

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

Empire Planning Commission March Regular Meeting Minutes
March 27, 2024 ~ 6:30 pm

1. Call to Order – Chairperson Sally Rush called the meeting to order at 6:37 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, Lon Fulton, and Kim Hubert. Also in attendance were Police Chief Andrew Lorenz, Town Administrator Jeannette Piel, and Deputy Town Clerk Lisa Kunze.

A quorum was present.

3. Approval of Agenda - March 27, 2024 Regular Meeting Agenda

Staff will renumber the agenda to correct the two number 9's and would like to add an item under Reports: Upcoming changes to the composition of the Planning Commission - Town Administrator Piel

WHELOCK MOTIONED TO APPROVE THE AGENDA FOR MARCH 27, 2024, FULTON SECONDED THE MOTION, CLERK KUNZE CONDUCTED A ROLL CALL VOTE, ALL WERE IN FAVOR, MOTION PASSED.

The amended Agenda was approved.

4. Approval of the Minutes

- Minutes February 28, 2024 Regular Meeting Minutes

MAYOR KOCH MOTIONED TO APPROVE THE MEETING MINUTES FOR JANUARY 31, 2024, WHELOCK SECONDED THE MOTION, CLERK KUNZE CONDUCTED A ROLL CALL VOTE, FOUR WERE IN FAVOR, ONE ABSTAINED, MOTION PASSED.

The February 28, 2023 PC Meeting Minutes were approved.

5. Mayor and Commission Member Reports

- UCCWA Update - Chairperson Rush

Chairperson Rush attended a meeting with Clear Creek Partners on March 20, 2022 and referenced an email dated 3/13/24. See the Attachment entitled "Meeting with the Partners 3/20/24" for details.

- Upcoming changes to the composition of the Planning Commission - Town Administrator Piel

The Planning Commission does not have the same term-limit requirements as the Board by State Law, so that is why we do not need a ballot initiative to eliminate them. However, because the Board has allocated Staffing as a priority, we have been able to research past Ordinances and confirm that the Chair has a 2-year appointment. In discussions with Sally and Staff, we all agree the intent was most likely to have a revolving chair to promote engagement by the entire planning commission over time.

In that light, Sally will be stepping down as Chair after her second 2-year term and a total of almost 12 years of volunteering for the Planning Commission, BUT she has also graciously agreed to continue serving on the commission as well as stepping into a new role we will announce at the next meeting. Thank

you Sally for your service as chairperson.

We are happy to announce that Kim Hubert will be serving as your chairperson for the next 2 years beginning with the May 2024 meeting. The ex-officio members of the Planning Commission, Wendy Koch and Lon Fulton, are not eligible to serve as chair, so the remaining 3 members will rotate.

6. Site Plans for 187 East Sunny Avenue, Bittner

Members of the Planning Commission discussed the items in the attached Town of Empire Site Plan Checklist so that the property owner can submit to the County for the building permit upon Planning Commission approval of the updated site plan blueprints.

Discussion included:

- Checklist Item 1: Revised 3-27-24 C-1 plan shows the retaining wall is removed from (Town of) Empire property.
- Commission members verified the scale on the newly submitted plans for accuracy.
- The property is split into 2 proposed lots. Discussed if a survey needs to be done because as is, the plans do not require a survey, because they only propose building on one lot. If and when the property owner wants to build on the second lot, they will need to subdivide the property which will require a survey.
- The retaining wall is not a combustible surface, so like a fence, it can be along the property line.
- The Town's files will contain the address for the empty second lot for future development.
- Retaining wall at New West Drive (C-1) will be within the proposed westerly boundary. Their proposed property line will have to reflect that if they subdivide.
- Only fees will be tap fees, which can be checked off.
- Discussion about the retaining wall ended with this decision to be noted on the applicant's checklist: Retaining wall required for improvement of site which is higher than 3 ft wall requires structurally engineered retaining wall plans to ensure structurally sound design, construction, and drainage within the wall.

All of this information will be included with the 3rd version of the site checklist to be presented when revised plans are submitted.

7. 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.

Randy Horning: Asked Chairperson Rush to elaborate on the Alluvial Fan science.

Chairperson Rush: Explained that streams of gravel were put here from the ice age...it ground up the Stone into gravel that the water will run through. Since the Alluvium sediment is porous, it comes down beyond the lake (into the old gravel pit) and would form its own stream underground. This starts uphill west of town and continues into Dumont. So the water table, the porous stream of rock, is very shallow. This organization will provide mapping of these underground Alluvial Streams, where they are and where they are at risk.

Lon Fulton: added that the name Fan comes from the fan shape. Alluvium is anything deposited by water...it comes down and spills out and then fans out, creating the shape. Things grow on top, and you don't know it's there.

Eileen Wheelock: added the fan shows a broader scope, narrows down to a stream...which can cause flooding with melting etc.

Mayor Koch: concluded that CDOT moved the river so the topography changes down at Dumont.

8. Moment of Appreciation – At each of our Board and Planning commission regular Meetings, we want to hear what you appreciate about Empire. It can be anything. What’s the first thing that comes to your mind, what’s the first thing you show people when they visit, what do you miss the most when you are away? Short and sweet answers – please keep it positive!

- When at Ball Field, looking SE, you can see the glacial moraines.
- Can experience Spring and Winter on the same day.
- Flowers are blooming through the snow right now. (Should have believed the advice to not plant anything before Father’s Day!)
- The level we take our jobs: full-time, part-time or volunteer, appreciate the level of commitment put in by all.
- Appreciate Sally volunteering over these years.
- Spring is coming!
- Crazy March snow storms!
- Band of clouds that hangs on the mountain sides this time of year.
- Dry Roads! (Our Police Chief is done with the crashes and the snow...)
- Sun is always shining!

9. The Next Regular Meeting of the Empire Planning Commission is April 24, 2024 at 6:30 pm. In-person with remote access.

10. The Next Training Session of the Empire Planning Commission is May 13, 2024 at 6:30 pm. In-person with remote access.

11. Adjourn Meeting

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

The meeting was adjourned at 8:30 PM.

(Planning Commission Chair Sally Rush)

(Deputy Town Clerk Lisa Kunze)