setback requirement of 12½ feet. Locating an additional accessory structure 6 feet away from the property line is more conforming than the existing structure and concrete slab that currently extends into the Town's right-of-way.

That the exceptional situation or condition, pursuant to paragraph B of this Section above was not induced by any action of the applicant and is not a general condition throughout the zone district;

As a result of the changing of the zoning district boundaries and the issuance of previous building permits for the placement of structures immediately adjacent to the property line, the complete history of which staff is unable to locate in minutes or the site file, it is questionable to what degree this situation was created by the applicant. This is not a general condition throughout the zone district.

That the hardship, pursuant to paragraph B of this section, cannot practically be corrected by means other than a variance;

In order for the applicant to construct an enclosure, a variance would be needed to address this request.

Chairman Hindman inquired of the applicant if there were any comments, concerns or questions. Mr. Whalin stated if it worked the way it was written, everything would be fine. Chairman Hindman inquired of the Planning Commission if there were any comments, concerns or questions, with Commissioner Belland inquiring about the walk-in cooler, asking if it would be to the north of the existing shed where wood was stacked. Mr. Whalen stated yes. Commissioner Griffin stated she understood the front yard was determined by the longest abutting area of the building lot to the street. Planner Smith stated it was the shortest distance abutting a public right-of-way. Discussion focused on an alley being a public right-of-way, who maintained the alley, and the unique situation/property Mr. Whalin had.

Chairman Hindman inquired again for comments or questions with Commissioner Griffin inquiring about the relevance of mentioning past applications. Planner Smith stated the building permits explained how the existing structures came to be so close to the property line. She stated over the years, the property owner had obtained building permits and the presence of the 17'x12' concrete slab was based on Mr. Whalen's explanation; which was a building permit was received in 1991, but never followed through with construction. Planner Smith stated there was nothing in the file to indicate anything regarding a variance in 1991 and no site plans associated with the 1991 permit to show where on the property the 12'x25' shed was to go. She stated per Mr. Whalen, it would have been where the concrete pad was located. Commissioner Griffin inquired if the applicant comes under the current Town ordinances, with Planner Smith stating correct, any activities on-site now would have to meet code requirements and setbacks. Commissioner Griffin inquired of the applicant what he would do with such a large walk-in cooler. Mr. Whalin replied they host a barbeque every year and it was hard to find a place to put an animal on a spit as it takes a 10-foot space to put it in. He stated it would probably get more use than just

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for the yearly barbeque. Commissioner Griffin inquired if he would be operating a business, with Mr. Whalen stating he wasn't going into business.

Planner Smith stated she would like to clarify to the applicant that if the variance was granted, it would include all roof overhangs, which would also need to meet the setback of whatever type of structure Mr. Whalin built. Mr. Whalin clarified that he couldn't build past the 8'6", with Planner Smith stating that was correct, and any overhangs from the roof would have to fall at that variance mark. Chairman Hindman closed the Public Hearing at 6:10 p.m.

A motion was made by Commissioner Belland to recommend approval of the applicant's request for a 6-foot variance from the required 12½-foot setback on 7th Street to construct an 8'6" x 12' enclosure on the western portion of an existing 17' x 12' concrete slab, seconded by Chairman Hindman. Ayes 6 Commissioners Belland, Goedert and Chairman Hindman. Nays 0 Commissioner Griffin. Motion carried.

Planner Smith outlined the 10-day appeal process to applicant.

Chairman Hindman inquired of Town Administrator Sharon Day on the requirements for variances, asking if the Town requested a warranty deed for the property as part of the packet? Administrator Day stated yes. Chairman Hindman stated he noticed on the Steiner's request the only thing they had was a commitment. Day stated she thought the Town had the rest, but hadn't been included in the Planning Commissioners' packets. Chairman Hindman stated he wanted to ensure that it was a standard requirement for the package, but didn't see one for the Town's request. Day stated the Town's was the old patent and there were no old deeds. Planner Smith stated before it went to the Board of Trustees; she would go to the County Clerk's office to obtain a copy of the actual book and page. Chairman Hindman stated if a contingency was put on, would that cover it, with Planner Smith stating yes. Day stated the information the Commissioners had was a copy of an abstract the Town had the Title Company do a few years ago, confirming the Town owned the property.

d) Public Hearing – The Town of Meeker is requesting a Special Review Use Permit at 109 3rd Street – Block 31, Town of Meeker, to add a 16'x24' accessory structure north of the Recycling Center to be utilized by the Meeker Police Department

Chairman Hindman opened the Public Hearing at 6:15 p.m.

Planner Anna Smith gave the following report: The subject property is located at 109 3rd Street (Block 31, Town of Meeker) and is zoned Open (O). The Town of Meeker is requesting a Special Review Use permit at 109 3rd Street (Block 31, Town of Meeker) to add a 16' x 24' accessory structure to the north of the Recycling Center to be utilized by the Meeker Police Department.

Regarding the Open (O) zoning district, the Meeker Municipal Code states: "This district shall be provided for sites for parks; open space; community centers; park and recreation facilities; water storage, treatment, and distribution; governmental buildings and facilities; and other public and private uses which may be suitable in areas of the Town where limitations upon building may be required, for the following reasons: flood, fire protection, or extreme topography. Grazing and other agricultural uses shall be permitted in this district." The Code also states there is no minimum building lot area and all setbacks shall be determined during the special use review, if necessary. The Meeker Police Department is proposing to install 35 feet north of the existing Recycling Center a 16' x 24' accessory structure, which will have the same front setback from 3rd Street as the Recycling Center. Also, the structure will have a roll up door large enough to accommodate a vehicle and a driveway fronting 3rd Street. Access to the building and the hours of operation will be on an as-needed-basis.

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The application with supporting material was received within the required time period and the request has been advertised as mandated by the Meeker Zoning Ordinance. All of the surrounding neighbors have been notified of the Public Hearing and no comments or concerns have been received to date.

Recommendation: Staff recommends approval of the Town's request for a Special Review Use permit at 109 3rd Street to add a 16'x24' accessory structure to the north of the Recycling Center to be utilized by the Meeker Police Department.

Chairman Hindman asked for comments or questions from the applicant (Sharon Day), with Day stating at the present time, when the police process a vehicle they take it to the wash bay at the Town Shop which was not very secure. She stated it also tied up the wash bay for any other use and the PD would like a separate facility where they could lock vehicles, separate from anything else, for security and time to process the vehicle. Chairman Hindman clarified it would be a secure facility, with Day stating yes. He inquired if the 16'x24' facility would accommodate two vehicles, with Day stating it probably could. Chairman Hindman inquired if any effort would be made to make it aesthetic with the Recycling Center, with Day stating yes, it would either be metal siding like the Recycling Center or would be painted the same color as the dog pound, but had not yet been determined.

Chairman Hindman inquired if the Police Department anticipated if it would be a facility that could house a larger vehicle, such as a truck. Day stated she didn't know and they would probably have to go back to the wash bay for something that large. She stated 99 percent of the vehicles the PD searched were SUV's or cars. Day stated it would have a concrete floor, no restrooms, no water, no heat, but would be insulated. Chairman Hindman inquired about the large items recovered by the PD with Day stating she thought it would be items such as a trailer, motorcycles, possibly a compressor. Chairman Hindman stated his concern was that they would be storing items in there that could be potentially hazardous items. Day stated no, and the facility was not meant to be storage, just a processing facility for the Police Department. Discussion focused on not allowing the facility to turn into a storage facility, and how to enforce it, how long a vehicle or other item would be in the facility for processing.

Planner Smith stated there were OSHA standards that would have to be complied with for chemicals and their storage. She stated the focus needed to be on the process to add a structure in the Open District, because the Police were still researching the specifics for the structure. She stated it was known for sure that it would be a 16'x24' structure and would be utilized for processing of evidence. Discussion focused on information posted in the Public Notice, the type of the facility, the use of the facility, the Special Review process and the type of district it would be in.

Chairman Hindman closed the Public Hearing at 6:29 p.m.

A motion was made by Commissioner Griffin that the Planning Commission recommends to the Board of Trustees to grant approval of the Town's request for a Special Review Use permit at 109 3rd Street to add a 16'x24' accessory structure to the north of the Recycling Center to be utilized by the Meeker Police Department, seconded by Commissioner Goedert. All ayes, motion carried.

OTHER PLANNING COMMISSION MATTERS

RBC Platting Jurisdiction - Liberty Industrial Park Subdivision Preliminary Plat

Planner Smith stated the memo in the Planning Commission's packets indicated Liberty Industrial Park Subdivision had submitted a Preliminary Plat for 24.9 acres, and the applicant was Randy Ridgeway. Planner Smith stated in 2004 a larger tract of land, 69.32 acres, which included said parcel went through the County Sketch Plan Review process and was rezoned to industrial. She stated two years ago, the County approved a minor subdivision plat for about 46 acres of the 69 acres, creating Lots 1 and 2. She

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stated Randy Ridgeway has since purchased Lot 1 and was seeking to further subdivide the lot into seven lots and to install a road providing access to Lot 2 of the minor subdivision. Planner Smith stated the application was commencing in the review process at the preliminary plat stage. For new Commissioner Belland, Planner Smith outlined the agreement between the Town and the County regarding activities within three miles of the Town's jurisdiction.

Planner Smith stated projects occurring outside of Town limits relied on the fact they could purchase bulk water from the Town, and as more development occurred outside in the County, the Town would have to be careful. She stated as more of this is seen, comments and notification should be provided to the County that as they process those applications, the applicants need to be advised that the Town's bulk water is available, but is not a guaranteed source. Commissioner Griffin inquired as to what would happen if the Town told people of their alternatives. Day stated the Town was not doing that, but believed it was something they should look at. Discussion focused on a past situation regarding bulk water, Town ordinances, water tap processes, water rights and the County requesting the Town to write a letter guaranteeing water for people.

Commissioner Belland asked if the Town did grow, what was in place to obtain more water rights to service the community. Day stated it had been discussed, but was very expensive, and the Town didn't really have those resources unless they were to raise the rates to purchase more water rights. She stated a water study had been done about a year ago, and the Town has water rights for a population of approximately 10,000 people, but there were a lot of variables to that, with some being absolute water rights. Day stated the Town required people to pay cash in lieu of or give the Town water rights when they annex which adds to the water rights of the Town. Discussion focused on if Meeker Terrace builds out, having enough water rights, past annexation of the development, and the ability of taking care of satellite areas around Meeker. Additional discussion focused on the Town not purchasing more water rights due to the expense and proving due diligence for the additional water rights.

Commissioner Griffin stated the applicant had referred to potable and non potable water. Planner Smith stated having it established as an Industrial Park, and having the lots subdivided with the possibility of future intentions of the establishment of individual lots, structures could be built and services would then need to be provided. If utilized as storage yards, there would be no immediate need for potable water. She stated as the County grows and the uses expand, there is the likelihood of structures being built. Chairman Hindman inquired if the energy industry played any role in the development of an industrial park, and would it be a possibility? Planner Smith stated the information she had was what the County had submitted to her. Commissioner Belland inquired as to what the chances were for the Town to run water out to the area. Day stated it would be money driven and the future plan for the Town was for growth to the east, but the way it was now, the developer was in charge of getting the infrastructure out there and she believed at this point it was a matter of finances. Commissioner Belland inquired if the Town had the funding to put it out there and then charge a specific amount, with Day stating no and the Town has no control over the sewer. She stated the water alone would be over \$2M just getting it to Curtis Creek and would utilize most of the Town's reserves.

Commissioner Griffin inquired if Ute Terrace had town water with Day stating that was correct. Discussion focused on where the water stopped in the area, where it split and if the lines were large enough for service. Commissioner Griffin commented on Item #9 in the narrative "there will be no non-residential floor space at this time..." and believed someone lived out at the Curtis Creek Industrial Park as a guard, and would like to see this proposed development not have someone living there. It was suggested it should read "there will be no residential floor space, removing the word 'non'". Commissioner Belland inquired as to what the County was asking of the Planning Commission. Planner Smith stated any comments and recommendations. Commissioner Belland stated "water and sewer"

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would be the biggest concern for anyone, and if any business were to purchase one of the lots, a holding tank for pumping sewage and another to hold water would not be very convenient. Commissioner Goedert inquired if they should recommend that they require the applicant to have a water resource and a septic resource. Commissioner Belland stated it would be something the buyer/purchaser should inquire about, and dependent on the use of the lot. Discussion focused on the size of the lots, the capacity to put a well/septic on each of the sites, a community water/septic source, the County's minimum lot size, and the lack of covenants in the development plan. Commissioner Belland stated as a recommendation that they have covenants and the Town should figure out some way to get water and sewer out to the area to help stimulate growth. Day stated it is the issue of money and provided an example of a small community where residents were paying over \$100.00 per month to upgrade their water systems to ensure it was done. She stated she didn't believe people in Meeker would be willing to pay that amount. Commissioner Belland stated it would be worth the time to find out.

Planner Smith recapped the comments and recommendations made to include: no on-site living quarters including extended use by guards or onsite security, covenants specifically identifying the aesthetics or appearance and keeping up the appearance of the site, sewer and water concerns needed to be addressed, and delete the word "non" in Item #9 in the narrative.

ADJOURNMENT

Commissioner Griffin made a motion to adjourn, seconded by Commissioner Goedert. All ayes, motion carried.

Planning Commission Meeting adjourned 7:02 p.m.

Gary Hindman, Chairman

Terry Goedert, Secretary