

**TOWN OF SILT  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
OCTOBER 6, 2020 – 6:30 P.M.  
REMOTE MEETING**

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, October 6, 2020. Chair Classen called the meeting to order at 6:32 p.m.

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<b>Roll call</b>	Present	Chair Chris Classen Vice-chair Lindsey Williams Commissioner Eddie Aragon Commissioner Brittany Cocina Commissioner Marcia Eastlund Commissioner Kim Leitzinger
	Absent	Commissioner Joelle Dorsey

Also present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Town Attorney Michael Sawyer, Planner Davis Farrar, Planner Mark Chain and members of the public.

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**Pledge of Allegiance**

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**Public Comments** – There were no public comments.

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – There were no agenda changes.

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**Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7<sup>TH</sup> STREET WITHIN THE TOWN OF SILT, COLORADO**

Planner Mark Chain went through his staff report regarding construction of a duplex structure, adding that the review criteria have been met with conditions. He proceeded to read through the conditions provided staff. Chair Classen asked where the sewer line was located and applicant Jesse Schoeller stated that it runs just north of the property line, but that he believes the waterline runs down the driveway. Mr. Schoeller stated that they have made all of the changes necessary to meet the requirements of code.

**Vice-chair Williams made a motion to approve Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7<sup>TH</sup> STREET WITHIN THE TOWN OF SILT, COLORADO with the condition that the meter pit and waterline be**

placed in a utility easement or be moved. Commissioner Eastlund seconded the motion, and the motion carried unanimously.

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### **Garfield County Referral – Ruiz Minor Subdivision update**

Planner Chain went through his report stating that this had originally come before the Commission in March where staff made their initial comments on various concerns and impacts affecting the Silt River Preserve. He stated that he has since spoken with the County Planner and was provided with the formal application that is being presented tonight for staff comment.

Planner Chain spoke about the potential impacts on the eagle's nests on the Preserve and the town's bulk water station should the lots not have sufficient water. He stated that he would like to submit a letter that addresses:

- that the property not be subdivided into more than three lots,
- that he would like to see the comments provided by Colorado Parks and Wildlife,
- that no construction be allowed within the 200-meter buffer of the bald eagle nest,
- that dogs be kept under control of property owners,
- that best managed practices be used for reclamation, and
- that structures not be allowed within the 25-foot buffer on the north property line.

There was discussion by the Commission regarding:

- weed control and chemicals that could be used to mitigate a variety of weeds, Russian olive trees and tamarisk,
- an allowable construction window so as not to effect eagle nesting,
- concern of water being purchased from the town's bulk water system,
- concerns about how close this subdivision is to the Silt River Preserve, and
- would the new subdivision effect the Highwater Farms project on the Preserve.

Mr. Chain recommended having a joint letter from the Town along with Aspen Valley Land Trust in an effort to be more successful in addressing concerns. **There was support from the Commission to have Planner Chain prepare and submit a letter to the County regarding this referral.**

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### **Village at Painted Pastures Site Plan review application – Applicant Raley Ranch Project, LLC & Presenters Doug Pratte and Team**

Planner Davis Farrar introduced himself to the Commission and his history of working with Silt. Applicant Doug Pratte provided his presentation by going through the layout of the project including but not limited to:

- the roundabout,
- the residential buildings and their locations,
- open space,
- parks and trails,
- community building,
- sidewalks,

- ingress and egress,
- landscaping, and
- which items would be coming back as part of the site plan review process in the future.

Planner Farrar then went through his staff presentation for the Planned Unit Development explaining that the Commission's action would be the final action on the site plan and that it does not go before the Board. Mr. Farrar went over the following items but not limited to:

- the site plan,
- portions of the property that would be located on easements,
- the traffic model and the reconfiguration of the roundabout to allow for larger trucks,
- that the site is under a single ownership,
- that the roads would be private and the metro district would be responsible for them including snow plowing,
- that the town would be responsible for the water and wastewater,
- that the developer would be responsible for stormwater and that it would be covered by the metro district as well as park maintenance and operation even though the parks would be available to the public,
- the Cactus Valley Ditch that runs through the project,
- how the project complies with the Comprehensive Plan,
- how this project provides much needed affordable housing in the area, and
- the projects close proximity to the rest of the town.

Yancy Nichols, Engineer for the applicant clarified that the HOA would own and maintain the streets including the snow plowing.

The Commissioners asked for additional discussion and clarification regarding:

- the use of the community building for the entire town,
- accumulation of debris along with ditch bank by the ditch company,
- the amount of irrigation water necessary for the project,
- if there would be a sidewalk along the northern property line,
- parking spaces,
- updating of the interchange due to the increase in residents and traffic impact,
- reduction of the speed limit on Highway 6 to allow for a pedestrian crossing at the east end of the project,
- that the project would be pet friendly,
- if a fence would be placed along the project next to Highway 6 to help protect children and dogs in that area, and
- location of fire hydrants throughout the project.

Planner Farrar proceed to go through his staff recommendations with a correction to number two to clarify that it is the CTL "Thompson" report and that number five would be changed to state that the applicant would work in good faith with the Town Engineer to resolve the issues identified in the October 1, 2020, Boundaries Unlimited Inc. letter to the satisfaction of the Town Engineer prior to the construction of any improvements on the property.

**Commissioner Eastlund made a motion to approve the Village at Painted Pastures site plan application with the staff recommendation including the modifications to change number two to CTL Thompson and number five so that it states that the applicant shall work in good faith with the Town Engineer to resolve the issues identified in the October 1, 2020, Boundaries Unlimited Inc. letter to the satisfaction of the Town Engineer prior to the construction of any improvements on the property. Commissioner Cocina seconded the motion, and the motion carried unanimously.**

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**Ordinance No. 12, Series 2020, AN ORDINANCE FOR THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF CHAPTERS 17.13 AND 17.73 OF THE SILT MUNICIPAL CODE RELATED TO THE LAND USE REGULATION OF MARIJUANA WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO**

Attorney Sawyer went through his presentation explaining that the town had enacted a moratorium in January so that the town could revisit the code to address changes requested by the Board as well as legislative changes that have taken place. Attorney Sawyer proceeded to code through the ordinance and the following changes that were made:

- administrative changes and updates,
- industrial hemp,
- concentration and setbacks,
- restrictions on the location of marijuana businesses, and
- prohibition of delivery to retail marijuana consumer.

The public hearing was opened at 8:59 p.m. There were no public comments and the hearing closed at 8:59 p.m.

Chair Classen as asked if the town would be setting any type of precedence with other businesses in town by limiting the number of marijuana businesses based on population and Attorney Sawyer stated that he believes that this would be appropriate under Colorado law. Commissioner Leitzinger commented that by not allowing delivery would it encourage unsafe driving while under the influence and the Attorney explained the code is written with health and safety in mind so that marijuana that would be delivered doesn't end up in the wrong hands.

**Vice-chair Williams made a motion to recommend the modifications made to Ordinance No. 12, Series 2020, AN ORDINANCE FOR THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF CHAPTERS 17.13 AND 17.73 OF THE SILT MUNICIPAL CODE RELATED TO THE LAND USE REGULATION OF MARIJUANA WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO. Commissioner Aragon seconded the motion, and the motion carried unanimously.**

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**Commissioner Comments**

Chair Classen welcomed Ms. Leitzinger and thanked her for her interest in serving on the Planning Commission.

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**Adjournment**


**Commissioner Eastlund made a motion to adjourn. Commissioner Aragon seconded the motion, and the motion carried unanimously. Chair Classen adjourned the meeting 9:06 p.m.**

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Respectfully submitted,

Approved by the Planning Commission

  
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Sheila M. McIntyre, CMC  
Town Clerk

  
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Chris Classen  
Chair