



GRAND LAKE BOARD OF TRUSTEES WORKSHOP AND MEETING AGENDA

Monday, July 10, 2023 at 4:30 PM

Town Hall Board Room – 1026 Park Avenue

*The Town of Grand Lake upholds the Six Pillars of Character:
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

Please join my meeting from your computer, tablet or smartphone.

<https://us06web.zoom.us/j/84954103870>

You can also dial in using your phone.

United States: 719 359 4580

Access Code: 849 5410 3870

WORK SESSION 4:30 PM

1. Call to Order
2. Roll Call
3. Conflicts of Interest
4. Items of Discussion
 - A. Trustee Candidate Interviews
 - B. Municipal Lands Master Plan- update

EVENING MEETING 6:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Announcements
4. Roll Call
5. Conflicts of Interest
6. Manager's Report
7. Public Comments (Limited to 3 Minutes)
8. Consideration to Approve Meeting Minutes
 - A. June 26, 2023
9. Consideration to Approve Accounts Payable
 - A. July 10, 2023
10. Items of Discussion
 - A. Consideration of Resolution 23-2023, a Resolution Appointing a New Trustee to Fill a Vacancy on the Grand Lake Board of Trustees
 - B. Consideration of Resolution 24-2023, Updating the Grand Lake Cemetery Rules & Regulations
 - C. Consideration of Resolution 25-2023, Consideration to Grant an Encroachment License into the West Portal Road Right of Way for Retaining Wall to Run Along the Front Property Line of Tract: G-1-B; More Commonly Referred to as 816 West Portal Road
11. Future Items for Consideration
12. Mayor's Report
13. Adjourn Meeting

RECEIVED
07-05-21

Section 4, Item A.

12:42 pm

To Whom It May Concern:

My name is Julie Causseaux and this is my official application to join the board for the town of Grand Lake. I have been visiting Grand Lake, Colorado since 2014. In September of 2020 I became a resident and homeowner here. While I may not currently be a long-time member of this community, I will be.

I work as a sales, marketing and business consultant for medium to large corporations. My expertise is in data analytics, customer journey optimization, and sales and marketing strategies. In short, I help companies take the resources they have and make the most out of them.

The philosophy for that success is the same approach I would bring to this position on the board. Using all the resources we have - whether that be human, monetary, geographic or economic - and utilizing them to create both long term and sustainable prosperity. I hope to help better this town in every aspect of its existence by supporting the foundations that its infrastructure is built on – the people that call this home.

Grand Lake is full of hardworking families and individuals who fell in love with everything it has to offer. They do all they can to make a living and make this town what it is. Giving back to them in a way that facilitates their own endeavors to support this town is where I see the biggest opportunity to make the biggest impact. Largest opportunity of all is workforce housing and the proper management and monetization of income from short term rentals.

Secondly, we can't ignore the fact that this town runs on tourism and the business that they bring. Let's make sure we're positioned appropriately so we attract year-round traffic from those who will appreciate and respect this town and its heritage as much as we do.

In the hopes that this all aligns with your own conditions for a new member, I look forward to being an asset to the town board and making a positive impact on this community.

-Julie Causseaux

RECEIVED
06.26.2023

Section 4, Item A.

John M Rourke

Grand Lake, CO 80447

June 26, 2023

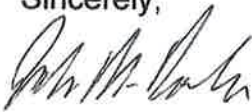
Alayna Carrell, Town Clerk
Town of Grand Lake
1026 Park Ave.
Grand Lake, CO 80447

Re: Board of Trustees vacancy

Dear Ms. Carrell,

Please let this letter serve to express my interest in filling the vacancy on the Board of Trustees until April 2024.

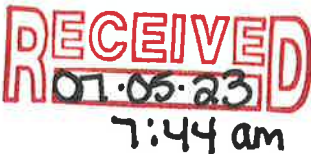
Sincerely,



John M. Rourke

Alex Merchant

Grand Lake, CO 80447



6/12/2023

Dear Board of Trustees, Town Manager, Mayor and Mayor Pro-Tem,

I am writing to express my interest in joining the Board of Trustees of Grand Lake as a Trustee. As a year-round resident of this city who has a passion for Nature, Water conservation, social justice and community I am deeply invested in the betterment of our community and want to play an active role in shaping its future.

I have been participating on a community member level since the winter at workshops and it has greatly sparked my interest in wanting to be more involved and active in helping our community. I have now been a member of the community for a little over a year and hope to settle in here because it has become my community.

As a young married queer member of the community I know I bring a different, unique perspective and valuable experience to the table. I also know that I want to continue to learn and grow in ways that will help to further my community and town at large.

With my passion for social justice, community and nature/water conservation I feel that it is proper for me to continue on this journey by participating in the betterment of our town and expressing my interest in wanting to be considered for the position with the Board of Trustees.

Sincerely,

Alex Merchant



Town of Grand Lake
Municipal Lands
Master Plan

FINAL DRAFT

May 2023

Cover Illustration: Credit

Town of Grand Lake
Municipal Lands
Master Plan - Final Draft

May 2023

Acknowledgments

Town of Grand Lake

Town Staff
JOHN CRONE,
Town Manager

KIM WHITE,
Community Development Director

GRAND LAKE PLANNING COMMISSION
Commissioner John Murray
Commissioner Judy Burke
Commissioner Heather Bishop
Commissioner Christina Bergquist
Commissioner Greg Finch
Commissioner James Shockey
Commissioner Heather MacSiarrow

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Rick Johnson
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Bob King
Kate Elliott

Consultant Team

MUNDUS BISHOP,
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Architecture

Grand Lake Board of Trustees
Mayor Steve Kudron
Trustee Michael Arnston
Trustee Michael Sobon
Trustee Daryn Packer
Trustee Christina Bergquist
Trustee Baxter Strachan
Mayor Protem Ernie Bjorkman

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Chapter
01

Introduction

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Planning Purpose

This project creates a Municipal Lands Master Plan for the Town of Grand Lake to guide future decisions regarding highest and best use, capital improvements, and maintenance over the next ten years. The Municipal Lands Master Plan addresses Town-owned, active, vacant and occupied buildings and lands.

This Municipal Lands Master Plan is necessary to reflect community goals and objectives and to formulate implementation strategies for highest and best use of Town-owned land and real estate. The plan serves as a decision-making tool to assist future development of facilities, infrastructure, and programming. Recreation in Grand Lake has a strong emphasis on use of Town-owned and operated facilities and infrastructure, Town partnerships with County, USFS, NPS, Trail Groomers, HTA and Recreation District resources, trail systems, and opportunities outside the incorporated boundaries of Grand Lake.

Grand Lake is a community that recognizes the importance of preserving and enhancing its historic, small-town character, the roots from which it grew, and preserving the natural environment in which it resides.

The Municipal Lands Master Plan is guided by previous planning initiatives. These include the recent 2020 Comprehensive Land Use Plan, in which significant public input was obtained from a wide range of local stakeholders. Other planning initiatives that influence the plan include Headwaters Trail Alliance Strategic Trails Plan (2019); Downtown Grand Lake Community Assessment (2013); Gateway Community Livability

Assessment and Recommendations Report (2014); Wayfinding Master Plan (2014); and Parks, Open Space and Trails (POST) Plan (2009).

Methodology

The Municipal Lands Master Plan was prepared using a consistent approach to all Town-owned, active, vacant, and occupied buildings and sites. The existing condition of each property was evaluated, goals and objectives developed, and future uses / planning identified.

The information included in the facility and site assessment was obtained during field investigations conducted on September 17, 2021, completed by Mundus Bishop and Anderson Hallas with support by Town staff. This information was compiled and complimented with available Town-provided documentation. Opportunities will be further reviewed and developed with town staff and during the public outreach process.

Building Assessment Methodology

- Reconnaissance-level investigation for the buildings were conducted to assess the integrity of each structure and is not an exhaustive facility conditions assessment. As such, some identified deficiencies, e.g., non-compliant accessibility items, are described in general terms.
- No destructive testing or investigation was performed.
- Structural systems and building system components such as mechanical, electrical, fire suppression, etc. were not within the scope of this review.

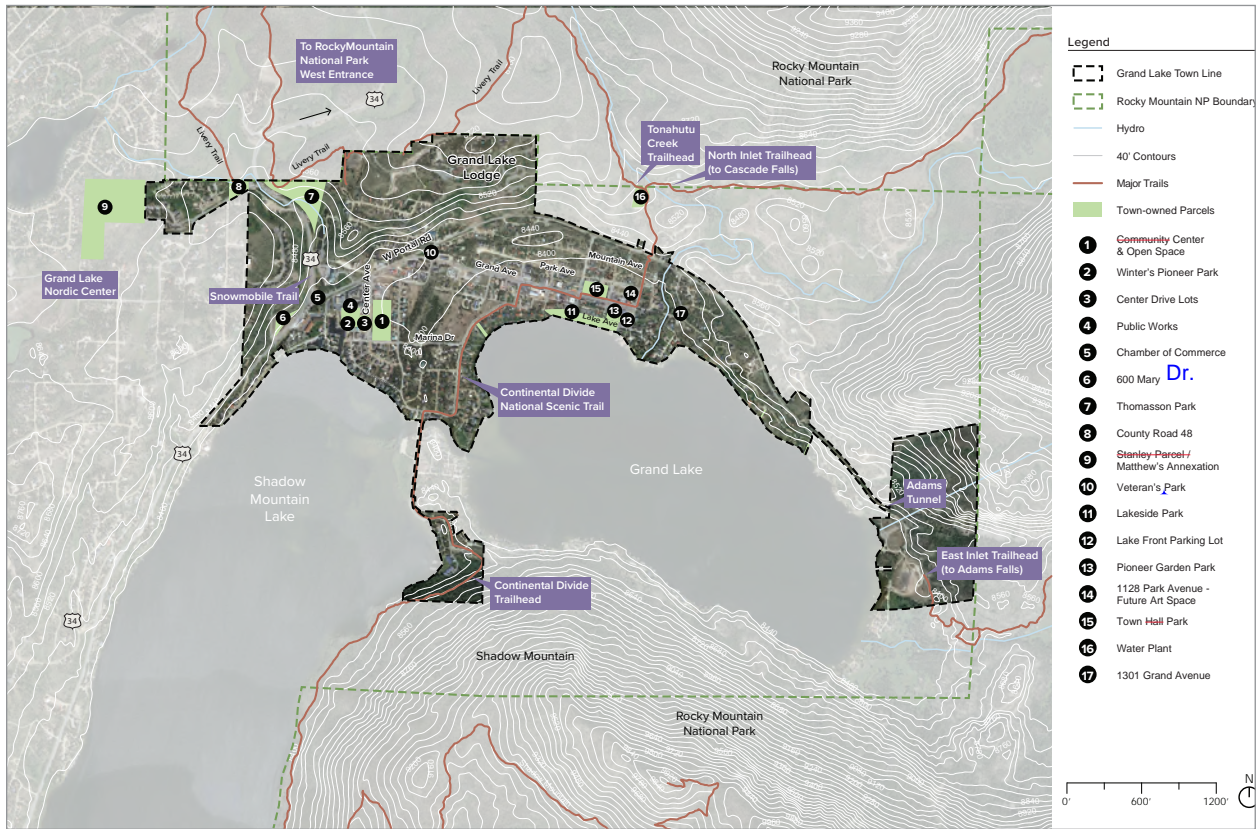


Figure 2. Context Map

Study Area

The properties addressed within the Municipal Lands Master Plan are Town-owned, active, vacant, and occupied buildings and lands. These properties were initially identified by Town staff and described in the Request for Proposals dated February 2021. The extent of review and consideration of each individual property was evaluated during the planning process with those elements and operations expected to continue without modifications were removed from further evaluation.

1. ~~Community~~ Center and Open Space, Winter's Pioneer Park, Center Drive Lots, and Public Works
2. Chamber of Commerce and 600 Mary ^{Dr.}
3. Thomasson Park
4. County Road 48
5. ~~Stanley Parcel~~ / Matthew's Annexation
6. Veteran's [▲]Park
7. Lakeside Park, Lakefront Parking Lot, and Pioneer Garden Park
8. 1128 Park Avenue Parking Lot—
Future Art Space
9. Town ~~Hall~~ Park (Town Hall, Community House, Pitkin Annex)
10. Trailheads



Figure 3. Planning Process

Planning Process

The Municipal Lands Master Plan was developed through a collaborative planning process involving Town staff, a steering committee representing a broad cross section of the community, the Town's Board of Commissioner and the Grand Lake community.

The planning process was guided by a robust community outreach that included community surveys and open houses. The outreach process reached more than 40 organizations and more than 500 participants.

Community and steering committee input guided recommendations for future uses and improvements, ensuring the Town's future efforts align with community needs and priorities in terms of programs and facilities.

Public Participation

Steering Committee

- 1 3 meetings
- 2 13 members

Public Online Surveys

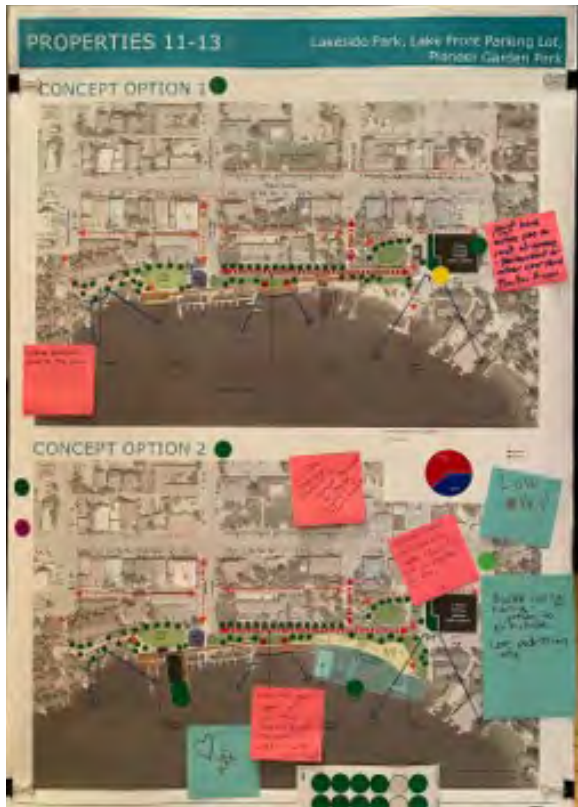
- 1 3 surveys
- 2 100-200 responses each survey

Stakeholder Survey

- 1 1 survey
- 2 40 organizations, 12 responses

Open House

- 1 1 in-person event
- 2 50 +/- attendees



Project Goals and Vision

Improve land/building use and program for recreational and operational needs.

- Guide future uses and capital improvements for the next 10-20 years.
- Preserve the authentic town character and views of Grand Lake.
- Conserve and protect natural resources
- Provide a framework for connected trails and open space and placemaking opportunities.

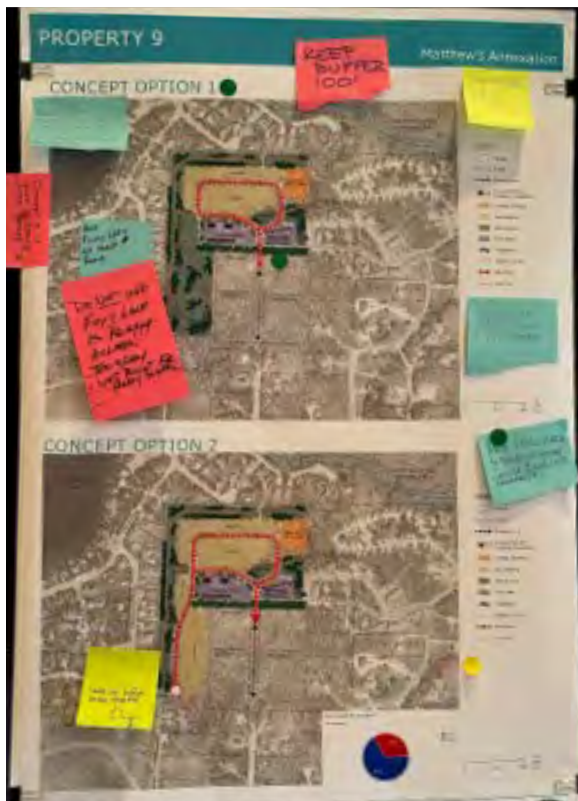


Figure 4. Master Plan Open House



Figure 5. Master Plan Open House



Chapter
02

Existing Condition, Analysis & Recommendations



Figure 1. Properties 1-4 Context Plan

Overview of Municipal Lands

The Municipal Lands Master Plan addresses Town-owned, active, vacant and occupied buildings and lands. The properties include active and passive recreation sites with facilities that range from gardens, playgrounds, trails and court sports to an ice rink and boat launch, and activities such as hiking, walking, picnicking and water and ice sports. Properties include underutilized sites with opportunities for affordable housing, arts and park space, and improved maintenance and operations for the Town. Other opportunities include a Town gateway and an improved lakefront. The Municipal Lands Master Plan guides future decisions regarding highest and best use, capital improvements, and maintenance over the next ten years for all the properties.

Properties 1, 2, 3 & 4: Community Center and Open Space, Winter's Pioneer Park, Center Drive Lots and Public Works

Community Center and Open Space

Location and Description

Community Center and Open Space is located on a 4.48 acre parcel at west end of Grand Lake between Shadow Mountain Drive, Center Drive, and Marina Drive. Community Center and Open Space consists of a Community Center building (formerly an Elementary School), modular buildings used for lease space, a surface parking lot, and open space to the north. The open space was formally a school yard with paved surfaces for tennis and basketball, bleachers, playground, and open field. Play equipment and paved surfaces are in fair to poor condition and outdated. The site is relatively flat. The open field is in fair condition with mostly dirt surface and weeds. ~~Is there irrigation on site?~~ Parking lot includes (53) total spaces with (2) ADA spaces located near the Middle Park Health Entrance.

Site

The site has many opportunities to be integrated with the recreational and community programming of the community center.

The open space has the potential to feature multi-generational recreational programs focused on health and wellness, including play and community gathering. Initial ideas include skate park, rail park; hockey rink; dog park; new playground; pickleball courts; multipurpose ball fields; walking circuits; and outdoor hang out and social areas with fire pit and yard games.

Community Center

Community Center is a masonry and concrete building built as an elementary school and subsequently sold to the Town of Grand Lake. The structure is generally in fair to good condition with some damage observed on exterior finishes and scuppers. The interior is in fair condition with some areas improved and others remaining as originally constructed.

The structure is occupied on the west side by a medical clinic, Middle Park Health, which is fully using their portion of the building. Additional areas on the south side of the building are leased to other users. The remainder of the building includes the gymnasium (now multi-purpose room), offices, kids/teen room, and fitness rooms.

While the building systems were not evaluated within the scope of this project, staff reported that the structure can be particularly difficult to keep cool due to lack of ventilation, especially in the fitness areas.

The original construction included extant broad corridors and wide doorways. The majority of the doors do not possess ADA-compliant door hardware and there are some push-pull conflicts. In general, the building is more accessible than would be expected given the age of construction.

The parking lot access onto Center Drive is extremely wide and not well-defined. Future improvements and change in use should consider reducing the width of the access and providing defined points of entry to reduce the current safety hazard.

The condition of the structure, broad corridors, and extensive interior make ~~Community~~ Center a blank canvas that could readily be converted to several community facilities. The meeting rooms on the north side that were converted from classrooms may benefit from a stronger connection to the outdoor area to the north, allowing for indoor-outdoor activities and larger group gatherings. The large amount of open space and landscaping could provide a significant opportunity for small-group gathering and picnic spaces both north and south of the building.

Modular Buildings

The modular buildings located on the west side of the property are two separate modulares that have been placed end-to-end. The modulares are generally in poor-fair condition on the exterior with the northern modular in noticeably more distress. Access to the interior of the buildings was not provided during the site visit so no evaluation was conducted of the interior finishes.

Both the northern and southern modulares are not ADA accessible as they lack an accessible path and a compliant ADA ramp.

Opportunities

The modulares could be retained to continue their use as potential lease properties to partner agencies and other users. Deferred maintenance on these structures will likely cause the need to remove or replace them in the near future.

The portion of the property they are located on could be reclaimed and allow users of the Park more direct access to the playground on the north side of the ~~Community~~ Center.

Winter's Pioneer Park

Location and Description

Winter's Pioneer Park site is located on a 2.1-acre parcel west of the ~~Community~~ Center, south of the Public Works facility and north of a private marina and Sailboat Lane. The parcel was donated to the town in the 1980s with the intent to preserve the land for public recreational uses. Currently is used for town storage for snow, boulders and other materials. The site is underutilized as a park and only includes a few picnic tables, a few trees, and native grasses. The northwest corner may have abandoned underground fuel or septic tank. Prominent views to the Grand Lake Marina (~~check name~~) to ~~Grand Lake~~ and mountains beyond are visible from the site.

Site

Winter's Pioneer's Park is adjacent to two town-owned parcels (Public Works, and Center ~~Lots~~) and a parcel within the Town's right of way provides an opportunity to connect the three sites for potential as a premier adventure park. Its adjacency to the ~~Community~~ Center provides connectivity and opportunities for shared program uses. Previous planning documents proposed uses including, day-use area for picnicking; terrain Park/adventure park; natural play features/equipment, parking; toilets; and dog park (alternative).

Center Drive Lots

Location and Description

Center ~~Lot Drive lots~~ consist of three unimproved and vacant parcels along Center Drive. The three parcels combined are ½ acre in size. The parcels are adjacent to Winter's Pioneer Park to the west and Center ~~Lot~~ Drive and Community Center to the east. They are zoned ~~for institutional/public use~~. The site consists of bare ground/dirt with drainage issues around Center Drive.

Site

Due to its adjacencies to Winter's Pioneer Park and ~~Community~~ Center and open space, the Center Drive lots have the potential to support additional indoor or outdoor space needed for adjacent public uses.



Figure 2. Precedent images

Public Works

Location and Description

Public Works site is located south of ~~Plant Drive~~ and north of Winter's Pioneer Park on the west end of Grand Lake. Public Works generally consists of a fenced yard with three pre-engineered metal buildings and an outdoor storage for materials and equipment. The eastern storage building and central workshop structure are utilized by the Town. The western storage building is used for storage by the County.

Workshop

The workshop is a pre-engineered metal building with one large single overhead door on the east side of the building. The structure has been insulated from the interior and continuing efforts to repair and maintain the structure are evident. The structure is generally in poor condition due its age and condition of the building envelope despite best efforts to maintain the structure. Impact damage to the exterior from the outdoor storage yard is apparent on the skin of the building. Based on the age of the structure, it is reaching the functional end of its life without more significant investments to rehabilitate the building.

The yard surface and much of the workshop is not ADA-compliant.

West Storage Building

West Storage Building is a pre-engineered metal building with two large overhead doors on the south side of the building. This structure is un-insulated and includes some movable shelving for interior storage of supplies. The structure is in a poor condition, similar to the workshop with impact damage to the corner of the structure from operations out in the yard. Based on its age this building is reaching the functional end of its life without more significant investments to rehabilitate the building.

The yard surface and much of the Storage Building is not ADA-compliant.

East Storage Building

The East Storage Building interior was not able to be evaluated during the site visit. The structure is of a similar age as the other two structures but appears to be in slightly better but still poor condition despite efforts to maintain the structure. Based on the age of the structure, this storage building is reaching the functional end of its life without more significant investments to rehabilitate the building.

The interior of this structure could not be evaluated for ADA-compliance however the yard surrounding the building is generally not ADA-compliant.



Figure 3. Properties 1-4, Concept 1

Recommendations

Community Center and Open Space along with Winter's Pioneer Park and Center Drive Lot are recommended to be combined into one larger open space with a site for affordable housing. This will create a memorable public space with expanded recreational facilities, parking and improved connections. Community Center will become a Health and Wellness community focused center, connected to the outdoors.

Public Works will remain as the Town's maintenance and operations center in its current location. Improvements will include providing ADA-compliant accessibility and the facilities will be replaced in-kind when needed.

- 1 Health and Wellness Community Focused Park and Facility at Community Center
- 2 Adventure and Nature themed Park at Winter's Pioneer Park and Public Works
- 3 Greenway, pedestrian connection across Center Avenue
- 4 Indoor / outdoor physical and program connections with Community Center building
- 5 Add parking at Winter's Pioneer Park and improve existing parking circulation and layout at Community Center
- 6 Right-of-way Improvements / Streetscape



Figure 4. Properties 1-4, Concept 2

7 Landscape and buffer adjacent to residential

8 Affordable / Employee Housing at Center Drive Lots



Figure 5. Properties 5 & 6: Chamber of Commerce and 600 Mary Existing Conditions

Properties 5 & 6: Chamber of Commerce and 600 Mary



Figure 6. Precedent images

Chamber of Commerce

Location and Description

Chamber of Commerce site is located on a ~~xx~~-acre parcel at 14700 US Highway 34. Chamber of Commerce site is strategically located at the junction of US Highway 34 and West Portal Road. The site includes a two-story building that houses Visitor Center and Chamber of Commerce. Town staff has determined the building's location, character, and current use as a welcome center and Chamber of Commerce office is the preferred use. No building or site evaluation was desired. There are 10 parking spaces with 1 ADA-compliant space.

600 Mary

Location and Description

600 Mary Drive is a 1.17-acre vacant parcel north of US Highway 34 on the west end of Grand Lake. 600 Mary Drive site is zoned for Planned Development. Directly north of the site is single family residential. The site consists of bare ground and native grasses. It has (14) water taps.

Site

Located along the US 34 highway corridor and proximity to West Portal Road, the site is the gateway into downtown. This parcel has exceptional visibility and access for a mixed-use, multi-family and/or commercial development or for a ~~city~~ facility, e.g., a visitor center or parking/transportation hub (shuttle, rickshaw, bikes, scooter etc.).

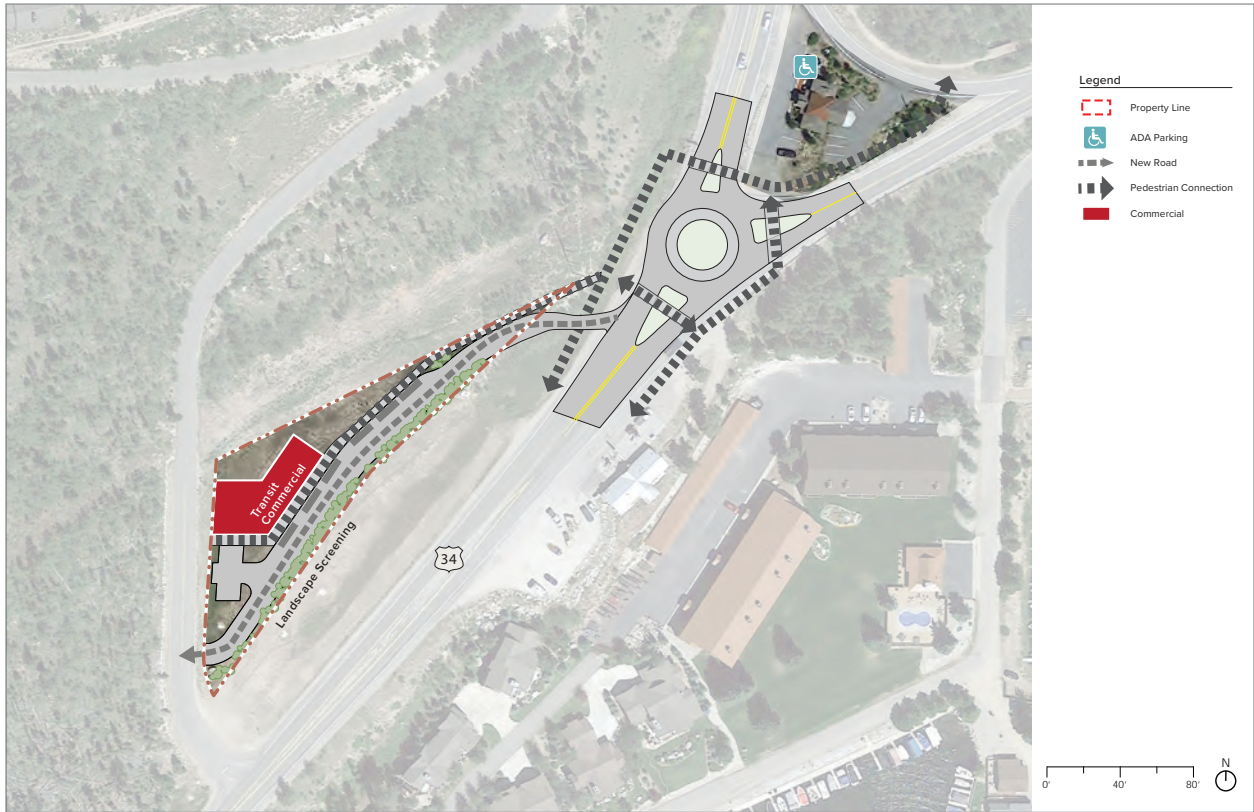


Figure 7. Concept 1 Transit Hub



Figure 8. Concept 2 Housing

Recommendations

This site is recommended to be improved to serve as the Town of Grand Lake's gateway. Improvements may include a roundabout to provide better vehicular and pedestrian circulation and development of the 600 Mary property for either a Town use such as a future transportation center or for affordable housing.

- ① Roundabout with clear access and circulation with gateway feature
- ② Safe pedestrian/bicycle connections and crossings
- ③ Transportation Hub/Mixed Use on 600 Mary (parking/bus service/visitor info)
- ④ Wayfinding / signage



Figure 10. Property 7: Thomasson Park Existing Condition



Figure 9. Property 7: Thomasson Park Concept



Figure 11. Precedent images

Property 7: Thomasson Park

Thomasson Park

Location and Description

Thomasson Park is an approximately 8-acre site adjacent to the Rocky Mountain National Park and US Highway 34. Thomasson Park is a sloped open space with prominent views, wildlife habitat and native vegetation. The site consists of lodge pole pines and wetland vegetation along the Columbine Creek. A multi-purpose aggregate trail allows snowmobile travel, connecting town to RMNP and National Forest.

Recommendations

Due to its natural resources and wildlife habitat the site will remain a natural area with year-round passive recreation opportunities. Previous planning documents recommended the wetland area to be restored and enhanced with raised boardwalks, interpretative signage and a nature center. Additionally non-motorized trails and connections for pedestrians were recommended. **The northeast corner of the park is reserved for future cemetery.**

Improvements to Thomasson Park will provide a balance of trails and passive recreation for all seasons, and measures to protect it as an important natural area.

- 1 Multi-seasonal trail connection
- 2 Improve trail surfacing for pedestrian/bicycle
- 3 Add boardwalks w/ interpretive signage
- 4 Outdoor gathering space/picnicking
- 5 Add observation/viewing areas to landscape and wildlife
- 6 Restore wetland
- 7 Improve access and trail connections/signage



Figure 13. Property 8, County Road 48 Existing Condition



Figure 12. Property 8, County Road 48 Concept



Figure 14. Precedent images



Property 8: County Road 48

County Road 48

Location and Description

County Road 48 consists of 8 acres of open space and is located between Sloopy's restaurant to the east, Elk Creek Campground to the west and RMNP to the north. It is an undeveloped site with wildlife habitat and lodge pole trees, meadows, and wetlands. The snowmobile trail connection from National Forest to downtown bisects the site in the winter months.

Recommendations

Due to its rich natural resources, past planning documents have recommended the site to remain in its natural state. Improvements include a multi seasonal, non-motorized trail and improved connection from Columbine Lake Subdivision, Thomasson Park and to downtown district.

- 1 Multi-seasonal trail connection
- 2 Improve surfacing for pedestrian/bicycle
- 3 Add picnicking areas
- 4 Boardwalk with Interpretive signage
- 5 Restore wetland
- 6 Add observation/viewing areas to landscape and wildlife
- 7 Trail head with signage and parking



Figure 15. Property 9: ~~Stanley Parcel~~ / Matthew's Annexation Existing Condition

Property 9: ~~Stanley Parcel~~ / Matthew's Annexation

~~Stanley Parcel~~ / Matthew's Annexation

Location and Description

The 21-acre ~~Stanley~~ parcel was recently purchased by the Town from a private owner. It is located northwest of the downtown core with access from Foxy Lane and Mad Moose Lane. ~~Stanley~~ Parcel is a mostly undeveloped property on the northwest side of Grand Lake. The site has varied topography with rock outcroppings, meadows, pine forest, and felled logs with habitat and corridors for wildlife, most notably moose. A highpoint offers 360 views of the surrounding mountains.

The site borders Columbine Lake Country Club residential community and Rocky Mountain National Park to the north. A dirt road accesses three structures on the north side of the property. The structures on the site are clustered on the north side and consist of a single-family home, bunk house, and garage. In addition to the structures, outdoor storage of materials ~~was~~ purchased with the property along with additional Town outdoor storage on the east side of the site near the entry off Mad Moose Lane.

Site

The site is currently used for boat storage for the Town.

Single-Family Home

The exterior of the single-family home is in good condition. Town staff advised that the structure included plumbing facilities that were tied into a septic system that was allowed under a variance. Access to the interior of this structure was not possible during the field reconnaissance. The exterior of the structure was evaluated for signs of distress.

The interior of the structure was not evaluated for ADA-compliance however the site, approach, and deck do not comply with ADA.

Based on the character of the building and its location these structures would be most readily used for residential purposes. Given the challenge of finding affordable local housing the Town may want to consider the use of these properties as workforce housing.

Bunkhouse

The exterior of the bunkhouse is in good condition.

The interior of the structure was not evaluated for ADA compliance however the site, approach, and entry do not comply with ADA.

Based on the character of the building and its location these structures would be most readily used for residential purposes. Similar to the main house, the challenge of finding affordable local housing the Town makes this a contender for use as workforce housing.

Garage

The exterior of the garage is in good condition with the exception of damage to the north side of an addition to the Garage which has significant structural damage.

The interior of the structure was not evaluated for ADA compliance however the site, approach, and deck do not comply with ADA.



Figure 16. Property 9: ~~Stanley Parcel~~ / Matthew's Annexation Preferred Concept

Recommendations

Town service buildings such as Public Works and/or storage could be relocated to this site and expanded. The site could also support affordable housing development. Alternatively, the Town could subdivide the property and sell the residential portion to provide additional funding for Town projects. Other improvements could include roads and trail connections. It is also recommended to keep a 100-foot buffer for wildlife.

- 1 Affordable Housing/Employee Housing
- 2 Reuse of existing house and structures
- 3 Private/Public partnerships
- 4 Sale of parcels in order to fund other projects
- 5 Continued use as Storage Area for town-owned boats
- 6 Public Works Relocation
- 7 Ecological Restoration
- 8 Observation/viewing areas to landscape and wildlife
- 9 100' easement for wildlife migration, open space, buffering adjacent properties and trails



Figure 17. Precedent images



Figure 18. Property 10: Veteran's Park Existing Condition



Figure 19. Property 10: Veteran's Park Preferred Concept



Figure 20. Precedent images

Property 10: Veteran's Park

Location and Description

Veteran's Park is an ½ -acre open space parcel bounded by West Portal Road to the north, Grand Avenue to the south and Haskell Street to the east.

Site Summary

Veteran's Park is a gateway into the downtown district. The site consists of open lawn with areas of gardens, shrubs and a large tree. A perimeter wood fences surrounds the parcel. A few picnic tables and a trash receptacle are provided. Veteran's Park seems like an island due to being bound by three roads.

Recommendations

Improved access and crosswalk connections, and additional park amenities, including signage and port-o-pot, could improve the park identity and neighborhood use. A Veteran's Memorial has been proposed for this park.

- 1 Maintain as a memorial-focused park with open lawn space
- 2 Enhance Gateway to Downtown
- 3 Increase seating/picnicking
- 4 Create a bermed landscaped edge along W. Portal Road
- 5 Add shade trees
- 6 Add safe pedestrian crossings
- 7 Extend Grand Avenue Boardwalk to park.



Figure 21. Property 11, 12, and 13 Existing Condition

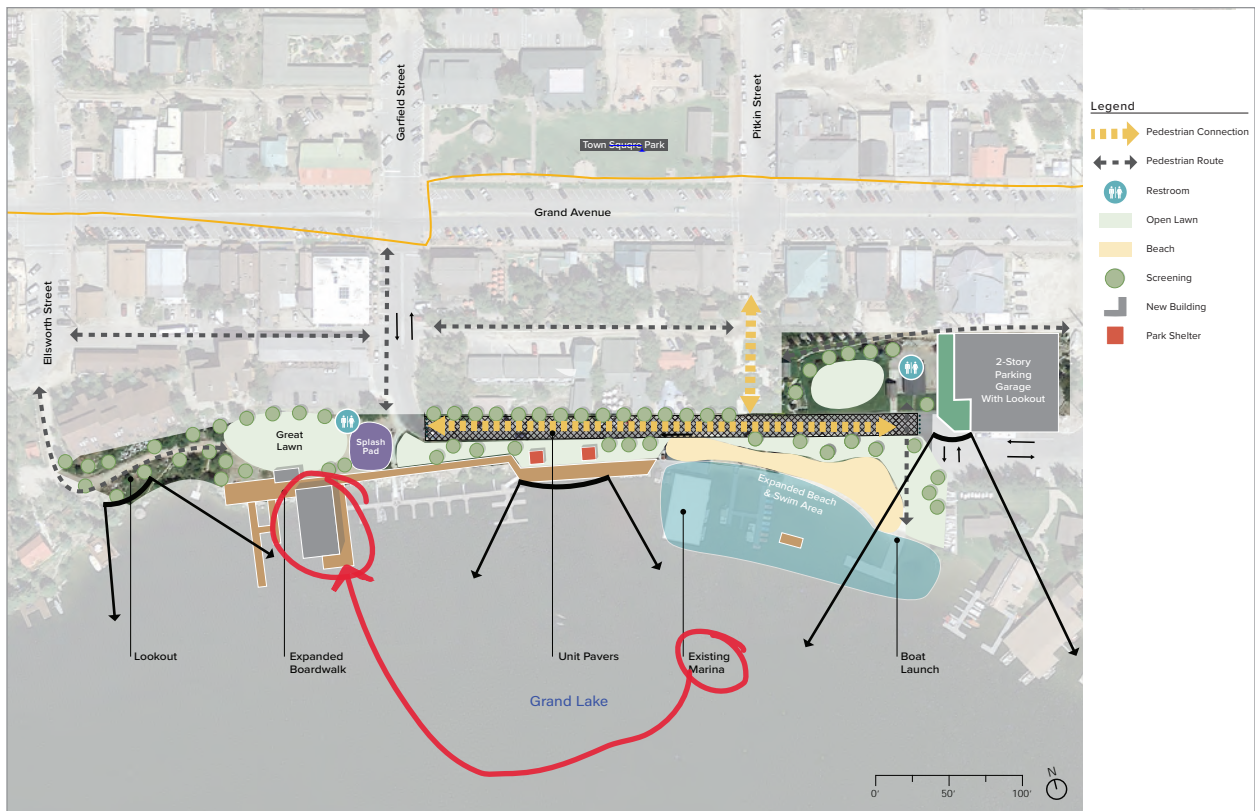


Figure 22. Property 11, 12, and 13 Preferred Concept

Property 11, 12 and 13: Lakeside Park, Lake Front Parking Lot and Pioneer Garden Park

Lakeside Park

Location and Description

Lakeside Park is located along 3.5 acres of north shore of Grand Lake, Blocks 12-16, Block 4. The linear park extends from Hancock Street to the east and Ellsworth to the west and borders Lake Avenue to the south. Lakeside Park consists of a series of recreational facilities, waterfront amenities and park spaces. The west side is mostly undeveloped. A wood gazebo is in a secluded location at the park's ~~east~~ end. A gravel path connects the gazebo with a SUP launch area and open gravel parking lot. The center area includes boat slips, a boardwalk with a grassy park and the Headwater Marina. The east end consists of a boat launch for kayaks and SUPs, a sandy beach and small lawn area. Parking is limited adjacent to the park and consists of two ADA-compliant spaces. The Lakeside parking lot is north of the Lakeside Park.

Lake Front Parking Lot

Location and Description

Lakeside Parking Lot is located on an ½-acre parcel north of Lake Avenue, west of Hancock Street and east of Pioneer Park. The site consists of an asphalt parking lot with (38) spaces, including (2) ADA spaces and (2) EV charging stations. The vehicular circulation is one way with diagonal spaces. Two oversize spaces are in the Lake Avenue right of way. The north side includes a 15-foot height rock retaining wall. A very large granite boulder sits at the northwest corner of the parcel and the adjacent alley.

The topography of the site along with the relationship to an alley on the north side of the property make this site particularly suitable for use as a future parking structure that would allow the top deck to be accessed from the alley and the lower deck to be access off Lake Avenue.

Pioneer Garden Park

Location and Description

Pioneer Garden Park is located on an ½ -acre open space parcel west of the Lakeside parking lot and north of Lakeside Park. Pioneer Garden Park consists of an open lawn with additional terraced lawns and gardens. A series of natural rock retaining walls occupy the perimeter. Pioneer Garden area is planted with a variety of perennials that highlight European and Asia species originally were planted by early settlers in Colorado mountain towns. This area is maintained by the Grand Lake Area Historical Society. Two wood pavilions with picnic tables are available to rent. One is in located in higher elevation terraced area.

Restrooms

The existing restroom is a wood frame structure with bark-skin plank cladding. The exterior of the building is in fair condition. The interior finishes and fixtures are in fair condition. structure is in fair condition both inside and out.

The ramp on the north side of the structure is not ADA compliant due to the transition at the base of the ramp and the existing drinking fountain against the south side of the building is also not ADA compliant.

Pavilions

The existing pavilions are timber structure and are in good condition. At the lower pavilion a ramp is provided from the restrooms to the pavilion, however circulation through the pavilion is not possible when picnic tables are present.



Figure 23. Precedent images



Figure 24. Lake Avenue Shared Street or Pedestrian Only Concepts



Recommendations

Lakeside Park with the adjacent Pioneer Park, Lakeside Parking and Lake Avenue has an opportunity to be a premier waterfront park. Reorganizing vehicular circulation and capitalizing on the Lakeside parking lot area to expand parking needs, the park can be greatly enhanced with improved pedestrian circulation, park spaces and programming. Past planning documents recommend a pedestrian oriented waterfront park – plazas, parks and promenades; limited surface parking along park; ability to close Lake Avenue for special events or peak season, i.e., removable bollards; parking structure at Lakeside Parking Lot; improved connections to Grand Avenue; and event and performance spaces.

The location at the end of Grand Avenue would allow the facility to continue to serve Lakeside Park and provide additional capacity of the businesses and uses along Grand Avenue. From atop the garage, there would be exceptional south-facing views, possibly warranting some second story space be dedicated to a viewing platform.

Pioneer Garden Park can become part of the broader vision of Grand Lake's waterfront park experience. With its adjacency to the historic Kauffman House museum, Pioneer Garden Park can further showcase pioneer culture and the history of Grand Lake.

Lake Avenue Shared Street or Pedestrian Only

Everyday

- 1 Sidewalk on northside
- 2 Parallel parking
- 3 One way travel lane
- 4 Unit pavers
- 5 Removeable bollards
- 6 Pedestrian lights
- 7 Bioswale/water quality
- 8 Clusters of aspen and evergreen trees
- 9 Expanded boardwalk

Special Events

- 1 Closed street
- 2 Farmer's market
- 3 Craft shows
- 4 Concerts

Four Season Pedestrian Oriented Waterfront Park

- 1 Increase open lawn/park space for events and community programs
- 2 Transform Lake Avenue into a Pedestrian/Shared Street
- 3 Pedestrian/bicycle connections to Grand Avenue with wayfinding signage
- 4 Safe Street Crossings
- 5 Less Street Parking –parallel only
- 6 Less Vehicular Traffic –one way lane
- 7 Expanded Boardwalk increase areas for
- 8 Improve/expand beach
- 9 Enhance landscaping and gardens with native plants
- 10 Enhance Memorials/Historic Significance at Pioneer Garden Park
- 11 Water feature/splash pad
- 12 Playground
- 13 Improve accessibility

Parking Structure

- 1 Promotes Pedestrian/bicycle use on Lake Avenue
- 2 Street moves to new parking structure
- 3 Two-deck levels only so that view of lake are maintained
- 4 Top deck includes a partial green roof and green roof



Figure 25. Parking Structure Precedent Images

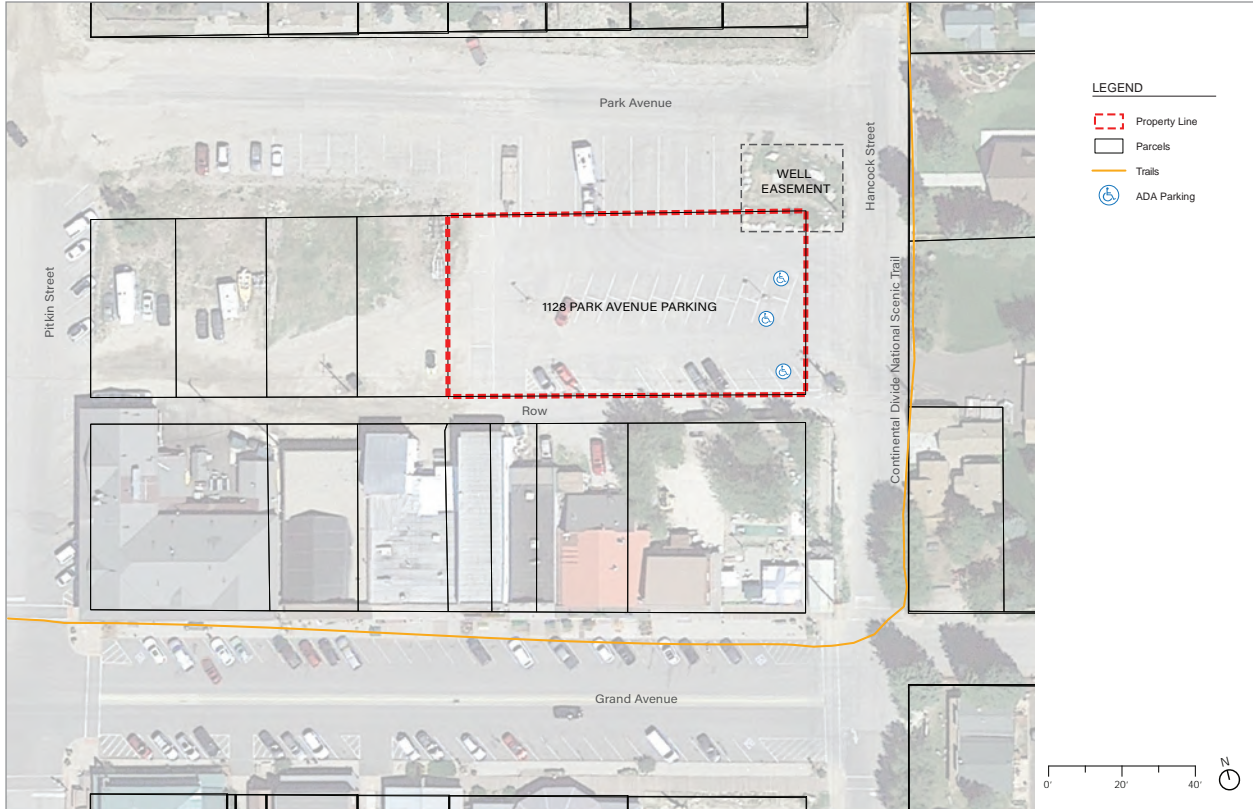


Figure 26. Property 14: 1128 Park Avenue Parking Lot-Future Art Space Existing Condition

Property 14: 1128 Park Avenue Parking Lot-Future Art Space

Park Avenue Parking Lot-Future Art Space

Location and Description

1128 Park Avenue is a 1/2-acre parcel located south of Park Avenue and East of Hancock Street. The site consists of an asphalt parking lot. The northeast corner is an existing well and requires a 50-foot easement.

Recommendations

The ~~1128~~ 1128 Park Avenue parcel is the potential site for Artspace, affordable live and work spaces for the creative community of Grand Lake. The current site plan includes a two-story building for 20-30 units, parking and outdoor plaza. The alley to the south could also be enhanced for a pedestrian connection.



Figure 27. Property 15: Town Hall Park Existing Condition

Property 15: Town Hall Park (Town Hall, Community House, Pitkin Annex)

Location and Description

Town Park site consists of 1.8 acres and is in the center of downtown between Grand Avenue and Park Avenue and Garfield Street and Pitkin Street.

The site generally consists of three primary structures and several secondary structures, parking and a town green with trees. Juniper Library and public restrooms are owned separately by the Grand County Library District and were not evaluated. The other two structures include Town Hall and Pitkin Annex.

Town Park serves as the heart of downtown for community gathering, play and special events. The site consists of a large expanse of lawn with park structures including a gazebo, information/visitor kiosk, and a large rentable pavilion. A playground and basketball court (which serves an ice rink during the winter season) are located east of the Town Hall and Community House.



Figure 28. Precedent Images

Town Hall

~~Town Hall consists of a historic community hall/theater space with a contemporary addition to the north. The building is currently being used to house the offices of the Town government and includes a community theater space, and a Town Board of Trustees meeting room.~~ The building is generally in fair-good condition for both interior and exterior elements.

Town Hall has a number of ADA limitations related to the approach and push-pull clearances throughout the building. Particular attention should be paid to the ramp at the front entry to ensure compliance with ADA standards.

Town Hall addition includes space on a second floor that was constructed but never fully finished. This area appears to have been temporarily used as dressing rooms for the theater. If this area was to be finished for office use, it would be important to consider building code and ADA limitations related to what uses are placed on the second floor and for the egress from the second floor to be upgraded.

ADA elevators are not required in facilities under three stories or with fewer than 3000 square feet per floor. Any uses on the second floor would be required to not be public-facing and have equal assessable duplicates on the first floor (e.g., office types). All common facilities such as conference rooms, print/copy areas, and other similar uses would need to remain located on the first floor or be duplicated upstairs. An elevator or LULA (Limited-use Limited-access elevator) could be installed on the eastern façade to provide accessible access. Any such alteration to the exterior of the building should be carefully considered as it relates to the historic community hall.

The current exit door from the large conference room on the east side of the building swings into the required exit corridor for the egress stairs. Prior to finishing and occupancy of the second floor, this life-safety conflict would need to be resolved. In addition to this, further code evaluation will be necessary depending on the occupant load of the proposed uses which may require a second means of egress.

Based on the location of the property, proximity to existing civic facilities, and historic use this structure appears to be most suitable to continue Town Government and related community functions. The second floor could be either finished as an expansion to town government, or if accessible means of access is accommodated, this space could be finished and leased out to a partner agency or other lessee.

Pitkin Annex

The Pitkin Annex is located on the east side of the town hall parcel. The majority of the structure ~~is currently~~ being used as a museum for the Troublesome Fire. On the south side of the building two public restrooms are provided with a ramp leading up to them, accessed from the exterior of the building. The interior and exterior of the building ~~is~~ in good condition

At the time of the field investigations the boardwalk along Pitkin Street was being replaced. While non-compliant from an accessible standpoint during the time of the fieldwork it is anticipated that the boardwalk will be completed to restore access.

The existing restrooms on the south side of the building are not accessible. While a ramp is provided required clearances are not provided at the restrooms.



Figure 29. Precedent Images



Figure 30. Property 15: Town Hall Preferred Concept

Recommendations

Town Park has the potential to improve overall pedestrian circulation and site organization of passive, active uses and community gathering and event uses. Due to the recent Park Avenue improvements, the location of the playground and basketball court (ice rink) could be reevaluated. The playground is in good condition but reaching the 20-year life cycle. Past planning documents recommended other improvements including defining park edges with plantings and an outdoor fireplace near the Heckert Pavilion.

Based on the location of the property, and open floor plan this structure appears to be most suitable for rotating community elements such as the museum for the Troublesome Fire or as a potential expansion to office space for the Town or partner agency. The lack of restrooms accessible from the interior of the structure limit it's utility as a stand-alone structure.

Civic / Downtown Park

- 1 Update Courts/Ice Rink space
- 2 New Playground w/ Grand Lake Character
- 3 Increase outdoor gathering space/Seating/ Picnicking Space
- 4 Encourage vendors and special events
- 5 Provide outdoor lawn games
- 6 Consider permanent stage
- 7 Define park edges and circulation with new walk connections and landscaping
- 8 Improve pedestrian/bicycle connections
- 9 Wayfinding / signage

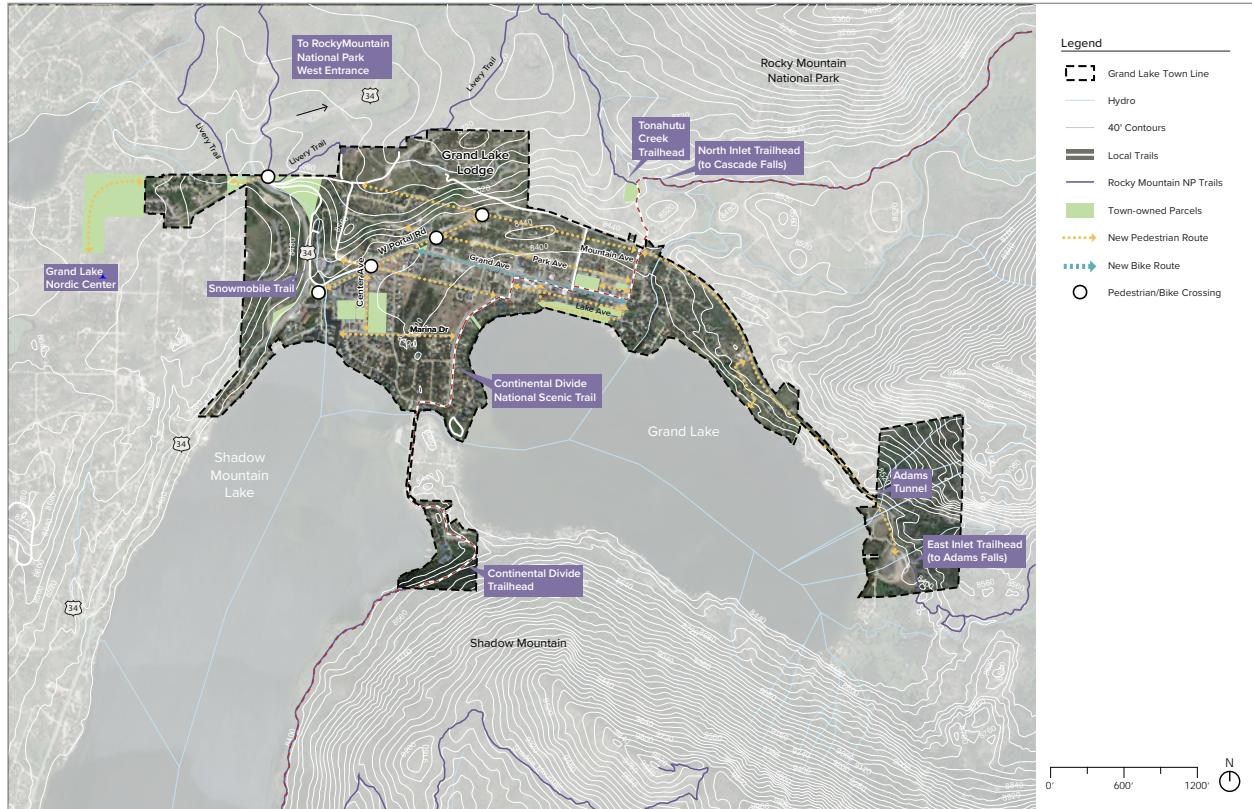


Figure 31. Trails and Connections

Trailheads

Continental Divide National Scenic Trail

Location and Description

The CDT is a 3,100 mile-trail traveling from Mexico and Canada through Montana, Idaho, Wyoming, Colorado, and New Mexico. It travels directly through Grand Lake and is the only incorporated town on the CDT trail, entering the town from the south over the Jericho Bridge, traveling north through town in a zigzag pattern, and then entering Rocky Mountain National Park.

East Inlet Trailhead

Location and Description

East Inlet Trail another Rocky Mountain National Park Trail that runs into Grand Lake. This trail leaves town from the East Inlet Trailhead, which is located at the far eastern end of Portal Road. The East Inlet Trail follows the East Inlet and ends at Spirit Lake and Adam's Falls, inside Rocky Mountain National Park.

Tonahutu Creek Trailhead and East Inlet Trailhead

Location and Description

Trailhead follows the same path as the CDT, north of the Tonahutu Trailhead and into Rocky Mountain National Park.

North Inlet Trailhead

Location and Description

Located directly adjacent to the Tonahutu trailhead is the North Inlet Trailhead. The North Inlet Trail travels northeast from this trailhead into Rocky Mountain National Park where it links with several other trails, including the Tonahutu Creek Trail.

Opportunities

- Wayfinding and signage
- Missing Links

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City of Grand Lake
Municipal Lands

Master Plan

FINAL DRAFT | May 2023

| MUNDUS BISHOP |



GRAND LAKE BOARD OF TRUSTEES WORKSHOP AND MEETING MINUTES

Monday, June 26, 2023, at 6:00 PM

Town Hall Board Room – 1026 Park Avenue

*The Town of Grand Lake upholds the Six Pillars of Character:
Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring*

A. Call to Order

The regular meeting of the Board of Trustees was called to order by Mayor Kudron at 6:00 P.M. in the Town Hall Board Room.

B. Pledge of Allegiance

Mayor Kudron led everyone in reciting the Pledge of Allegiance.

C. Announcements

Mayor Kudron announced: Please turn off all cell phones during the meeting.

D. Roll Call

Mayor Kudron, Mayor Pro-Tem Bergquist, Trustees Arntson, Bishop, Sobon, Strachan, and Town Clerk Pro-Tem Hearsom were present. Town Clerk Carrell and Town Manager Crone were present via Zoom.

E. Conflicts of Interest

None.

F. Manager's Report

None.

G. Public Comments (Limited to 3 Minutes)

Alan Walker, 13132 Hwy 34- Mr. Walker thanked the Town Board and Town Employees for showing support at the Rocky Mountain Folk School open house.

Jim Kreutzer, 700 Grand Lake Lane- Mr. Kreutzer expressed his concern regarding potholes on Cairns and Lake, he believes they are out of control and extremely dangerous.

Mickey Rourke, 1015 Mountain Avenue- Mr. Rourke provided the Board with a handout that was once supplied to the Board regarding code enforcement, believes this is a great tool to utilize so the Board can see the complaint from the beginning to the end.

H. Consideration to Approve Meeting Minutes

2. June 12, 2023

Trustee Strachan made a motion to approve the meeting minutes for June 12 , 2023. Trustee Bishop seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron	Aye
Trustee Arntson	Abstain
Trustee Bergquist	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

I. Consideration to Approve Accounts Payable

3. June 26, 2023

Presented by Town Treasurer Wilson.

Trustee Sobon made a motion to approve accounts payable for June 26, 2023. Trustee Arntson seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Trustee Arntson	Aye
Trustee Bergquist	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

J. Financial Review

1. May 2023

Presented by Town Treasurer Wilson.

K. Items of Discussion

1. Consideration to Approve a Special Event Permit From Grand View Mountain Lodge "Troublesome Fest Showcase"

Presented by Town Clerk Pro-Tem Hearsum, on behalf of Permit Technician Irish.

Event organizers, Stephanie Conners and Fawn Calvin-Braley were in attendance for questions.

Mayor Kudron opened the public hearing.

Jim Kreutzer, 700 Grand Lake Lane- Stated he supported the event, but doesn't believe it's the right location, requested next year they look at other options. Mr. Kreutzer doesn't like where the garbage cans and toilets are located as it's going to affect their guests they have staying at their surrounding properties. They already receive numerous complaints about the noise coming from the establishment, and hope they keep it under control. Requested to work with the event organizers to help his guests get in and out of his establishments with ease and to make sure his property is clean from any leftover debris from the event.

Mayor Kudron closed the public hearing.

Trustee Strachan made a motion to approve the special event permit from Grand View Mountain Lodge, for their event, "Troublesome Fest Showcase". Trustee Arntson seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

2. Quasi-Judicial (Public Hearing): Consideration to Approve a Special Event Liquor Permit From the Grand Arts Council, for Their Event "Bluegrass Concert", on July 29, 2023, at the Grand Lake Community House, Located at 1025 Grand Avenue.

Presented by Town Clerk Pro-Tem Hearsum, on behalf of Town Clerk Carrell.

Event Organizer, Alan Walker (13132 Hwy 34) was present on behalf of the Grand Arts Council, requested the Board waive the \$100 liquor license fee.

Mayor Kudron opened the public hearing.

No public comment made.

Mayor Kudron closed the public hearing.

Trustee Arntson made a motion to approve the special event permit from the Grand Arts Council, for their event, "Bluegrass Concert". Trustee Strachan seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

3. Quasi-Judicial (Public Hearing): Consideration to Approve a Special Event Liquor Permit From, Fire on the Mountain, Inc., for Their Event "Local Artist Showcase", on July 8, 2023, and July 9, 2023, at 725 Grand Avenue.

Presented by Town Clerk Pro-Tem Hearsum, on behalf of Town Clerk Carrell.

Event Organize, Stephanie Connors was present for questions.

Mayor Kudron opened the public hearing.

No public comment made.

Mayor Kudron closed the public hearing.

Trustee Strachan made a motion to approve the special event liquor permit from Fire on the Mountain Inc. Trustee Bishop seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

4. Quasi-Judicial (Public Hearing): Consideration to Approve a Special Event Liquor Permit From the Grand Lake Area Chamber of Commerce, for Their Event "Buffalo Days Paint & Sip", on August 18, 2023, at the Grand Lake Center, Located at 301 Marina Drive.

Presented by Town Clerk Pro-Tem Hearsum, on behalf of Town Clerk Carrell.

Event Organizer, Stephanie Connors was present for questions.

Mayor Kudron opened the public hearing.

Matthew Reed-Tolonen, 35 County Road 4953 - Brought up concerns regarding the summer day camp being held at the Grand Lake Center.

Town Clerk Carrell clarified via zoom that this does not fall under an educational institution, as AeroLab is a non-profit.

Mayor Kudron closed the public hearing.

Trustee Arntson made a motion to approve the special event permit from the Grand Lake Area Chamber of Commerce, for their event, "Buffalo Days Paint & Sip". Trustee Strachan seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

5. Consideration to Approve Resolution 18-2023, Authorizing Cash Account and Safe Deposit Box Signers
Presented by Town Treasurer Wilson.

Trustee Bishop made a motion to approve Resolution 18-2023, authorizing cash account and safe deposit box signers. Trustee Arntson seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

6. Public Hearing (Quasi-Judicial) Resolution 19-2023; A Resolution Recommending Approval of A Lot Consolidation of Lots 5-8, Block 20, Town of Grand Lake, More Commonly Referred to as 612 Grand Ave.
Mayor Kudron opened the public hearing.

Presented by Town Community Development Director White.

Jim Kreutzer, 700 Grand Lake Lane- Expressed his frustration how the applicant received a building permit over a lot that was not yet consolidated and he himself had to consolidate his lots in order to get the building permit, feels like that’s backwards. Outside storage is not allowed in town and Mr. Kreutzer doesn’t like how a bunch of boats are sitting there as he has million-dollar condos across the street, and they don’t want to look at them. He doesn’t understand how they can be issued a building permit, when they are not in compliance with current town code. They are only going to continue to get more trailers, boats, broken down cars, etc.

Mickey Rourke, 1015 Mountain Avenue- requested further clarification of outside storage as he is in favor of it.

Mayor Kudron closed the public hearing.

Trustee Strachan made a motion to approve Resolution 19-2023, approving a Lot Consolidation of Lots 5-8, Block 20, Town of Grand Lake, more commonly referred to as 612 Grand Avenue. Trustee Sobon seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

7. Resolution 20-2023; Consideration to Adopt 2022 Three-Mile Plan as 2023 Three-Mile Plan
Presented by Town Community Development Director White.

Trustee Bishop made a motion to deny Resolution 20-2023, adopting the 2023 Three-Mile Plan. Mayor Pro-Tem Bergquist seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye

Trustee Sobon Aye
Trustee Strachan Aye

8. Public Hearing (Quasi-Judicial) Resolution 21-2023; A Resolution Setting Forth Findings of Fact and Determinations Regarding the 8.98 Acres Parcel Known as the "Love Tract" Annexation

Mayor Kudron opened the public hearing.

Presented by Town Community Development Director White.

Bob Miller, 18 Mad Moose Lane- President of Ridge at Elk Creek HOA, they have been concerned about the roadways, and support this resolution to annex, but would like the road paved.

Mike Long, 81 Foxy Lane- Sent several emails for many reasons supporting primary access to that part of land, it makes sense with the lower grade road, as it wasn't meant for heavy equipment. They hope the Town of Grand Lake supports the residence of Ridge at Elk Creek to maintain the road.

Mark McClain, 70 Mad Moose- The road is not meant for high traffic, he supports the resolution for annexation but believes it will be better when the road is level resulting in a safer roadway.

Mayor Kudron closed the public hearing.

Trustee Arntson made a motion to approve Resolution 21-2023, setting forth findings of fact and determinations regarding the 8.98 acres parcel known as the "Love Tract" annexation. Mayor Pro-Tem Bergquist seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron Aye
Mayor Pro-Tem Bergquist Aye
Trustee Arntson Aye
Trustee Bishop Aye
Trustee Sobon Aye
Trustee Strachan Aye

9. Public Hearing (Quasi-Judicial) Ordinance 07-2023; An Ordinance Regarding the Annexation and Zoning of 8.98 Acres Parcel Known as the "Love Tract"

Presented by Town Community Development Director White.

Trustee Strachan made a motion to continue this matter to July 24, 2023. Trustee Sobon seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron Aye
Mayor Pro-Tem Bergquist Aye
Trustee Arntson Aye
Trustee Bishop Aye
Trustee Sobon Aye
Trustee Strachan Aye

10. Public Hearing (Quasi-Judicial) Resolution 22-2023: Approval of a Minor Subdivision Preliminary and Final Development Application for the Vacant Property Located at Subd: METES & BOUNDS 76 ALL 8.98 AC IN LOT 1 SEC 1 T3N R76 DESC B/203 P/256 Also Referred to as the "Lucy Love Subdivision"

Presented by Town Community Development Director White.

Trustee Strachan made a motion to continue this matter to July 24, 2023. Trustee Bishop seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron Aye
Mayor Pro-Tem Bergquist Aye
Trustee Arntson Aye
Trustee Bishop Aye
Trustee Sobon Aye
Trustee Strachan Aye

11. Consideration of a Purchase of Two Passenger Vans

Presented by Public Works Director Reed-Tolonen.

Trustee Bishop made a motion to approve the purchase of two passenger vans. Trustee Arntson seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

12. Appointment of a Trustee to the Planning Commission

Presented by Town Community Development Director White.

Trustee Strachan made a motion to nominate Trustee Sobon to the Planning Commission. Mayor Pro-Tem Bergquist seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Abstain
Trustee Strachan	Aye

13. Letter of Recognition for Continental Divide Trail Volunteers

Presented by Town Clerk Pro-Tem Hearsum.

Trustee Sobon made a motion for Mayor Kudron to sign the letter of Recognition for Westgate Community School Trustee Strachan seconded the motion. Town Clerk Pro-Tem Hearsum called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

L. Future Items for Consideration

- Code Enforcement Status Report
- GCSO Call Log
- Potholes on Cairns & Lake
- Lot Next to the Carwash
- Dock Update
- Cleanup Parking Lot by Lake

M. Mayor's Report

Thanked the Board and the community for using their voice. There are a number of things we can do better, but we are on the right track.

N. Adjourn Meeting

Trustee Bishop made a motion to adjourn the meeting. Trustee Strachan seconded the motion. Town Clerk Pro-Tem Hearsom called the vote:

Mayor Kudron	Aye
Mayor Pro-Tem Bergquist	Aye
Trustee Arntson	Aye
Trustee Bishop	Aye
Trustee Sobon	Aye
Trustee Strachan	Aye

This meeting of the Board of Trustees was adjourned at 7:50 PM.

(Attest)

Alayna Carrell, Town Clerk

Stephan Kudron, Mayor



Town of Grand Lake will post Accounts Payable online after Board of Trustees Approves it.

Feel free to reach out to Heike Wilson, Treasurer at hwilson@toglco.com or call 970-776-0779 if would like to view Accounts Payable before the Board of Trustees Approves it. List will be available the Thursday before the 2nd and 4th Monday of each month by request



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

To: Grand Lake Board of Trustees
From: John Crone, Town Manager
Re: Appointment of a Trustee to fill a Vacancy
Date: July 10, 2023

Background

Effective May 23, 2023, Ernie Bjorkman has resigned his position as a Trustee for the Town of Grand Lake. Trustee Bjorkman’s resignation was necessitated by a change in his residence.

Filling the Vacancy

When a vacancy occurs on the Board of Trustees, the next steps are dictated by both Colorado Revised Statute § 31-4-205 and Municipal Code § 2-3-5. The language of the state statute dictates a timeline for filling a vacancy:

- (2) Within sixty days after a vacancy occurs in the city council, the council shall:
 - (a) Appoint a person possessed of all statutory qualifications to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105; or
 - (b) Order an election, subject to the municipal election code, to be held as soon as practicable to fill the vacancy until the term of office of a successor elected at the next regular election has commenced as provided in section 31-4-105.
- C.R.S. § 31-4-205(2)

The language governing the process is largely mirrored in the Municipal Code:

Filling Vacancies in Elective Offices

The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board or in any other elected office, and the person so appointed shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term. Where a vacancy or vacancies exist in the office of trustee and a successor or successors to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate or candidates receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms. (C.R.S. 31-4-301(5), 1973, 1979 Supp.)



1026 Park Ave · PO Box 99
Grand Lake, CO 80447
970-627-3435
www.townofgrandlake.com

- Grand Lake Municipal Code § 2-3-5.

These requirements established Saturday, July 22, 2023, as the final date in which the Board of Trustees must appoint someone to fill the vacancy or schedule a special election. Whoever is selected to fill the vacancy will only fill the vacancy until a successor is elected in the April 9, 2024, election.

The Town's Municipal Code requires that all Trustees meet certain qualifications:

Trustees shall be qualified electors who have resided within the limits of the Town for a period of at least twelve (12) consecutive months immediately preceding the date of the election; provided that in case of annexation, any person who has resided within the annexed territory for the time prescribed shall be deemed to have met the residence requirements for the Town to which the territory was annexed. (C.R.S. 31-4-301(1), 1973)

- Grand Lake Municipal Code § 2-4-1.

The Board set a deadline of July 5, 2023, at 5:00 pm for the return of applications. The Board scheduled interviews with the candidates and decided to make the appointment at the regularly scheduled Board of Trustees' Meeting on July 10, 2023. Three qualified applicants turned in their paperwork by the deadline: Julie Causseaux, Alex Merchant and John "Micky" Rourke. If the Board chooses not to appoint one of the candidates, it must either select another candidate or set an election at this meeting.

Motion

If the Board would like to appoint one of the candidates, it should do so by adopting the attached resolution with the following motion.

I move to adopt Resolution 23-2023, Appointing (name) to Fill a Vacancy on the Board of Trustees.

**TOWN OF GRAND LAKE
RESOLUTION NO. 23- 2023**

**A RESOLUTION APPOINTING A NEW TRUSTEE TO FILL A VACANCY ON THE GRAND LAKE
BOARD OF TRUSTEES**

WHEREAS, the Town of Grand Lake Municipal Code and Colorado State Statute dictate the composition of the Board of Trustees; and

WHEREAS, the resignation of Trustee Ernie Bjorkman has created a vacancy on the Board of Trustees; and

WHEREAS, the Town of Grand Lake has followed all steps required by law to solicit a qualified person to fill said vacancy; and,

WHEREAS, the Board of Trustees of the Town of Grand Lake has determined that _____ is a qualified candidate.

NOW THEREFORE BE IT RESOLVED BY THE GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:

The Board of Trustees of Grand Lake, Colorado appoints _____ as a Trustee to fill the vacancy created by the resignation of Ernie Bjorkman, with all the privileges and limitations as imposed by the Grand Lake Municipal Code and Colorado State Statutes thereof.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO, THIS 10th DAY OF JULY 2023.

(SEAL)

Votes Approving:
Votes Opposed:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell
Town Clerk

Stephan Kudron
Town Mayor



To: Mayor Kudron & Grand Lake Board of Trustees
From: Alayna Carrell, Town Clerk
Re: Grand Lake Cemetery Rules & Regulations
Date: July 10, 2023

Attached is Resolution 24-2023, updating the Grand Lake Cemetery Rules & Regulations.

The Grand Lake Cemetery Committee President, Mandi Hanifen, Mayor Kudron, Town Manager Crone, Public Works Director Reed-Tolonen, and Town Clerk Carrell met and confirmed how the Grand Lake Cemetery was going to move forward with burials.

The updated changes have been reviewed and approved by the Grand Lake Cemetery Committee, with final approval given by Town Attorney Krob.

Staff recommends the Board approves Resolution 24-2023 to better benefit the administration of the Grand Lake Cemetery.

Alayna Carrell

Town Clerk

Town of Grand Lake

O: 970-627-3435 x 102 C: 970-909-4574

TOWN OF GRAND LAKE

BOARD OF TRUSTEES

Resolution No. 24-2023

A RESOLUTION UPDATING THE RULES AND REGULATIONS FOR THE OPERATION OF THE GRAND LAKE AREA CEMETERY

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado; and

WHEREAS, the Grand Lake Area Cemetery is within the boundaries of Rocky Mountain National Park; and

WHEREAS, the Town of Grand Lake and the National Park Service have entered into an Agreement for the Use and Administration of the Grand Lake Area Cemetery; and

WHEREAS, the Agreement sets forth that the Town of Grand Lake shall have a process for administering the Cemetery.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO AS FOLLOWS:

1. The Town of Grand Lake Rules and Regulations for the Operation of the Grand Lake Area Cemetery are hereby amended with the removal of the ~~strike through language~~ and the addition of the **bold underlined language** to read in full as set forth in Exhibit A, attached hereto and incorporated herein.
2. The attached Exhibit A shall repeal and replace all previous Rules and Regulations for the Operation of the Grand Lake Area Cemetery.

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE THIS 10TH DAY OF JULY 2023.

BOARD OF TRUSTEES
GRAND LAKE, COLORADO

ATTEST:

Stephan Kudron, Mayor

GRAND LAKE TOWN CLERK

BY: _____

Alayna Carrell, Town Clerk



RULES AND REGULATIONS FOR THE OPERATION OF THE GRAND LAKE AREA CEMETERY

1. The Grand Lake Area Cemetery is within the boundaries of the Rocky Mountain National Park. Congress, by Section 813 of the Omnibus Parks and Public Lands Management Act of 1996, 110 Statute 4189, P.L. 104-333 authorized the Town of Grand Lake to maintain permanently, under appropriate terms and conditions, the Grand Lake Cemetery and to establish Rules and Regulations for the use of the Cemetery. Rocky Mountain National Park and Town of Grand Lake regulations are enforced.
2. The Grand Lake Town Clerk is to be the contact person for all questions regarding the cemetery. The Town Clerk, along with a member of the Cemetery Committee, are the only persons authorized to assign grave plots. The Town Clerk will be responsible for updating the Cemetery Plat and will be custodian of all cemetery records.
3. All **traditional** burials, ~~traditional or cremation~~, will be performed by the Town of Grand Lake ~~with the exception of the original section of the Cemetery~~. Family may **choose to conduct burial of cremations or coordinate with the town**, ~~coordinate burial of cremations only in the original section~~. The Town Clerk must be contacted **a minimum of five business days in advance** of the proposed scheduled time of the funeral service to allow sufficient time to schedule grave openings. **Friday and Saturday burials, available upon request**. No burial services are offered on Sundays or federally recognized holidays.
4. There shall be a perpetual care fee assessed according to the Town of Grand Lake Fee and Deposit Schedule in effect at the time of burial. A reservation fee for an additional site, if requested, shall be assessed at the time of the initial burial, according to the Town of Grand Lake Fee and Deposit Schedule in effect at the time of the initial burial.
5. There are no new plots available in the older sections for traditional burials as of June 1, 2020.
6. A single grave site for a traditional burial is 4' by 8' in the East and West Sections, and 4' by 10' in the New Section. A grave site for a cremation burial is 4' by 4' in the East and West Sections, and 4' by 5' in the New Section. Upon burial at the Grand Lake Area Cemetery, there is the option to reserve one (1) additional grave site of the same size next to the original grave. **Polyguard Top Seal Burial Vaults for all traditional burials are required. Only burial vaults approved by the Town Clerk are allowed.**

A cremation site can accommodate the remains of more than one (1) person. However, the perpetual care fee and the grave marker deposit must be paid for the cremated remains of each person buried in the cremation site, pursuant to the fee schedule in effect at the time of burial. Cremated burials do not require a vault, **but a hard-sided closed container is required**. Remains must be buried at a depth of no less than eighteen (18) inches. Surface scattering of ashes is prohibited.

One or more cremated remains can be buried on top of a traditional burial. However, the perpetual care fee and the grave marker deposit must be paid for the cremated remains of each person buried in the site, pursuant to the Town of Grand Lake Fee and Deposit Schedule in effect at the time of burial.



RULES AND REGULATIONS FOR THE OPERATION OF THE GRAND LAKE AREA CEMETERY

7. **No burial, or placement of any monument, will be permitted during the winter months. The winter period is defined as October 15th thru May 31st, weather permitting.**
8. Services are to be held in designated areas.
9. All interment costs must be paid prior to the time of burial. (Interment costs include, but are not limited to: perpetual care fee, reservation fee, refundable monument deposit, opening and closing of grave, etc.)
10. The family has two years from the date of burial to have a headstone placed. Only grave markers similar in size, composition and height to those now existing are allowed, provided the markers do not exceed three (3) feet in height. All markers must be approved by the Town Clerk or Cemetery Committee. No new fences are allowed. Fences existing prior to May 27, 1997 are allowed if properly maintained. If not maintained, the Grand Lake Cemetery Committee reserves the right to remove. A refundable deposit for a grave marker, pursuant to the Town of Grand Lake Fee and Deposit Schedule in effect at the time of burial, is required prior to the time of burial unless a copy of a paid receipt from a monument company is provided. If a permanent grave marker is placed on the grave site within one (1) year from interment, said deposit shall be refunded, without interest. If a permanent grave marker is not placed on the grave site within one (1) year from interment, the deposit will be used by the Cemetery Committee to purchase and place a grave marker on the grave site.
11. Lighting of any kind; flame, artificial, solar or otherwise **IS PROHIBITED.**
12. Only plants that have been approved by the National Park Service in this locale shall be permitted to be used within the cemetery. No turf grass shall be used within the cemetery. All plans for planting or landscaping shall be submitted to the Superintendent of Rocky Mountain National Park or his representative for review and given approval prior to commencing any work. **NO ARTIFICIAL PLANTS OF ANY TYPE SHALL BE ALLOWED.**

Topsoil removed during the opening of the grave shall be stockpiled and replaced on top of the grave after interment.
13. The perimeter of the plot will be marked by the Town Clerk/Grand Lake Cemetery Committee at the time it is assigned. Any further marking of the grave site must be at ground level and be entirely within the marked perimeter. Persons utilizing the Grand Lake Area Cemetery understand that an agreement exists between the Town of Grand Lake and the National Park Service which provides for the use, maintenance and administration of the cemetery. Persons obtaining grave sites understand they have the perpetual right to use the cemetery but in no way obtain specific ownership to the grave sites and have no right to sell an unused site. **Persons understand they are responsible for the maintenance of the grave site.** The grave site may be tended to by volunteer organizations. Prior approval from the Town Clerk is required for burials, **any excavation or ground disturbance,** planting, and any alteration or addition to the natural or historical condition of the area.



July 10th, 2023

To: Mayor Kudron and Town Trustees
From: Caitrin Irish Permit Tech

RE: CONSIDERATION TO GRANT AN ENCROACHMENT LICENSE INTO THE WEST PORTAL ROAD RIGHT OF WAY FOR RETAINING WALL TO RUN ALONG THE FRONT PROPERTY LINE OF TRACT: G-1-B; MORE COMMONLY REFERRED TO AS 816 WEST PORTAL ROAD

- Attachments:*
- Major Encroachment Application*
 - Location Map*
 - Site plan with Encroachment location*
 - Notice sent to utility companies*
 - Responses to notice*
 - Draft Resolution*
 - Draft Encroachment License and Agreement*

Purpose

The Town has received a Major Encroachment Application from Adrienne Nikolaev (“Owner’s) for the use of the West Portal Road right of way for a rock retaining wall to retain driveway. Major encroachments, such as permanent retaining walls, require Board of Trustee Approval.

Background Information

Encroachment agreements are for the purpose of allowing items of a more permanent nature to be placed in the Town Right of Way with the understanding that the owner will retain public liability insurance on said encroachment, and, upon proper notification by the Town, the Owner shall remove said encroachment within 45 days. The Owner’s have recently begun construction of their driveway and landscaping. During construction the owner has found that the planned driveway will need a retaining wall, which will encroach on to the Town right of way up to around 4 feet. The exact size of the retaining wall has been unspecified; however, the height is proposed to be between 3-4 feet. Currently, the driveway is under construction. Also, the right of way is steep, tree covered, and undeveloped by the Town in this area.

Municipal Code

Section 11-6-1: Public Property Encroachments

A. Encroachment Defined - An encroachment is any item that is placed, erected, or built on the public right-of-way by a private property owner. A property owner shall seek permission from the Town to encroach onto Rights of Ways or municipal property prior to the encroachment occurring. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his own expense or seek permission from the Town for the encroachment to remain.

B. Types of Encroachments

1. Major Encroachments are considered encroachments that are more permanent in nature. Examples include, but are not limited to: buildings or structures, driveways, fences and retaining walls, decks and patios, some components of public utilities, as well as other immovable objects other than minor landscaping.

C. When Encroachments Will Not Be Granted

The following encroachment license or agreement requests will not be granted:

- 1. Additions to existing buildings or other structures that would encroach or do encroach onto municipal property or road Rights of Ways, or*
- 2. The encroachment poses a danger to the public, or*

D. When Encroachments May Not Be Granted

The following encroachment license or agreement requests may not be granted, as determined by the Town Board of Trustees:



1. *The proposed encroachment is in conflict with applicable Town Departments and/or applicable utility companies, or*
2. *When construction has commenced prior to the issuance of a required permit from the Town.*

E. Application

1. *A Narrative Request; and*
2. *A Site Plan indicating exact measurements of the proposed encroachment and its position to the property boundaries; and*
3. *Applicable Deposits and/or Fees, as set by Town of Grand Lake Board of Trustees Resolution; and*
4. *Any other information determined by Town staff applicable to the review of the request.*

F. Review and Approval Process

1. Major Encroachments shall be reviewed by the Town Board of Trustees. The item will be placed on the Town Board of Trustees agenda. The Board shall approve, approve with conditions, or deny the application at a public meeting. No later than 14 days prior to the meeting, Town staff shall cause certified mailings to be sent, return receipt requested, to all utility companies.

The Board may continue the application review to a later date (not to exceed 45 days) in order to obtain more information about the request or to conduct site inspections. If approved, an Encroachment License will be issued.

G. Indemnification and Insurance Requirements

The property owner is required to indemnify and save harmless The Town of Grand Lake against any and all damages which may result from the encroachment. Insurance may be required. The certificate of insurance shall be submitted to the Town prior to the execution or issuance of the Encroachment License or Agreement.

Additional Information

The Municipal Code requires the Town to contact all utility companies informing them encroachment requests. Staff sent certified letters to each utility company. Staff has received a request from Xcel Energy for the Owner to contact 811 for locates to ensure there are no utilities in the ROW.

Staff Comments

Due to the steep slope of the hill where the encroachment would be placed, Staff believes that the placement of the rocks would not hinder the future use of the Town right of way. A number of attempts have been made to contact the Owner regarding the request from Xcel Energy for the locates. However, no response has been received as of the posting of this memo. It is within the Board's power to continue this hearing until the locates or approval from Xcel has been received or grant the encroachment with the condition that the Owner provides documentation that the locates have been completed or Xcel is okay with the encroachment.

Staff Recommendation

Staff recommends if the Board grants the encroachment license for the existing improvements, they should adopt the resolution as presented which contains the following conditions:

1. The License is limited to the Existing Improvements as shown on the site plan (hereinafter the "Encroachment"); and,
2. The Licensee must maintain the Encroachment at its sole expense; and,
3. This License shall remain in full force and effect for the benefit of the Licensee, their heirs, successors and assigns, until such time as the Town, in its sole determination, determines that this license should end. At such time, within 45 days of the Town providing notice to the Licensee, Licensee shall remove the Encroachment and restore that portion of the Town right of way to pre-existing condition or better at Licensee's expense. The Licensee may perform normal maintenance and repairs to the Encroachment, but may not expand the Encroachment further into or enlarge the Encroachment above the public right-of-way; and,
4. The granting of this License shall not be considered a precedent for any future encroachments; and
5. The granting of this License does not limit any public use of the Cairns Drive right of way; and



- 6. The Licensee agrees to pay the License fee to the Town in the amount of One Hundred Dollars (\$100.00); and,
- 7. To maintain public liability insurance in an amount not less than \$300,000 per person and \$900,000 per accident to protect Licensee and the Town from any liability to the public as a result of the encroachment onto the Town's right-of-way and to furnish the Town proof of such insurance upon request. Said insurance shall be maintained at all times during the term of this easement.
- 8. The Licensee delivers the Town a fully executed Encroachment License and Agreement.

Board Discussion

The Board should discuss the public property encroachment request.

Board Action

The Board has several options to consider including:

- 1. Granting the encroachment request by adopting the resolution; or
- 2. Grant the request with other conditions; or
- 3. Deny the request; or
- 4. Continue the application review to a later date to obtain more information.

Suggested Motions for 816 West Portal Road:

- 1. **I move to adopt Resolution 25-2023, Consideration To Grant An Encroachment License Into The West Portal Road Right Of Way For Certain Improvements Located Adjacent To Tract: G-1-B; More Commonly Referred To As 816 West Portal Road, as presented.**
Or
- 2. **I move to adopt Resolution 25-2023, Consideration To Grant An Encroachment License Into The West Portal Road Right Of Way For Certain Improvements Located Adjacent To Tract: G-1-B; More Commonly Referred To As 816 West Portal Road, as presented, with the following conditions _____.**
Or
- 3. **I move to deny the encroachment request.**
Or
- 4. **Continue the application to a specific date.**



Town of Grand Lake

Planning Department

• P.O. Box 99 • 1026 Park Avenue • Grand Lake, CO 80447
• Phone: 970-627-3435 • Fax: 970-627-9290
• Email: glplanning@townofgrandlake.com • Website: townofgrandlake.com

PUBLIC PROPERTY ENCROACHMENT APPLICATION FORM

APPLICATION DEADLINE IS NOON, 14 DAYS PRIOR TO THE NEXT REGULARLY SCHEDULED MEETING

PROPERTY INFORMATION

- Name of Applicant: ADRIENNE NIKOLAIEV Email: SCHIEFFERAM@GMAIL.COM
- Address: 7278 S. GRAY CT Phone: 720 273 5796
- City: LITTLETON State: CO Zip: 80128 Fax: _____
- Street Address: 816 W. PORTAL RD. GRAND LAKE
- Legal Description: Lot _____ Block _____ Subdivision _____

TYPE OF REQUEST • Major Encroachment (structures, driveways, fences, retaining walls, utilities, etc.)
(circle one): • Minor Encroachment (at-grade natural drainage, landscaping, gardens, trees, hedges, etc.)
• Other (explain below)

DESCRIPTION OF REQUEST:

PLACEMENT OF POLES ON RIGHT OF WAY TO HOLD DRIVEWAY

Utility locate scheduled or completed? YES _____ NO: Date scheduled: _____

Utility locate identification number: _____

REQUIRED ATTACHMENTS:

1. A site plan showing existing features and proposed features including: structures, utilities, driveways, fences, etc.
2. An Agreement for Services
3. Deposit

Application Received By: <u>Kim White</u>	STAFF USE ONLY	Date / Time: <u>5/26/23</u>	<u>check 2130</u>
Deposit Amount: <u>\$350</u> ✓	Application Complete? _____	<u>road 5/26/23</u>	
<input checked="" type="checkbox"/> Contacted all utility companies? _____			
<input checked="" type="checkbox"/> Completed Indemnification Agreement by property owner holding the Town of Grand Lake harmless?			
<input type="checkbox"/> A copy of the property owner's general liability insurance naming the Town of Grand Lake as an additional insured?			

**TOWN OF GRAND LAKE
AGREEMENT FOR PAYMENT OF
REVIEW AND DEVELOPMENT EXPENSES INCURRED BY THE TOWN
SUBDIVISION, ANNEXATION AND ZONING PROCESS**

THIS AGREEMENT (“the Agreement” is entered into this 26 day of 5, 2023 2023, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, (“the Town”) and ADRIENNE NIKOLAEV, a HOME OWNER (homeowner, type of corporation, LLC, etc. if applicable), (collectively, “the Owner”).

WHEREAS, the Owner owns certain property situated in the Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (“the Property”);

WHEREAS, the development review process includes review of all aspects of land use including, but not limited to, annexation, subdivision, zoning, change of land use, installation of public improvements, dedication of lands and the availability of and feasibility of providing utility services;

WHEREAS, the Owner desires to develop the Property and has made application to the Town for approval of subdivision, annexation and/or zoning of the Property, and

WHEREAS, the Parties recognize that the land use fees as specified by the Municipal Code of the Town may not be adequate to fully cover the Town’s expenses incurred during the application process, including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, including, but not limited to managerial, clerical, billing, and review time, and

WHEREAS, the Parties hereto recognize that the Town will continue to incur expenses through the entire development review process until final completion of the development including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual promises and conditions hereinafter contained, it is hereby agreed as follows:

1. The Town has collected or will collect certain subdivision, annexation and land use fees from the Owner and the Town will apply those fees against the development review expenses incurred by the Town while processing the Owner’s development review proposal. In the event the Town incurs development review expenses greater than the monies collected from the Owner, the Owner agrees to reimburse the Town for the additional expenses and fees upon submittal of an invoice. Owner shall pay all invoices submitted by the Town within ten (10) days of the Town’s delivery of such invoice. Failure by the Owner to pay any invoice within the specified time shall be cause for the Town to cease processing the application, cease development of the Property, deny approval of the application, withhold the issuance of building permits or certificates of occupancy and for the Town to exercise such rights and remedies as are otherwise available to it in law or equity or under the applicable provisions of the Town Code.
2. Except where the law or an agreement with the Town provides otherwise, the Owner may terminate its application at any time by giving written notice to the Town. The Town

shall take all reasonable steps necessary to terminate the accrual of costs to the Owner and file such notices as are required by the Town's regulations. The Owner shall be liable for all costs incurred by the Town in terminating the processing of the application.

- 3. If the Owner fails to pay the fees and costs required herein when due, the Town may take those steps necessary and authorized bylaw to collect the fees and costs due, in addition to exercising those remedies set forth in Section 1, above. The Town shall be entitled to recover from Owner all court costs and attorneys' fees incurred in collection of the balance due, including interest on the amount due from its due date at the rate of 18% per annum.
- 4. The Town will account for all funds expended and fees and expenses incurred by the Town as a result of the development review of the application throughout the development process. Statements of expenses incurred will be made available to the Owner by the Town. Expenses to be charged to the Owner's account shall include, but shall not be limited to legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, fees for administrative time of Town staff, security, permits and easements. Within 60 days after the completion of the processing of the application by the Town, the Town will provide Owner with a statement of account and will refund to the Owner any funds paid by the Owner that were not expended by the Town, except where the Parties expressly agree to the contrary.
- 5. Owner's obligation to pay the costs and expenses provided for in this Agreement shall exist and continue independent of whether the Owner's application, or any part thereof, is approved, approved with conditions, denied, withdrawn, or terminated by the Town or the Owner prior to a final decision in the process.

IN WITNESS WHEREOF, the Town and the Owner have caused this Agreement to be duly executed on the day and year first above written.

PRINTED OWNER'S NAME: ADRIENNE NIKOLAEV

OWNER OF PROPERTY: 
Signature

TOWN OF GRAND LAKE

By: 
Kimberly White, Community Development Director

Attest:

Alayna Carrell, Town Clerk







June 21st, 2023

NOTICE OF ENCROACHMENT APPLICATION

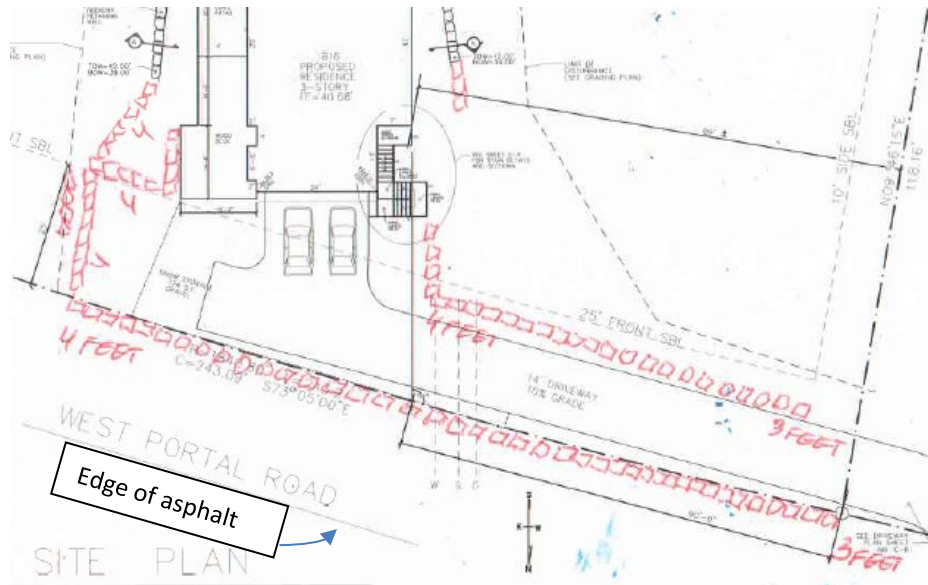
NOTICE is hereby given that the Grand Lake Board of Trustees will hold a hearing on Monday, July 10th, 2023 at 6:00 PM, at Grand Lake Town Hall (1026 Park Ave.), to review a major encroachment permit application allowing a rock retaining wall, ranging in height from 3-4', to be constructed in the southern edge of the West Portal Road Right of Way, Colorado (shown in red below).

Per Town of Grand Lake municipal code (11-6-1), notice must be given to all utilities prior to the Board of Trustees meeting.

Additional information is available for public inspection by request at cirish@toglco.com. Public comments and participation are both encouraged and welcome, either virtually at the online public meeting, in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to cirish@toglco.com.

Sincerely,

Caitrin Irish
Permit Technician



From: [Rogers, Tracy \(CONTR\)](#)
To: [Kim White](#); [Caitrin Irish](#)
Subject: RE: [EXTERNAL] NOTICE - Encroachment Application 816 West Portal Road
Date: Thursday, June 22, 2023 8:37:15 AM
Attachments: [image003.png](#)

Caution! This message was sent from outside your organization. [Allow sender](#) | [Block sender](#)

Good morning,

WAPA has no conflict with this project.

Thanks,

Tracy Rogers | Realty Technician

Wyandotte Services on contract to
Western Area Power Administration | Rocky Mountain Region | Loveland, CO
(O) 970.461.7654 | (M) 970-237-9873 | [rogers\[at\]wapa.gov](mailto:rogers[at]wapa.gov)



From: Kim White <kwhite@toglco.com>
Sent: Wednesday, June 21, 2023 10:49 AM
To: Rogers, Tracy (CONTR) <Rogers@WAPA.GOV>; Caitrin Irish <Clrish@toglco.com>
Subject: RE: [EXTERNAL] NOTICE - Encroachment Application 816 West Portal Road

Hello Tracy,
I highlighted the area for the retaining boulders in pink on a slightly larger map. I have also included the subdivision property map that shows the easements on file. I hope this helps. Let me know what else you would like to see.
Thank you,
Kim



Kimberly G. White
Community Development Director
Town of Grand Lake - Planning Dept.

O 970-627-3435
C 970-673-3486
townofgrandlake.com



From: Rogers, Tracy (CONTR) <Rogers@WAPA.GOV>
Sent: Wednesday, June 21, 2023 10:40 AM
To: Caitrin Irish <CIrish@toglco.com>
Cc: Kim White <kwhite@toglco.com>
Subject: RE: [EXTERNAL] NOTICE - Encroachment Application 816 West Portal Road

Hello,

We (WAPA) needs to see additional information for the retainer wall. It looks like it may encroach into our easement.

Please send to this email.

Thanks,

Tracy Rogers | Realty Technician

Wyandotte Services on contract to
Western Area Power Administration | Rocky Mountain Region | Loveland, CO
(O) 970.461.7654 | (M) 970-237-9873 | [rogers\[at\]wapa.gov](mailto:rogers[at]wapa.gov)



From: Caitrin Irish <CIrish@toglco.com>
Sent: Wednesday, June 21, 2023 10:16 AM
Cc: Kim White <kwhite@toglco.com>
Subject: [EXTERNAL] NOTICE - Encroachment Application 816 West Portal Road

Hello,

This is a notice for an encroachment application. If you prefer to receive a certified letter by the USPS, please respond with your address and company name and I will update your information.

Please see attached letter of notice for an encroachment hearing scheduled for Monday, July 10th at 6:00 PM, at 1026 Park Avenue, Town Hall, to review a major encroachment permit application for a proposed retaining wall located at Tract: G-1-B, more commonly known as 816 West Portal Road. The encroachment would span the entirety of property in the ROW along West Portal Road.

Per the Town of Grand Lake municipal code (11-6-1), notice must be given to all utilities at least 14 days prior to the Board of Trustees meeting.

Additional information is available for public inspection by request at cirish@toglco.com. Public comments and participation are both encouraged and welcome, either at the public meeting or in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to cirish@toglco.com.

Caitrin Irish
Permit Tech – Administrative Assistant
Town of Grand Lake
P. O. Box 99
Grand Lake, CO 80447
P. 970-627-3435
F. 970-627-9290
www.townofgrandlake.com



[Nightly Rental Information](#)

From: [Katie Nicholls](#)
To: [Caitrin Irish](#)
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road
Date: Thursday, June 22, 2023 7:24:40 AM

Caution! This message was sent from outside your organization.

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Hi Caitrin,

No issues with us, there is no sewer line in that area.

Thanks and have a nice day!

Katie

Katie Nicholls

District Manager

Three Lakes Water and Sanitation District

PO Box 899, Grand Lake, CO 80447

(P) 970-627-3544 (F) 970-627-3448

katie@threelakesws.com

<https://threelakesws.colorado.gov>

From: Caitrin Irish <CIrish@toglco.com>
Sent: Wednesday, June 21, 2023 10:16 AM
Cc: Kim White <kwhite@toglco.com>
Subject: NOTICE - Encroachment Application 816 West Portal Road

Hello,

This is a notice for an encroachment application. If you prefer to receive a certified letter by the USPS, please respond with your address and company name and I will update your information.

Please see attached letter of notice for an encroachment hearing scheduled for Monday, July 10th at 6:00 PM, at 1026 Park Avenue, Town Hall, to review a major encroachment permit application for a proposed retaining wall located at Tract: G-1-B, more commonly known as 816 West Portal Road. The encroachment would span the entirety of property in the ROW along West Portal Road.

Per the Town of Grand Lake municipal code (11-6-1), notice must be given to all utilities at least 14 days prior to the Board of Trustees meeting.

Additional information is available for public inspection by request at cirish@toglco.com. Public comments and participation are both encouraged and welcome, either at the public meeting or in writing to the Town of Grand Lake, P.O. Box 99, Grand Lake, CO 80447 or by e-mail to cirish@toglco.com.

Caitrin Irish
Permit Tech – Administrative Assistant
Town of Grand Lake
P. O. Box 99
Grand Lake, CO 80447
P. 970-627-3435
F. 970-627-9290
www.townofgrandlake.com



[Nightly Rental Information](#)

From: [Kim White](#)
To: [Gittins, Julie K](#)
Cc: [Caitrin Irish](#)
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road
Date: Friday, June 23, 2023 3:16:20 PM
Attachments: [image002.png](#)

Sorry, I just saw this. I will have the home owner get locates.
Kim

Kimberly G. White
Community Development Director
Town of Grand Lake - Planning Dept.
O 970-627-3435
C 970-673-3486
townofgrandlake.com



From: Gittins, Julie K <Julie.K.Gittins@xcelenergy.com>
Sent: Thursday, June 22, 2023 4:10 PM
To: Kim White <kwhite@toglco.com>; Caitrin Irish <Clrish@toglco.com>
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road

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Kim,

Sounds like there is already a designer involved so I will back out and let him and Sitewise handle it. A lot of times it will show black because it has not posted in our system, but it has been installed. Locates will need to be done by the homeowner to determine that.

Have a great day!

Julie Gittins
Xcel Energy
Design Planner, Mountain Division
583 E. Jasper Ct., PO Box 528 Granby, CO 80446
P: 970-262-4014 C: 970-409-7613
E: Julie.K.Gittins@xcelenergy.com
Direct Supervisor: Kyle.C.Alsup@xcelenergy.com
My Office Hours: Tuesday thru Friday, 6:00 – 4:30 pm

From: Kim White <kwhite@toglco.com>
Sent: Thursday, June 22, 2023 4:02 PM
To: Gittins, Julie K <Julie.K.Gittins@xcelenergy.com>; Caitrin Irish <Clrish@toglco.com>

Subject: RE: NOTICE - Encroachment Application 816 West Portal Road

EXTERNAL - STOP & THINK before opening links and attachments.

Hi Julie,

I have CC-ed you on an email with Sitewise, who is currently in the process of trying to get a gas line to 808 and 816 Portal. They seem to think that the gas line in your drawing is proposed by them and does not exist. I am hoping that Xcel and Sitewise can speak and clarify this and then let the Town know.

Kind regards,

Kim

Kimberly G. White

Community Development Director
Town of Grand Lake - Planning Dept.

O 970-627-3435

C 970-673-3486

townofgrandlake.com



From: Gittins, Julie K <Julie.K.Gittins@xcelenergy.com>

Sent: Thursday, June 22, 2023 11:39 AM

To: Caitrin Irish <Clrish@toglco.com>

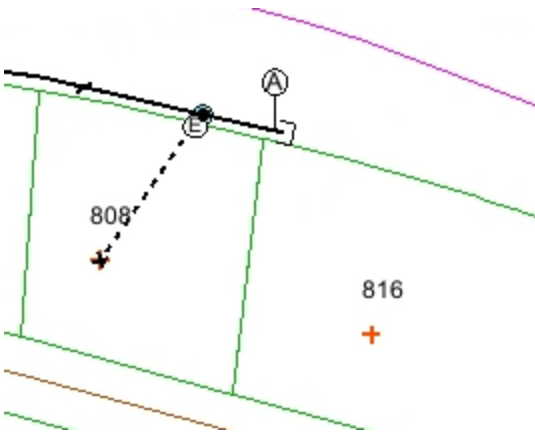
Cc: Kim White <kwhite@toglco.com>

Subject: RE: NOTICE - Encroachment Application 816 West Portal Road

Caitrin,

Good afternoon!

Xcel has reviewed the request for encroachment. We currently show a gas main at or just inside the NW property corner (based on the snip it below) that may be impacted by a retaining wall. The applicant will need to get locates done to make sure they know exactly where that line is. No retaining wall can be built over a gas main.



For future reference, we cannot install gas main under or cross under any retaining wall and prefer not to be under any asphalt which may affect access to gas if they want it in the future. The gas main on the NW corner may need to be extended, in a dedicated utility easement outside of ROW, across the front of their property to the NE corner if they decide to apply for service.

Please let me know if you have any questions.

Have a great day!

Julie Gittins
Xcel Energy
 Design Planner, Mountain Division
 583 E. Jasper Ct., PO Box 528 Granby, CO 80446
 P: 970-262-4014 C: 970-409-7613
 E: Julie.K.Gittins@xcelenergy.com
 Direct Supervisor: Kyle.C.Alsup@xcelenergy.com
 My Office Hours: Tuesday thru Friday, 6:00 – 4:30 pm

From: Caitrin Irish <Clrish@toglco.com>
Sent: Wednesday, June 21, 2023 10:16 AM
Cc: Kim White <kwhite@toglco.com>
Subject: NOTICE - Encroachment Application 816 West Portal Road

You don't often get email from cirish@toglco.com. [Learn why this is important](#)

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Caitrin Irish

Permit Tech – Administrative Assistant

Town of Grand Lake

P. O. Box 99

Grand Lake, CO 80447

P. 970-627-3435

F. 970-627-9290

www.townofgrandlake.com



[Nightly Rental Information](#)

From: [Caitrin Irish](#)
To: schiefferam@gmail.com
Cc: [Kim White](#)
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road
Date: Monday, July 3, 2023 11:39:00 AM
Attachments: [image002.png](#)
Importance: High

Adrienne,

The Town has yet to receive a reply or results of the locates for your Encroachment Application. It is imperative we receive those to move forward with the application process.

Please respond to this email as soon as possible.

Thank you,

Caitrin Irish
Permit Tech – Administrative Assistant
Town of Grand Lake
P. O. Box 99
Grand Lake, CO 80447
P. 970-627-3435
F. 970-627-9290
www.townofgrandlake.com



[Nightly Rental Information](#)

From: Caitrin Irish
Sent: Thursday, June 29, 2023 3:52 PM
To: schiefferam@gmail.com
Cc: Kim White <kwhite@toglco.com>
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road
Importance: High

Hello Again Adrienne,

I wanted to make sure you received my pervious email. We are hoping to have this presented to the Board of Trustees July 10th. However if we do not have the results of the located, we will have to continue it to the next meeting at the end of July.

Thank you,

Caitrin Irish

Permit Tech – Administrative Assistant
Town of Grand Lake
P. O. Box 99
Grand Lake, CO 80447
P. 970-627-3435
F. 970-627-9290
www.townofgrandlake.com



[Nightly Rental Information](#)

From: Caitrin Irish
Sent: Thursday, June 22, 2023 1:17 PM
To: schiefferam@gmail.com
Cc: Kim White <kwhite@toglco.com>
Subject: FW: NOTICE - Encroachment Application 816 West Portal Road

Hello Adrienne,

Per the Town of Grand Lake municipal code, we are required to notice all utility providers of any encroachment application.

We have received a response from Xcel Energy concerned about the location of a gas main near your property. Before we can proceed with the application and you can proceed with the retaining wall, we will need you to contact 811 for a locate of the area.

Once that has been completed, could you please forward the results to us so we can with the application process. Please reach out with any questions.

Thank you,

Caitrin Irish
Permit Tech – Administrative Assistant
Town of Grand Lake
P. O. Box 99
Grand Lake, CO 80447
P. 970-627-3435
F. 970-627-9290
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[Nightly Rental Information](#)

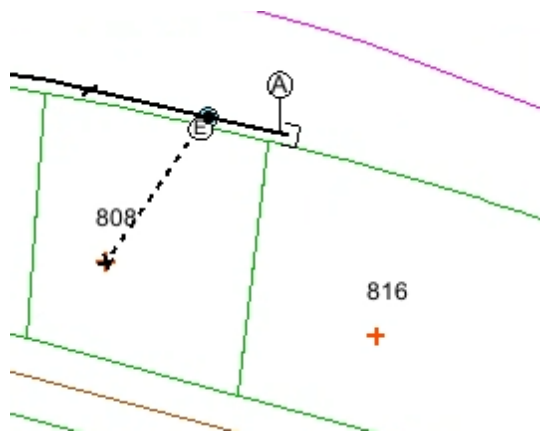
From: Gittins, Julie K <Julie.K.Gittins@xcelenergy.com>
Sent: Thursday, June 22, 2023 11:39 AM
To: Caitrin Irish <Clrish@toglco.com>
Cc: Kim White <kwhite@toglco.com>
Subject: RE: NOTICE - Encroachment Application 816 West Portal Road

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Please let me know if you have any questions.

Have a great day!

Julie Gittins
Xcel Energy
Design Planner, Mountain Division
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E: Julie.K.Gittins@xcelenergy.com
Direct Supervisor: Kyle.C.Alsup@xcelenergy.com

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From: Caitrin Irish <CIrish@toglco.com>
Sent: Wednesday, June 21, 2023 10:16 AM
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Subject: NOTICE - Encroachment Application 816 West Portal Road

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[Nightly Rental Information](#)

**TOWN OF GRAND LAKE
RESOLUTION 25-2023**

**A RESOLUTION GRANTING ENCROACHMENT LICENSE INTO THE RIGHT OF WAY
FOR RETAINING WALL LOCATED ADJACENT TO TRACT G-1B, MORE COMMONLY
REFERRED TO AS 816 WEST PORTAL ROAD, GRAND LAKE,
COLORADO**

WHEREAS, Municipal Code 11-6-1 Public Property Encroachments states:

- (A) *Encroachment Defined - An encroachment is any item that is placed, erected or built on the public right-of-way by a private property owner. A property owner shall seek permission from the Town to encroach onto Rights of Ways or municipal property prior to the encroachment occurring. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his own expense or seek permission from the Town for the encroachment to remain.*
- (B)1. *Major Encroachments are considered encroachments that are more permanent in nature. Examples include, but are not limited to: buildings or structures, driveways, fences and retaining walls, decks and patios, some components of public utilities, as well as other immovable objects other than minor landscaping.*
- (C) *Indemnification and Insurance Requirements*
The property owner is required to indemnify and save harmless The Town of Grand Lake against any and all damages which may result from the encroachment. Insurance may be required. The certificate of insurance shall be submitted to the Town prior to the execution or issuance of the Encroachment License or Agreement.

WHEREAS, Adrienne Nikolaev (hereinafter the “Applicant) are the owners of Tract: G-1-B, more commonly known as 816 West Portal Road (hereinafter the “Property”); and,

WHEREAS, the Town of Grand Lake (hereinafter the “Town”) received an Encroachment Permit Application from the Applicant; and,

WHEREAS, the Applicant Proposed constructing a retaining wall along the north edge of their property line (hereinafter the “Encroachment”) into the Right of Way adjacent (North) to the Property for the purposes of constructing a driveway; and,

WHEREAS, the Town caused certified letters to all utilities to be mailed 15 days prior to the hearing.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO:

THAT, in granting said Encroachment License (hereinafter the “License”), the Town reserves to itself the right to construct, reconstruct and maintain all municipal utilities and permanent improvements, and further reserves the same right to all utility companies operating under a Town franchise or paying utility occupation tax to the Town; and,

THAT, a License is hereby granted to the Applicant (hereinafter the “Licensee”) for the purpose of allowing certain encroachments into the Right of Way for the Encroachment subject to the following conditions:

1. The License is limited to the encroachments as shown in the attached Exhibit A (hereinafter the “Encroachment”); and
2. The Encroachment complies with the requirements of Municipal Code; and
3. The Licensee must maintain the Encroachment at its sole expense; and
4. This License shall remain in full force and effect for the benefit of the Licensee, their heirs, successors, and assigns, until such time as the Town, in its sole determination, determines that this license should end. At such time, within 45 days of the Town providing notice to the Licensee, Licensee shall remove the Encroachment and restore that portion of the Right of Way to pre-existing condition or better at Licensee’s expense. The Licensee may perform normal maintenance and repairs to the Encroachment; and
5. The granting of this License shall not be considered a precedent for any future encroachments; and
6. The granting of this License does not limit any public use of the Right of Way; and
7. The Licensee agrees to pay the License fee to the Town in the amount of One Hundred Dollars (\$100.00); and
8. The Licensee agrees to maintain public liability insurance in an amount not less than \$300,000 per person and \$900,000 per accident to protect Licensee and the Town from any liability to the public as a result of the encroachment onto the Right of Way and to furnish the Town proof of such insurance upon request. Said insurance shall be maintained at all times during the term of this easement.
9. The Licensee delivers the Town a fully executed Encroachment License and Agreement attached as Exhibit B; and,
10. In the unlikely event a utility company contacts the Town, in a reasonable period of time from notification, with justifiable objections to this License; Board review may be required.

DULY MOVED, SECONDED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 10th DAY OF JULY, 2023.

Votes Approving:
 Votes Opposing:
 Absent:
 Abstained:

ATTEST:

TOWN OF GRAND LAKE

Alayna Carrell,
 Town Clerk

Stephen Kudron,
 Mayor

ENCROACHMENT LICENSE AND AGREEMENT

THIS ENCROACHMENT LICENSE AND AGREEMENT (“the Agreement”) is entered into this 10th day of July 2023, by and between the Town of Grand Lake, a Colorado municipal corporation, (“the Town”) and Adrienne Nikolaev (collectively the “Licensee”).

WHEREAS, Licensee is the owner of, 816 West Portal Road, Town of Grand Lake, Colorado, and has proposed to construct certain structures that encroach on the Right of Way adjacent to the Licensee’s property; and

WHEREAS, the Licensee’s encroachment into the Right of Way may not interfere with the Town’s current use of the Right of Way at this time, and

NOW THEREFORE, in consideration of the promises and agreements hereinafter set forth it is agreed as follows:

1. The Town hereby grants to Licensee, its successors and assigns, a license to encroach on and into the Town’s right-of-way, to the degree and in the manner that the Licensee’s improvements encroach as of the date of this Agreement, as follows:
 - A. The Town may, upon determining that the Town intends to use the Right of Way for Town purposes, give 45 days written notice to Licensee, requiring that retaining wall be removed from the Right of Way be returned to its natural condition.
 - B. Under no circumstances shall the retaining wall be altered or moved in a manner that increases the amount of encroachment onto the Right of Way.
 - C. The right to use and occupy a portion of the Right of Way under the provisions of this Agreement is specifically limited to the improvements currently located thereon.
 - D. The use of the improvements shall be consistent with the zoning district in which it is located as defined by the Town’s zoning code.
 - E. All repairs to the property shall comply with the Town’s building code and all other applicable codes.

2. The Town expressly reserves to itself the right to construct, reconstruct and maintain all municipal utilities and permanent improvements, and further reserves the same right to all utility companies operating under a Town franchise or paying utility occupation tax to the Town.
3. In consideration for the Town granting this license to Licensee, Licensee agrees:
 - A. This Agreement shall remain in full force and effect for the benefit of the Licensee, their heirs, successors and assigns, until such time as the Town, in its sole determination, determines that this Agreement should end. At such time, within 45 days of the Town providing notice to the Licensee, Licensee shall remove the encroachment, shown on Exhibit A, attached hereto. Licensee shall return the area where the encroachment is currently located to its natural condition and to clean up and remove all debris associated with the encroachment or its removal.
 - B. Within 30 days of the date of this Agreement, to clean up all areas of the Right of Way shown on Exhibit A, attached hereto, as well as the Licensee's adjacent property, and thereafter to keep such areas neat and free from trash, debris or dead growth.
 - C. To maintain public liability insurance in an amount not less than \$300,000 per person and \$900,000 per accident to protect Licensee and the Town from any liability to the public as a result of the encroachment onto the Town's right-of-way and to furnish the Town proof of such insurance upon request. Said insurance shall be maintained at all times during the term of this easement. In addition, Licensee, its heirs, successors and assigns, agree to indemnify and hold harmless the Town from any loss or liability whatsoever, including defense costs and attorney's fees arising out of damage to person or property attributable to the encroachment. Licensee further agrees to indemnify the Town against any and all license asserted or established against the Right of Way.
4. In the event the Licensee fails to remove all improvements from the Right of Way as provided herein, then and in that event, the Town shall be entitled to take all reasonable steps to remove such improvements and Licensee agrees to reimburse the Town for all costs and expenses incurred in removing such improvements. In the event the Licensee fails to pay the Town for all costs and expenses incurred in removing the improvements from the Town's right-of-way, then the Town shall be entitled to (1) record such costs and expenses as a lien against the Licensee's property and certify such costs to the Grand County Treasurer to be collected in the same manner as delinquent taxes, and (2) recover all such costs and expenses through all legal and equitable remedies available to the Town.

- 5. Subject to the conditions set forth herein, this Agreement shall run with the land and be binding upon and inure to the benefit of the parties hereto, their heirs, successors in interest, personal representatives, and assigns.
- 6. The Town is a Colorado municipal corporation and is entitled to certain rights and protections under the Colorado Governmental Immunity Act, Sections 24-10-101, et seq., C.R.S. (“the Act”). By entering into this Agreement the Town does not waive and does not intend to waive any of its rights or protections under the Act.
- 7. By entering into this Agreement, Licensee expressly acknowledges that its interest in the Right of Way is limited to a license to encroach thereon with the permission of the Town and that neither Licensee’s use of any portions of the Right of Way or use of portions of such Right of Way by any of Licensee’s predecessors or successors shall be used as the basis for any claim to use such Right of Way except as provided herein, whether such claim is based on estoppel or waiver or adverse possession or any other basis, and that the sole basis for Licensee’s right and claim to use the portions of the Right of Way shall be this Agreement.

ATTEST:

**BOARD OF TRUSTEES OF THE
TOWN OF GRAND LAKE, COLORADO**

Alayna Carrell, Town Clerk

By: _____
Stephan Kudron, Mayor

LICENSEE:

Adrienne Nikolaev

STATE OF COLORADO)
) SS
COUNTY OF GRAND)

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by_____.

Witness my hand and official seal.

Notary Public

My Commission Expires:_____



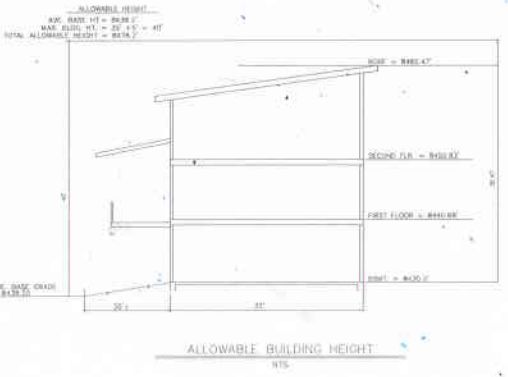
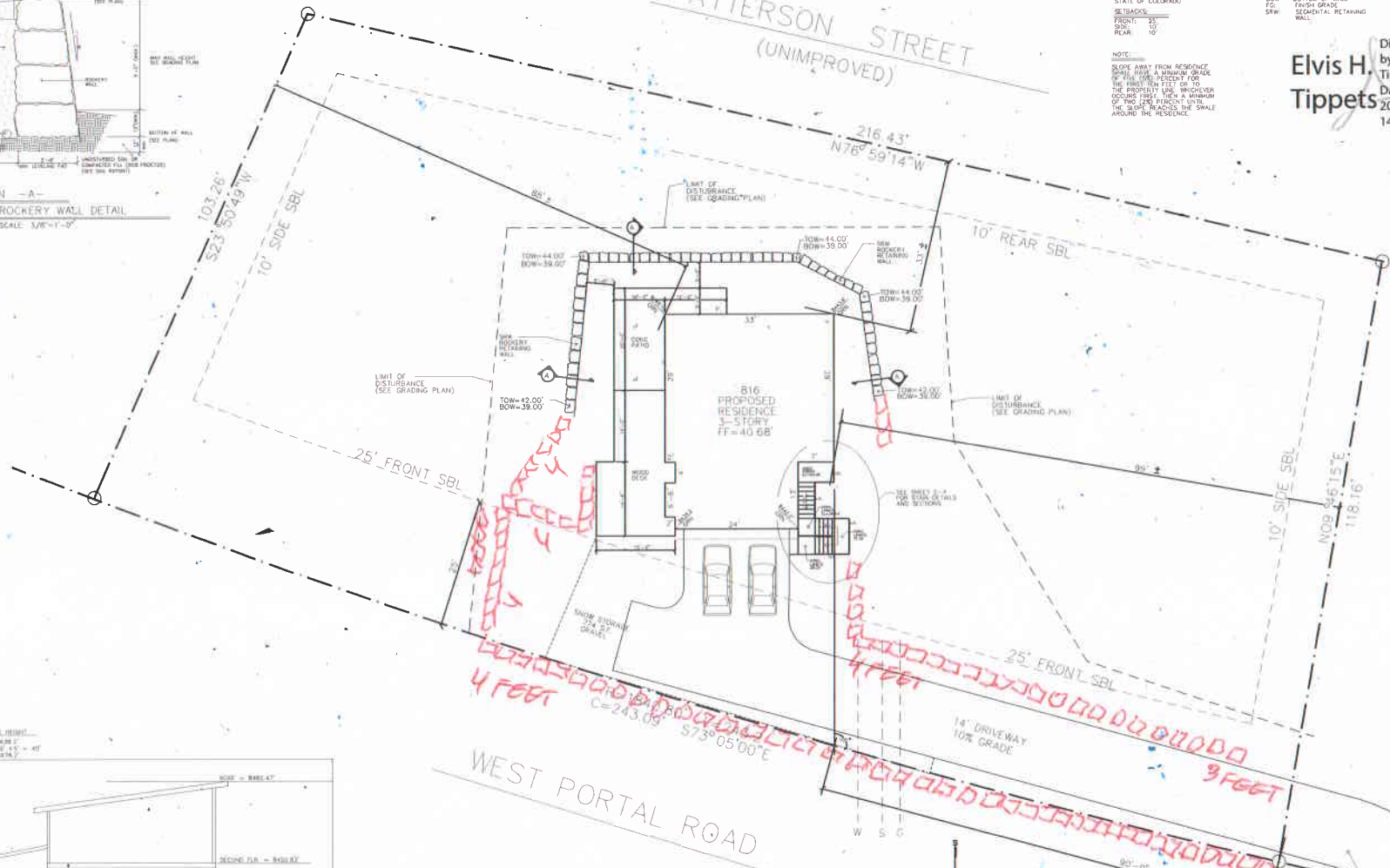
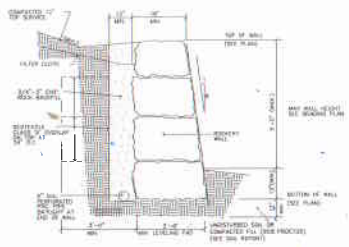
Digitally signed
 by Elvis H. Tippets
 Date: 2022.03.08
 14:35:07 -07'00'

SITE PLAN
 FOR 816 WEST PORTAL ROAD
 WHEELER TRACT
 TOWN OF GRAND LAKE
 COUNTY OF GRAND
 STATE OF COLORADO

LEGEND:
 SBL SET BACK LINE
 SPN GROUND ELEVATION
 FL FINISH FLOOR
 TOB TOP OF WALL
 BOW BOTTOM OF WALL
 FCG FINISH GRADE
 SRW SEGMENTAL RETAINING WALL

SETRACKS:
 FRONT 25'
 REAR 10'

NOTE:
 SLOPE AWAY FROM RESIDENCE
 SHALL HAVE A MINIMUM GRADE
 OF 1% (1" PER FOOT) FOR
 THE FIRST TEN FEET OR TO
 THE PROPERTY LINE, WHICHEVER
 OCCURS FIRST. THE A MINIMUM
 OF TWO (2%) PERCENT UNTIL
 THE SLOPE REACHES THE GRADE
 AROUND THE RESIDENCE.



SITE PLAN
 SCALE: 1" = 10'

REQUIRED SNOW STORAGE:
 DRIVEWAY SURFACE = 2345 SF
 13% SNOW STORAGE = 775 SF

CALL UTILITY NOTIFICATION
 CENTER OF COLORADO
 811
 (1-800-922-1887)
 CALL 2 BUSINESS DAYS IN ADVANCE
 BEFORE YOU DIG, GRADE, OR EXCAVATE
 FOR THE WARNING OR UNDERGROUND
 MEMBER UTILITIES

E.H. TIPPETS COMPANY
 CONSULTING ENGINEER
 9605 W. 49TH AVE.
 WHEAT RIDGE, CO. 80033
 303-420-5020

THE SCHIEFFER
 FAMILY TRUST COURT
 7278 SO. GRAY COURT
 LITTLETON, CO. 80028

SITE PLAN FOR:
 816 WEST PORTAL ROAD
 GRAND LAKE, CO. 80447
 TRACT G1-B

DATE: 12-20-21
 SCALE: AS NOTED
 DRAWN BY: CARL
 REVIEWED: J-04-22 GHS

C-2
 JOB NO 220-1328