

Boulder County Planning Commission recommends approving Niwot pot shop proposal

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Boulder County's Planning Commission decided Wednesday night that a proposed retail marijuana shop at 6924 N. 79th St., Niwot, fits the county requirements, standards and criteria for allowing such a business to be located there.

At the conclusion of a 6-hour review of the pot shop proposal — including hearing from more than 40 people testifying for or against it — members of the panel voted 6-0 to recommend that the Board of County Commissioners approve the retail marijuana use of the property and the applicant's site-specific development plan.

The Planning Commission's vote came over the opposition of most of the more than 100 Niwot residents and others who showed up to object to the marijuana sales shop plan submitted by the property's owner, Ernie Craumer and his Colorado Real Estate Holdings LLC.

Craumer told planning commissioners that the presently vacant building there now "will be renovated in a professional way" and its marijuana sales-shop tenant will run that business "in a professional way."

Michael Bosma, a development consultant working for Craumer on the project, said, "We've listened to the community concerns, and we're trying our best to mitigate them."

Bosma said Colorado Real Estate Holdings will be putting together "a good neighbor plan" to address such possible concerns as parking, security and employees' training.

However, during the planning panel's public hearing on the proposal, a number of opponents of the marijuana business argued that there aren't enough current or potential customers in Niwot to demonstrate there's a local need for a recreational retail sales store.

They contended the shop would instead draw its patrons — and the traffic they'd create as they head to and from Niwot — from other Boulder County communities, particularly Longmont, which doesn't allow such dispensaries inside its city limits.

Laurie Adams, who lives on the 7900 block of Countryside Drive — about 18 to 20 feet behind the proposed shop's site — said she's not against legal uses of marijuana but is against the increased traffic such a business would generate.

"Niwot is a quiet town. That's part of its charm," said Adams, arguing that the additional traffic would be detrimental to the town's character and would "adversely affect my property values" if she decided to sell.

Disagreeing was Aaron Shaw, who said he owned a Boulder medical marijuana dispensary for seven years and said predictions of an influx of Longmont residents coming to Niwot to buy marijuana products "in my opinion ... is speculation."

Shaw said marijuana can help people with cancer, seizures, autism and other medical conditions, adding that "I've never in my time seen anyone die from marijuana."

Diane Zimmermann, another of the few supporters of the application who spoke at the hearing, accused the shop's opponents as practicing "fear-mongering tactics" and using an "hysterical public voice" to express themselves.

Zimmermann said recreational and medical marijuana is more effective and safer than "self-medicating with alcohol" — alcohol she said is available in at least eight Niwot establishments and sold at town-sponsored events.

But pot shop critic Audrey Lenger said any comparison of marijuana sales to serving or selling alcohol in Niwot is "a false analogy."

Permitting a retail marijuana store in the town "would be more analogous to locating a strip club in Niwot," Lenger said.

However, Don Altman of Boulder, a supporter of the application, said he owns property that neighbors a marijuana shop in that city, and "I don't even notice it being there."

Attorney Lew Harstead, whose law firm represents No Pot in Niwot, told planning commissioners the marijuana establishment application fails to meet the standards and requirements of the Boulder County Comprehensive Plan and the county Land Use Code that applies to unincorporated areas such as Niwot.

"This isn't compatible with the neighborhood and needs to be denied," Harstead said.

Anthony Santelli, the owner of the Niwot Tavern and an 18-year resident, said, "The character of this town is truly special ... It's a fundamental part of where we are."

Santelli, who is also the president of the Niwot Business Association, said, "The character and uniqueness of Niwot would be seriously compromised" by a marijuana shop relying on a regional customer base.

Santelli said he'd similarly oppose any application to develop a King Soopers or a Liquor Mart in the town.

Boulder County's commissioners will hold their own not-yet-scheduled public hearing and their consideration of the application to use the property for a marijuana shop.

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