

Meeting Agenda
June 28, 2023 ~ 6:30 pm

Remote Meeting using the Zoom Platform. Meeting ID: 882 7039 3545 Passcode: 345678 To

Join Zoom Meeting:

<https://us02web.zoom.us/j/88270393545?pwd=VUZzRktSUHZJRk4cFEExc29NUEFhZz09>

If you would like to address The Planning Commission at this meeting, please place your name on the sign-up sheet or indicate that through the chat function on the online Meeting Platform. You will be recognized to speak during the "Public Comment" portion of the agenda. Discussion is limited to 5 minutes and please state your name and address your comments to the Planning Commission. Thank you for your cooperation.

1. **Call Meeting to Order**
2. **Roll Call** – The Empire Planning Commission requires a simple majority of three commission members present at the meeting for a quorum.
3. **Approval of Agenda**
4. **Approval of the Minutes** – June 14, 2023 Meeting
5. **Mayor's and Commission Member's Reports**
 - a. **Clear Creek Watershed & Forest Health Partnership (CCWFHP, The Partnership)** – Diane Kielty- Lyons Creek field trip (6/23) and review of grant applications for Empire Corridor
6. **Avoriaz, LLC proposed subdivision – Variance Application**
 - a. Convene as BoA
 - b. Board of Adjustment members discussion to develop written decision
 - c. Continue or Vote
 - d. Reconvene as Planning Commission
7. **Avoriaz, LLC proposed subdivision – Sketch Plan**
 - a. Review
 - b. Continue
8. **Public Comment:** Public comment is limited to 5 minutes per person. The Planning Commission does not respond to questions during this time. For operational questions, please email the clerk.
9. **The Next Regular Meeting of the Empire Planning Commission is Thursday, July 27, 2023, at 6:30 pm. In-person with remote access.**
10. **Adjourn Meeting**


(Planning Commission Chair Sally Rush)


(Town Clerk Jeannette Piel)

Town of Empire
30 East Park Avenue/P.O. Box 100 Empire, Co 80438
303.569.2978 - 303.569.2282 fax

Planning Commission Meeting Minutes
June 28, 2023 ~ 6:30 pm

1. Called Meeting to Order - Chairperson Sally Rush called the meeting to order at 6:36 PM. The meeting was held in person and remotely through Zoom.

2. Roll Call – The Empire Planning Commission requires a simple majority of three commission members present at the meeting for a quorum.

Present: Chairperson Sally Rush, Mayor Wendy Koch, Eileen Wheelock and Lon Fulton.

Absent: Denise Tennant

3. Approval of Agenda

Chairperson Rush noted a change of date from July 26 to July 27, 2023 for the next meeting of the Planning Commission on Agenda item 9.

MAYOR WENDY KOCH MOTIONED TO APPROVE THE AMENDED AGENDA FOR JUNE 28, 2023, WHELOCK SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

Agenda was approved as amended.

4. Approval of the Minutes – June 14, 2023 Meeting

WHELOCK MOTIONED TO APPROVE THE MEETING MINUTES FOR JUNE 14, 2023, FULTON SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The June 14, 2023 PC Meeting Minutes, including Attachment E, were approved.

5. Mayor's and Commission Member's Reports

- a. Clear Creek Watershed & Forest Health Partnership (CCWFHP, The Partnership)** – Diane Kielty- Lyons Creek field trip (6/23) and review of grant applications for Empire Corridor.

Chairperson Rush attended a field trip above Empire with Diane Kielty and others. Discussion included addressing the millings leaching into Lions Creek and the plans for the future of the Ball Placer. Water rights, storage, tap fees and other related issues impact future funding sources available to the Town of Empire.

6. Avoriaz, LLC proposed subdivision – Variance Application

- a. Convene as BoA**

MAYOR KOCH MOTIONED TO ADJOURN AS PLANNING COMMISSION AND CONVENE AS THE BOARD OF ADJUSTMENT, WHELOCK SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The motion was approved.

- b. Board of Adjustment members discussion to develop written decision**

Developers Andre' and Alan Suissa stated they have listened and have been influenced by the public comment and are withdrawing the Variance request.

Clerk Piel stated, "let it be noted in the Public Record that Avoriaz LLC has withdrawn their Road Variance Application from the Board of Adjustment. There will be no vote and the matter is closed."

c. Continue or Vote
The Variance application was withdrawn.

d. Reconvene as Planning Commission
MAYOR KOCH MOTIONED TO APPROVE TO ADJOURN AS BOARD OF ADJUSTMENT AND RECONVENE AS PLANNING COMMISSION, FULTON SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.
The motion was approved.

7. Avoriaz, LLC proposed subdivision – Sketch Plan

Clerk Piel walked through the process of Ordinance 170. We are at the Sketch Plan phase. Each phase has milestones and are outlined in the Ordinance. We are still at the first major hurdle of the process:

Empire Ordinance 170: Article XI Subdivision of Land in the Town of Empire

- Pre-Application Conference (2 steps)**
Determining Major/Minor and Application Completeness
- ~~**Variance Application (2 steps)**~~
Road Variance Request
Must be approved by Board of Adjustment
- Major Sketch Plat & Plan (2 steps)**
Determining the Feasibility and Design of the Project
Must be Approved by Planning Commission
- Major Preliminary Plat & Plan (9 steps)**
Development Report and Supporting Documentation
Must be approved by both Planning Commission and Board of Trustees
- Major Final Plat & Plan (8 steps)**
Dedications, Streets, Easements, Performance Bond, Certificates, Subdivision Improvements Agreement
Must be approved by both Planning Commission and Board of Trustees
- Impact Fees**
To Be Determined
Must be approved by Board of Trustees
- Development Permit**
To Begin Construction on an approved Subdivision
Must be approved by Planning Commission

Clerk Piel then provided the following definitions important to the process.

Roles:

The **Board of Adjustment** holds public hearings for appeals related to zoning regulations,

including all Variance Applications.

The **Planning Commission** evaluates the various stages of the subdivision plans for adherence to Ordinance 170 and the Comprehensive Master Plan and makes recommendations to the **Board of Trustees**.

The **Town Clerk** is directed to assist applicants and work with them to craft the best proposal. The **Town Clerk** also prepares all Staff Reports and gives recommendations. Other **staff members** may be consulted if the information pertains to their department.

The **Town Clerk** is the point of contact for all legal questions, both about our local Ordinances and Colorado State Law, and when necessary, will contact our **Town Attorney** and relay those answers to the **Board of Adjustment, the Planning Commission, or the Board of Trustees**.

Definitions on Housing Density:

Low-density includes single-family dwellings, semi-detached units (duplexes, etc.), row houses, and secondary in-law units (ADU's).

Middle densities can be stacked walk-up townhouses or flats.

High-density housing is Residential Buildings containing seven or more Dwelling Units per building, which include high-rise apartments, luxury lofts, or repurposed commercial buildings.

Traffic Volume:

According to the Clear Creek County Roadway Design and Construction Manual, the estimated traffic for an area with 18 single family homes is considered low traffic volume.

a. Review

Developers: explained the revised plan removes the need for the variance. The roads now will have a 50 ft Right Of Way (ROW). With 2 ft shoulders, there is more space and flexibility for drainage and utilities, as well as on street parking. Wanted to reduce the amount of road, so West Drive has been changed. Are studying Cowles street drainage issues. Lot 7 and Lot 16: now marked as "DET" or Detention Basins designed to maintain historical runoff volume. Also have increased spacing between housing, helps with topography and fire issues. Reducing Number of Homes from 21 to 18. Created an easement through the cliff to the creek, making it public access and/or animal crossing. Still have the 5 ft trail between cul de sacs for pedestrian access. Minimum driveways length will be 23 feet which is 3 feet longer than required 20 feet length. Driveways will meet 440 sq. ft. required by Ordinance.

The developers reexamined the proposed layout of the homes and determined that the engineer's original layout did not work well with the topography. Therefore, the new sketch plan was developed in line with the topography and reflective of public and Town concerns. The number of homes was decreased to 18 homes from 21 homes. The road easements were adjusted to 50 ROW. Driveways and housing setbacks were adjusted to meet the Ordinance requirements.

b. Continue

Chairperson Rush explained the PC will use Attachment A and Attachment E for discussion. Staff has gone through all previous public comments and public testimonies from previous meetings and categorized them. These formed the critical thinking exercise from the last meeting. The PC also made a field trip to the properties. Rush feels over these months everyone has researched and thanked everyone for working very hard; the result is that the developers have listened to the input and removed the Variance.

Discussion summary (REF. Attachment E: Staff Critical Thinking Exercise for Planning Commission 6-14-23):

- Chairperson Rush read the public comments from Attachment E into the record.
- New PLAN: Their engineer is putting more thought into Sketch Plan. Road grades, drainage.
- Developer would like to get to the Preliminary Plat. He feels they have the general ingredients with the Sketch Plan.
- Developers were encouraged to involve their engineer to create a more detailed sketch plan.
- Access roads and more detailed road plans come with the Preliminary Plan and Plat phase.
- Developers will update the page of calculations in the original 15-page packet based on new numbers, as well as lot sizes and road grades.
- Detention Basin defined method to collect storm water drainage to slow it down. Might be closed or open. Developer says it looks like a mini-pond dam, with a lining. To contain the drainage, it is like a giant check dam (rock piles in a city ditch). Slows down the water to maintain the historical flow, preventing surge levels below subdivision.
- Developer explained when you put in walkways, pavement, you increase the rate of runoff and need to compensate for this. Detention Basins are one way to do this. There may be other ideas too. The engineer will be doing the calculations later in the process.
- Developers were able to reconsider the Engineer's proposed subdivision to better meet with the actual topography of the property. They proposed a new Sketch Plan with fewer homes, meets Ordinance requirements, and responds to community and Town concerns.
- Chairperson Rush said the future homeowners should be more pleased.

Discussion summary (REF. Attachment A: 5-3-23 Planning Commission Meeting Minutes):

- Chairperson Rush requested the Developer redo page 5 of the sketch plan proposal, focusing on the new subdivision Sketch Plan. On street parking does not apply at this time.
- Wheelock requested the Developer provide an amended C2.1 -Grading & Drainage Site Plan be submitted as part of the Sketch Plan for review. Chairperson Rush confirmed request.
- Developers will resubmit the C2.1 amended Grading & Drainage plan, with roadway cross sections for the Sketch Plan review
- The Developer stated they are in meetings with XCel regarding easements. Regarding the Ball Street easement, Xcel has no records on file and defines the easement as "prescriptive easement" (one that has been known over 18 years, but undocumented). Xcel and the Developer will continue their plans to develop underground electric lines and power pole locations, which will be resolved in the Preliminary Plat phase of Town review. It is not required in the Sketch Plan Review.

The developer will resubmit the information requested.

SKETCH PLAN public comment:

Chairperson Rush first read two previously submitted comments into the record:

Jake Belcher: submitted comments attached.

Corey Novak: submitted comments attached.

Michael Spies: Because the sketch plan is new, it is hard to make comments. When you are doing a subdivision, you are creating a Use by Right for each lot. These pictures do show proposed footprints; discussion has been single story houses with garages. As soon as the town issues the plat, it doesn't matter what is drawn on the sketch plan and legally ANY kind of housing can be put there. A planned development is different from a replat, where the town can control the process. His concern with this plan, the town is committed to providing water and sewer. He hasn't heard anything about an engineer's report, at full build out, can we take this additional water and sewer infrastructure? He wants the PC to take this into account as we move forward.

Bob McGurk: passed.

Robin Raulf-Sager: wants to reiterate the town of Empire's vision statement by reading it: "The residents and the Town of Empire wish to preserve, protect, and enhance the historic integrity and small, mountain town atmosphere of Empire and the Empire Valley. Together they strive to guide future growth and development in town and the valley. The community desires growth that is slow, managed, fiscally sound, and that does not impact the town in a negative way." She thinks we can see this has impacted the town in negative ways. She does not see 18 houses as "slow, managed growth." If we keep this vision statement in mind she does not think this will pass.

Allen Fistell: Asked the Developer if the road they moved on the new sketch is now closer to his house than it was before and stated the power lines affect his property. He doesn't want his lines buried.

The Developers explained the new sketch plan is his drawing, not an engineer report. The engineer will work through this with more detail, there is one point where the road curves and hits the point and they will continue to look at this. Xcel said there'll be a lift pole on the edge of their property and he can keep his lines overhead.

Linda Robertson: Has questions about the entrance on Cowles street, which is a cliff. Cement trucks will not be able to make the corner. There are no gullies in the cliff, all succulents and natural grasses control the water runoff from Highway 40, which will be disrupted. Submitting a plan without a drainage plan and fire risk. These are their major plans. 18 homes on 3.1 acres is high density. Screams suburbia. Does not fit a small mountain town that is in the Master Plan. Thankful there is no road variance, but 18 homes is still too many.

The Developers said in keeping with 50 ft ROW, Cowles is at least a 50 ft ROW as well, which gives them an opportunity to widen the street, can level it out, and with the width the trucks can turn in. He believes it is too early to talk about how this impacts drainage etc.

Chairperson Rush: The Preliminary Plan is where the drainage is addressed. The engineering of the road will have to be checked by the Town Engineer for that section as well. The original plan did come in to a 7% grade by digging into the hillside and they did not like that. They are coming in as high as they can, following the contours parallel so they have less excavation than their original plan.

The Developers addressed gully washer issues: The flow of water from HWY 40 is not due to their development, but they are trying to work with their engineer to fix this problem for other residents.

Larry Modesitt: appreciates the withdrawal of the variance. Represents what should have been presented first. He appreciates Chairperson Rush very much. The devil is in the details. Allen Fistell is not sure what this road is doing. Having the engineer's approval means you are dealing with reality, not hypothetical. What the town wants is GOOD DEVELOPMENT that fits with the character of the town and is paid for by the Developer and not a burden on the Town. The vision of the Master Plan is the guiding document. The reason for large roads is because we want the small mountain town feel. He wants to see what the houses will look like. He wants them to be in character with the rest of the town. The hill is not the hardship. The plan is the hardship. If you don't have the details, we will be going over this again and again so do it right the first time.

Bob McGurk: Has been holding back comments because other people who have spoken, or called in, are more principled and have covered most of the things he wishes to cover. Redundancy is not bad in order to get across the sentiment of "small town Empire." He agrees with what Larry said about doing things right. He also feels the process is working. The first sketch plan was presented without concern for elevation. The new plan is addressing the slope and excavation, but we can't determine elevations from this depiction. Will they be identical houses? He saw trees on this drawing and asked for clarification about power lines. The properties look like they are right against each other. Are there at least 6 ft from roof lines? The fire hazards we previously discussed remain the same. On street parking, now that there is 50 ft you can park up and down. This is too large of a project, encourages the developers to seek another plan that is more in line with the Ordinance and the Master Plan.

MAYOR KOCH MOTIONED TO CONTINUE THE SKETCH PLAT AND PLAN TO THE NEXT MEETING, FULTON SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The motion was approved.

CHAIRPERSON Rush explained that after the preliminary and final plans, we will enter a time where we talk about what the subdivision is going to look like before they go to the architects. During that time they can introduce us to what they have in mind as far as buildings. The second piece is how this subdivision is going to manage itself. This is where covenants, like lighting, etc occur. She encouraged them to look at other subdivisions that have been successful to see how they maintained their visions, with deed restrictions or covenants. Ideally this would go BEFORE they look at how they will be building their buildings. Details to provide additional regulations to ensure long term management (ie. single story homes) needs to be researched.

The Developer said they prefer no HOA and want to open this conversation during the Preliminary Plat and Plan phase. Any covenants the town wants to suggest will be considered. For example, the one story plan was chosen to minimize blocking views. They want to tread lightly in investigating use by right while also not overburdening homeowners. Some covenants keep things beautiful, but others may give rights other town members don't have. They are open to everyone's input.

The Planning Commission recessed for 5 minutes.

8. Public Comment: Public comment is limited to 5 minutes per person. The Planning Commission does not respond to questions during this time. For operational questions, please email the clerk.

Michael Spies: Has 3 process and procedural points: 1. Once a subdivision is platted, you don't add deed restrictions. HOA's aren't owned by the town. Should have been done as a planned unit development. The developer can come up with elevations but they are not legally binding once it is platted. Unless the developer puts in deed restrictions, which aren't as binding as people think. He puts little confidence in the process when we are going to this level of density. He is questioning whether this is the correct process. 2. If they are not investors, board members should not have to recuse themselves. Unless they have taken a position prior to, he doesn't think they have to. 3. Public comment is usually BEFORE they vote on things. To have public comment after votes are made is unusual. He needs access to materials before the meetings. He hasn't had a chance to look. Wants board packets online before the meetings so they can look at it. Is not supporting this, but normally gets to promote growth and irritate everyone.

Bob McGurk: Is supportive of previous speakers. Believes they made salient points. Elevations and topographical maps: he is curious to know the top to bottom elevation of that hill. Research into how carving the roads into the side of the hill, and having the houses at different elevations, how they approach the overall elevation between houses. He does not like many things about developments, having grown up in suburbia. The Development does not represent the sentiment of the citizens of Empire, in his opinion, and the over 200 people who signed a petition. Thanked the board, is concerned for moving forward on projects with sketches that have been quickly done. To rush in with the plan in February, looking to start the development. Once it is rolling it will last in Empire, it is something that will last into perpetuity. Ringing a bell on something that cannot be unringed, and it is the burden of responsibility of the developers to present a plan that they can make the most money out of. A Town board should not be in a position to determine how much money can be made from a development. Should be well thought out. The process should give us more opportunities for us to state our opinions.

Robin Raulf-Sager: Thanked the mayor, the clerk, the planning commission. This subdivision has taken up many hours of all of our lives. There is an easy path forward; it involves single digits of houses, NOT 18. Why not just abandon the plans they have and go with the wishes of the town? Don't be greedy, just make a little less money.

Lyndy Modesitt: There are a few less homes on the 3.1 acres, but still impacts infrastructure, noise, crime, light. There are over 200 signatures saying this is not welcome in town. Please protect this treasure, the Town of Empire. Why not put the number of houses in the single digits?

Allen Fistell: They actually moved the road closer to his house with the new Sketch Plan. The road is now less than 5 ft from his back porch. This does not happen elsewhere. Their poorly drawn map shows their property line going over where his new deck is now, which is 5 ft from the property line. This property line is still in dispute. They should not have submitted a plan that is not reviewed by an engineer, even if this is not required at this sketch plan. Five feet from his house is unreasonable. Putting a road on Cowles street, which is too steep, is near impossible. THANKED the developers for amending the plan some, is not enough, but is appreciated.

Larry Modesitt: Need more elevation details about the hill in the sketch plan in order to discuss it, an engineer should have looked at it. The grade needs to be considered up front. He does not see the details. Are there 8 to 10 ft easements? Driveways? On road parking?

The town is full of SUVs, trailers, cannot be skinny on this. If the PC is not dealing with an engineer approved drawings. Rush and Clerk both stressed that we must get the facts. Rush was right to push the developers to have engineer approval. We got wishy washy answers. Dealing with unapproved drawings, we have nothing to go on. It is not our responsibility to reduce engineers' costs; it is their responsibility to present a detailed plan.

Cameron Jefferson: Is just learning about this process. He wants to know why the developers chose Empire. Of all the towns the developers could have chosen, why this small mountain town?

Chairperson Rush noted that the PC will find out when in the process any future covenant or deed restrictions may be appropriate to discuss.

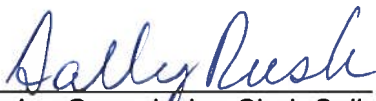
Randy Wheelock: When sitting on a board, there is usually a public hearing. In this type of quasi-judicial hearing, there is usually a staff report and public comment before board discussion. Empire is doing something like this. It is the best way for the public to be engaged and to give public input before the decision is made.

9. The Next Regular Meeting of the Empire Planning Commission is Thursday, July 27, 2023, at 6:30 pm. In-person with remote access.

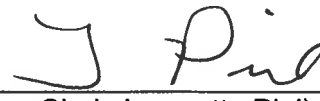
10. Adjourned Meeting

MAYOR KOCH MOTIONED TO ADJOURN THE MEETING, FULTON SECONDED THE MOTION, CLERK PIEL CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The meeting was adjourned at 9:22 PM.



(Planning Commission Chair Sally Rush)



(Town Clerk Jeannette Piel)



W. FORK VILLAGE

18 SITES

SCALE:
 ┌───┐
 │ 50' │
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LAYOUT PER R-1 REQUIREMENTS

50' P.O.W., 4,800 SF MIN. LOT SIZES

SETBACKS: 10' FRONT, 5' SIDE & REAR



ALL HOUSES WILL ACCOMMODATE UP TO 2 CAR GARAGES,
 PLUS DRIVEWAYS WILL ALLOW EXTRA 2 PARKING
 SPACES. TYPICAL FOOTPRINT 24' x 60'.

ALL ROADWAYS & DRIVEWAYS, BRKDES TO BE 7% OR LESS

6/27/23 ADW

Attachment A: 5-3-23 Planning Commission Meeting Minutes

The following combines the Developer Presentation (Agenda item 6b) and Planning Commission Discussion (Agenda item 6c) around the Town of Empire's Ordinance 170, Article XI Subdivision of Land in the Town of Empire, Section 4:

4. Sketch Plat and Plan (required for both minor and major subdivisions)

Prior to preparing a preliminary plat and plan, the subdivider shall make known his/her intentions to the Town by presenting a sketch plan of the proposed project to the Planning Commission who shall schedule it for consideration at a regular or special meeting of the Planning Commission. The purpose of this requirement is to eliminate potential problems and make known any additional or unusual requirements that may affect the proposed development.

4.1

The sketch plan will be a graphic conceptual representation of the proposed development with supporting documentation prepared at a map scale large enough for effective public presentations but generally no smaller than 1"-200'. Graphics are to be used in a manner that truly represents the salient aspects of the proposal without misleading exaggeration of scale or emphasis. The sketch plan shall, where applicable, include the following:

Reference to Documents:

- Empire Ordinance 170, Empire Land Development Code will be referenced by ARTICLE, Section, and/or Sub-Section (ie. Art. XI, 4.4). Small letters in first column below match small letters listed in Article XI, Section 4.1 list of Sketch Plan items (ie. (a) Proposed name of Subdivision
- Empire PC Pre-Application Conference per Article XI, Section 2.2 (a-g) (PA Conf.)minutes 4/20/23 4 pages (ie. PA Conf pg 2)
- West Fork Village Sketch Plan Packet (submitted 3/29/23 and resubmitted for review 5/3/23). Referenced by Packet/page number (ie Pkt, pg 3)
- WFV Site plans (submitted for review 5/3/23). Referenced by C1.2 Site Plan, C2.1 Grading/Drainage Plan, C2.2 Access Drive West, C2.3 Access Drive East, Preliminary Water Plan, 1 Preliminary Sewer Plan (ie. C2.2)

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
(a) Proposed name of subdivision	West Fork Village, a proposed 21 lot subdivision.	Confirmed name. Pkt.pg 1
(b) Name and address of: Subdivider	Subdivider: WFV Empire LLC, 2347 S. Loveland St., Lakewood, CO 80228	Owners of WFV Empire, LLC: Andre N. Suissa & Justin D. Suissa, jointly Pkt. pg 3

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
<p>Owners Land Planner Land Surveyor registered in the state of Colorado</p>	<p>Owners: Avoriaz, LLC (Andre' and Justin Suissa jointly) Land planner/builder: A.D. Wolff & Assoc., Inc, 23625 Waness Way, Golden, CO 80401 Alan D. Wolff Engineer: Insight Engineering, Inc., 27619 Moffat Rd. Evergreen CO 80439 Drew Schneider Land Surveyor: Clear Creek Surveying, P.O. Box 3184, Idaho Springs, CO 80452 Weston D. Spears, CO P.L.S. No 38056</p>	<p>Confirmed Pkt. pg 3</p>
(c) North arrow, date of preparation	C1.2, C2.1, and 3 addt. 11 x17 site plans	North arrow on all site plans (6). No dates Developer will date the 24x36" plans when providing same.
(d) Scale-written and graphic	On all (6) Site Plans	Developer- 8.5x11 print outs are to scale. 11x17" may not be to scale. When receive 24x36", they will be to scale.
(e) Statement or tabulation reflecting the total acreage of the subdivision and the breakdown as to land uses, such as building lots, streets, deeded public areas.	<p>Pkt. pg 4 & 6 - Currently vacant land. Boundary of Property, Parcel One 10.01 acre tract, .09 bloc 24 on mountain avenue...Pkt.pg 4</p> <p>Land use breakdown. Pkt. pg 5</p> <p>No lot area is under minimums required by R1 zoning.</p> <p>Open space makes up 63% of Parcel One (Pkt.pg4), not including dedicated roads and trails to the Town of Empire.</p>	<p>Currently is a Minor Subdivision. PC recommends it is a Major Subdivision by definition of Art.XI, Section 2.3.1 and is over the five or fewer lots of a Minor Subdivision.</p> <p>It shall proceed within Major Subdivision procedure and as required by Art.XI Section 5 and 6.</p> <p>PA Conf pg 2: chart of this step. Charts discussed, clarified, and corrected as below: Reference Pkt pg.5, C1.2.</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
	<p>Streets (C1.2) red hatched road & right of ways to be dedicated to the Town upon completion of infrastructure. Public areas will be connecting trails & will be deeded to the town</p> <p>Easements around both roads 8 ft on each side to be included in lot owners property & maintained by property owners. Access to easements will be regulated by the Town for underground utilities & maintenance by the Town.</p> <p>Private driveways will go through the easement, open space should stay intact.</p> <p>Pkt pg 5 Gross building area, includes attached garages. There are, 18 (3 BR, 2 bath, 2 garage & one with only 1 garage) , 3 units are 2 BR, 2 Bath, 1 Garage) given lot constraints.</p>	<p>Developer clarification of 3.728 acres: it includes all gray up to bottom of lot (C1.2), including easement and trails. Different shading for lots, which totals 3.123 acres of the site.</p> <p>Single family lots cover 3.123 acres of C1.2. Add in ROW and easements included in C1.2 for a total of 3.728 acres.</p> <p>Subdivision (C1.2) is 37% of 10.1 acres total Parcel One (pkt.pg.4)</p> <p>The single family building foot prints will cover 21.1% of the 3.123 acres. This more than satisfies the open space requirement for the lots.</p> <p>Lot sizes range from 4807 SF to 13,158 SF. with 3 large (12630-13,158 SF)</p> <p>Driveways through the easements will be a subject of further discussion.</p> <p>C1.2 Trail between East and West roads Commissioner Wheelock pointed out the topography of the trail between the two roads would prevent emergency vehicle access, and the Engineer informed the Developer that there would be landscaping steps because it is very steep and is not designed for emergency vehicles. Chairperson Rush noted this as a major difference from the presentation.</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
		<p>Dev. states trail slope is 2:1 and will be 4-6 Ft wide.</p> <p>CA Conf pg 2 sample lot 19 from plan: 1440 SF = 30% of lot coverage. 3,375 SF remains open space (SALLY MADE NOTE THIS INCLUDES PARKING) Code requires 1,500 SF open space: this exceeds code.</p> <p>Developer said they still have to configure the driveway access; the garage is part of the building space. All houses will have a one- or two-car garage.</p> <p>Chairperson Rush said there will be driveways going in, and R1 requires 2 parking spaces per lot. Developer acknowledges code requires 2 parking spaces. This will be further discussion</p> <p>Mountain Avenue & Lot 4 discussion: Developer not coming off of Mountain Avenue -over 10% grade. Instead, the access road off of Cowles (within 7% maximum grade) had been planned as access because of topography.</p> <p>Clerk Piel reported a new survey for the curved part of Ball Street came in on 5/3/23 that shows there may be an encroachment as the road curves. Will be required to address this by shifting the road. Clerk Piel will send this new information to the developer. This will</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
		<p>be included in the 24x36" plans from the developer for the work session 5/24/23</p> <p>Chairperson Rush reiterated request per Article XI Section 4.3 for 2 sets of plans to be reviewed, with date and legal description included: Ball Street (referenced in Title Insurance Item 13, Pkt. pg13) will be adjusted on these plans. All plans will be legible.</p>
<p>(f) Significant topographic features: Hillsides, lakes outcropping, etc.</p>	<p>Pkt. pg 6 and C2.1 topography details: Most homes are built considering present topography.</p>	<p>C2.1 topographical map and full topo (Pkt. Pg 6)</p> <p>Chairperson Rush said this was not addressed at the pre-application conference.</p>
<p>(g) Schematic and narrative representations of the proposed land use including: general location and type of housing units; total number of square feet of proposed floor space by type and general location; sewage and water facilities; utilities; parks and open space; off-street parking provisions; recreation areas; drainage way; ponds; landscaping; proposed school and other public facility sites.</p>	<p>Pkt. pg7 and C1.2 & C2.1, conceptual site plan, with lots, road and footprint of houses. THICK black line between the footprint, smaller area is garages.</p> <p>DRIVE EAST and DRIVE WEST are placeholder names for planning purposes.</p> <p>Pkt. pg 7. There is a yellow hash mark area cutting between lots; designed for a walking path between the two roads and an emergency access road in case one or other road is not accessible.</p> <p>Pkt. pg 8 (C2.1) grading plan. RED arrows are showing direction of drainage; existing slope is black lines; blue lines are new grading that will be required for construction.</p>	<p>Preliminary water and sewer site plans submitted. Public sewer and water supplies provided by Town and to be buried in subdivision streets.</p> <p>Proposed placement of all other utilities to be in 8' property easements.</p> <p>Refer to comment in item (e) of trail on C1.2 regarding "not an emergency access"</p> <p>Street parking provisions need further discussion to conform with Empire regulations</p> <p>Engineer states All grading is outside that flood plain, they are avoiding this. They have been talking about this, who will administer any flood plain requirements we may have.</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
<p>(h) The basic internal road and pedestrian access scheme and the surrounding road system (existing and future) providing access to the site. The typical geometric cross-sections of the roads are to be shown and proposed roads are to be designated as either private or public.</p>	<p>Pkt. pg 7 and C1.2. Roads & right of ways 24' wide to be dedicated to town as public roads Water & Sewer lines in roadways Easements on either side of road designation will be 8' wide and part of lot owners' property All other utilities buried in easements.</p>	<p>Typical geometric cross-sections of road not provided. Will be provided for work session 5/24/23. Road construction and materials to be discussed</p> <p>A Variance on the width of the Roads & ROW (from the 50' required width Article X, Section 10.2.6.7) is required to make this Sketch Plan viable. A variance application is being accepted concurrently with this Sketch Plan review.</p> <p>Dedication to Town: When Site plan work is done, property work is done, lines are buried and the property is ready to develop as lots: AT THAT POINT, the red # areas will be turned over to town as a public road to be maintained by Empire..</p> <p>The easements (on lot properties) will grant the rights inclusive through an Agreement of the nature of the easements with restrictions, requirements for maintenance of roadways and utilities buried in easements. Engineer will have further information at a future date. Clarification for easements requested by Clerk Piel no fences, houses, structures or garages - will be built in easements.</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
		<p>Road grading standards. To be further defined. Engineer stated there will be a shallow grade slope and no ditches in plans. Developer said there are no plans for sidewalks.</p>
<p>(i) Legal Description, Plat, Book and Page Number</p>	<p>Pkt. pg. 9 and will be added to Sketch Plan for future meeting</p> <p>Record number is based on the Clear Creek County Recorder's official record.</p>	<p>Not visible on Plans C1.2, C2.1, and C2.2. Engineer will print the Date, Book and Page numbers on the 24 X 36" maps.</p>
<p>(j) All recorded easements, encroachments, or right of ways which could affect the proposed development.</p>	<p>Pkt. pg 9-10 shows Current Legal Description as Parcel One as Parcel A and Lot 4 as Parcel B. IF current Sketch Plan is accepted, the descriptions would change to Parcel A Lots 1-21 and Parcel B the remaining undeveloped 6.372-acre tract of land south of subdivision.</p> <p>Developer said they have two legal descriptions that go with the property. REF. C.12.</p> <p>Developer states there are 2 easements within proposed subdivision to be considered. Ball St. & XCel. Empire Sewer Easement is outside boundary.</p>	<p>Noted items in Old Republic National Title Insurance Schedule B: (Pkt pg 13 & 14) Items:</p> <p>13. Ball Street Easement to be addressed</p> <p>20. Electrical XCel easement ?</p> <p>25. Electrical XCel easement ? (one of these which will be changed to underground utility) ? Empire Sewer Easement is south of subdivision.</p> <p>C1.2 FEMA Flood Plain is to the south all building in the Subdivision. It crosses into lots 7, 8, 17.</p>
<p>(k) All existing structures, utilities or other physical features which could affect the proposed development.</p>	<p>Pkt. pg 10 No existing structures.</p> <p>There is a XCel power line (yellow arrow). Developer intent is to bury power lines.</p> <p>Water lines run along Ball St. and Cowles (blue arrows) and several sewer personholes (brown arrows)</p>	<p>C1.2 No buildings on property or existing water or sewer lines run through the property. No other utilities are on property.</p> <p>Pkt. pg 11 Current Improvement Location Certificate will be replaced by a revised</p>

Ordinance 170, Section 4.1	Developer Presentation	Planning Commission Discussion
	arrows) and a sewer line that is south of the subdivision to the wastewater plant to the East. Pkt. pg 11 Current Improvement Location Certificate consists of 2 tracts. Parcel A (a/ka Parcel One) and Parcel B (a/k/a Lot 4, Bl 24)	Improvement Location Certificate upon acceptance of plan and redesignation of Parcels (to Parcel A - subdivision. Parcel B - undeveloped land)
(l) Boundary lines of the subdivision in a heavy solid line.	Pkt. pg 4 and pg 11 provide boundary lines	Upon further plan changes and approvals, the boundary lines of the subdivisions will be adjusted
(m) Indication of existing zoning.	Pkt. pg 12 Zoning: R-1 zoning in town.	Pkt. pg 12 map of Town. R-1 zone. Adjoining properties are single family lots; some acreages to the East, cemetery to the South, the park is Southwest; to the West are more single family homes.
(n) Any other data essential to the evaluation as may be requested by the Town to enable an adequate conceptual evaluation of the proposed subdivision.	Pkt. pg 12-13 Title Insurance Schedule B	Discussed in item (j) above.

4.2 A location map shall be submitted along with the sketch plan. This map shall identify the adjacent properties and the physical relationship of the subdivision to the Town.
REF. Pkt. pg 12

4.3 The subdivider shall submit two copies of the sketch plat and plan.
Two 24x36 copies of the set of sketch plan maps will be provided for the 45 day review.

4.4 The subdivider shall be the owner of the property being subdivided, or the legal representative.
Pkt. pg 2 that identifies the developers as the owner.

4.5 The Commission shall review the sketch plan submittal to determine if it is consistent with the standards set forth in this Ordinance, the Town Master Plan, and other development regulations, and will suggest to the subdivider whatever changes, if any, are recommended in the plat and plan. All sketch plans shall be submitted to the Planning Commission and will be scheduled for review by the Commission not sooner than seven (7) days nor later than forty five (45) after submission.

- Starts today, 5-3-23.
- Commissioners and staff discussed maps in detail, including roads, easements and power poles. Current IECC codes are 2015 for building and electrical. Fire Code has been updated.
- Developer said all homes will be site-built. If grade allows, a basement may be possible. Each spot will have different space requirements, maybe some will require a crawl space.
- Discussion of drainage and the flood plain is marked. Engineer says. REF. dashed line surveyor put as projected 100-year FEMA flood plain. All grading is outside that flood plain, they are avoiding this. They have been talking about this, who will administer any flood plain requirements we may have.

ATTACHMENT E: Staff Critical Thinking Exercise for Planning Commission 6-14-23

Please read through these questions and think about how you would answer them. These are the questions and concerns from Public Comment from every public meeting since this process began. Many of these questions have been answered, but I want you to think through each question anyway. Anything that has a factual answer, I will provide that information in the meeting when we are discussing it, or it is provided in italics.

This is an exercise in critical thinking. If you think the answer to a question is no, see if you can come up with an answer or change that would make it work. If you think the answer to a question is yes, see if you can come up with an exception that would make it not work. We need to train our brains to see both sides so we can make informed, unbiased decisions. (Pretend you are in a debate class, and this is your assignment)

If we allow our minds to look for solutions to the problems presented, not only will we find the best solutions and/or conditions for this Variance and Sketch Plan, but it will also help us find solutions to the same problems that are happening in other areas of Town and inspire ideas for improvements.

Project:

21 Single-family, single-story houses with garages. Each house is larger than our minimum house square footage, and each lot is larger than our minimum lot square footage.

Water:

Can the Town supply water to 21 single family homes.

Can the Town's Sewer Plant accommodate 21 single family homes.

Roads:

How is the Town going to pay for road maintenance for additional roads.

How is the Town going to pay for road maintenance on current roads that will gain more traffic. Cowles is a specific concern: Slope of the road coming into the subdivision from Cowles, "Drive West", street needs to be widened and graded, drainage needs to be improved.

Tony Robertson is concerned about water runoff this development will cause. Summer gully washers happen, and the development will increase risks of flooding their house.

Allen Fistell is concerned that rain and snow runoff from the slope of "Drive West" will drain toward his house and lead to flooding.

Water issues such as drainage, less absorption.

With an 8-foot easement on both sides will the electric, gas, cable fit into the ditch leaving enough room for drainage and for extra cars to park.

Need space for snow and emergency vehicles.

Does not like the fact that the street does not go all the way through as it is a fire risk.

Would like to see a road with a grid pattern of the current Town roads.

Density:

Fire hazard and mitigation

The developers are not offering anything to improve our infrastructure. When water or sewer fail, we will have to fix them.

21 homes will make it a very crowded unconventional subdivision.

Concerns about density.

How does this project help the residents.

We already have affordable housing.

Concerned about high-density development taxing the town's aging infrastructure.

\$500K is not a high estimate, so homes do not qualify as "affordable."

Extra housing brings down value and desire to live here.

Need to use less flammable building materials.

One thousand square feet is pretty small.

Neighbors and friends live here because of the small-town atmosphere, and we have each other's back. How long will it take to build twenty-one homes? (approx. 6 months)

Do we need a park?

Are the lot sizes 4800 square feet.

On the north side of the property have you spoken to the other homeowners.

Master Plan:

42 new residents is more than a 10% growth of our current households and residents. This is not slow growth and is in direct conflict with our vision statement and comprehensive plan.

The density does not fit in our vision statement and comprehensive plan.

This high-density development adversely affects the view corridor and does not fit with the town's values as stated in the recently completed Master Plan.

Hardship / Variance:

Hills are not a hardship.

There are plenty of uses for the hills, like sledding, that would not create hardship.

They made the choice to have 22 houses, is a personal hardship, is not a valid basis to grant a variance.

They can make use of the property by putting fewer homes on the lot.

The hardship is due to the desire to create 21 lots is not a hardship due to topography of the property, a different development would not require a variance.

The property exists in the middle of the Rocky Mountains significant sloping is hardly a unique hardship to the developer.

The developer knew the slope of the land when they bought it, so how is this a unique hardship.

The 50 ft roads in the Ordinance was planned to apply to everyone going forward, which were the wishes. Past roads are irrelevant to this variance.

Existing zoning would not require a variance. (1 House)

Zoned for R1 and they purchased it knowing this.

Is One lot, zoned R1 for one house.

Develop less homes and roads would not need to be narrowed.

A narrow road on a hill with a 90 degree turn on a section of Cowles is just plain not a good idea. This is currently doable with four residents, not with 21 more.

Clarify:

Concerns about the 8 ft easement, but ordinance requires 10 ft. Explain easement verse setback from structure to road. The plan shows a 10 ft. setback as per code, and 8 ft. of that setback is the easement. That means that the house is at least 10 ft. back from the edge of the shoulder of the road. Within that 10 ft., 8 ft. must be clear – no fences or obstructions of any kind – to allow for space to plow snow and to park off the road.

The Planning Commission states that the ordinance for the road width is excessive for development this size, but the town never envisioned a development the size. This statement is incorrect. No one ever said that the road size was excessive for a **development of this size**. The Attorney and a consultant said the road size is excessive for any rural mountain town.

Can't grant a variance to this piece of property as his deed shows he owns part of the property where the road easement is planned. The purchase of the property included purchasing an easement that cuts across the corner of the property. The developers are honoring this existing easement and it has no bearing on the validity of the Variance or the Sketch Plan.

Process:

Will approval of this variance mean we have established precedence for the future. No.

Will like all email communications from the Developers, including the recent 6-page memo, is it public knowledge that can be shared with other community members and the boards? Yes, but they haven't sent it to the clerk yet.

People around this development area should have all the details. Yes, all information can be viewed in the Town Hall and any question can be emailed to the clerk.

Question for later in the process:

When can the PC have the tax information that will cover maintenance.

Concerns about water usage. Has there been a recent study.

Can you afford to complete this development or are you going to leave us a pile of unfinished homes.

Will they be able to sell all of the houses.

Who pays for the feasibility study, water, and sewer changes.

Has any of the water and sewer knowledge changed? Does the Town have this information.

FURTHER DISCUSSION from Planning Commission and the Public on process:

Clerk Piel provided this example from the public comments above:

1. Concern: Not having enough water.

Question: Can the town supply enough water to 21 single family homes?

Answer: Capacity, volume of water, experts have told us yes. Infrastructure, yes. Approved for an additional \$4 million in infrastructure upgrades.

Chairperson Rush asked if an Engineer could verify the % of capacity we will have with the new system once it's in place. What % of that capacity will be taken up by new subdevelopment, and what water rights are involved, etc.

These become questions for Engineers later in the process.

Wheelock stated the knowledge base of the new system is unknown. We want more than "just enough" water, we want more than enough for residents.

Clerk Piel stated that once the staff gets answers from experts, the community must trust the experts. If the commission or community states they do not believe the experts, they must have expertise.

Chairperson Rush reiterated that the better our questions are, the more detailed answers we will get.

Staff and PC Members repeated the process with the next 3 example concerns:

2. Concern: "Developers are not offering anything to improve our infrastructure."

Possible related questions:

- How does this development bring something good to Empire? What benefits will Empire have from doing this development?
- What are they bringing to us? Fees are designed to help with future expansion (tap and impact fees are designed for this). Planning Commission asks the questions, staff helps get answers from experts.
- Playgrounds, drainage, money, taxes, jobs, quality of life.

3. Concern: "I don't want to see 21 homes when I walk out my door."

Possible related questions:

- Definition of density? How many houses will I see when I walk out my front door?
- Walk the property and nobody will see all 21 houses at the same time. Can have a site visit to confirm how many houses each lot will see...the sketch plan is about the layout.

4. Concern: Complaints about road maintenance now.

Possible related questions:

- Will that affect maintenance through the town? It will affect Cowles, which is more tangible. How will it adversely affect Cowles?
- Can we put conditions into the process to make sure the road will be improved? If we determine the drainage will impact current roads, can we get improvement on Cowles through this process?

Further clarifying questions:

- 8 ft easement does not meet code. 10 ft setbacks.
- Misunderstanding with "road width" for a development this size" comment edited previously referred to other road sizes throughout town.
- Variance: Deed comment was resolved in the purchase of the property.
- Established precedence? No, variances are situation specific. Designed to relax code for one situation, does not set up precedence.
- Send any emails to the town clerk to be included in the public record.
- All information may be viewed in town hall; can email to set up an appointment. Plans are on the town website once approved.

Mayor Koch asked what information the PC members will use. Checklists help with the legal right to say no. May be sued, must show your justification and have legal ground to say NO. Every condition must be met. Idaho Springs development example.

Chairperson Rush reiterated that everyone needs justifications for their vote.

Public Questions on process:

Allen Fistell: Misunderstood the reference to the deed problem earlier.

Peggy Hubner: In this process, wonderful children, the word hardship is an emotion. How do you do a check off on a feeling or an emotion?

Chairperson Rush explained the task is to just get to the root of the question, and what is the legal definition.

Linda Robertson: asked for clarification on federal program vs. private development in Mayor Koch's previous comment. She thought the example occurred in Empire, not in Idaho Springs.

Corey Novak: asked what governing body document the PC and staff were using for process. Consulting the Master Plan?

Chairperson Rush referred her to ORDINANCE 170 with administrative processes and answered yes to the Master Plan question.

Tennant explained that the Board Of Adjustment is provided for in State Law.

Tony Robertson: clarification about continuance of discussion, would like to be able to talk without being called out.

From: Jake Belcher <jakebelcher04@gmail.com>
Sent: Tuesday, June 27, 2023 7:46 PM
Clerk@empirecolorado.us
Subject: Message to be read in my absence of the 6/28 Planning Meeting

Hello,

Can the following be read during agenda point 8 for me since Corey and myself are unable to attend the 6/28 planning meeting due to a previous engagement?

“Hello my name is Jacob Belcher 336 East Mountain Avenue Empire Colorado. While I am a member of the Board of Trustees I have recused myself from all voting on this matter since I have a conflict of interest so my words are to be taken as a concerned citizen.

Sorry for Corey and my absence tonight, we have signed up to volunteer months ago and since we are unable to be two places at once we are choosing to help the community tonight by volunteering our time.

While Andre has said that the homes are to help the housing crisis, I logistically don't see how this helps at all. These houses are priced at half a million dollars or more. According to realtor.com in order to afford buying a house at that price you would need a house hold income of 140k dollars or more. The median household income for Clear Creek County is \$76313 and the median household income for the town of Empire is \$60250. So I ask who will be buying these houses from in the county? Not the small buisness workers, bartenders, or food industry workers. So this does not help the housing crisis it will in fact make it worse! Putting Empire on the ever growing list of towns that are going to be declaring a state of emergency because there is no one to work because they have all been priced out.

In closing, thank you Planning Board for taking with the gravity you have and please keep asking the questions and digging up the facts.”

Thank you so much.

Explore More,

Jake

From: Corey Novak <coreynovak8@gmail.com>
Sent: Wednesday, June 28, 2023 3:38 PM
Cc: Jeannette Piel
Jacob Belcher; Larry Modesitt
Subject: Letter to be read in my absence at tonight's planning committee meeting

To whom it may concern,

My husband and I, Jake Belcher, of 336 east mountain Ave, are unable to attend tonight's meeting as we have been scheduled since this winter to volunteer for a clear creek county event.

In my absence, please convey the following to the planning committee:

You have dedicated long nights, and long hours to research this variance approval and I'd like to thank you once again for your due diligence. In doing your research, I'm confident that you'll see there is absolutely no way this variance can be or should be approved. We have ordinances and policies for a reason, and my belief is that the 50 foot road policy is to limit excessive growth, traffic and crowding from our town.

As we drove out of Avery street to head to Idaho springs today around 3:00 pm, town was jumping! The private parking lot for rafters was overflowing likely because of the upcoming 4th of July holiday. It's wonderful to see town booming with business and to see folks coming to visit our little slice of Heaven here in Empire. Despite how happy seeing the cars made me, the road was a tight squeeze for our suv. There were cars parked on both sides of the street alongside Empire's edge cafe so people can walk across to the rafting company. Now, how many folks are rafting at this current moment? 40? 50? At max? While I don't know the exact numbers I do know that this congestion and traffic is something that we will see more of if the variance is not approved, and even worse if the variance IS approved. Without a plan for parking - not all planned homes have garages- home owners, and their guests and toys (atv, mountain bikes, campers, etc.) will be parking on the sides of the road. Fifty feet is not an arbitrary number, but it was selected by those who want to respect, keep our community safe, and maintain the small mountain community feel.

As I dwell on the rafting example, I also want to note that where the rafting company is IS aligned with our master plan and specifically the three mile annexation plan. The plan encourages development along HWY 40 and I70 where "The land along these corridors is considered more developable, where the slope is appropriate and access to services can be easily gained and there are few to none of the environmental constraints. It is thought that keeping development within these corridors makes sense."

Again, we have plans and ordinances in place to guide the planning committee. Our three mile plan and our town master plan guide, without a shadow of a doubt, that it is dangerous, unwise and unnecessary to grant the variance request.

Thank you for taking the time to be here tonight, to read my request and take this into consideration.

All the best,

Corey Novak

Public Comment for Sketch Plan

Sign-up Sheet

June 28, 2023

If you would like to address the Empire Board of Trustees at this meeting, please place your name on the sign-up sheet. You will be recognized to speak during the "Public Comment" portion of the agenda.

This is a governmental meeting held to conduct the business of the Town of Empire. We welcome you here and thank you for your time and concern. If you wish to address the Board, this is the time set on our agenda for you to do so. **When you are recognized, please stand, state your name and then address the Board.** Your comments will be limited to 5 minutes. This is the appropriate time on the meeting agenda for you to address the Board on matters that are not scheduled for public hearing. The Town Board may not respond to your comments during this meeting, rather they may take your comments and suggestions under advisement and your questions will be directed to the appropriate person or department for follow-up.

The Town Board request that all speakers conduct themselves in a respectful and civil manner and avoid disorderly behavior or personal attacks against any individual. In the event any person interrupts the business of the Board or acts in a disorderly or disrespectful manner, the Board may require such person to cease the offensive behavior and/or to leave the meeting. Thank you.

Please sign your name below if you wish to speak to the Board.

Michael Spiess
Bob McGuerk
Robin Raulf-Seger
Allen Fiestell
Linda Robertson
Larry Moxley II

627 Mountain Ave
316 Main
313 Main St
210 E Mountain Ave
216 S Avery St

Town of Empire

30 East Park Avenue/P.O. Box 100 Empire, Co 80438
303.569.2978/f303.569.2282

Public Comment

Sign-up Sheet

June 28, 2023

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Please sign your name below if you wish to speak to the Board.

Michael Spiers
Bob McGurk
Robin Raultsagen
Lyndy Modesitt
Allen Fistell
Darryl Modesitt
Cameron Jefferson
RANDY WHELOCK

267
~~257~~ Mountain Ave
310 Main
313 main st
294 E Mountain Ave
210 E. Mountain Ave
33 E. Park Ave
100 E. Sunnd