

**Rockville Planning Commission**  
**January 10, 2012**  
**Rockville Community Center**

1. **CALL TO ORDER AND ROLL CALL** – Chair Sharon Hatfield called the meeting to order at 7:00 p.m. The following members of the Rockville Planning Commission were present: Rob Snyder, Vivian Cropper, and Logan Hebner. Town Clerk, Elaine Harris, recorded the meeting.
2. **DECLARATION OF CONFLICTS OF INTEREST WITH AN AGENDA ITEM** – No conflicts were declared.
3. **PUBLIC COMMENT PERIOD** – There were no public comments.
4. **REQUEST FOR A BUILDING PERMIT FOR A REMODEL AT 398 E. MAIN – DENNIS LAW** – Chair Hatfield explained that the property, which has been in foreclosure and unoccupied for more than a year, is considered abandoned as defined by the Town's Land Use Code. Accordingly, the property no longer has status as a non-conforming preexisting residence. However, there are extenuating circumstances and Chair Hatfield asked the Commission to determine whether the property has actually been abandoned.

Chair Hatfield outlined the history of the property, noting that there are two residences on the property. The smaller was built first, and was used as a residence until the larger home was built. Following construction of the larger home, the smaller home was used as a guest house. It has not been, and may not be, used as a rental property. Prior to the initiation of foreclosure proceedings, the Planning Commission had red tagged the smaller home, which prevented occupancy. The Town has never considered the property abandoned, and it has been working with the property's various owners regarding remodeling plans. Additionally, Mr. Law has continued to pay his water bill, which suggests that the property was not abandoned.

Mr. Patrick McGee, Mr. Law's brother-in-law, stated that an engineering report has been done and Clerk Harris indicated the plans have been approved by the building inspector. Vivian Cropper noted that both of the last two owners, the bank and Mr. Law, have left the building empty for more than one year. She believes it is not the property but the use that has been abandoned. Vivian suggested tabling the question until the Commission resolves the guest house issue.

A question was raised relative to various alternatives, such as subdivision of the property and/or a variance. Following discussion the point was made that it is unlikely that the subject property would be eligible for either subdivision or a variance. It was also pointed out that if the applicant wants the commission to consider either of these alternatives he needs to make formal application. Chair Hatfield agreed with the earlier suggestion that the application be tabled until legal advice can be obtained. The Commission could then hold a special meeting to vote on the matter.

Logan Hebner **MOVED** to table the application until the Commissioners can obtain legal advice and explore other options. Once advice has been obtained, the Planning Commission will hold a special meeting, waiving the special meeting fee, to vote on the matter. Rob Snyder **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

5. **APPROVE THE PROPOSED ADMINISTRATIVE CHANGE TO THE GRADING / EXCAVATION PERMIT APPLICATION FORM** – Clerk Harris explained that she had removed a redundancy in the form.



Rob Snyder **MOVED** to approve the proposed administrative change to the *Grading/Excavation Permit Application* form. Logan Hebner **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

6. **REPORT ON ROAD TASK FORCE – LOGAN HEBNER AND VIVIAN CROPPER** – Logan reported that the residents of the mesa understand that, although the Town of Rockville may legally be responsible for the road, if the mesa residents want more to be done with the road, they will have to contribute monetarily in order to make the changes. The gravel has made the road more durable during the summer, but more difficult to use during the winter. The task force has proposed that the Town install barriers in the appropriate places. Additionally, one of the Town residents has offered to construct rock walls for a very low price. Residents can donate money to the Town to use for the road, and the donations will be tax deductible. The funds, however, will only be used to make the road safer, not for improvements. The road has been widened as much as possible, but there is still a stretch near the top of the mesa that is not wide enough for emergency vehicles. Widening that spot will require blasting, which will cost approximately \$20,000. For now, Brad Quinn has agreed to maintain the road with his Bobcat for a small fee.
7. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 13, 2011 WORK MEETING, OCTOBER 11, 2011 PUBLIC HEARING AND REGULAR MEETING, AND THE OCTOBER 11, 2011 WORK MEETING** - Vivian Cropper **MOVED** to approve the minutes of the September 13, 2011 Work Meeting as amended, the October 11, 2011 Public Hearing and Regular Meetings as written, and the October 11, 2011 Work Meeting as amended. Rob Snyder **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.
8. **PLANNING COMMISSION ADMINISTRATIVE BUSINESS**

**Chair Hatfield** reported that she received a call from a man who wanted to open a living history farm in Rockville. She explained to him that he could not operate a commercial venture in Rockville. Chair Hatfield also indicated that a hot air balloonist appears to be taking off from Rockville, which is not allowed. The Town does not have an address at which to contact him formally. The Land Use Code may need to be amended to specifically restrict hot air balloons. Chair Hatfield also noted that Vicki Bell, who was to be the new Planning Commissioner, has indicated she will be unable to accept the appointment right now. Chair Hatfield asked for suggestions to fill the empty spot on the Commission. She also thanked Rob Snyder for applying for another term on the Planning Commission.

**Vivian Cropper** asked for a current General Plan. She also noted that the Land Use Code needs a new title page to reflect the date of the most recent amendments.
9. **ADJOURNMENT** – Logan Hebner **MOVED** to adjourn. Rob Snyder **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

The Planning Commission Meeting adjourned at 8:10 p.m.

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Minutes prepared by:

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T Forbes Group

APPROVED:

  
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Planning Commission Chair/Vice-Chair