

**MEETING SUMMARY**  
**JOINT MEETING**  
**Carroll County Board of Commissioners**  
**Carroll County Planning and Zoning Commission**

**December 4, 2014**

Location: Carroll County Office Building

Board

Members Present: Doug Howard, President  
Stephen A. Wantz, Vice-President  
C. Richard Weaver, Secretary  
Dennis Frazier  
Richard S. Rothschild

Commission

Members Present: Alec Yeo, Chairman  
Richard J. Soisson, Vice Chair  
Eugene A. Canale  
Matthew S. Helminiak  
Jeffrey A. Wothers  
Cynthia L. Cheatwood  
Daniel E. Hoff, Alternate

Present with the Commission were the following persons: Shawn Reese, County Clerk; Philip R. Hager, Tom Devilbiss, and Kelly Martin, Department of Land Use, Planning, and Development; Lynda Eisenberg, Bureau of Comprehensive Planning; Clay Black, Bureau of Development Review; Tim Burke, County Attorney's Office; and members of the public.

Commissioner Howard called the meeting to order at 1:35 p.m.

The Commissioners and Planning Commission members introduced themselves.

Commissioner Howard asked for the status of the Carroll County Master Plan update.

Philip R. Hager, Commission Secretary, noted that the Commission has a work session on the Accepted Plan, as modified, later today. Staff will be presenting a copy of the Accepted Plan as modified to the Commission. Depending upon additional changes proposed by the Commission, an Approval Resolution will be considered at the December 16 regular meeting. Mr. Hager explained that if major modifications are proposed to the Plan, they would require another 60-day review process and public hearing. Assuming the Commission Approves the Plan, it will be forwarded to the Board of County Commissioners for Adoption.

Planning Commission Chairman Yeo asked the Board of Commissioners for their thoughts regarding the Plan.

Commissioner Wantz noted that he had requested that no action be taken on the Master Plan by the previous Board because he wanted an opportunity to review the document that the County will be working with for the next four years. He indicated he did not see a need for any major

revisions to the Plan at this point. Commissioner Wantz thanked the Commission members for their efforts in developing the Master Plan.

Commissioner Weaver stated that he was impressed with the Plan, and it was obvious the Commission had put a lot of work into its development. He noted that he had not read through the entire document yet.

Commissioner Frazier indicated he had not read the entire document, but he did express concern with regard to the DiMaggio Property. Commissioner Howard also expressed concern with regard to the DiMaggio Property.

Daniel E. Hoff, Commission member, reminded the Commissioners that land use designations are different from zoning. The Commission looks at the land use map to try to figure out what makes sense with regard to the whole picture. He noted that all of the surrounding properties to the DiMaggio Property are residential or agricultural.

Chairman Yeo explained that if you had given the DiMaggio property to a Planning Commission in Colorado for review of land use designations, they would have provided the same designation as this Commission did.

Commissioner Howard questioned whether having the facility constructed on the site would have changed the Commission's answer.

Chairman Yeo indicated that it would have.

Commissioner Howard indicated there is a landowner with an approved plan that wants to move forward. He suggested that made for the same situation.

Chairman Yeo and Mr. Hoff disagreed.

Commissioner Rothschild stated that he felt the Commission did a good job with the Plan, but he considered the land use designation for the DiMaggio property a serious problem. He suggested that a footnote should have been placed in the document that this property is under discussion in the Court and a Decision is pending. Commissioner Rothschild noted that the Commission had changed the land use designation after the public comment period ended, so the landowner was unable to make comment.

Mr. Hoff explained that the Commission's action was based on public comment received during the 60-day review period.

There was a brief discussion with regard to how public comment is "weighted" when 22 of 25 people attending a hearing feel a certain way about an issue versus the number of people living in the County.

Commissioner Howard briefly spoke as to why he supported the inclusion of the Board's letter in the Master Plan.

Commissioner Frazier stated that he felt the letter was from the Board and did not have a place in a Plan created by the Planning Commission.

Richard Soisson, Commission member, explained that a lot of time was dedicated to the Commission reviewing the marked-up document from the Commissioners and adding those items into a revised Plan.

Commissioner Rothschild indicated that Secretary Hager had prepared an Approval Resolution for the Commission's review that includes some of the language from the Commissioners' letter. He asked that the Commission positively consider the Resolution.

Commissioner Frazier stated that he was uncomfortable with the land use designation for the DiMaggio Property. He suggested a statement in the Plan that says the County is not making a decision on this property until the Court has weighed in.

Commissioner Howard also expressed concern regarding the DiMaggio property.

There was a brief discussion as to what the Board could change once the Plan has been forwarded for Adoption. Staff noted that the Board has 60 days to act on the Plan or it is automatically Adopted.

Mr. Hoff suggested that the Commissioners meet with the Planning Commission in the coming months to discuss some necessary Code changes relating to transfer of development rights, etc.

Chairman Yeo asked that the Commissioners give strong consideration to reappointing Cynthia Cheatwood to the Commission. Mr. Soisson also encouraged the Commissioners take action on her reappointment.

There being no further discussion, the joint meeting adjourned at approximately 3:10 p.m.

---

Secretary

---

Approved