



# Grand Lake Planning Commission

Wednesday, October 05, 2022 at 6:30 PM

Town Hall - 1026 Park Ave. \* Participation In-Person Only\*

*The Town of Grand Lake upholds the Six Pillars of Character:  
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

---

## AGENDA

1. Call to Order: 6:46pm due to technical difficulties
2. Roll Call

### PRESENT

Chairman James Shockey

Vice Chairman Heather MacSllarrow via zoom

Commissioner John Murray

Commissioner Judy Burke

Commissioner Heather Bishop arrived during the 1st item of business

Commissioner Christina Bergquist via zoom

### ABSENT

Commissioner Greg Finch

**Motion to excuse Greg Finch** for medical reasons made by Commissioner Burke, seconded by John Murray.

**Motion passed 5:0**, Voting Yea: Chairman Shockey, Vice Chairman MacSllarrow, Commissioner Murray, Commissioner Burke, Commissioner Bergquist.

3. Consideration to approve Meeting Minutes: 09-21-2022 Minutes **Motion passed 5:0:1**

Motion made by Commissioner Burke, Seconded by Vice Chairman MacSllarrow.

Voting Yea: Chairman Shockey, Vice Chairman MacSllarrow, Commissioner Murray, Commissioner Burke, Commissioner Bergquist

Voting Abstaining: Commissioner Bishop

4. Unscheduled Citizen Participation: none
5. Conflicts of Interest: none

Voting Nay: Chairman Shockey, Vice Chairman MacSllarrow, Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Bergquist

6. Items of Business

- A. Review of Advisory Report for Amendment to Town Zoning Map - Lot 3-5, Block 1 Sunnyside Addition to Grand Lake

Director White gave a history of the advisory report meetings and process thus far, then introduced Attorney Scott Krob to discuss the revised report. Mr. Krob reviewed the original

advisory report and received a redline version, phone call, and email from Ms. O'Flaherty. All of the items were taken into consideration and recommendations were made to staff for the revision of the report. Commissioner Bishop arrived to the meeting. Mr. Krob went over the revisions. He stated that some items were not included due to not being relevant to the zoning question and to ensure that the item is defensible if challenged- some items include tax rate set by the County and business license. Staff received a letter from the applicant, Mr. Martell, who stated that he was in agreement with the revisions of the advisory report. Commissioner Burke stated that she didn't feel it was improperly zoned in 2006. Attorney Krob stated that the commission already voted that they had made a decision and the advisory report reflects that decision. Commissioner Burke is concerned that there might be issues with other subdivisions in Town and should the PC go over these properties for rezoning as well. Attorney Krob stated that the PC should only discuss what is brought to them and not go out and look for items. Ms. O'Flaherty, stated that she was a representative of Martell [current owner of 240/300 Hancock] and Mr. Ludwig [previous owner of 240/300 Hancock] commented via phone that she disagrees with the manifest error determination, in that, the Town should have changed the zoning when the development didn't occur, and that the Town benefited from the sales tax and the business license, but the most important thing is to correct the zoning change and recommended that the advisory report be submitted to the Town.

Motion made by Commissioner Murray, Seconded by Commissioner Burke.

**Motion passed: 5:0:1**

Voting Yea: Vice Chairman MacSllarrow, Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Bergquist

Voting Abstaining: Chairman Shockey

- B. Consideration to recommend vacating a portion of the Ellsworth Street right of way located adjacent to Lots 1-5 Cairns Addition to Grand Lake; more commonly referred to as 846 Lake Avenue.

Commissioner Shockey opened the public hearing. Director White gave a background on the vacation request as written in the packet. The Applicant spoke about the history of the property and stated that they attempted to purchase the property in 2016, but due to it being the public ROW, it cannot be sold. Chairman Shockey asked why the land outside the fence to the east would be vacated, and if the land to the north of the cabin had to be vacated. The applicant stated that the entirety of the fence and the structure on the property needed to be vacated in order for the applicant to insure the entire property, but agreed that the rock wall should be the eastern most property line. There was discussion about the road remaining open to allow for emergency access, the sign at the bottom of the hill should be updated to indicate that the road is not private, but no motorized vehicles should use the road due to dangerous blind corner. There was no public comment. Chairman Shockey closed the public hearing. Commissioner Bergquist stated that the Heckendorf item has been discussed at the Board level for many years. Chairman Shockey stated that it is appropriate for the planning commission to hear this item.

Planning Commission **voted in favor of the vacation 3:1 with 2 abstentions** (due to remote voting) to recommend the vacation of this 0.074Ac ROW. Commissioner Shockey voted against the vacation because he would like only the minimal amount of land required by the applicants for the cabin. He would like to see the Town retain the northern portion of the property past the cabin for possible future use by the Town and found it unnecessary to vacate the strip of land to the east of the rock wall.

Motion made by Commissioner Murray, Seconded by Commissioner Burke.

Voting Yea: Commissioner Murray, Commissioner Burke, Commissioner Bishop

Voting Nay: Chairman Shockey

Voting Abstaining: Vice Chairman MacSllarrow, Commissioner Bergquist

7. Items for Discussion

Attorney Krob stated that he would be offering a planning commission training/orientation in the future. The commissioners agreed that it would be a good refresher.

8. Future Agenda Items: none

9. Adjourn Meeting: 7:48pm

Motion made by Commissioner Murray, Seconded by Commissioner Burke.

Voting Yea: Chairman Shockey, Vice Chairman MacSllarrow, Commissioner Murray, Commissioner Burke, Commissioner Bishop, Commissioner Bergquist

---

James Shockey, Chairman

---

ATTEST: Alayna Carrell, Town Clerk