

**New Castle Planning and Zoning Commission Meeting  
Wednesday, October 10, 2018, 7:00p.m., Town Hall**

**Call to Order**

Commission Chair Apostolik called the meeting to order at 7:00pm.

**Roll Call**

Present    Chair Apostolik  
              Commissioner Bourquin  
              Commissioner Johannsson  
              Commissioner Ruggles  
              Commissioner Sass

Absent     Commissioner Leland  
              Commissioner Lucio

Also present at the meeting were Town Administrator David Reynolds, Town Planner Paul Smith, Assistant Town Attorney Haley Carmer, Deputy Town Clerk Mindy Andis and members of the public.

**Meeting Notice**

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2018-1.

**Conflicts of Interest**

There were no conflicts of interest.

**Citizen Comments on Items NOT on the Agenda**

There were no citizen comments.

**Public Hearing**

Conditional Use Permit

Purpose: Application for Lot Split

Legal description: Talbot Subdivision, Parcel A, according to the lot boundary adjustment plat thereof recorded at reception no. 571485

Common Address: 6300 CR 335, New Castle

Applicant: Burning Mountain Land & Cattle, LLC

Landowner: Burning Mountain Land & Cattle, LLC

Resolution PZ 2018-4 Recommending Approval of a Lot Split of Property Located at 6300 Cty Rd 335 in the Town of New Castle

Commission Chair Chuck Apostolik opened the Public Hearing at 7:01 p.m.

Town Administrator Dave Reynolds said the purpose of the Lot Split application hearing is for a lot split that will create a new parcel in the Industrial Zone District located south of the Colorado River and west of the 105 Interchange. This is a straight forward land use application.

**The applicant submitted legal description of Parcel "A" before the lot split and Parcels A and A-1 after the lot split.\* At the request of Town attorney, the title of the Final Plat is now "A Re-subdivision of Parcel A Talbott Subdivision".**

\*Parcel A-1 is referred to in some of the Application materials as "Tract A Coal Ridge Subdivision." At the Town attorney's request, Parcel A-1 is now used to refer to the lot created through the proposed lot split instead of "Tract A."

Staff recommends approval of the Burning Mountain Land & Cattle, LLC Lot Split with the following conditions:

1. Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.
2. All representations of the Applicant in written Application materials and in verbal presentations submitted to the Town or made at public hearings before the Planning Commission or Town Council and reflected in the minutes thereof shall be considered part of the Application and binding on the Applicant.

Applicant Russell Talbott, Thanked the commission for taking the time to review and hear his application.

Commissioner Bourquin asked about the ingress and egress for the two lots.

Mr. Talbott said the current access entrance for the current lot will go with the new lot. Also, currently creating an easement agreement for the new lot which will give the current lot an easement for the current access road.

Chair Apostolik closed the Public Hearing at 7:05 p.m.

Assistant Town Attorney Hailey Carmer said she has been working with Surveyor, Sam Phelps for the final plat. The new lot will be "Re-subdivision Parcel A Talbott Subdivision".

**Motion: Commission Chair Apostolik made a motion recommending approval of Resolution PZ-2018-4, Recommending Approval of a Lot Split of Property Located at 6300 Cty Rd. 335 in the Town of New Castle, Commissioner Sass seconded the motion. The motion passed on a roll call vote: Chair Apostolik: Yes; Commissioner Sass: Yes; Commissioner Johannsson: Yes; Ruggles: Yes; Commissioner Bourquin: Yes.**

### **Items for next Planning and Zoning Agenda**

Administrator Reynolds said there will be another land use application coming before the commission for an Accessory Dwelling Unit (ADU) in downtown.

### **Staff Reports**

Administrator Reynolds said there is possibly another land use application coming, but it is not complete.

### **Commission Comments and Reports**

There were no comments or reports.

### **Review Minutes from Previous Meeting**

**Motion: Commission Chair Apostolik made a motion to approve the July 25, 2018 meeting minutes as submitted. Commissioner Sass seconded the motion and it passed unanimously.**

**Motion: Chair Apostolik made a motion to adjourn the meeting. Commissioner Johannsson seconded the motion and it passed unanimously.**

The meeting adjourned at 7:14p.m.

Respectfully Submitted,



  
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Planning and Zoning Commission Chair  
Chuck Apostolik

  
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Deputy Town Clerk Mindy Andis, CMC