



BLUE RIVER PLANNING AND ZONING COMMISSION MEETING MONTH

Tuesday, July 1, 2025

5:30 PM

0110 Whispering Pines Circle, Blue River, CO

Minutes

The public is welcome to attend the meeting either in person or via Zoom.

The Zoom link is available on the Town website:

<https://townofblueriver.colorado.gov/board-of-trustees>

Please note that seating at Town Hall is limited.

Call to Order, Roll Call

Chair Johnson called the meeting to order at 5:30 p.m.

PRESENT:

Planning & Zoning Commissioner Travis Beck

Planning & Zoning Commissioner Kristopher Carlsted

Planning & Zoning Commissioner Dan Cleary

Planning & Zoning Commissioner Tim Johnson

Planning & Zoning Commissioner Gordon Manin

Planning & Zoning Commissioner Doug O'Brien

Planning & Zoning Commissioner Troy Watts arrived at 5:45 p.m.

Also present: Board Liaison Trustee Jonathon Heckman; Town Manager/Clerk Michelle Eddy; Town Attorney Bob Widner-via Zoom; Building Official Kyle Parag; Deputy Clerk John DeBee.

Approval of Minutes

A. Minutes

Beck moved and Cleary seconded to approve the minutes of June 2025. Motion passed unanimously.

Project Approval

B. 0016 Rustic Terrace-New Construction

Attorney Widner provided information on the Planning & Zoning Commission's role and what should be considered in their review and the type of review.

Building Official Parag reviewed the project, noting it substantially met the criteria based on the Town Code.

Discussion of the project elements and the difference between the river easement and the wetlands delineation as well as the subdivision covenants. Discussion of the

covenants, the easement holders, the architectural control reviewer of the covenants. An overview of the wording of the covenants, land use code and design of the structure. Discussion of whether the project is impeding the easement.

Attorney Theodoru spoke about the previous project and litigation filed noting the project was changed to comply with the court order.

Tom Fitzgerald 0034 Rustic spoke on the court order.

Brian Muszynski the applicant spoke on the project to clarify the questions raised on the project.

Discussion with the Building Official on-site elements for clarification. Discussion with the Town Attorney about reviewing the application fair and impartial.

Beck moved to approve 0016 Rustic as presented. Watts seconded. Yes: 2 votes (Beck and Watts); No: Johnson, Cleary, Manin, Carlsted, Obrien.(4). Motion failed.

Discussion that project should be denied as it violates Town Code on encumbrance on the river easement under 16B-4-60 and under 16B-4-30. Noting the proposed structure unlawfully encroaches into the Town easement and should include "over".

Cleary moved and O'Brien seconded to deny the project is in violation of the covenants and the Town Code 16B-4-30 and 16B-4-60 and the interpretation of wording includes over under within in recognizing the river easement. Motion passed unanimously.

Adjourn

Watts moved and Beck seconded to adjourn the meeting at 6:52 p.m. Motion passed unanimously.

Respectfully Submitted:

Michelle Eddy, MMC
Town Clerk