

WESTON COUNTY PLANNING & ZONING COMMISSION MEETING

Minutes
Thursday, December 15, 2011
6:00pm
Weston County Courthouse

This is a regular scheduled meeting of the Weston County Planning & Zoning Commission, held the 3rd Thursday of every month.

Commission Members: Rick Dunford, Mike Turner, Joe Sandrini, Jerry Varner, Donley Darnell
Staff: Fran Lehman, W.C. GIS

Call To Order: 6:02pm

Roll call: Rick Dunford, Joe Sandrini, Mike Turner, Jerry Varner, Donley Darnell
All Board Members Present
Also Present: Weston County Commissioners; Tom Bruce, Marty Ertman

Approval of Minutes: August 18, 2011

Motion: Joe Sandrini **Second: Jerry Varner** **Vote: 5-0** Carried

Approval of Minutes: November 17, 2011

Motion: **Second:** **Vote:**

After a discussion on how to pass the General Meeting Minutes of November 17, 2011. Chairman Dunford stated that they would come back to this item.

Public Comment: This refers to comments, questions and/or concerns not on the agenda.

Tom Bruce Chairman of the Weston County Commissioners stated that the County Commissioners met with Sharron & John Ackerman to discuss their easement in order to establish the Weston County Salt Creek road. There is a tendency of agreement to have the easement situation taken care of.

The Public Comment portion of the hearing was closed.

Old Business: Wyoming Club approval of the final plat Phase I

Chairman Dunford stated that during the general discussion at the last meeting there were some issues passed on to the Wyoming Club by Weston County Assessor Tina Conklin and that the Wyoming Club has responded to that. Each board member has a copy of the response in order to compare them during public comment.

The P&Z Commission addressing the WY Club asked if they had any comment on anything discussed last month at the November 17, 2011 meeting.

The WY Club reviewed what was discussed at the last meeting. The first Phase location of homes, a future recreation center, the gate house entry, golf course area, potential practice range, the golf course will be on top of the ridge, the well that was drilled last year, and the general layout of Phase I. Any questions? None
Chairman Dunford asked the WY Club to show the new members on the board what has been included in the old Crown Phase II.

WY Club; Crown Phase Sub II was never recorded. Going to the master plan that was approved several years ago was 680 units. Of that 500 was allotted for custom homes, 80 are called Black Hills Cabins which is private residence club single family type, and 100 that we call a Resort Lodge which is an attached product. There is a

potential for up to 200 hotel rooms, planned in Phase 4 , 20 rooms for a club house area, and another hotel scheduled for Phase III . Waste-water treatment plant cannot be started until Phase I is occupied. Wyoming Club did receive a letter from Newcastle water sanitation that they would accept their flows basically up to two hundred homes.

Chairman Dunford requested the location of the old Crown.

WY Club; Showed the location of the Old Crown, fuel breaks and blading of what roads.

Chairman Dunford asked definition wise, is fractional ownership a time share?

WY Club; It is different. When buying fractional you are actually deeded a portion of a lot and buying a portion. Where as a time share you are buying time.

Chairman Dunford; And your last definition is, what is attached?

WY Club; You would have a shared wall.

Chairman Dunford; Any questions from the board for the applicant?

P&Z Member Joe Sandrini asked if the WY Club could explain for Mr. Weinreiss how the homeowners association works , when sub-dividers will take over maintenance to the homeowners and what they are responsible for?

WY Club; Basically the homeowners association will maintain all the common open space area. They will maintain the various facilities that are used by the residence on their private property . In the beginning the homeowners association will not be able to support itself so the developer will have control over that association until a certain portion of the lots are sold. It would be either 66% or 75% of lots sold.

P&Z Member Joe Sandrini; Is WY Club incorporated in the homeowners association and the difference between the WY Club Development & WY Club Incorporated because, there are articles of incorporation.

WY Club; There is WY Club Development , WY Club Incorporated, the HOA which Taylor English is the attorney and is generating those documents. There is a separate entity for the Club facilities which includes amenities the Club would operate and are held out separately from the homeowners association.

P&Z Member Joe Sandrini; Explain Village Concept?

WY Club; Each homeowner has to follow the guidelines. They have to submit construction plans, and layout of the lot. Then this goes back to our constructional control department to see if it meets the guidelines.

P&Z Member Joe Sandrini; On the first page of the plat under general notes 19-22 it says,

19-no public maintenance of streets or roads

20-no proposed public sewage disposal system

21-no proposed domestic water source

22-no proposed public disposal of garbage, 20 and 21 do not jive.

WY Club; WY Clubs number of units when there is a certain point where you have water sources from where it is private then resorts to public.

P&Z Member Joe Sandrini; plat sheet 1 #13, 7 lots owned by the WY Club will be sub-divided at a later date?

WY Club; Basically we will have the right to come back to those areas and those lots will go through the same process in the future.

P&Z Member Joe Sandrini; The lots are platted just not as sub-divided?

WY Club; Yes

Chairman Dunford; To the Board, Are Tina's comments addressed adequately? Yes

What the WY Club is asking is for approval of their final Plat Phase I.

P&Z Member Joe Sandrini; To the board, with an understanding that the next Phase is a whole new sub-division and starting all over. Phase I will not be re-visited.

Chairman Dunford; Is it understood the change from the original sub-phases where they sell groups of lots is a real estate issue. We are approving Phase I. Within that there are 4 sub-phases that will take place. WY Club will not come back to the Planning and Zoning board for those 4 sub-phases. Nor will the WY Club go outside of Phase I. Phase II will be a whole other hearing. Are all Commissioners clear on this issue? Yes

Motion made by P&Z Member Joe Sandrini to approve Phase I of the WY Club final plat.

Motion: Joe Sandrini

Second: Jerry Varner

Vote: 5-0 Carried

Hearing on WY Club final Plat Phase I closed.

Second topic of discussion: Sub-division improvement agreement.

P&Z Member Joe Sandrini; On the revised addition given to Weston County Attorney there was one issue. On the County retaining an attorney it is ok as written but the language needs to be cleaned up. The working groups version was ok'd by the County Attorney. The WY Club has taken that version and made some changes because it is an agreement between the County and WY Club.

Chairman Dunford; How do the County Commissioners want to move forward on that agreement?

Tom Bruce County Commissioner; Make sure the WY Club changes are ok.

Chairman Dunford; all we have to do is make a motion to submit this version to the County Commissioners as is.

P&Z Member Joe Sandrini; Suggestion, To reach a really good agreement with the WY Club, I don't think that agreement has to be codified in the regulations you have the ability to grant a variance .

Tom Bruce County Commissioner; The County Commissioners are reliant on this board doing a lot of that work for us and if your board feels that will speed the process. But we would still need the approval from the County Attorney Mr. Hansen.

Chairman Dunford; This document is specifically for the WY Club.

Tom Bruce County Commissioner; Yes between the County Commissioner and the WY Club.

Chairman Dunford; The chair wishes to make a motion to submit this document to the County Commissioners for their final approval.

Tom Bruce County Commissioner; wishes the P&Z board to be comfortable with what the WY Club has changed, has read it and, understands it.

P&Z Member Joe Sandrini to County Commissioner Chairman Tom Bruce; Do you wish the P&Z board go through the comments?

Tom Bruce County Commissioner; yes.

Chairman Dunford; I wish to retract my request for a motion on submitting this document to the County Commissioners for their final approval. We will have final discussion recommendations for the board at our next meeting January 19, 2012 in order to review. The chair will entertain a motion to continue this until the January 19, 2012 meeting.

Motion: Chairman Dunford

Second: Joe Sandrini

Vote: 5-0 Carried

No further questions the public comment of this hearing was closed.

New Business: Kennedy – is exempt Per; Chairman Rick Dunford

Krell – DEQ will be deferred until December 15, 2011 meeting in order to have all the paperwork.

No new paperwork received as of December 15, 2011.

Chairman Dunford made a motion to adjourn at 6:47pm

Second: Jerry Varner

Vote: 5-0 Carried