

Town of Yampa  
Special meeting minutes  
April 26, 2017

TOWN OF YAMPA  
SPECIAL MEETING  
APRIL 26, 2017  
YAMPA TOWN HALL

BOARD MEMBERS PRESENT: Mayor Tom Yackey, Mayor Pro-Tem Mike Lewis,  
Trustees Brian Ashley, Jeff Drust and Michael French

BOARD MEMBERS ABSENT: None

EMPLOYEES PRESENT: Public Works Superintendent (PWS) Eric Berry and  
Town Clerk (Clerk) Janet Ray

AUDIENCE PRESENT: Ken Montgomery, Walker Montgomery (arrived at  
7:15 pm), Peter Patten, Bob Weiss, and Steve Whittall

CALL TO ORDER

Mayor Yackey called the special meeting to order at 7:00 pm.

ROLL CALL

Board roll call was taken.

CONSIDERATION OF APPROVAL TO USE PETER PATTEN OF PATTEN  
ASSOCIATES, INC. AS THE PLANNER FOR PRELIMINARY DEVELOPMENT PLAN  
AND WRITTEN STATEMENTS REQUIRED BY THE PLANNED UNIT  
DEVELOPMENT (PUD) REGULATIONS FOR POSSIBLE PUD AT 30 MOFFAT  
AVENUE

Attorney Bob Weiss explained why he recommended that the Town hire a planner to guide the Town through the PUD process. He said that Clerk Ray expressed her concern with both her lack of experience, as well as the Town Board's with PUDs. Mr. Weiss had suggested two planners, Peter Patten of Patten Associates, Inc. and Ross Culbertson who is currently doing work for Hayden. Both options were presented to Steve Whittall and after Mr. Whittall had the opportunity to do some research and with not much follow up from Mr. Culbertson, Mr. Whittall determined he could work with Mr. Patten. Mr. Weiss explained that he sees this as a two-step process. The first step in the process is for Mr. Whittall to develop and submit an application package sufficient to verify that the project is feasible in the proposed location. Mr. Whittall said he anticipates having the application ready to

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submit by the end of May. The application packet will be brought to the public and town board at a public hearing after it is determined that the application is complete.

Trustee Lewis moved to approve the hiring of Peter Patten, Patten Associates, Inc., as the planner for the preliminary development plan and written statements required by the Planned Unit Development (PUD) regulations for a possible PUD at 30 Moffat Avenue. Trustee Ashley seconded the motion and the motion passed unanimously on voice vote.

CONSIDERATION OF APPROVAL OF COST RECOVERY AGREEMENT WITH STEVE WHITTALL FOR PRELIMINARY DEVELOPMENT PLAN AND WRITTEN STATEMENTS REQUIRED BY THE PUD REGULATIONS

Attorney Weiss went through the draft agreement with Mr. Whittall and the town and noted that several changes will need made. The escrow payments were discussed at length. Mr. Patten explained his role in the process, which is organizational with the town, communications with Mr. Whittall and the town board and planning commission, answer questions of the town board, planning commission, town staff and residents, to review the documents and make comments regarding whether the documents satisfy the regulations, to review any revised plans, to be present to answer questions at the public hearing and to follow up on any tasks after the public hearing. It was noted that if the project receives preliminary approval, there will likely be further work by engineers, surveyor, town attorney and so on before final approval is considered by the town board.

Trustee Lewis moved for approval of the draft cost recovery agreement with Steve Whittall for the preliminary development plan and written statements required by the PUD regulations as modified by Attorney Weiss. Trustee French seconded the motion and the motion passed unanimously on voice vote.

CONSIDERATION OF COMBINING TOWN OF YAMPA PLANNING COMMISSION AND BOARD OF TRUSTEES PUBLIC HEARING FOR PRELIMINARY DEVELOPMENT PLAN AND WRITTEN STATEMENTS REQUIRED BY THE PUD REGULATIONS

Clerk Ray explained that several years ago, the town board and the planning commission were two separate bodies. Because it was difficult to keep seats on the planning commission filled, the town board voted to have the town board serve as the planning commission, with the addition of one citizen representative. At this time, the citizen representative is Gene Sanders. Attorney Weiss explained that for the purpose of the PUD public hearing, he can prepare an ordinance that will allow a combined public hearing before the town board and planning commission. Trustee Lewis moved to combine the planning commission and board of trustees public hearing for the preliminary development plan and written statements

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required by the PUD regulations and to have Attorney Weiss prepare the ordinance for same. Trustee Drust seconded the motion and the motion passed unanimously on voice vote.

#### ADJOURNMENT

Prior to adjournment, Mr. Whittall told the town board that he was committed to the community shown by the fact that he and his partner, Laura Olive, had purchased the Klumker property and that purchase has no strings attached to the possible approval of the PUD. He said he had spent quite a bit of time reading the 1997 Master Plan, which he thinks is a good document and that he thinks he can follow the Master Plan to bring an attainable housing project to Yampa.

Ken Montgomery asked if the property needed rezoned from R1-A – Single Family Residential to PUD – Planned Unit Development before Mr. Whittall prepares a project plan? Mr. Montgomery said that if a zone change is not approved, he does not understand why Mr. Whittall would want to put money into a project plan. It was explained that the rezoning would be part of the approval, if the project obtains approval.

The business of the special meeting being completed, the Mayor called for adjournment. Trustee Lewis moved to adjourn, Trustee French seconded the motion and the motion passed unanimously on voice vote. The meeting adjourned at 8:06 pm.

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Thomas E. Yackey, Mayor

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Janet L. Ray, Town Clerk

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October 4, 2017