# PLANNING COMMISSION MINUTES

# December 3, 2015

 A scheduled meeting of the Planning Commission was held on December 3, 2015 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1** – **Roll Call.** Those present: Commissioners Steve Bagley, Brandon Rohn, Jeff Payne, Jim Perkins. Also present: Administrator Gary Carsten, Assistant Administrator Jeff Schreier, and Town Attorney Avi Rocklin. Absent: Commissioner Karla Winter.

**Item 2 – Approval of the November 5th 2015 Planning Commission Minutes.** Commissioner Bagley opens the topic for a motion. Commissioner Rohn moves to approve the minutes with a second by Commissioner Perkins. Motion carried unanimously by voice vote.

 **Item 3 – The Homes at Aspen Meadows – Review of zoning change request for the future site to be known as The Homes at Aspen Meadows and the Commission’s recommendation to the Town Board. Aspen Meadows Developers seek to change the zoning from agricultural to residential with an overlapping PUD designation.** Commissioner Bagley recuses himself from the discussion of the Aspen Meadows development because he is a resident of Governor’s Ranch and feels his residency there is a conflict of interest. Commissioner Rohn volunteers to run the meeting in Commissioner Bagley’s absence. Counsel for the developers raises a point of order to determine whether the Commissioners will vote firstly on the zone change request or the schematic plans for the development. Additionally Town Attorney Rocklin clarifies that the zoning change from Agricultural to Residential ahead of the PUD classification. Commissioner Perkins motions to recommend the zone change request be approved and sent to the Town Board. Commissioner Payne seconds the motion to approve. Roll Call Vote: Aye: Commissioners Rohn, Payne, and Perkins. Nay: none. Motion passes with a 3-0 vote.

**Item 4 – The Homes at Aspen Meadows – Proposed Schematic Plan and the Commission’s recommendation to the Town Board.** Administrator Gary Carsten advised the Commissioners that the schematic plan needs to meet the requirements set forth in Eaton Municipal Code 7-3-10 and 7-3-11. The Commissioners began to discuss the schematics point by point using the guidelines set forth in 7-3-10. Sections 1-19 all apply and appear to be satisfied with section 14 being an exception because it does not apply to this development. Commissioner Payne asks for clarification regarding the zoning of this development from agricultural to residential. The developers counsel and Town Attorney Rocklin clarify that the PUD designation is not a zoning designation on its own, rather it is an overlay to an existing zoning structure like Residential Zoning (R-1). Commissioner Rohn then led the Commissioners through the nine guidelines set forth in 7-3-11. Commissioners were satisfied that the development met the guidelines set forth in 7-3-11. Concluding discussion Commissioner Payne moves to recommend the schematic plan be approved and sent to the Town Board. Commissioners Perkins seconds the motion. Roll Call Vote: Aye: Commissioners Rohn, Payne, and Perkins. Nay: none. Motion passes with a 3-0 vote.

**Item 5 – HOA jurisdiction regarding the Homes at Aspen Meadows.** The developer’s counsel states his client’s position is that the first, second, and third filings of Governor’s Ranch are subject to the HOA but not the area being proposed as the Homes at Aspen Meadows because the previous owner did not create a fourth filing to become part of Governor’s Ranch and therefore is not bound by the Governor’s Ranch HOA. Residents raise a question regarding whether the Church planned for the development would belong to Governor’s Ranch or Aspen Meadows, the developer’s counsel states it would be a part of the Aspen Meadows development. Town Attorney Rocklin encourages all parties’ counsels to contact her and work with her.

**Item 6 – Reports.** Administrator Carsten reminds the board that the next meeting is scheduled for January 7th, 2016 and it will include a review of the schematic plans for the new recreation building.

 **Item 7 – Adjourn.** As there was no further business, the meeting was adjourned at 7:40 p.m.

 Erika C. Bagley, Town Clerk