



MINUTES OF MEETING

TOWN OF WIGGINS PLANNING AND ZONING COMMISSION

October 19, 2021 at 7:00 p.m.

CALL TO ORDER & ROLL CALL

A regular meeting of the Planning and Zoning Commission for the Town of Wiggins, Colorado was held on Tuesday, October 19, 2021 in the Town Hall and via video conferencing. Chairman Jeff Palmer called the meeting to order at 7:00 p.m. The following Commissioners answered roll call: Chairman Jeff Palmer, Commissioners Stan Baumgartner and JoAnn Rohn-Cook. Staff present were Town Manager, Tom Acre; Town Clerk, Deb Lee; Melinda Culley, Town Attorney (by Zoom); and Planning and Zoning Administrator, Hope Becker.

APPROVAL OF CONSENT AGENDA

Motion was made by Commissioner Stan Baumgartner to approve the agenda as written. Second was made by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously approved.

APPROVAL OF MINUTES FROM September 14, 2021

Motion was made by Commissioner JoAnn Rohn-Cook to approve the minutes from March 9, 2021. Second was made by Commissioner Stan Baumgartner. Roll Call: Unanimously approved.

PUBLIC HEARING – CONSIDERATION OF PLANNING AND ZONING RESOLUTION 04-2021 – A Special Review Use application for Arrowhead Trash located at 221 Main Street.

The Public Hearing was opened by Chairman Jeff Palmer at 7:28 pm. The commissioners were asked if there were any disclosures. Commissioner Jo-Ann Rohn-Cook submitted a notice she received in the mail providing notice of the hearing. Commission Rohn-Cook owns a rental property that is within 300 feet of 221 Main Street. Chairman Palmer asked if anyone had objections or concerns to Commissioner Rohn-Cook's disclosure. No objections were received.

Chairman Palmer invited staff to introduce the applicant and provide the Staff Report. Planning & Zoning Administrator, Hope Becker, introduced the applicant as Troy Freauff of Arrowhead Trash. He is requesting the use of 221 Main Street as a place of storage for his trash compactor trucks. Hope Becker brought up staff concerns regarding the use of the building for anything except what the Comprehensive Plan and the Land Development Code directed. Staff recommended disapproval of the proposed application.

Chairman Palmer opened the floor for the applicants to speak. The applicants, Troy and Jody Freauff, made comments and brought up points regarding their application. They let the Chairman and Commissioners know

- that they plan to have the trash trucks stored within the building;
- they moved their recycling to Keenesburg, CO;
- they need the shed to plug in their vehicles to start them easier.
- The trucks will be in the truck bays and will be moved at 4:30 am and back at 2:30 pm. This shouldn't affect traffic from the school;
- The trucks won't have any trash on them unless they have a special pickup after they've dumped their trucks or if the landfill is closed;
- He doesn't see needing additional trucks in the next 5 years. If they need more trucks, they will build a shop elsewhere and possibly keep the building as an office.
- They will not be storing dumpsters in the buildings. They won't be unloading dumpsters at the location.

Chairman Palmer opened the microphone for public comments and the webinar was checked for community members who might want to make comments. The following public stepped forward to provide comment:

Glenn Neal; 105 E. Central Avenue; Wiggins, CO 80654. He is in favor of having Arrowhead at this facility. There were no other facilities available at the time.

Fred Midcap; 5143 Rd 3; Wiggins, CO 80654. He sat on the Morgan County Board of Variances for almost 20 years. He stated that zoning rules are meant to be a guideline. That there is room for flexibility. Morgan County wanted businesses to move in so they made variances to get more businesses into the county because it helped the tax base. He thinks Wiggins should work with Arrowhead as it will benefit the town and the county.

Dustin Bruntz; 3446 Rd T; Wiggins, CO 80654. The Town of Wiggins should promote business instead of scaring it off.

Matt O'Patik; 218 Main Street; Wiggins, CO 80654. Troy Freauff is in here for the long haul. He should be allowed to keep his business here.

Patricia Crites; 12961 Rd 3; Wiggins, CO 80654. Her previous family-owned company, Country Hardware, started as a tractor implement business. The building Arrowhead purchased has not paid property taxes for years because it was owned by Morgan County. Arrowhead purchasing the property will now bring property taxes back to Wiggins. She supports Troy 100%.

Jeremy Reed; 401 Suzann St; Wiggins, CO 80654. He's surprised at this. He believes that Arrowhead serves more customers in town than most businesses. He walks his dog by the Main Street building four or five times a week. Troy's business shouldn't negatively affect the town. He believes saying no to Arrowhead will keep other businesses out.

Keith Neal; 5515 CR Q; Wiggins, CO 80654. He owns Wrench LLC and fixes equipment for Arrowhead. He wants to know what other businesses Wiggins will lose by not allowing Arrowhead to stay. He wants Arrowhead as a business in town.

No public comments were received from the Zoom audience.

Troy Freauff spoke again. He added that his long-term goals are for his son to run the business after he retires. He and Jody have grown up in Wiggins their whole lives. They don't generate sales tax. They do pay a lot of sales tax from the money they spend at the hardware store and the Auto Parts Store

Public comments were closed at 7:45 pm.

Chairman Palmer opened Commissioner discussions and deliberations. Each Commissioner provided comments.

P & Z RESOLUTION 04-2021 A Resolution Recommending Disapproval of a Special Review Use for Arrowhead Trash Located at 221 Main Street.

Motion was made by Commissioner JoAnn Rohn-Cook to approve Planning and Zoning Resolution 04-2021. Seconded by Commissioner Stan Baumgartner. Roll Call: Unanimously Disapproved.

Town Manager, Tom Acre, provided a draft resolution that was created in case the proposed resolution was not approved. The draft resolution was provided to each Commissioner and to the applicant. The Applicant was provided an opportunity to add his concerns regarding the conditions of the new resolution.

P & Z RESOLUTION 06-2021 A Resolution Recommending Approval of a Special Review Use for Arrowhead Trash Located at 221 Main Street.

Motion was made by Commissioner Stan Baumgartner to approve Planning and Zoning Resolution 06-2021. Seconded by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously Approved with conditions.

Chairman Palmer moved on to the next agenda item. Hope Becker provided a staff report regarding P & Z Resolution 05-2021: A resolution recommending approval of an Ordinance amending the Wiggins Land Development Code concerning site plans, Planned Development Districts, and other matters. Her staff report indicated that the Board of Trustees repealed various sections of the Land Development Code within Section 5 – Subdivision requirements, repealed appendix 5 in its entirety and various parts of Appendix 9. The staff is requesting that these various section

are re-inserted into the Land Development Code in an amended fashion. The absence of these sections will make things difficult for Roberts81 Subdivision to continue maintaining its Preliminary Plat and it has made clarity difficult in other sections.

P & Z RESOLUTION 05-2021 A Resolution Recommending Approval of an Ordinance Amending the Wiggins Land Development Code Concerning, Site Plans, Planned Development Districts, and Other Matters

Motion was made by Commissioner Stan Baumgartner to approve Planning and Zoning Resolution 04-2021. Seconded by Commissioner JoAnn Rohn-Cook. Roll Call: Unanimously Approved.

ADJOURNMENT

Chairman Jeff Palmer, upon receiving no further comments or concerns from the Commissioners, adjourned the meeting at 8:15 pm.

Respectfully submitted by:



Deborah Lee, Town Clerk