

TOWN OF MILLIKEN  
PLANNING COMMISSION  
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, JANUARY 16, 2013 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 16th day of January 2013 at 7:00 p.m. Those present were: Chairman Linda Measner, Commissioners: Dave Bernhardt, Richard Hillier, Janet Carter, Jim Anthony, and Dave Watson. Also present: Town Planner and Building Department Director Anne Johnson and Town Clerk Cheryl Powell. Absent: Vice-Chair Tim Woodcock.

Chairman Measner called the meeting to order and led the audience in the pledge of allegiance.

**Agenda Approval**

Agenda approved as presented.

**Citizens Comments**

There were none.

**Minutes of Previous Meeting**

December 19, 2012 Minutes were approved with correction.

**CONSENT AGENDA**

There were not any items.

**ACTION AGENDA**

**1. Public Hearing and Consideration and Review of a Variance Request for a Side Yard Setback at 2174 Country Club Parkway**

Town Planner and Building Department Director Anne Johnson presented to the Planning Commission a request by Mr. Manual Agriprino for a side yard setback. Director Johnson provided a Power Point presentation that included maps of the property and explained that notification was sent to the surrounding property owners by certified mail. Director Johnson was contacted by one property owner, Mr. Doug Kehr, who is the property owner directly to the east of the property requesting the variance. Mr. Kehr contacted staff to receive further

information regarding the setback request and he did not indicate any concerns after reviewing the documents. Mr. Agriprino was present to answer questions.

The Public Hearing Opened at: 7:02 P.M.

Commissioner Hiller indicated that after reviewing the maps, it appears that the driveway of the property owner to the west of the Agriprino property is the only area that may be impinged upon due to the side yard setback. Commissioner Hiller asked Mr. Agriprino if all the surrounding property owners had been contacted and if they had any concerns. Mr. Agriprino responded that certified letters had been sent to all the surrounding property owners and that he personally spoke to Mr. Kehr who is the property owner to the east and the Linnebur's who are the property owners to the west and they indicated there were not any concerns. Mr. Agriprino also stated that after speaking with Mr. Kehr, the 10 foot setback would preserve Mr. Kehr's view of Longs Peak, whereas the required 15 foot setback would have impeded his view.

The Public Hearing Closed at: 7:12 P.M.

Commissioner Bernhardt motioned that the variance request is consistent with the Approval Criteria found in Section 16-3-520(j) of the Town's Land Use Code and recommend approval of a Variance to the Board of trustees to allow for a home to be built at 2174 Country Club Parkway with 10 foot side yard setbacks. Commissioner Watson seconded.

The motion passed unanimously (6-0) to the Board of Trustees.

**2. Approval of a Waiver to the Zoning Ordinance from the Use by Special Review Permit Process per Section 16-9-25(c)1 for Little or No Impact of a Drill Pad Site to the Town.**

Town Planner and Building Department Director Anne Johnson asked the Planning Commission to consider a request for a waiver to the Zoning Ordinance to allow Great Western Oil & Gas to add two (2) oil and gas wells and tank battery equipment at an existing oil and gas location. Director Johnson provided a Power Point presentation displaying maps of the location and explained that the location of the oil and gas wells are on a property known as the Dutton Annexation. Representatives of Western Oil & Gas were present to answer any questions from the Commission.

Commissioner Hiller asked if the existing Wells on the property had gone through a waiver process. Director Johnson responded that she believes the existing wells were in place prior to the annexation of the property.

Commissioner Bernhardt asked the representative from Great Western Oil & Gas if these additional wells will complete the well-site. The representative responded it would.

Commissioner Bernhardt moved to approve a waiver to the Special Use Permit process to allow the addition of two (2) oil and gas wells and tank battery equipment at an existing oil and gas location. Commissioner Watson seconded.

The motion passed unanimously.

## END OF ACTION AGENDA

## DISCUSSION AGENDA

There were not any items.

### Other Business

Director Johnson informed the Commission that currently there were not any items to bring to the Commission for their February 6, 2013 meeting.

### Unfinished Business


There was none.

### Adjournment

There being no further business, the meeting adjourned at 7:22 p.m.

Prepared by:

Approved by:

  
Cheryl Powell, Town Clerk

  
Chairman, Linda Measner