

TOWN OF MILLIKEN
PLANNING COMMISSION
MEETING HOUSE, 1201 BROAD STREET

WEDNESDAY, MARCH 5, 2014, 2014 7:00 P.M.

The Planning Commission of Milliken convened into regular session on the 5th Day of March 2014. Those present were: Vice-Chair Tim Woodcock, Commissioners: Dave Bernhardt, Jim Anthony, Richard Hillier, Janet Lundquist and Dave Watson. Also present: Community Development Director Anne Johnson, Town Clerk Cheryl Powell and Assistant Town Attorney Sunita Sharma. Absent:

Vice-Chair Woodcock called the meeting to order and led the audience in the Pledge of Allegiance.

Agenda Approval

Community Development Director Johnson would like to add an announcement under the Discussion portion of the Agenda regarding a combined meeting with the Water Commission and Town Trustees.

Citizens Comments

None.

Minutes of Previous Meeting

February 19, 2014 Minutes were approved as distributed.

CONSENT AGENDA

There were not any items.

ACTION AGENDA

1. Public Hearing to Consider for Approval Ordinance 693, Amending Ordinance 686, "Colorado Floodplain Damage Prevention Article"

Community Development Director Anne Johnson asked the Commission to consider for approval the adoption of a new floodplain map based on updated topography, hydrology and hydraulic data, and current field survey work. Director Johnson explained that the Town's current guiding documents include an August 1, 1979 FEMA FIRM Community Panel and a 1980 Stormwater Management Plan. The

FEMA FIRM does not reference Zones A or AE but rather, areas of 500- and 100-year levels. There have been subsequent Special Flood Hazard Area Studies conducted for property surrounding Milliken after 1979, however a comprehensive understanding of the local hydrology has never been completed for the Town.

The Colorado Water Conservation Board (CWCB) through their contract engineers, ICON Engineering, Inc. has prepared a map based on data supporting the proposed Milliken Floodplain Map.

Director Johnson explained that the Staff Report was prepared in accordance with Article 8 of the Land Use Code, Section 16-8-70 and Section 16-1-50.

Public Hearing Opened at: 7:10 p.m.

Mrs. Linda Blackmer, owner of the Martin Trailer Park, asked the Commission what this new map does for any future development. Director Johnson explained that this new map does not impact the use of the property but there needs to be a floodplain hazard development plan submitted with any new development. Mrs. Blackmer stated that the area on the map indicates what could be prime industrial property and it may impact development.

Tim Solomon, owner of Evergreen Mobile Home Park, asked if there is an estimate on how many homes or businesses that this may effect. Director Johnson indicated that there were 130 mailings sent out to those who may be affected. Mr. Solomon asked how the mapping will affect the Public Works Facility and the Waste Water Treatment Facility. Director Johnson indicated that the Facilities are not affected and the mapping shows an area just north of the Lagoons. Mr. Solomon asked if this map was going to be voted on tonight and if so, why wasn't there more public notice. Director Johnson explained that on February 5, 2014 there had been a joint Work Session with the Planning Commission, Town Board of Trustees and the Water Commission. More than 120 property owners who may be affected by this mapping, received notification by mail of this Work Session. A second meeting was held on February 20, 2014, where more than 130 property owners who may be affected were mailed notice of this Open House. More than 40 citizens attended this Open House and the Colorado Water Conservation Board, ICON, FEMA and staff from the Town of Milliken were present to answer any questions. Assistant Attorney Sharma explained that the map will not be voted on for adoption tonight, but passed on to the Town Trustees who will hear this at their March 26th meeting and if passed by the Board, would take effect immediately. Mr. Solomon asked if FEMA will be accepting this map or are they going to be preparing their own map. Director Johnson responded that the Town will not be doing a Letter of Map Revision (LOMAR) through FEMA at this time, but that would be the Town's next step, but would take anywhere from 18 months to five (5) years for FEMA to adopt.

Troy Carmen with ICON Engineering, Centennial, CO, they are the Colorado Water Conservation Boards contract engineers on state floodplain mapping and other activities related with flood recovery. He explained that ICON has completed the hydraulic analysis that is indicated on the map. He would be happy to answer any engineering questions regarding the map.

Commissioner Lundquist explained that FEMA would not necessarily come out and conduct the mapping they would most likely hire a firm like ICON Engineering to conduct the mapping. Mr. Cameron explained that FEMA has their own team but they have an agreement with the State to take care of the mapping. They meet the same Federal Standards to conduct the mapping as the FEMA team does. There are different levels of study that can be done. He also, explained that there is more field survey work in progress and it may be more refined within the next 22 months. Commission Lundquist asked what would be a drawback if the Town does not choose to accept the floodplain map. Mr. Cameron explained that this map is being adopted at a Municipal level for a floodplain, it does not have anything to do with the flood insurance rate. The new areas are not administratively linked to the states floodplain insurance.

Director Johnson commented to the Commission and audience that this map is the best available data. Should there be changes in the future, staff will bring this forward to the Commission and Town Board for consideration.

Commissioner Hillier asked for clarification on the map regarding the dark green areas. Director Johnson explained that the County would have to adopt this map in order for it to impact the dark green areas. Commissioner Woodcock does not understand why some of the areas are included since they did not actually flood in the September flood event, which are located north of the Mobile Home Parks. Mr. Cameron explained that there is a certain criteria that is followed, the topography and the hydrology.

Omar Herrera, who is the Town's contract engineer with Lamp Rynearson spoke to the Commission and provided an example scenario of "what if there is an area located in this map that had not flooded and someone wanted to place a building or structure in that area". Mr. Herrera explained that there is a process called a Letter of Map Amendment, by providing a survey and floor elevation that proves to the Town of Milliken or FEMA that this area does not flood.

Questions from the Commission to Mr. Cameron where the impact the railroad tracks

Mr. David Starr, who owns property at 303 N. Irene, had to take a canoe to his property but the property he owns was not flooded. When he decides to build on his property are there any special requirements he will need to adhere to. Director Johnson said the top grade of his property will be compared to the base flood elevation and that will help determine whether he is in or out of the floodplain and if

his property is in the floodplain, this mapping will help determine how much higher he will elevate his property before building a structure.

Tim Solomon asked how will this affect building permits that are currently active. Director Johnson replied they would not be affected at all.

Public Hearing Closed at: 7:34 p.m.

Commissioner Anthony moved to find that the flood plain map of the Town of Milliken along the Little and Big Thompson Rivers as prepared by ICON Engineering for the Colorado Water Conservation Board is consistent with the Land Use Code and the Comprehensive Plan, and move to recommend that the Town Board of Trustees approve Ordinance 693 adopting the updated flood plain map identifying the special hazard flood areas within the Town of Milliken. Commissioner Lundquist seconded.

Discussion: Commissioner Bernhardt stated that with preventative maintenance by cleaning the river banks and streams this would help prevent the flooding that occurred in September.

Vote: All in favor, none opposed. Motion carried

DISCUSSION AGENDA

Weld County Referral # TEC414-0001

L. Scott Turner has submitted an application for a Temporary Seasonal Use application for a retail Fireworks Sale Facility. This facility would be located at the NE corner of Highway 60 and Weld County Road 15 (Telep Ave.), Weld County. Commissioners indicated no conflict. Note that Fireworks are not permitted in Milliken

Other Business

Director Johnson explained that the variance for the white picket fence was brought to the Town Board for their approval, and the Town Trustees denied the Planning Commission's recommendation. At a later date, if the Commission recommends, the Code can be reviewed and this area of the code may be reconsidered.

Commissioner Bernhardt announced that at the last Water Commission meeting, the Water Commission invited members of the Planning Commission and Town Board. The reason for this meeting is a discussion on future plans that the Water

Commission is investigating.

Town Clerk Powell announced that the Town Board has recommended Ron Blackmer to fill the vacancy on the Planning Commission. The Town Board will hold a formal vote and the swearing in of Mr. Blackmer will take place at the Town Board meeting being held on March 12th.

Director Johnson updated the Commission regarding Bayou and informed them that they are going to be making additional changes to their site plan.

Unfinished Business

Adjournment

There being no further business, the meeting adjourned at 7:46 p.m.

Prepared by:

Approved by:


Cheryl Powell, Town Clerk


Tim Woodcock, Vice Chair