

THE OLD BERTHOUD RECORDER



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New park and investment fees for Berthoud

BY ROBERT SAVAGE

Three trustees were sworn in to begin their four-year terms, but in a surprise announcement, Berthoud inked a deal that gives the town access to about 74 acres on the north-east corner of Highway 56 and County Road 17 for a new park.

Mayor Milan Karspeck, announced the deal following a 50-minute executive session that also covered Town Administrator Jim White's annual review. White received good marks from the trustees, along with a raise of one percent retroactive to January 1 and an extension of his contract for three years to 2009. White had already received a three percent raise beginning in January.

But the park, known as the Mike Waggener Farm, is part of a conservation easement and a purchase by the town.

Karspeck was all smiles announcing the deal, which has been in the works for some time. The community park will be just a "fabulous addition to our town," Karspeck said. At some point there could be a recreation center in the park, Karspeck said.

Finishing just 40-minutes under a six-hour meeting, including breaks and the executive session, there were some sharp comments between Trustee Michael Patrick and Mike Byrnes, whose company WBV Berthoud LLC. owns the land for the Trails at Sugar Creek project.

Sugar Creek was approved a few weeks ago, and part of the agreement was to allow for 120 permits a year, or 10 a month.

At build out, approximately four years, there could be over 400-homes on the land just west of Berthoud Elementary School.

An uncertainty in the approval process could have allowed the developer to accumulate or "rollover" the 10 permits not taken out in a given month. In a 5-2 vote,

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The final results for the poll, Were you pleased with the outcome of the election for the Berthoud Board of Trustees? are: 4% say Yes and 96% say No out of 46 total votes.

Should the growth-cap be reinstated in an effort to shut out larger developers regardless of the effect on Berthoud's economy? Yes No

the board decided to allow the developer to take out up to 30 permits a month, but not to exceed 120 in a year. Patrick and Trustee Louis Gervasi voted against the measure.

Patrick pointed out that the board had heard from residents opposed to 10 permits a month, "now it's up to 30 a month."

Patrick called the board's decision "disingenuous." He added that it was not a restriction but an expansion.

Byrne said the market will dictate the number of permits, and from a rollover perspective, the board-approved adjustment was more restrictive. Byrne said he wanted some "common sense flexibility" on the issue, considering the amount of money being invested in the development's infrastructure.

Town Attorney Bruce Fickel, who drafted the permit adjustment, noted that construction is a seasonal business, with more building in the spring and summer months and less in the winter, when permits wouldn't be needed.

Gervasi said he voted against the measure, because the project overall has too high of a housing density, or homes per acre.

A group of locals opposed to parts of Trails at Sugar Creek wanted the project reconsidered, particularly the 120 permits. But there was no support from the board.

The group, loosely tabbed "Concerned Berthoud Residents" put out a letter this week suggesting that if the board does not correct the deficiencies in the Sugar Creek project, the group may take Berthoud's growth management system back to the voters or the courts. The letter was signed by former Trustee Jenny Foote and present Planning Commissioner Jeff Hindman.

Later, Hindman said he wasn't sure what the group's next move would be on the project.

Another development that may have brought out a standing room only crowd of around 40 people was the Heron Lakes project, which could have almost 700-homes on it. The project heads back to the planning commission Thursday night, and the board only listened to an overview of the development that is north and west of the new Berthoud Parkway.

Mina Cox said she was concerned that the board was hearing information on the Heron Lakes project before the planning commission did, which is not the proper process. She also accused the board of violating the town's development code, but Fickel disagreed with that.

One feature of the Heron Lake project still under consideration is a golf course, which Jim Birdsall, planner of the project, said the course could be built if the town

wants it.

In another 5-2 vote, with Trustees David Gregg and Peder Thorstensen voting against, the trustees approved increases to system impact fees, money paid by builders that covers the cost of maintenance and replacement of the town's water-related infrastructure. Most of the town's infrastructure is the water and wastewater plants and the water pipeline from Carter Lake.

It's been a long discussion that has daunted the trustees for probably a year.

The board has a moving target of how many new homes will be built in Berthoud over the next 20 to 30 years. Based upon assumed projections, taken from past averages, the town will need to charge impact fees, so that there is money set aside for the water infrastructure.

Questions like how long before a new water plant has to be planned and then built? Or how will increasingly stringent environmental standards affect the life of the wastewater plant? The board will review the fees every year or so to see how their projections are turning out. The town's water consultant, John Gallagher from Red Oak Consulting, said the water plant is probably reached 70- to 75-percent of capacity.

The town is not expecting to build more than 50 new homes a year for the foreseeable future, and it could be less.

The new rates are \$6,255 for a wastewater impact fee, which was \$2,960, the water plant fee went from \$4,000 to \$5,500 and the raw water pipeline is \$245. Each fee is charged to a new building permit.

The trustees have been haggling over the fees, and have not implemented the town's new raw water fees, the cost of supplying water to a building or home, until both were completed. In some cases, raw water fees were cut in half.

The new system investment fees go into affect in about a month. The increase in system investment fees and reduction in raw water fees, approved last fall, is the board's attempt to more accurately charge development.

In one of his final votes as a trustee, Gregg said he voted against the system fees, because he thought the fees should be less to encourage development.

Sworn in at the end of the night were returning Trustees Patrick and Glen Buckingham and new comer Chase Sommars, who took over Gregg's chair. Gregg didn't run for reelection.

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