



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Minutes - Final

Planning Commission

Wednesday, February 17, 2021

6:30 PM

Council Chambers

via Virtual Meeting
<http://bit.ly/2021Feb17PCMtg>

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO FLAG

Chair Zuniga called the February 17, 2021 Planning Commission Meeting to order at 6:31pm.

II. ROLL CALL

Roll Call:

Commissioner Luthi - present
Commissioner Witt - present
Commissioner Sawusch - present
Commissioner Hoback - present
Commissioner Ames - present
Vice Chair Fraser - present
Chair Zuniga - present

III. APPROVAL OF THE AGENDA

Commissioner Hoback moved to approve the agenda of the February 17, 2021 Planning Commission Meeting. The motion, seconded by Commissioner Luthi, carried with the following roll call vote:

Commissioner Luthi - yes
Commissioner Witt - yes
Commissioner Sawusch - yes
Commissioner Hoback - yes
Commissioner Ames - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

IV. APPROVAL OF MINUTES

[21-057](#)

Approval of the February 3, 2021 Planning Commission Meeting Minutes

Attachments: [February 3, 2021 Planning Commission Meeting Minutes](#)

Commissioner Witt moved to approve the meeting minutes of the February 3, 2021 Planning Commission Meeting. The motion, seconded by Commissioner Ames, carried with the following roll call vote:

Commissioner Luthi - yes
Commissioner Witt - yes
Commissioner Sawusch - yes

Commissioner Hoback - yes
Commissioner Ames - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

V. PUBLIC COMMENTS

No Public Comments were taken.

VI. GENERAL BUSINESS

21-044

PUBLIC HEARING: Resolution No. P21-01: A Resolution of the Planning Commission of the Town of Erie Recommending that the Board of Trustees Approve an Ordinance Amending the Zoning Map to Adjust the Airport Influence Area

Attachments: [Resolution P21-01](#)
[Zoning Map Amendment](#)
[Public Notice](#)
[2016 Airport Master Plan](#)
[IGA - Lafayette, Erie, & TOEURA - 06-04-2019](#)

Chair Zuniga opened the Public Hearing for Agenda Item 21-044 at 6:35pm.

Deborah Bachelder, Planning Manager/Deputy Director of Planning & Development presented Agenda Item 21-044 to the Commission.

Chair Zuniga brought it back to the Commission for questions/comments.

Some questions/comments of the Commission included the following:

- Requested Erie/Lafayette IGA to be added
- Zoning map - County Line and Hwy 7 - not in town boundaries but in Lafayette's jurisdiction
- Airport master plan - has Broomfield/Lafayette adjusted their zoning maps
- Applicant that came forward and they were inside the influence area - what does it look like for those that are in the influence area? FAA review?
- S of Hwy 7 in Broomfield - their area was a straight line back
- When was the cross runway decommissioned and why?
- Influence Area/IGA - is it proper, upon consultation from Kendra, to confirm that this area have conditions added to see if this area should be in the black boxed area? (Lafayette's sewer plant?)
- Exclude that section? Verify with town attorney to remove from planning boundary?
- Questions on airport influence area and distance from runway
- Update map all at once

Commissioner Luthi moved to approve Agenda Item 21-044/Resolution P21-01. The motion, seconded by Commissioner Ames, carried with the following roll call vote:

Commissioner Luthi - yes
Commissioner Witt - yes

Commissioner Sawusch - yes
Commissioner Hoback - yes
Commissioner Ames - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

21-045

PUBLIC HEARING: Resolution P21-02: A Resolution of the Planning Commission of the Town of Erie Recommending that the Board of Trustees Approve an Amendment to the Town Comprehensive Plan Map

Attachments: [Resolution P21-02](#)
[Comprehensive Plan Map Amendment](#)
[Notice](#)
[2016 Airport Master Plan](#)
[IGA - Lafayette, Erie, & TOEURA - 06-04-2019](#)

Chair Zuniga opened the Public Hearing for Agenda Item 21-045 at 6:51pm.

Deborah Bachelder, Planning Manager/Deputy Director of Planning & Development present Agenda Item 21-045 to the Commission.

There were no public comments for this agenda item.

Chair Zuniga brought it back to the Commission for questions/comments.

Some questions/comments included the following:

- Any comments discuss from surround communities
- Adjustments for global IGA - Erie/Lafayette
- This is the current up-to-date map (shown)
- Update annually as needed
- Incremental changes that occur on the Comp Plan Map
- If we do annual update, will it make it look like we're diminishing the incremental changes?
- Comparison of the maps with the changes
- You end up having a drastic change in the overall influence and effect with the incremental changes
- We're banking on I-25 corridor
- We've changed the density along Erie Parkway
- If it's the plan, stick with the plan - protect the plan
- Plan for the future
- We do need to update this plan
- Density clarification
- Diminishes the significance of the plan as a vision of the future if we're constantly changing it
- The Comp Plan is a vision of what we're wanting to achieve
- Can we have this as a separate document? A separate document that is current zoning conditions as opposed to having to amend the Comp Plan?
- We're just catching up with actions that this group has already changed.
- Is there a reason why the town attorney suggested an annual update?
- Per CRS, which says what's within our authority, if Lafayette wants to come in and work on their treatment facility, if noted on our map, do they (Lafayette) have to come to us?
- Do we want to recognize their rights based on the IGA and our Comp Plan?

- If we have them (Lafayette) removed from our comp plan, we would be able to make comments on their property/land?

Commissioner Luthi moved to approve Agenda Item 21-045/Resolution P21-02. The motion, seconded by Commissioner Sawusch, carried with the following roll call vote:

Commissioner Luthi - yes
Commissioner Witt - yes
Commissioner Sawusch - yes
Commissioner Hoback - yes
Commissioner Ames - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

21-052

Resolution No. P21-03: A Resolution of the Planning Commission of the Town of Erie Recommending that the Board of Trustees Authorize Staff to Publish the Request for Proposal - Comprehensive Plan

Attachments: [Resolution No. P21-03](#)
[Request for Proposal - Comprehensive Plan](#)
[Evaluation Criteria](#)
[Calendar of Events](#)

Chair Zuniga opened the Public Hearing for Agenda Item 21-052/Resolution P21-03 at 7:24pm.

Deborah Bachelder, Planning Manager/Deputy Director of Planning & Development gave an update on where the Town is with the Comprehensive Plan and Request for Proposal. The update included the Steering Committee members, DOLA Grant, the amendment process, and the process for the grant and Request for Proposal. The grant is currently submitted with DOLA. Request for Proposals will be voted on by the Board of Trustees.

Commissioner Witt recognized Deborah for her work and time invested in this project. Commissioner Sawusch agreed with Commissioner Witt. Chair Zuniga thanked Deborah for working over the holiday break.

There was no one at this meeting who wished to provide comment on this agenda item.

Chair Zuniga brought it back to the Commission for any questions/comments.

Some questions/comments included the following:

- Great work - looks good
- Licensed product usage/associated licensed fees
- Language regarding UDC and Comp Plan to communicate with each other
- Money spent updating the UDC - are we asking for more research (Ex. Oil & Gas setbacks, etc.)
- Consultants look at areas beyond our current planning area
- RFP - identify the roll of the Planning Commission and the Board of Trustees (involvement, meetings, etc.)
- Planning Commission to have more opportunity throughout the process

- Do we want Study Session beyond the joint Study Sessions? Or Progress Status Sessions?

- Would rather the money go to the working status
- Add a provision for 3 Status Updates during the process
- Question & Answer sessions instead of Status Update sessions
- Add a 3rd Study Session
- Current issues - final document items
- Evaluation criteria
- Believes 2 Study Sessions would be efficient

Commissioner Witt moved to approve Agenda Item 21-052/Resolution P21-03.

The motion, seconded by Commissioner Sawusch, carried with the following roll call vote:

Commissioner Luthi - yes
Commissioner Witt - yes
Commissioner Sawusch - yes
Commissioner Hoback - yes
Commissioner Ames - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

VII. STAFF REPORTS

Deborah Bachelder stated that she anticipates that there will be no meetings in the month of March. Administration asked that we cancel our March 17th meeting as there was a conflict in air time.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS

Chair Zuniga noted that several Commissioners were listening in on the Boulder County Composting Facility on Highway 287 which is within our influence area. How does this work and does the Town get to make comments or voice concerns regarding this project?

Deborah Bachelder noted that the Town does receive a referral and staff did provide comments regarding odor, traffic, and drainage regarding this site.

Chair Zuniga asked if there was anything else the Town could do regarding the property. Could the Planning Commission draft a Resolution to the Board of Trustees to voice their concern or voice their recommendations. Could the Commission draft a letter to Boulder County? Does this need to come through the Board of Trustees?

The Board of Trustees has discussed actions that they could take. Deborah will check in with the Town Attorney on what action can be taken.

Commissioner Sawusch asked Deborah to verify with the Town Attorney how CRS 31-23-209 plays into this (regarding the Composting Facility)? This is the legal status of the official plan. How long ago did the referral come in to the Town?

Melinda Helmer, Planning Technician stated to the Commission that Boulder County's referral came in to the Town in November, 2020. The Town responded and provided referral comments back to Boulder County on December 9, 2020.

Commissioner Sawusch asked if the Sustainability Board and the Open Space and Trails Advisory Board were provided this referral, why wasn't the Planning Commission provided this referral?

Deborah noted that she referred this to Tyler Kessler who referred it out to the Sustainability Board and Open Space Board.

This is what the Planning Commission does and Commissioner Sawusch would like to hear about these referrals and issues in the future.

Deborah asked that Commissioner Sawusch note these concerns and questions down for her to take to the Town Attorney.

Commissioner Sawusch asked if the first March meeting should be used to come together to write a letter.

Vice Chair Fraser asked if anyone would be opposed to writing a letter in opposition of this development. This wouldn't require a vote, it's not a Resolution, the Commission could write a letter of opposition of the development and to the Board of Trustees.

Commissioner Sawusch asked how the letter would be reviewed?

Since it's not a quasi-judicial item, the approval could go through the email. But this would fall under the "Sunshine Law" if 3 or more meet even if it's via email.

The Commission was in agreement that the letter could be drafted and sent on everyone's behalf. Chair Zuniga and Commissioner Sawusch were tasked with drafting a letter to be sent on the Commission's behalf.

Deborah will verify with the Town Attorney if this would be ok. Deborah believes it would be ok to have a letter sent to the Board of Trustees regarding the matter. Deborah will email everyone the Attorney response.

It was suggested to have the letter reviewed by the Town Attorney.

It's believed that the Town Attorney may need to recuse herself regarding the issue as she may be involved in a legal matter regarding the subject property.

Deborah will verify with the Town Attorney during office hours and get back with the Commission.

IX. ADJOURNMENT

Chair Zuniga adjourned the February 17, 2021 Planning Commission Meeting at 8:12pm.