

RECORD OF PROCEEDINGS

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REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, JUNE 28, 2010 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:38 p.m. at the Town Hall, 1026 Park Avenue.

PRESENT: Mayor Burke; Trustees Gibbons, Johnson, Lanzi, Lewis, Peterson, and Weydert; Town Manager Hale, Town Clerk Kolinske, Town Planner Wittman and Town Code Enforcement Officer Korkowski.

ABSENT: None.

APPROVAL OF MINUTES

June 14, 2010: Trustee Weydert moved to approve the minutes of the June 14, 2010 regular meeting as written. Trustee Peterson seconded the motion and all Trustees voted aye.

ANNOUNCEMENTS: Mayor Burke announced that it would be appreciated if cell phones were turned off during the meeting.

Mayor Burke announced that the Rocky Mountain Repertory Theatre is now presenting its second production of the 2010 season, "*Spelling Bee*", in the Community House.

Mayor Burke announced that the 4<sup>th</sup> of July Celebration will include a bake sale, pancake breakfast, a patriotic rally and a fireworks display over Grand Lake at 10:00 p.m.

Mayor Burke announced that the Grand Lake Area Historical Society will be taking vintage photographs at the Eslick Cottage Court on July 2-5, 10-11, 16-19 and August 7-8 as a fundraiser and awareness for the historic cottage courts.

Mayor Burke then announced that antique and classic wooden boats will be on display July 9 & 10 from 11:00 a.m. to 3:00 p.m. on Grand Lake at the Town's docks.

CONFLICTS OF INTEREST:

Mayor Burke stated that if there are any Trustees wishing to announce a conflict of interest with any items on this evening's agenda, they should do so at this time.

Trustee Johnson announced that he had a conflict with the Local Liquor Licensing issues as he holds a license for The Bears Den.

Trustee Lanzi announced that he had a conflict with the design review request for Lot 10, Block 10, Town of Grand Lake, as he is the applicant.

REPORTS: SALES TAX  
CASH FLOW REPORT  
FOR JUNE 2010:

Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in June for the month of April is \$19,372. Although this is the first month that sales tax have been up this year, this amount is still 14.12% below what was received through June 2009.

REPORTS: FINANCIAL  
REPORT FOR  
MAY 2010:

Mayor Burke asked Financial Trustee Peterson to present the Financial Report for May 2010. Peterson reported that General Fund expenditures through the end of May totaled \$505,258.20 or 28.7% of budget. He said the Water Fund expenditures for the same period totaled \$180,760.23 or 37% of budget and the Marina Fund expenditures totaled \$33,594.63 or 10.3% of budget.

At 7:43 p.m. Trustee Johnson excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR EL PACIFICO, LLC, D/B/A EL PACIFICO RESTAURANT – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid; the renewal documents are in order and indicate no changes from the previous renewal. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department found no adverse information that would affect the status of the license. She concluded by saying that Charlie and Maria were present.

Trustee Peterson moved to approve the renewal of the Hotel and Restaurant Liquor License for El Pacifico, LLC, d/b/a El Pacifico Restaurant. Trustee Lewis seconded the motion and all Trustees voted aye.

At 7:45 p.m. Trustee Johnson resumed his seat.

OLD BUSINESS:

**CONSIDERATION OF RESOLUTION NO. 18-2010, A RESOLUTION AUTHORIZING THE INSTALLATION OF A SIGN FOR THE GRAND LAKE ROTARY ON THE ENTRANCE MARQUEE SIGN IN THE TOWN OF GRAND LAKE** – Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that Glenn Harrington had submitted a sign permit application on behalf of the Grand Lake Rotary to place a Rotary Emblem sign at Triangle Park, but the Board wanted staff to get with Glenn Harrington and find a different location for the sign. Staff met

with members of the Rotary and they are now proposing the sign be placed on the westernmost post of the marquee sign located at the entrance to Town. Since the proposed location of the sign is on public land and the size of the sign exceeds the maximum allowed for service organization emblems, staff still has to deny the application. Glenn Harrington is asking the Board to reconsider the application and allow the sign at the new location. The proposed sign is 4.91 square feet in size and Municipal Code only allows for 2 square feet. The proposed sign is the same size as the emblem that Rotary had on the previous Town sign at Triangle Park for many years. That sign was destroyed and had to be removed. The location of the sign appears to not be in the CDOT right-of-way, so no approval from CDOT is necessary. At the April 26, 2010 meeting the Board did review the original sign application for Triangle Park, and at that meeting the size of the proposed sign (4.91 sq. ft.) was discussed and the consensus of the Board was the size of the sign was okay, but did not like the location. The Board continued discussion of the application until a new location could be proposed. Staff has included draft Resolution No. 18-2010 allowing the sign if the Board approves the sign. The Board may take the following actions on this request:

1. The Board may allow the sign and adopt Resolution No. 18-2010.
2. The Board may allow the sign, but adopt Resolution No. 18-2010 with modifications.
3. The Board may deny the request.
4. The Board may continue the request.

Following brief discussion, Trustee Johnson moved to adopt Resolution No. 18-2010, a Resolution Authorizing the Installation of a Sign for the Grand Lake Rotary on the Entrance Marquee Sign in the Town of Grand Lake. Trustee Peterson seconded the motion and all Trustees voted aye.

OLD BUSINESS:

**CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FROM THE GRAND ARTS COUNCIL FOR A FARMER'S MARKET** - Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that the Town is in receipt of a Special Events Permit (SEP) Application submitted by the Grand Arts Council for an event to be held on the 3<sup>rd</sup> of July. According to Section 12-2-31 - Special and Conditional Use Regulations: The Mayor, or the Mayor's designee, may sign the SEP without referring the matter to the Board of Trustees if the SEP is deemed to be in the best interest of the Town with the following items being taken into consideration:

- (a) The predominant use of the primary facility being used.
- (b) The proposed event and the event hours.
- (c) Neighborhood compatibility.
- (d) Effect of the proposed event on the community.
- (e) The Town's anticipated cost in staff time and equipment use.
- (f) Duplication of services or sales items.

(g) Permanent address of the non-profit organization or governmental entity.

(h) **First time event.**

Since this is a new event, it's being referred to the Board of Trustees for approval. For the event itself, there has been a lot of discussion on establishing a Farmer's Market in Grand Lake, but because there has never been one in Town, there are some unknowns about its effect on existing business, positive and negative. A lot of discussion has centered around the location, and the fact that the Grand Art's Council is going to sponsor a flea market indoors this year gave rise to the idea to run a Farmer's Market concurrently outdoors. The Board will take note that this event is actually being proposed as a July 3<sup>rd</sup> event between 8 a.m. and 6 p.m.; apparently there was some miscommunication as to the day. Thus, a new permit has been filled out with a bit more detail for The Board's consideration. Given the fact that it is off of Grand Avenue, the biggest impact will be on the surrounding neighborhood. This is a very busy weekend as everyone is aware, so the Board should weigh the possible impacts of this event to Park Avenue parking and the neighborhood in general. Depending upon the Board's feeling on this event, Town staff recommends that the Board either move to approve, approve with modifications and authorize the Mayor to sign it, or deny the Special Events Permit Application. Korkowski noted that Craig Cranston and Kathy Walton-Smith were present.

Craig Cranston, 598 County Road 413, was recognized from the audience to speak. He explained that the plan is to have this event outdoors in the parking lot; however, if the weather turns bad, they will move the Farmer's Market indoors with the Flea Market. Although the application is for July 3, 2010, he asked the Board to consider August 7, September 4 and October 2 as well. He noted that he checked with both Circle D and Mountain Food Market and neither had a problem with the Farmer's Market.

Following discussion, Trustee Peterson moved to approve the Special Event Permit Application from the Grand Arts Council for a Farmer's Market for July 3, August 7, September 4 and October 2, 2010. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS:

**CONSIDERATION OF AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN TOM & BONNIE CLARKE, JEAN DEMMLER, JOHN KANE AND THE TOWN OF GRAND LAKE** – Mayor Burke asked Town Planner Wittman to present this matter to the Board. Wittman explained that at the last regularly scheduled meeting, the Board received a proposal from Mr. Tom Clarke and Ms. Jean Demmler for proposed trail signage to be located at the Spitzmiller-Kane Trail. The Board agreed that while the trail signage is not necessarily consistent with the central business district signage, the sign should be permitted to be placed on the public right-of-way for a period of

five years, at a minimum, if the sign conforms with the trail signage regulations due to the fact the Town does not have uniform central business district or trail signage, and is not in the process of developing and/or installing any at this time. The Board directed staff to draft a Memorandum of Understanding (MOU) based on those discussions. Staff has received a signed copy of the MOU and if the Board is favorable, following discussion, the Board should move to authorize the Mayor to enter into a Memorandum of Understanding between Tom Clarke, Bonnie Clarke, Jean Demmler, John Kane and the Town of Grand Lake.

Tom Clarke, 1663 Steele Street, Apt. 808, Denver, CO 80206 and Jean Demmler, 1129 Mountain Avenue, were recognized from the audience. Clarke noted that the sign is the same as originally proposed, however, he made it smaller to comply with the two square foot requirement and asked to proceed.

Trustee Johnson asked if the design of the sign can be duplicated for other trail signage. Clarke responded by saying that he has never done this before, but his plan is to make a wax model of the sign, make a plaster cast, then cast it twice in acrylic and if it works he plans to keep the mold so that he can recast it should something happen to the sign.

Town Planner Wittman explained that in the MOU, the sign will be considered temporary for a period of no less than five years while staff will continue to develop uniform trail signage standards and will plan for the development and installation of uniform trail signage in this location. At such time, the Town shall reconsider the permitted placement of the temporarily installed signage in this location and may also consider contracting out for other trail signage.

Following discussion, Trustee Lewis moved to authorize the Mayor to enter into a Memorandum of Understanding between Tom Clarke, Bonnie Clarke, Jean Demmler, John Kane and the Town of Grand Lake for Spitzmiller-Kane Trail Signage. Trustee Gibbons seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FROM THE GRAND LAKE CHAMBER OF COMMERCE FOR A CRAFT FAIR** – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Town is in possession of a Special Events Permit Application submitted by the Grand Lake Chamber of Commerce to be held on September 11<sup>th</sup> and 12<sup>th</sup>, Saturday and Sunday from 10 a.m. until 6 p.m. and 4 p.m. respectively. According to Section 12-2-31 - Special and Conditional Use Regulations: The Mayor, or the Mayor's designee, may sign the SEP without referring the matter to the Board of Trustees if the SEP is deemed to be in the best

interest of the Town with the following items being taken into consideration:

- (a) The predominant use of the primary facility being used
- (b) The proposed event and the event hours
- (c) Neighborhood compatibility
- (d) Effect of the proposed event on the community
- (e) The Town's anticipated cost in Staff time and equipment use
- (f) Duplication of services or sales items
- (g) Permanent address of the non-profit organization or governmental entity
- (h) First time event**

Since this is a new event, it's being referred to the Board of Trustees for approval. Staff recommended that Grand Lake businesses be surveyed to get their feel on a new craft fair, as the Board's likely biggest concern would be that impact specifically. Depending upon the Board's feeling on this event, Town staff recommends that you either move to approve, approve with modifications or deny this Special Events Permit, and to authorize the Mayor to sign it if your motion is to approve or approve with modifications. Hale noted that Sara Sable, Executive Director, and Darin Foran, were present.

Sara Sable was recognized from the audience. She presented the Board with anonymous results from an e-blast that she sent to Chamber Members asking for their input.

Following brief discussion, Trustee Peterson moved to approve a Special Event Permit for the Grand Lake Chamber of Commerce for a craft fair to be held on September 11, 2010 from 10 a.m. to 6 p.m. and on September 12, 2010 from 10 a.m. to 4 p.m. in Town Square. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF RESOLUTION NO. 19-2010, A RESOLUTION AUTHORIZING THE INSTALLATION OF TWO TEMPORARY SIGNS FOR THE ROCKY MOUNTAIN REPERTORY THEATRE AT BLOCK 12, LOTS 6-8 IN THE TOWN OF GRAND LAKE** - Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that the Town has received a request from Chad Scott of the Rocky Mountain Repertory Theatre (RMRT) to allow a project sign and a business sign to hang on the construction fence for the new Repertory building at 404 Vine Street, Block 12, Lots 6-8. The proposed project sign does meet all other criteria for a project sign, but the RMRT would like to hang this sign on the construction fence along Grand Avenue as that is the only visible place which would not interfere with the actual construction taking place. The "proposed" business sign, which is actually the old site informational sign, also complies with all criteria for a business sign. The RMRT would like to also hang this sign on the construction fence along

Grand Avenue for the same reasons as the proposed project sign. While this sign was approved and has been on their own property as a site informational sign, it does meet the business sign criteria. Since both signs are being proposed to be placed, or moved, onto Town right-of-way, staff had to deny the requests. The applicant has appealed that decision and is asking the Board to allow both signs. Staff has drafted Resolution No. 19-2010 which would allow for the signs if the Board decides to grant the request. Staff has listed a condition in the Resolution to immediately remove the signs from the Town's right-of-way once the construction fence is removed or construction is completed. The Board may take the following actions on this request:

1. The Board may allow the signs and adopt Resolution No. 19-2010.
2. The Board may allow the signs, but adopt Resolution No. 19-2010 with modifications.
3. The Board may allow one sign but not the other.
4. The Board may deny the request.
5. The Board may continue the request.

Korkowski noted that Chad Scott was present.

Chad Scott, Managing Director, temporary address of 926 North Inlet, was recognized from the audience. Scott said that they have run out of room at the 404 Vine Street site with the construction going on. There is a surprising number of people that do not know what is being built at that location. He has heard people say that it looks like a Wal-Mart going in. The reasons for his request are: a) It is the Rocky Mountain Repertory Theatre being built, b) They are a few dollars short, and c) What the new building will look like. He said that with the location of the building to the lot line, there is no room for the signs to be visible except for on the construction fence.

Board Members and Scott discussed at length other options for the sign other than on the construction fence as the Town does not allow signs to be placed in the Town's right-of-way. The options discussed were: 1) Mobile signs on the inside of the fence that can be moved from place to place as to not obstruct construction equipment. 2) Obtain a variance to put the signs on the property owned by the bowling alley. 3) Suspend the signs from the scaffolding on the inside of the fence on the Grand Avenue right-of-way. 4) Obtain a variance for the signs to project no more than four feet into the right-of-way. 5) Place the signs on Vine Street where the office is.

Town Code Enforcement Officer Korkowski said that he thought that the scaffolding is also located within the Town Grand Avenue right-of-way which eliminates that option.

Mayor Burke asked Scott if he would be willing to explore the other options. Scott responded by saying that he did speak to the site consultant about the mobile signs and the site consultant said that they would be

constantly moving them and that it would be better to not have the signs than to have to constantly move them for the equipment. Scott did say however, that he would look into the other possibilities.

Town Planner Wittman then made the comment that Scott's request is for two signs. Town Code only allows for one off premise sign, therefore, if the Board was to grant a variance for the signs to be placed on the bowling alley property, the Board would also have to grant a variance for two off premise signs. She suggested that if a request for this is made it should be made clear that the two signs would be temporary.

Trustee Weydert stated that he would have a hard time granting such a variance due to the fact that the Board considered a similar request on May 24, 2010 from the Daven Haven. Although the request for an off premise sign was granted, the sign had to comply with size requirements.

Following discussion, Trustee Lanzi moved to deny consideration of Resolution No. 19-2010, a Resolution Authorizing the Installation of Two Temporary Signs for the Rocky Mountain Repertory Theatre at Block 12, Lots 6-8, in the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF RESOLUTION NO. XX-2010, A RESOLUTION AUTHORIZING THE INSTALLATION OF TWO STATUES IN THE GREENWAY IN FRONT OF 912 GRAND AVENUE IN THE TOWN OF GRAND LAKE** - Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that Karen Norberg of Arts on Park, located on Grand Avenue, would like to place 2 statues in the greenway in front of her store. The store is located at Block 11, Lot 5, more commonly referred to as 912 Grand Avenue, and Karen would like to place, and has actually already placed, a statue of a bear, 6'x2'x3.5' high, and a statue of a horse, 4'x1'x4' high, in the planter boxes in front of the store. Norberg was unaware of the Municipal Code requirements when she placed the statues in the greenway and thought the statues were okay since she had them on her property on Park Avenue. Municipal Code 11-1-10 requires that all requests for statues in the greenway must be reviewed by the Board. Greenway obstruction density is set in Municipal Code at 1 square foot of density for every 4 linear feet of frontage with a minimum 15 square feet guaranteed. The statues cover 16 square feet and the lot has a 50 foot frontage, which only allows for the 15 square foot limit. The Board would have to allow for the extra 1 square foot of density if they granted the request. Staff has drafted Resolution No. xx-2010 for the Board's review if the Board decides to allow the statues in the greenway. Included in the proposed resolution are clauses for an indemnification agreement and insurance since the items would be on Town right-of-way. The Board may take the following actions on this request:

1. The Board may allow the statues and adopt Resolution No. xx-2010.
2. The Board may allow the statues, but adopt Resolution No. xx-2010 with modifications.
3. The Board may allow one statue but not the other.
4. The Board may deny the request.
5. The Board may continue the request to another meeting.

Karen Norberg, 1117 Park Avenue, was recognized from the audience. She explained that she has had the bear and the horse on her property for about the past three years. When she moved into the commercial space on Grand Avenue, she thought it would be fun to have the two statues in the greenway not knowing that it would be an issue. She said that they have been real tourist attractions as people stop to have their pictures taken with the animals. She said that if the Board doesn't agree, she will take them back to her property on Park Avenue.

Trustee Peterson explained to her that it was okay for them to be sitting on her property because the liability is hers, but in the Town's right-of-way they are a huge liability to the Town.

The other Board Members concurred with the liability issue and viewed them as an attractive nuisance.

Trustee Weydert then moved to deny Resolution No. xx-2010, a Resolution Authorizing the Installation of Two Statues in the Greenway in Front of 912 Grand Avenue in the Town of Grand Lake and directed Karen Norberg to have the statues removed by 4:30 p.m. on Wednesday June 30, 2010. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF A CONDITIONAL USE REQUEST FOR A PAY-AS-YOU-THROW (PAYT) FACILITY TO BE LOCATED AT THE TOWN SHOPS, GRAND LAKE ESTATES 2<sup>ND</sup> FILING** – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Town is in possession of a Conditional Use Request Application to locate a PAYT facility at the Town Shops. The Town went out to bid to have a private contractor operate a PAYT facility, with the intent of keeping the Town completely out of the garbage business. Unfortunately, no one bid to run this facility, so the Town is challenged with opening the facility itself. In previous discussions with the Board of Trustees, the decision was made to try to open a facility as inexpensively as possible, in order to determine if there is indeed a big demand for this type of service. If there is a good demand and this program does address all of the issues that the Town was attempting to solve with the initial mandatory garbage service ordinance, then this Board has expressed its willingness to consider building a permanent facility that may or may not be located eventually at this site. For now though, the request is consideration of the Town Shop site, and if there is a decision later to consider a different site it

will be brought back through this same process. Staff wants to reiterate that treating this request as a Conditional Use Request is going beyond what staff believes the Town is actually required to do. Government uses, facilities, services and buildings are a use by right in this zone, and additionally, since this exact site is where the Town had formerly located its recycling bins, this PAYT facility would simply be a continuation of this use. Notwithstanding the above, staff believes that good open government means that the Town should strive to meet the highest standards possible and to apply the Town code extra conservatively when it comes to the Town itself. Town Code states that Conditional Use Permits will be processed and reviewed according to the following criteria:

a. Procedure before the Planning Commission

(a) The applicant may propose a Conditional Use Permit request by submitting, to Town staff, written material outlining the proposed use.

1. Included in this narrative should include (but not be limited to: operational hours and functions, management responsibilities, assessed neighborhood compatibility and impact). Written material must be accompanied by supporting documentation, including (if applicable) but not limited to:

1. A site plan depicting the layout of the structure with the proposed use, ingress and egress point, parking and vehicular ingress and egress points, snow storage, trash receptacles, and any other item that may be pertinent to the site plan of the property and proposed use.

b. Procedure before the Board of Trustees

(a) The Board of Trustees shall vote to approve, modify or disapprove the recommendation of the Planning Commission by resolution. The Board of Trustees may also request a public hearing. Should the Board of Trustees choose so, the process identified in Section 12-2-31 (A)7 shall be followed prior to voting to approve, modify or disapprove the recommendation of the Planning Commission by resolution.

Parking has been accommodated per the site plan, since this is a Town facility, snow removal will be addressed by the Town as needed, and the site will easily accommodate two eight-yard dumpsters. The facility will be open 24-7, and will have an onsite 24-hour surveillance camera which will be equipped with motion sensors and night vision capabilities. Additionally, given the fact that this use so closely mirrors the recycling use that operated here until very recently, staff believes that this use is appropriate for the neighborhood. The Planning Commission reviewed this application on June 16, 2010, and forwarded a favorable recommendation to this application, but also recommended that the Board hold a Public Hearing as the Commission believed that a hearing would be most appropriate at this level. Staff recommends that the Board uphold the Planning Commission's recommendation and schedule a Public Hearing for

July 26, 2010, for the consideration of a Conditional Use Request for a Pay-As-You-Throw (PAYT) facility.

Trustee Peterson then moved to uphold the Planning Commission's recommendation and schedule a Public Hearing for July 26, 2010, for the consideration of a Conditional Use Request for a Pay-As-You-Throw (PAYT) facility to be located at the Town shops, Grand Lake Estates 2<sup>nd</sup> Filing. Trustee Johnson seconded the motion and all Trustees voted aye.

At 8:57 p.m. Trustee Lanzi excused himself and left the room.

NEW BUSINESS:

**CONSIDERATION OF A PLANNING COMMISSION RECOMMENDATION REGARDING A DESIGN REVIEW REQUEST FOR LOT 10, BLOCK 10, TOWN OF GRAND LAKE –**

Mayor Burke asked Town Planner Wittman to present this matter to the Board. Wittman explained that at their last regularly-scheduled meeting, the Planning Commission unanimously approved a Planning Commission Resolution forwarding a favorable recommendation for approval of a design review request for Lot 10, Block 10, Town of Grand Lake, for installation of two (2) retractable awnings, including green and white cloth awnings, to the front facade of the structure. On June 9, 2010, the Town received a design review request from Mr. Elmer Lanzi, owner of the structure located at Lot 10, Block 10 of the Town of Grand Lake. The request is to place two (2) retractable awnings above the bay windows on the facade. As Mr. Lanzi's application indicates, awnings were present on this structure in 1906. While the proposed awnings date to the 1930's, the awnings, and the hardware, appear to be similar of the historical awnings. Wittman commented that there was a Denver Public Library Archive included in the packets for the Board's review. She noted that staff has approved the temporary placement of the awning(s) so that staff was able to get an adequate view, of both the rolled and unrolled settings, of the proposed awnings. Mr. Lanzi is willing to display them for the Board if necessary. While the Town does not have specific regulations regarding awnings, the Town does address covered boardwalks:

Section 11-1-6A: Boardwalk Cover Material and Construction Specifications.

A. Should the property owner elect to construct a cover over the boardwalk, the following specifications shall be met:

1. Posts - Posts which shall meet International Building Code (IBC) specifications for bearing and spacing shall be set on concrete piers and secured by a post base connector. Concrete piers shall be eight inches in diameter and a minimum thirty inches in depth.
2. Roof Beams - Roof beams shall meet International Building Code (IBC) specifications.
3. Rafters - Rafters shall be 2" x 8" lumber, sixteen inches on center and shall have a minimum pitch of 4:12 or other

appropriate pitch adequate for snow load as may be determined by the Town. Rafters, if attached to the building, shall be connected to a 2" x 8" ledger and shall be secured to the ledger by means of an angle connector. The ledger shall be connected to the building by lag bolts. If the boardwalk cover is freestanding, posts shall be placed at the building front or property line, as appropriate, and shall be constructed as per specification. Rafters shall be connected to the roof beam with a rafter connector. All connectors and construction techniques must be done in a manner which complies with Grand Lake Building Codes.

4. Roof Sheathing - Roof sheathing must comply with Grand Lake Building Codes.
5. Roof Covering - Roof covering shall be in compliance with the Design Review Standards and the Grand Lake Building Codes.
6. The street edge of the boardwalk cover shall extend one foot beyond the street edge of the boardwalk planking. The street edge of the boardwalk cover shall be 8 feet above the top of the boardwalk planking.

The Code further states (in Section 12-7-4B: Material Selection):

6. Acceptable Roofing Materials:

- a. Coated stainless steel (i.e. Standing Seam Metal Roof)
- b. Naturally weathering flat profile metal shingles
- c. Architectural grade asphalt composition shingles
- d. Common asphalt composition shingles or panels
- e. Slate shingles
- f. Treated wooden shake shingles
- g. Tar and gravel or aggregate roofing, on flat roofs only
- h. Rolled roofing if a 1:1 replacement or by Planning Commission approval if requested as a material for new projects
- i. AWAPLAN, or similar type SBS-modified bitumen roll roofing

Since there are not specific regulations regarding these types of aesthetic improvements, staff presented this to the Planning Commission for the Commission's consideration and recommendation to the Town Board, as that is the process for appeals to our Design Review Standards. The Board will have several options in regards to action on this item. The Board may move to:

1. Continue this item and schedule a site visit to view the proposed awnings and then take action on the matter; or
2. Not uphold the Planning Commission recommendation and deny the design review request; or
3. Uphold the Planning Commission recommendation and approve the design review request; or

4. Uphold the Planning Commission recommendation and place specific conditions or alterations on the design request approval.

Following brief discussion, Trustee Weydert moved to uphold the Planning Commission's recommendation and approve the design review request as submitted. Trustee Peterson seconded the motion and all Trustees voted aye.

At 9:01 p.m. Trustee Lanzi resumed his seat.

NEW BUSINESS:

**CONSIDERATION OF A PLANNING COMMISSION RECOMMENDATION REGARDING A DESIGN REVIEW REQUEST FOR LOT 8B, ALLMACHER SUBDIVISION OF LOT 8 –** Mayor Burke asked Town Planner Wittman to present this matter to the Board. Wittman explained that at their last regularly-scheduled meeting, the Planning Commission unanimously approved a Planning Commission Resolution forwarding a favorable recommendation for approval of a design review request for Lot 8B of Allmacher Subdivision of Lot 8 for the placement of approximately 120 linear feet of chain-link fencing to be installed around the western perimeter of the go-kart track. On June 3, 2010, the Town received a verbal inquiry from Mr. David Rafaelli, owner of Rocky Hi Speedway, Lot 8B of Allmacher Subdivision of Lot 8, a/k/a 510 Center Drive, to place chain-link fencing around the eastern perimeter of the track. The fencing would be attached to the existing railing and, as Mr. Rafaelli indicates in his request letter, submitted on June 7, 2010, the fencing would be mostly blocked by the existing building. The fencing would be affixed to the preexisting wooden railing in this mid-lot location. Rocky Hi Speedway is now regulated by the Department of Labor and Employment, as go-kart tracks had no prior oversight in the State of Colorado, and one of the requirements is that the owner must have a third-party inspection on the business. On May 9, 2010, the business inspected by a third party and found the business was in need of fencing around the track; the Speedway must now meet the requirement to have a 4' high fence with no less than a 4" opening anywhere on the fence. Municipal Code Section 12-7-4E, Site Design Standards, indicates:

4. Fences shall be constructed of wood, native or imitation stone in a style and color harmonious with the adjacent building architecture and the surrounding natural environment.
  - a. Chain link fences may be used as a perimeter around swimming pools, marinas, public playgrounds, licensed day-care facilities, and tennis or other recreational courts.
    1. Chain link fences may also be used for dog pens when such pens are screened from public view, and the fencing does not exceed seventy-five (75') perimeter feet.
    - b. Fences over eight (8') feet in height shall be reviewed by the Planning Commission for approval or denial.

Since there are not specific regulations regarding this type of recreational use, staff presented this to the Planning Commission for the Commission's consideration and recommendation to the Town Board, as that is the process for appeals to our Design Review Standards and there is no identified "variance" process. The Board should discuss this item and may move to:

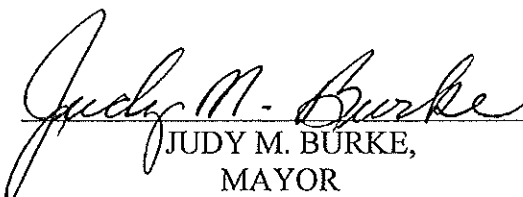
1. Continue this item and schedule a site visit to view the proposed fence and then take action on the matter; or
2. Not uphold the Planning Commission recommendation and deny the design review request; or
3. Uphold the Planning Commission recommendation and approve the design review request; or
4. Uphold the Planning Commission recommendation and place specific conditions or alterations on the design request approval.


David Rafaelli, 813 ½ Lake Avenue, was recognized from the audience. He stated that he is now subject to State regulations, and because of a recent inspection, he is being required to install the fencing.

Following brief discussion, Trustee Peterson moved to uphold the Planning Commission's recommendation and approve the design review request. Trustee Lewis seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: None.

ADJOURNMENT: Trustee Peterson moved to adjourn, seconded by Trustee Weydert. All Trustees voted aye, and the meeting was adjourned at 9:12 p.m., June 28, 2010.

  
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JUDY M. BURKE,  
MAYOR

ATTEST.   
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RONDA KOLINSKE, CMC,  
TOWN CLERK