



Agenda

Town Council Regular Meeting | 5:30 PM

Wednesday, November 5, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.

This agenda and meetings can be viewed at www.minturn.org.

Meeting Access Information and Public Participation:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/83818521220>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 838 1852 1220

Please note: All virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five minutes for public comment.

Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. Call to Order

2. Roll Call and Pledge of Allegiance

3. Approval of Consent Agenda

Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

A. 10-15-2025 Minutes

B. 0236 Miles End Lane - New Single Family Residence

C. 0246 Miles End Lane - New Single Family Residence

D. 0018 Abby Road - Changes to Approved Plans of a Single Family Residence

E. Liquor License Annual Renewal - Minturn Mile Liquors

F. Liquor License Annual Renewal - Pizza Pub LLC, dba Magustos

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

5. Declaration of Conflicts of Interest

6. Public Comment

Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

7. Council and Committee Reports

8. Staff Reports

A. Manager's Report

B. Economic Development Update - DDA Plan of Development Next Steps and Timeline

9. Special Presentations

No Special Presentations

10. Business Items

Items and/or Public Hearings listed under Business Items may be old or new and may require review or action by the Council.

A. Resolution No. 44 - Series 2025 - CDOT Off-System Bridge Grant

B. Resolution No. 45 - Series, A Resolution Amending the Karp Neu Hanlon Town Attorney Agreement to Include Water Attorney Services

C. FY2026 Budget - Public Hearing

11. Discussion / Direction Items

A. 2025-2026 Snow Removal Plan Updates (Michael Martinez)

B. Highlands Parcels (Direction Regarding Selection of a Broker and Related Topics):

- Access Road Construction
- Improve Survey w/Topo
- Corner Monuments
- USFS Access

C. Update Regarding Nuisance Prosecution of Minturn Cemetery District pursuant to C.R.S 24-6-402(4)(b)

12. Future Agenda Items

A. Future Meeting Topics

13. Adjourn

Information Only Items

Upcoming Council Meetings: 11/19, 12/3, 12/17. Upcoming Special Events: November First Friday (11/7) at Mexican Bar & Grill. Holiday Events Announcements Coming Soon.



Official Minutes Town Council Regular Meeting | 5:30 PM

Wednesday, October 15, 2025

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 821 8169 0748

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Public Comments: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. Call to Order

Mayor Earle B. called the meeting to order at 6:31pm.

2. Roll Call and Pledge of Allegiance

Council present: Mayor Earle Bidez and Town Council Members Lynn Feiger, Gusti Kanakis, Brian Rodine, and Kate Schifani. Tom Priest was excused absent.

Staff Members present: Town Manager Rob Gutierrez, Town Clerk Jay Brunvand, Town Attorney Mike Sawyer and Deputy Clerk Cindy Krieg (Zoom).

3. Approval of Consent Agenda

Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

A. 10-1-2025 Minutes

B. Resolution No. 42 - Series 2025 (A Resolution to Amend Resolution 41)

Motion by Gusty K., second by Lynn F., to approve the consent agenda of October 15, 2025 as presented. Motion passed 6-0. Tom Priest was excused absent.

4. Approval of Regular Agenda

Opportunity for amendment or deletions to the agenda.

Motion by Eric G., second by Gust K., to approve the regular agenda of October 15, 2025 as presented. Motion passed 6-0. Tom Priest was excused absent.

5. Declaration of Conflicts of Interest

6. Public Comment

Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

7. Council and Committee Reports

Gusty K:

MFC Board Meeting Updates: Revenue up 7.8% over last year. Personal training, annual and 6-month memberships are all up.

8. Staff Reports

A. Manager's Report

Top Updates

1. Snow Removal – Weekend snow removal for the 2025-2026 season will not be contracted out but be performed by Minturn Public Works.

2. Suspicious Emails – The Town has observed suspicious emails appearing to come from Town staff requesting payment on invoices. Residents are advised to avoid opening attachments and to contact Town Hall directly to verify authenticity. No breaches of Town systems have been identified.

3. Staffing progress - Recruitment continues to strengthen Minturn's Public Works team. Two additional Equipment Operator candidates are in final offer stages, with anticipated start dates in early November. This brings the department close to full winter staffing for the 2025–2026 season.

Active Initiatives

Public Works Department

- The department currently consists of three staff members: Mike, Grant, and Billy (from Red Cliff), with two additional candidates expected to start in early November.
- We are working on offers for two other candidates with potential start dates in the first week of November.
- We have determined that weekend snow removal for the 2025-2026 season will not be contracted but will be performed by Minturn Public Works.
- We have ordered a new **SnowEx truck plow** and expect arrival in 4-8 weeks.

Highlands Property

- The Council will discuss the next potential steps at the October 15th, 2025, Council Meeting.

Town Hall 2-Bedroom Apartment & Building Systems Improvement RFP

- A design-build RFP was posted to the town's website on October 8th for reconstruction of the two-bedroom apartment and other building improvements. We are accepting submission until October 31st. Included in the other improvements are:
 - o Ventilation system for the former Police Department office space (potential lease to Radio Free Minturn).
 - o New file storage system to consolidate existing archives.
 - o Possible conversion of a storage area into additional office space.

Comprehensive Impact Fee Study RFP

- RFP was issued on October 10th, 2025, and seeks a consultant to prepare a Comprehensive Impact Fee Study for transportation, parks, public safety, housing, and infrastructure. Includes a separate Plant Investment Fee (PIF) analysis for the Water Enterprise Fund to maintain TABOR compliance.
- Proposals due later this month; staff expects to bring a recommended consultant in November for Council consideration.

Minturn Forward Land Use Code Update

- At their regular meeting of October 8th, the Planning Commission continued their review of Article 3 - Zoning Regulations where the Commission is focusing on the review of new zone districts, the table of permitted uses, use standards, dimensional limitations, and methods for measurement of things like building height and setbacks.
- The Commission will wrap up their review of Article 3 at a special meeting on October 29th. Following completion of the zoning regulations, the Commission will review draft subdivision (design) standards. The project is on track to wrap up review of most modules by the end of 2025 and to start the official review and adoption of the new code to start the new year.

Emerging Initiatives

Minturn Shooting Range

- Discussion item is planned for the November 5th Council Meeting to talk about potential steps for improving management of the range.

Housing

- Staff are researching long-term employee housing options. One potential approach involves placing a 1–2-bedroom modular ADU on the Town Manager’s property, estimated at \$150,000–\$225,000 total, with a projected cost recovery in 7–10 years at a monthly rent of \$1,800
- Staff are exploring participation in the regional Housing Action Plan led by Avon and Eagle County, which could increase funding flexibility and coordination for future housing projects.

Parks and Recreation

- We have been selected to participate in the Colorado OEDIT Rural Technical Assistance Program. Graduate students from the Masters of Environment Program at CU Boulder and CSU Extension will take on the role of community consultants to develop a Community Action Plan in winter 2025/2026.
- The Minturn Fitness Center Board met on October 7th. The MFC has been experiencing its strongest fiscal performance since its opening over the last several months. The town is exploring ways that we can support the MFC’s continued growth in 2026.

Economic Development

- The Downtown Development Authority will hold a workshop on its Plan of Development from **October 20–22, 2025**.
- Staff are preparing a new ordinance regulating mobile businesses and vendors, targeted for consideration in **late Fall 2025**.
- Efforts are underway to identify barriers to entry for small businesses and explore ways the Town can help create additional commercial space for startups.

Gusty K – Inquired about the timing of Taylor St. repaving. Rob G. confirmed that this project would be put off until Spring.

Brian R – He has worked with graduate students on other projects through OEDIT, and found them to be very professional and great to work with. He also offered to help with this project if needed.

Rob G. noted that we would need a group willing to engage with the students during this process. They will come out for 2 days in March as a kickoff, Rob will share more information about this when available.

9. Special Presentations

Presentations are typically limited to 5 minutes. Invited presentations are typically limited to 10 minutes if prior arrangements are made with the Town Clerk.

A. Proclamation - High Five Access Media Day (in conjunction with High Five Media’s 40th anniversary)

JK Perry – Executive Director, High Five Access Media, addressed the Council. Mr. Perry reiterated the services that High Five provides. In addition to municipal meetings

coverage / streaming, and online posting for viewing, High Five serves the community in many other ways, and works to recognize community media both locally and across the nation. He also spoke about the importance of getting and being involved at the local level, and encouraged the public to attend and view council meetings to be informed and involved.

Mr. Perry introduced the board members who were present.

Earle B inquired about meeting archives.

Mr. Perry noted that they began archiving meetings in 2023, and everything from that point on is accessible via the High Five website. They are utilizing a service called Internet Archive for this project. They are constantly updating and pulling more into the website. There is an effort underway to archive more historically, and are working with EVLD to potentially house the more historical archives, and help with digitizing.

Earle B. read the Proclamation into the record.

B. Regional Housing Strategy Kick-Off Presentation

DUE TO THE COMPLEXITY OF THIS PRESENTATION AND THE ONGOING WORK INVOLVED IN THIS PROCESS, THIS PRESENTATION IS EXPECTED TO BE 1 HOUR IN LENGTH.

Augustin Leone and Brian Pool with Government Performance Solutions presented. They are representing Housing Eagle County and the Avon Community Housing. Those 2 entities were awarded a state grant for this project this project, and GPS was selected as the consulting experts to execute it.

This is the first in a series of community workshops to shape coordinated, community-driven housing solutions across Eagle County in the Eagle River Valley.

Priorities / Strategies:

- **Local Economy:** A strong workforce = competitive resorts. Steamboat, Aspen, Park City, Tahoe all invest in housing to keep talent close.
- **Workforce Flight:** When workers live beyond Eagle County, costs rise, service accessibility diminishes, and the community ultimately loses.
- **Stability:** Homeownership anchors families, schools, and neighborhoods; it's the keystone to a resilient community.
- **Broken Ladder:** Today's market has too few rungs; middle-income mobility is nearly gone.
- **Location:** Housing near jobs and transit cuts congestion and advances climate goals.
- **Market Gap:** Free market won't serve low and middle-income households; strategic action is essential.

Statistics Shared:

- Home prices in Eagle County have skyrocketed; outpacing local incomes and pricing out the workforce. From 2015 to 2023, median home prices in non-resort areas have nearly doubled across most towns. Even traditionally more affordable towns like Gypsum and Eagle have seen sharp increases, approaching or exceeding \$1M.
- **Wages in Eagle County no longer match the cost of housing for home buyers.** In Eagle County, a household would need 5.2 median-wage earners (\$53,000) to afford a median-priced home.
- **Typical rent far exceeds what most households can afford. To rent a 2-bedroom at \$3,000/month, it would take 2.3 median-wage earners to rent a median-price rental.**
- The Valley Home Store has 1,500 buyers actively looking to purchase.
- A life-long valley resident retires but stays in their deed restricted home. Now there is one less employee and one less housing unit.
- A purchase 10 years ago with a median-home sales price of \$700,000 provided easier step-up inventory in the housing spectrum of needs. That inventory is now priced at \$1.6M, so is unattainable for move-up buyers.
- Higher rental rates are pushing buyers to purchase to relieve the pressure of unknown housing impacts, like a landlord selling the unit.
- Based on the Eagle County Regional Housing Needs Assessment completed in 2025 there is a current need for 2,638 units and a future need of 3,736 units over the next decade, amounting to a need for 6,375 total units by 2035.
- Vail, Avon and Eagle County are contributing resources to help with the housing gap (unit numbers were shared).

How we operate today:

- Housing partnerships exist, but with different goals, programs, inconsistent funding, and priorities.
- We collaborate, but differing boards create localized goals.
- The result? Progress, but inefficient.
- We could be aligned in vision, coordination, funding and impact.

Possible Solutions:

Option 1: Non-Revenue Housing Solutions were discussed. Policy-based and regulatory tools that enable housing creation without direct public funding. Examples include:

- Housing mitigation requirements
- Inclusionary zoning
- Development incentives
- Community housing overlays

- Fast-track approvals.

Option 2: Continued Local Collaboration

Each jurisdiction keeps control of its own housing programs, but partners via an Intergovernmental Agreement (IGA) to pool programs and services. Together, they launch a regional Housing Coalition to deploy shared tools like buy-downs, deed restriction resales, and housing programs.

Option 3 (Would require a ballot measure):

A regional housing authority with shared governance and a voter-approved revenue stream (e.g. tax or fee) dedicated to housing. Operates independently to plan, fund, and execute housing solutions across the region with scale, speed, and staying power.

The full presentation is included in the meeting minutes.

Brian R. brought up how much out-of-community demand for housing is impact this issue.

Mr. Pool noted that is a little out of scope for this project, but that he would look into that with the County.

Earle B. inquired whether they had done any revenue models regarding what might be palatable with regard to a mill levy / County-wide property tax increases. He also asked if a regional housing authority would be eligible to apply for federal grants.

Mr. Pool noted that is still a little early, they are in the very beginning stages of this project.

Gusty K. inquired about whether they factor in private development at all? Are some of the private developments happening down valley deed restricted? He also asked about private development / more units being built hopefully bringing prices down somewhat.

Mr. Pool noted that he would confirm those details with Tori at Eagle County, but that sometimes more inventory still does not help those in lower income brackets as they often are still not priced very affordably, especially with private developments.

Brian R. asked about whether community focus could change / could be lost to some extent if you elevate this to a regional level. Our community has very specific needs and challenges.

Rob G. noted that as part of the regional needs assessment - a percentage of housing units delivered over the last 10 years, the unincorporated areas are the second lowest of delivering those units. Before the County asks some communities to do more and voters to pay more, he feels that they need to speak to a strategy to deliver housing units in the unincorporated areas.

GPS will be back in January / February to present and discuss progress so far, and next steps.

10. Business Items

Items and/or Public Hearings listed under Business Items may be old or new and may require review or action by the Council.

Tom Priest joined the meeting at 6:35pm.

A. Resolution No. 43 - Series 2025, A Resolution to Award a Contract for Design and Construction Management Services for the Bellm Bridge Replacement.

CDOT-funded off-system bridge program. We need to select based on qualifications. Town Engineer Jeff Spanel and Town Manager Rob Gutierrez are recommending SHE as the most qualified firm for this work. This firm also conducted the feasibility study for the Town.

Timing / downtime was discussed.

Jeff S. noted that one of the considerations was repairing the scour damage on the existing bridge, and to repair the scour damage on that bridge, we'd be digging up the river and getting underneath those piers and supporting them. He did not recall the exact cost for the scour damage but repair was virtually the cost of replacing the bridge itself. Might as well just replace the bridge, because down the road you're going to be redoing that scour damage anyway, because the water's always going to be eating away at it. The new bridge would be designed to minimize scour damage.

Brian R. asked about construction impact to local businesses and residents. He inquired about a temporary bridge?

Rob G. – Cost would be significant, this was not explored. Jeff S. noted that there really isn't room for this option. If you did this, you would need to construct the bridge in two pieces (one lane at a time).

Rob G. noted that they could explore this option with SHE, although the cost would be much higher.

A pre-fabricated bridge was explored / recommended as an option due to the shorter down time.

Jeff S. noted that we could do a separate, adjacent structure pedestrian bridge. This would be more expensive, but would help with the access and impact concerns, especially for the businesses in that area.

Tom P. also recommended that we follow up on implementing load restrictions sooner for Bellm Bridge. Also recommends that we follow up on pros and cons of doing two bridges, one for pedestrians and one for vehicles.

Motion by Eric G., second by Gusty K., to award the contract for Design and Construction Management Services for the Bellm Bridge Replacement to SEH (Short Elliott Hendrickson Inc) as presented. Motion passed 7-0.

11. Discussion / Direction Items

12. Future Agenda Items

A. Future Meeting Topics

13. Executive Session

A. Executive Session for the Purpose of Receiving Legal Advice on Land Parcels

Motion by Brian R, second by Eric G, to convene into executive session pursuant to Colorado Revised Statute (C.R.S.) §24-6-402 (4)(b) for the purpose of receiving specific legal advice on land matters.

Council convened back into regular session following the executive session.

Direction given to Town Manager was pursuant to executive session.

14. Adjourn

Motion by Eric G, second by Gusty K, to adjourn the regular session at 9:05pm.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

Information Only Items

Upcoming Council Meetings: 11/5, 11/19, 12/3, 12/17. Upcoming Special Events: November First Friday (11/7) at the Mexican Bar & Grill. December First Friday - Christkindlmarkt (12/5) at Minturn Whisky. Holiday Market (Saturday 12/6) at The Barn. DDA Workshop October 20 - 22.

Minturn Planning Department
Minturn Town Center
302 Pine Street
Minturn, Colorado 81645



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Michael Boyd
Amanda Mire
Eric Rippeth
Darell Wegert

Design Review Board Hearing

Final Plan Review for New Home

0236 Miles End Lane

Hearing Date:	October 8, 2025
File Name and Process:	Single-Family Residence Final Plan Review
Owner/Applicant:	Jeremy A. Jacobs Trust
Representative:	Taylor Hermes & Rick Hermes, Minturn North Construction Company
Legal Description:	Subdivision: MINTURN NORTH PUD Lot: 2
Address:	0236 Miles End Lane
Zoning:	Game Creek Character Area – Minturn North PUD Zone District
Staff Member:	Madison Harris, Planner I
Recommendation:	Approval

Staff Report

I. Summary of Request:

The Applicant, Jeremy A. Jacobs Trust, requests Final Plan review of a new, four-bedroom, 4,392 (gross) square foot single-family residence located at 0236 Miles End Lane in the Game Creek Minturn North PUD Zone District. The Applicant's representatives, Taylor Hermes and Rick Hermes of the Minturn North Construction Company, have been proactive in meeting with Town staff prior to submitting plans for a new home and have provided a relatively complete and thorough set of site, landscaping, and architectural plans.

Proposed Plans

The plans show a two-story, four-bedroom structure with a maximum building height - measured to the midpoint of the roof – of 27 feet 4 and 1/2 inches, under the maximum allowable 28-foot limit within the Game Creek Minturn North PUD Zone District.

Additionally, the massing, forms, and scale of the proposed structure, as well as proposed exterior materials, textures and detailing also appear to achieve the design objectives of Appendix B – *Design Guidelines and Standards*, Minturn Municipal Code.

Parking is adequate, with four off-street spaces, two of which are provided within the garage and two in front of the garage. The plans show the entry level with the garage, three bedrooms, and entertainment lounge, and the main level has the master suite and primary living area.

According to staff's analysis of development standards and dimensional limitations in Section III below the project appears to meet the Town's standards.

Overall, staff believes that the Applicants and their representative have provided a complete, detailed set of plans necessary to complete a thorough final plan review.

As a reminder, the Planning Commission has the option to review the proposal as a "conceptual" plan review if the Commission feels that the plans are *not* sufficient or are in need of revisions and additional review prior to final plan approval; or the Commission may take action to approve, approve with conditions, or deny the Final Plans.

Staff is **recommending approval**.

II. Summary of Process and Code Requirements:

These plans are being presented by the Applicant as "Final Plan" level of review for a new single-family residential structure on a legally created lot within the Town of Minturn. This is a formal hearing providing the Applicant and staff the opportunity to discuss the proposal with the Planning Commission, acting as the Design Review Board, and to address the DRB's concerns or feedback regarding suggested revisions to the project.

If the DRB feels that the plans are complete, appropriate, and meet the intent and purposes of the Minturn Municipal Code, Chapter 16, the DRB has the option to take final action to approve the plans without conditions, or to approve with specific conditions and giving the Applicant and staff clear direction on any recommended revisions, additions or updates to the plans.

No variances are required or requested at this time.

Design Review Process

Appendix 'B' of the Minturn Municipal Code, Section 16-21-615 - *Design Review Applications*, subsection "d" below outlines the criteria and findings necessary for DRB review and approval of all new, major development proposals:

(d) *Administrative procedure.*

(1) *Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.*

(2) *Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:*

- a. The proposal's adherence to the Town's zoning regulations.*
- b. The proposal's adherence to the applicable goals and objectives of the Community Plan.*
- c. The proposal's adherence to the Design Standards.*

(3) *Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:*

- a. That the proposal is in conformance with the Town zoning regulations.*
- b. That the proposal helps achieve the goals and objectives of the Community Plan.*
- c. That the proposal complies with the Design Standards.*

Staff suggests that the final plans for 0236 Miles End Lane meet or can be revised to meet the required findings 'a,' 'b,' and 'c' or subparagraph 3 – *Necessary findings*.

III. Zoning Analysis:

Zoning

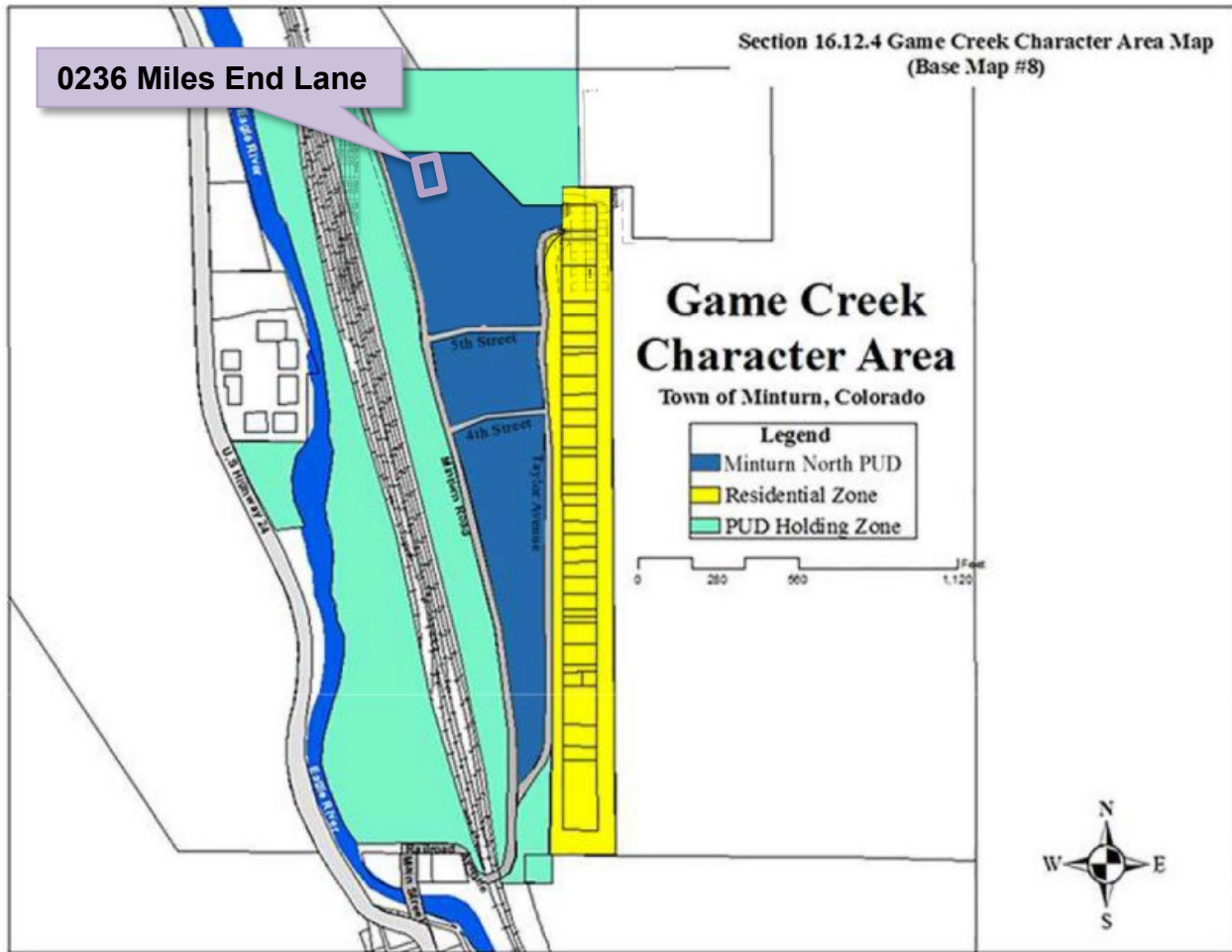
The subject property is located within the “Game Creek Character Area” Minturn North PUD Zone District Planning Area 1 (PA-1), described as follows:

“The primary intent of this Planning Area is to create a market rate single-family residential use zone surrounded by common area and open space.”

- Ordinance No. 15 – Series 2023 Minturn North PUD Guide

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Figure 1: Game Creek Character Area Zoning Map



Dimensional Limitations and Development Standards

The following table summarizes the lot, development and dimensional standards and limitations applicable to the subject property pursuant the approved Final Development Plan for the Minturn North PUD.

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	8,232.84 sq. ft.	8,232.84 sq. ft. (.189 ac.)
Maximum Building Height:	28 feet	27 feet – 4 1/2 inches
Minimum Front Setback:	20 feet	20 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10+ feet

Maximum Lot Coverage:	50% (4,116.42 sq. ft.)	3,104 sq. ft. (37.70%) Proposed
Maximum Impervious Coverage:	60% (4,939.70 sq. ft.)	3,574 sq. ft. (43.41%) Proposed
Minimum Snow Storage Area:	5% of Lot Area (8,232.84 sq. ft. x .05 = 412 sq. ft.)	475 sq. ft.
Parking:	4 spaces	4 spaces

IV. Applicable Standards and Design Guideline Criteria:

Design

In addition to the development standards listed above, the following general design principles are provided for reference.

Final Site, Grading and Drainage Design

The Minturn Design Guidelines encourage designs that integrate or account for site topography and existing conditions, surrounding conditions, solar orientation, placement on lots relative to streets and natural features, snow storage and snow shed from roof structures.

Mass and Form

The following excerpt from the Design Guidelines is applicable to the proposed home design:

“c. Massing and Scale

“A simple central form with additive features shall be designed. This style creates visual interest and is appropriate for the community due to its compatibility with existing structures. Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.

“Building mass, form, length and height shall be designed to provide variety and visual interest while maintaining a scale that is similar or compatible to adjacent structures.”

-Town of Minturn Design Guidelines

Staff Response:

Staff believes that the design and scale of the proposed structure incorporates a simple central form with additive features and is complementary to adjacent residential structures and character on nearby parcels. Staff further suggests that the scale of the project is appropriate and will not

overpower surrounding natural and built environments. Proposed roof forms and pitches, materials and textures are compatible and complementary to the surrounding built and natural environments.

V. Issues and Recommended Revisions:

Staff has not identified any issues.

VI. Staff Recommendation:

Staff suggests that the Final Plans for 0236 Miles End Lane generally **comply** with or exceed the applicable provisions and/or minimum standards of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

Staff is **recommending approval** of the plans.

September 24, 2025

Madison Harris
Town of Minturn Planner
PO Box 309
Minturn, CO 81645

Re: 236 Miles End Lane
Lot 2, Minturn North PUD
DRB Resubmittal Review
Project No. 24-0001

Dear Madison:

We reviewed the plans entitled “Jacobs Residence; 236 Miles End Lane; Lot 2, Minturn North, Minturn Colorado” dated September 15, 2025, by Eggers Architecture Inc. (Plans) included in the revised DRB application for Lot 2, Minturn North PUD. Our review was for compliance with the engineering requirements of Section 16-21-615: Design Review applications of the Minturn Municipal Code (MMC).

MMC Section 16-21-615 Section C:

Section (C) (2) Boundary Survey:

Paragraphs a through e:

“Final Plat: Minturn North PUD” recorded March 4, 2024 (Reception No. 202402234) has been included as the Boundary Survey. The Town reviewed this plat and associated title commitment, and the plat is suitable as the Boundary Survey for this application.

Paragraphs f through i:

Sheet C.6 of the “Minturn North PUD Overall Grading and Drainage Plan; Construction Plan Set 5/1/24” prepared by Boundaries Unlimited Inc. is included in the application. The Town issued a Grading Permit based on the Construction Plan Set and Sheet C.6 shows the grading and utilities underway at Minturn North. This plan reflects the basis for design, and fulfills the requirements of Paragraphs f through i.

Section (C) (3) Site Plan:

1. Sheet BH1 provides Building height information necessary for Planning Staff review.

VAIL VALLEY OFFICE

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO 81620

DENVER OFFICE

9618 Brook Hill Lane | Lone Tree, CO 80124

970.949.5072 | info@inter-mtn.net

Madison Harris

Re: 236 Miles End Lane
Lot 2, Minturn North PUD
DRB Resubmittal Review
Project No. 24-0001

2. Sheet C1 of the Plans “Lot 2 Minturn North PUD; Site Grading and Drainage Plan” dated September 15, 2025, by Boundaries Unlimited presents the proposed Site Plan.
 - i. The site plan shows the 30’ Setback to the “Ordinary High Water Mark” (OHWM) of Game Creek. Improvements are located outside of the OHWM setback as shown.
 - ii. The site plan identifies the location of the 100 Year Flood Plain and the “Proposed 100 Year Mudflow extents.” Improvements are located outside of the identified limits of the hazard zones.

Section (C) (4) Grading & Drainage Plan:

Sheet C1 of the Plans “*Lot 2 Minturn North PUD; Site Grading and Drainage Plan*” dated September 15, 2025, by Boundaries Unlimited presents the proposed site grading, drainage, and erosion control. The plan fulfills Grading and Drainage Plan requirements.

Review by Inter-Mountain Engineering is for general conformance with Minturn Municipal Code requirements and is not a peer review. Review by Inter-Mountain Engineering in no way relieves any responsibilities of design professionals associated with the project. Please feel free to contact us if you have additional questions.

Respectfully,
Inter-Mountain Engineering (Town Engineer)



Jeffery M. Spanel PE

CC: Michelle Metteer, Scot Hunn, Arnold Martinez



DESIGN REVIEW APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
Phone: 970-827-5645 Fax: 970-827-5545 Email: planner1@minturn.org

Project Name:

Minturn North – Jacobs Residence

Project Location

Street Address: 236 Miles End Lane

Zoning: **Residential**

Parcel Number(s): **2103-262-30-002**

Application Request:

Design review of new single-family home

Applicant:

Name: Taylor Hermes & Rick Hermes – Minturn North Construction Company, LLC

Mailing Address: PO Box 2633 Edwards, CO 81632

Phone: **970-926-1720**

Email: **THermes@ResortConceptsCO.com**

Property Owner:

Name: **Jeremy A. Jacobs Trust**

Mailing Address: 31700 Fairmount Blvd. Pepper Pike, OH 44124

Phone:

Email: **amandajacobs77@gmail.com / jjacobs@harvardsteelsales.com**

Required Information:

Lot Size: 0.189 acres	Type of Residence (Single Family, ADU, Duplex) SFH	# of Bedrooms 4	# On-site Parking Spaces 4
# of Stories: 2	Snow storage sq ft: 475sf	Building Footprint sq ft: 3,104sf	Total sq ft Impervious Surface: 3,574sf

Signature:

9/22/25

Fee Paid: _____ Date Received: _____ Planner: _____

DESIGN REVIEW APPLICATION

SUBMITTAL CHECKLIST REQUIREMENTS (TO BE INCLUDED WITH APPLICATION)

Applicant Staff

☒☐

Application Fee (Non-Refundable application fee shall be collected)

- Design Review Board - \$200.00

☒☐

Letter of Intent

-- What is the purpose of the project including;

☒☐

- Relevant Background

☒☐

- Current Status of the Site

☒☐

- All Proposed Uses and Structures

☒☐

- How the Proposal Differs from what already exists

☒☐

- Information regarding Easements or Dedicated Tracts, etc.

☒☐

Vicinity Map

-- Directional Map indicating how to get to the Property involved in the request.

☒☐

- Zoning of Property

☒☐

Site Plan showing Precise Nature of the Proposed Use –

☒☐

To Scale

☒☐

- Scaled Drawings of Proposed Design of Structure
 - Plan View and Sections

☒☐

- Building Heights – all 4 directions N/S/E/W

☒☐

- topography

☒☐

- Building Location and impervious coverage

☒☐

- Setbacks

☒☐

- Ordinary High Water Mark determined by the Town Engineer and paid for by Applicant

☒☐

- Parking Plan

☒☐

- Traffic Circulation

☒☐

- Location and Width of Existing and Proposed Access Points
- Location of Existing Driveways and Intersections

☒☐

- Landscaped Area – Plan including existing and proposed vegetation.

☒☐

- Approximate Location of Existing Wooded Areas and Rock Outcrops

☒☐

- Location and Type of Existing and Proposed Easements

☒☐

- Utility Easements

☒☐

- Drainage Features

☒☐

- Snow Storage areas expressed in square feet as a percentage of the overall site area

Preliminary Building Plans and Elevations

☒☐

- Indicates Dimensions

☒☐

- General Appearance

☒☐

- Scale

☒☐

- Interior Plan for the Buildings

☒	☐	Elements needed on the Site Plan
☒	☐	• Scale
☒	☐	• North Arrow
☒	☐	• Date Prepared
☒	☐	• Lot Dimensions, Area, Entire Site Acreage
☒	☐	Architecture Details – Materials Board
☒	☐	• Windows – Placement and Color
☒	☐	• Doors – Placement and Color
☒	☐	• Siding – Type and Color
☒	☐	• Roof Material – Type and Color
☒	☐	• Paint Color
☒	☐	Boundary Survey with a stamp and signature of a licensed surveyor
☒	☐	• Date of survey (survey date must be within 6 months of the project application date)
☒	☐	• Right-of-way and property lines; including bearings, distances and curve information.
☒	☐	• Labeled ties to existing USGS benchmark.
☒	☐	• Property boundaries to the nearest one-hundredth (.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
☒	☐	• All existing easements recorded with the County Clerk and Recorder. Include bearings and distances.
☒	☐	• Spot elevations at the edge of asphalt along the street frontage of the property at five-foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
☒	☐	• Topographic conditions at two-foot contour intervals.
☒	☐	• Existing trees or groups of trees having trunks with diameters of four (4) inches or more.
☒	☐	• Rock outcroppings and other significant natural features.
☒	☐	• All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
☒	☐	• Environmental hazards where applicable (i.e., rock fall, wetlands and floodplain).
☒	☐	• Watercourse setbacks, if applicable. Show centerline and edge of stream or creek in addition to the required stream setback from the ordinary high water mark.
☒	☐	Grading and Drainage Plan
☒	☐	• Existing contours. Existing two-foot contours must be provided for all disturbed areas. Contours for undisturbed areas must be shown when drainage in those areas impacts the disturbed area.
☒	☐	• Proposed contours. Proposed two-foot contours for all disturbed areas must be shown and must demonstrate positive drainage.
☒	☐	• Spot elevations. Show critical spot elevations, as necessary to demonstrate positive drainage and the direction of flow. Finished grade at all building corners must be provided.
☒	☐	• Top-of-foundation elevations. The top-of-foundation elevation must be shown on the plan and must be consistent with the foundation plan. For buildings on slopes of thirty percent (30%) or greater, elevations for stepped foundation walls must be shown.
☒	☐	• Drainage arrows. Include drainage arrows that show how stormwater will be routed around buildings and where stormwater will exit the property. Stormwater cannot cause damage to any adjacent property. Drainage and erosion control features needed to prevent damage must be included.
☒	☐	• Drainage facilities. Proposed drainage facilities, such as French drains or culverts, must be shown.
☒	☐	• Retaining walls. Retaining wall details are required and must include drainage details. Note top- and bottom-of-wall elevations at each location where the retaining wall steps up or down, and include the tallest point of the retaining wall.

September 22, 2025
Town of Minturn Planning Commission
Attn: Madison Harris

RE: Jacobs Residence
Lot 2 Minturn North – 0236 Miles End Lane, Minturn, CO 81645
Design Review Letter of Intent

Madison:

The attached submittal includes a single-family residence within the Minturn North neighborhood. The home is subject to the Minturn North PUD Guide, Town of Minturn Code and all pertinent documents approved by the Town Council.

Lot 2 is located at 0236 Miles End Lane on a cross-sloping vacant lot which drops in elevation approximately 9' through the building envelope from East to West. The home has been oriented facing northeast, parallel to the building envelope lines to maximize the site's primary view facing Game Creek. The home has been designed as a walkup residence due to the gently up-sloping topography. The architectural style is a mix of gable forms and low pitch shed roofs to create a composition of forms rather than a single massive structure. Overall, the structure has been nestled into the topography to balance the architecture with the topography.

The home exterior is a mix of stone and wood with appropriate architectural detailing which enhances the mountain vernacular. The landscaping is intentionally minimal in-keeping with the intent of the approved Minturn North PUD.

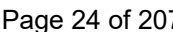
Should you have any questions or need clarifications, please don't hesitate to contact me.

Sincerely,



Taylor Hermes
512.468.3012

SEPTEMBER 15, 2025

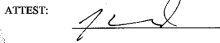


MINTURN TOWN CERTIFICATE

This plat is approved by the town council of the Town of Minturn, County of Eagle, State of Colorado this 1 day of March, 2024, for filing with the Clerk and Recorder of the County of Eagle, Colorado, and for conveyance of the dedications shown hereon; subject to the provisions that approval in no way obligates the Town of Minturn for financing or construction of improvements of said lands, streets or easements dedicated to the public, except as specifically agreed to by the Town Council of the Town of Minturn.

WITNESS MY HAND AND THE SEAL OF THE TOWN OF MINTURN
TOWN COUNCIL OF THE TOWN OF MINTURN

BY:  MAYOR
TOWN OF MINTURN, COLORADO

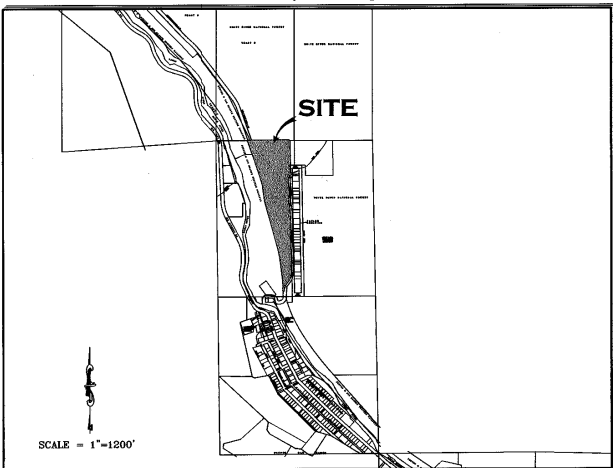
ATTEST:  TOWN CLERK
TOWN OF MINTURN, COLORADO

LAND USE TABLE

LOT	USE	AREA	ADDRESS
1	SINGLE FAMILY	0.196 Acres	0246 Miles End Lane
2	SINGLE FAMILY	0.189 Acres	0236 Miles End Lane
3	SINGLE FAMILY	0.193 Acres	0226 Miles End Lane
4	SINGLE FAMILY	0.181 Acres	0216 Miles End Lane
5	SINGLE FAMILY	0.191 Acres	0206 Miles End Lane
6	SINGLE FAMILY	0.166 Acres	0196 Miles End Lane
7	SINGLE FAMILY	0.158 Acres	0186 Miles End Lane
8	SINGLE FAMILY	0.166 Acres	0176 Miles End Lane
9	SINGLE FAMILY	0.164 Acres	0166 Miles End Lane
10	SINGLE FAMILY	0.164 Acres	0156 Miles End Lane
11	SINGLE FAMILY	0.164 Acres	0146 Miles End Lane
12	SINGLE FAMILY	0.172 Acres	0136 Miles End Lane
13	SINGLE FAMILY	0.157 Acres	0126 Miles End Lane
14	SINGLE FAMILY	0.176 Acres	0112 Miles End Lane
15	SINGLE FAMILY	0.209 Acres	0096 Miles End Lane
16	SINGLE FAMILY	0.263 Acres	0070 Miles End Lane
17	SINGLE FAMILY	0.189 Acres	0243 Miles End Lane
18	SINGLE FAMILY	0.200 Acres	0221 Miles End Lane
19	SINGLE FAMILY	0.165 Acres	0201 Miles End Lane
20	SINGLE FAMILY	0.164 Acres	0185 Miles End Lane
21	SINGLE FAMILY	0.164 Acres	0171 Miles End Lane
22	SINGLE FAMILY	0.166 Acres	0155 Miles End Lane
23	SINGLE FAMILY	0.174 Acres	0141 Miles End Lane
24	SINGLE FAMILY	0.185 Acres	0125 Miles End Lane
25	SINGLE FAMILY	0.166 Acres	0111 Miles End Lane
26	SINGLE FAMILY	0.202 Acres	0095 Miles End Lane
27	SINGLE FAMILY	0.199 Acres	0083 Miles End Lane
28	SINGLE FAMILY	0.160 Acres	0071 Miles End Lane
29	SINGLE FAMILY	0.159 Acres	0057 Miles End Lane
30	SINGLE FAMILY	0.158 Acres	0043 Miles End Lane
31	SINGLE FAMILY	0.178 Acres	0031 Miles End Lane
32	SINGLE FAMILY	0.177 Acres	0017 Miles End Lane
33	SINGLE FAMILY	0.176 Acres	0003 Miles End Lane
34	SINGLE FAMILY	0.103 Acres	0036 Silver Star Trail
35	SINGLE FAMILY	0.103 Acres	0030 Silver Star Trail
36	SINGLE FAMILY	0.103 Acres	0024 Silver Star Trail
37	SINGLE FAMILY	0.103 Acres	0018 Silver Star Trail
38	SINGLE FAMILY	0.099 Acres	0008 Silver Star Trail
39	SINGLE FAMILY	0.129 Acres	0001 Silver Star Trail
Tract B	OPEN SPACE	2.958 Acres	
Tract C	Town Property	0.904 Acres	0052 Minturn Road (Not of PUD)
Tract D	Right of Way	0.966 Acres	Miles End Lane (North)
Tract D1	Right of Way	0.431 Acres	Miles End Lane (South)
Tract E	Open Space	1.220 Acres	
Tract F	Open Space	0.074 Acres	
Tract G	Right of Way	0.030 Acres	Silver Star Trail
Tract H	Right of Way	0.369 Acres	Fourth Street
TOTAL		13.485 ACRES	

ADDRESSES ARE FOR INFORMATIONAL PURPOSES ONLY

FINAL PLAT MINTURN NORTH P.U.D. Town of Minturn, County of Eagle, State of Colorado



GENERAL NOTES AND NOTES FOR CREATED EASEMENTS:

- The purpose of this Final Plat is to create various lots with building envelopes, open space areas and tracts, along with easements and Right of Ways, for the purposes described herein, all pursuant to Town of Minturn Land Use Regulations and Colorado Revised Statutes concerning the subdivision of land.
- Basis of Bearing: N27°04'04" W between monuments marking the C-W 16th Corner and the Northwest Corner Section 26, Township 5 South, Range 81 West, of the 6th P.M., shown and described herein. This bearing is based on the non-recorded stumped Land Survey Plat performed by Eagle Valley Survey and dated August 7, 2018.
- Survey Date: December, 2022 through July 2023.
- Legal description, easements and location of boundary lines are based on Old Republic National Title Insurance Company order number no. ABC30450645-9, dated August 03, 2023, Quitclaim Deed recorded December 02, 2014 as Reception No. 201400764 along with plat and survey monumentation referenced herein (to include the non-recorded stumped Land Survey Plat performed by Eagle Valley Survey and dated August 7, 2018). In regards to items referenced in schedule B II of this title commitment referenced above: Items 1-8, 10, 21, 24, 27 and 30 were not researched by surveyor or found to not contain certain restrictions or other survey or platting related issues.
- Item 9 - Pipe easement does not effect this platted parcel, falls in Northeast Quarter of the Northwest Quarter of Sec 26, T5S, R81W.
- Item 11&12- Ordinance and Dedication regarding Taylor Avenue. Depicted hereon by eastern Boundary, recorded in Book 248 at Page 178 and Book 248 at Page 452.
- Item 13 - 20 foot Sewer Easement, Does not effect this platted Parcel.
- Item 14 - Conveyance to State Department of Highways, Does not Effect these platted lands.
- Item 15 - Does not effect these Platted lands but references conveyance of portions of Taylor Addition to the Town of Minturn.
- Item 16 - effects subject parcel as it is an Annexation of property to Town of Minturn recorded in Book 333 at Page 349.
- Item 17 & 18- Do not effect subject Parcel.
- Item 19 - Conveyance described in Book 687 at Page 268 does not contain any easements not already defined herein.
- Item 20 - Does not effect these Platted lands. (k.a. subject parcel)
- Item 21 - Public Service Company of Colorado Easement, Reception No. 897924, falls off subject Parcel.
- Item 23 - Boundary Agreement recorded as Reception No. 200824177, called out as adjoiner herein.
- Item 25 & 26 - Parcel is subject to Mapping of Piping and Ditches in area of this subject parcel defined in document recorded as Reception No. 201703240, and 201703454 any rights or restrictions and exact location thereof not clear to surveyor from face of documents.
- Item 29 - Parcel is subject to 190440 foot wide easement for right of way from Denver Rio Grand Railroad to Eagle County, the location of which is not determinable from face of document. This Agreement has to be have been Terminated prior to the Recording of this Plat.
- These platted lands are subject to:
 - The Minturn North P.U.D. Guide recorded as Reception no. 202402232
 - The Declarations of Covenants, Conditions, Restrictions and Easements for Minturn North recorded as Reception No. 202402232
- The non-exclusive Heritage Utility Easement as shown herein on page five (5) - on, over, under, above, across and through those areas designated herein as "Heritage Utility Easement" as defined in document recorded in the Eagle County Clerk and Recorder's Office as Reception No. 202316489.

PERTAINING TO HEREON CREATED EASEMENTS:

- the owner, hereby reserves for themselves their successors and / or assigns the following non-exclusive easements created herein:
 - a) a non-exclusive utility and drainage easement as shown herein - on, over, under, above, across and through those areas designated herein as "Utility and Drainage Easement" AND those areas of each lot outside of Building Envelopes, for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electrical lines, fiber optic lines, other communication lines and all related structures, together with right of ingress and egress.
 - b) a non-exclusive Utility Easement as shown herein - on, over, under, above, across and through those areas designated herein as "Access, Utility and Drainage Easement", and "Private Right of Way" to include, but not limited to, areas shown as Fourth Street, Tract D, Tract D1 and Tract G, for the purpose of i) Ingress and Egress, reasonable Pedestrian use including ingress and egress of persons including vehicle, foot, bicycle or small wheel use ii) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, and iii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto.

GENERAL NOTES CONTINUED:

- Continued...
 - Tract D, Tract D1, and Tract G, shall be open to Public vehicular and non-vehicular access.
 - Any Easement that permits public recreation on Private Property shall benefit from the provision of C.R.S. 33-41-101 et seq.
- FOLLOWING CREATED EASEMENTS DEDICATED TO TOWN OF MINTURN:
- the owner, hereby dedicates to the Town of Minturn the following non-exclusive easements:
 - a) non-exclusive Utility, Drainage, Parking, Snow Storage and Landscape Easement on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Parking, Snow Storage & Landscape Easement" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto, iii) reasonable local snow storage, iv) Landscaping use, and maintenance along with v) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - b) non-exclusive Utility, Drainage, Snow Storage, Landscape and Trail Easement on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Snow Storage, Landscape and Trail Easement" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto, iii) reasonable local snow storage, iii) Landscaping use, and maintenance along with v) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - c) non-exclusive Utility, Drainage, Snow Storage and Landscape Easement on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Snow Storage & Landscape Easement" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto, iii) reasonable local snow storage, iii) Landscaping use, and maintenance along with v) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - d) non-exclusive Trail Easement on, over, under, above, across and through those areas designated herein as "Trail Easement" for the purpose of i) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - e) a non-exclusive trail easement on, over, across, and through those strips of land depicted and designated herein as "Trail Easement" on sheet 5 of 5 for Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with path construction, or use. Maintenance of any path improvements within the "Trail Easement" shall be at the sole cost and expense of the Minturn North P.O.A..
 - f) a non-exclusive utility and drainage easement as shown herein - on, over, under, above, across and through those areas designated herein as "Public Utility and Drainage Easement", as shown in Tract C, on sheet 2 of 5, for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electrical lines, fiber optic lines, other communication lines and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto.

SURVEYOR'S CERTIFICATE

I, Matthew S. Slagle, do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado. That this Subdivision Plat is a true, correct and complete plat of MINTURN NORTH P.U.D., as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and/or under my supervision and accurately shows the location and dimensions of the lots, easements and rights-of-way of said plat as the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyor's knowledge, information and belief, that it has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.



Matthew S. Slagle PLS #34998
Professional Land Surveyor
State of Colorado

Revised 02-07-24 Edited C.O.D. MSS
Revised 12-02-23 Edited Note 6a MSS
Revised 11-14-23 minor text MSS
Revised 11-07-23 Certain Dimensions MSS
Revised 11-06-23 Tract C Easements MSS
Revised 11-03-23 Town Comments MSS
Revised 10-11-23 Town Comments MSS
Revised 10-06-23 Town Comments MSS
Revised 09-26-23 Added Note regarding Tract C MSS

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that Minturn Crossing LLC (being sole owner in fee simple, mortgagee or lienholder, of all that real property situated in the Town of Minturn, County of Eagle, State of Colorado described as follows:
Parcel 1, UPRR Subdivision according to the Final Plat thereof recorded on 13th, day of December, 2023 as Reception No. 202316483 in the Office of the Eagle County Clerk and Recorder, Eagle County, Colorado. Containing 13.485 acres more or less; and has caused the same to be laid out, platted and subdivided, and designated as MINTURN NORTH P.U.D. subdivision in the Town of Minturn, County of Eagle, State of Colorado, and does hereby accept responsibility for the completion of the improvements required by this plat, and does hereby accept responsibility for the completion of the improvements required by this plat and does hereby dedicate and set aside the following tracts, parcels and easements as follows:
-To the Town of Minturn Tract H (Fourth Street) and the easements described and depicted hereon in General Note 7, together with associated public improvements.
-To Utility Providers such utility easements as depicted herein in which utility infrastructure is located.

OWNER: MINTURN CROSSING LLC
ADDRESS: 225 Main Street, Suite C-101
Edwards, Colorado 81632

BY: RICK HERMES
TITLE: MANAGER

STATE OF COLORADO)
COUNTY OF EAGLE)

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS 4 DAY OF MARCH, A.D. 2024 BY RICK HERMES AS MANAGER OF MINTURN CROSSING LLC.

MY COMMISSION EXPIRES 6 AUG 27

WITNESS MY HAND AND OFFICIAL SEAL

CHRISTINE THURSTON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154031002
My Commission Expires 08/06/27

SUBORDINATION BY MORTGAGEE

Philip Hadley, being the holder of a promissory note secured by deed of trust recorded the 13th day of December 2023, at Reception No. 202316490, in the Office of the Clerk and Recorder of Eagle County, Colorado, hereby consents to the Subdivision of the lands set forth in this Final Plat of Minturn North P.U.D., and subordinates the lien represented by the aforesaid deed of Trust to the Dedication and restrictions as shown on this final plat and relative covenants, conditions and restrictions.

MORTGAGEE

BY:  as Individual

STATE OF Colorado)
COUNTY OF Eagle)

The foregoing Subordination by Mortgagee was acknowledged before me this 26 day of February, 2024, By Philip Hadley as Individual

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: Aug 01, 2025

JESSICA L. BISHARD
NOTARY PUBLIC
STATE OF COLORADO
Notary ID K0210404006
My Commission Expires 01/01/2025

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of January 1, 2023, upon all parcels of real estate described on this Plat are paid in full

DATED THIS 1st OF March, A.D. 2024
ROSE DI
TREASURER OF EAGLE COUNTY

TITLE CERTIFICATE
I, Matthew S. Slagle, do hereby certify that I have examined the title to all lands shown upon this plat and that title to such is vested in MINTURN CROSSING LLC free and clear of all liens, taxes, and encumbrances, except DEED OF TRUST RECORDED 12/13/23, 202316490

DATED THIS 26th DAY OF February, A.D. 2024

AGENT:

CLERK AND RECORDER'S CERTIFICATE # 539

This Plat was filed for record in the Office of the Clerk and Recorder at 1:59 o'clock P.M., on this 26th day of March, A.D. 2024

BY:  CLERK AND RECORDER

DEPUTY



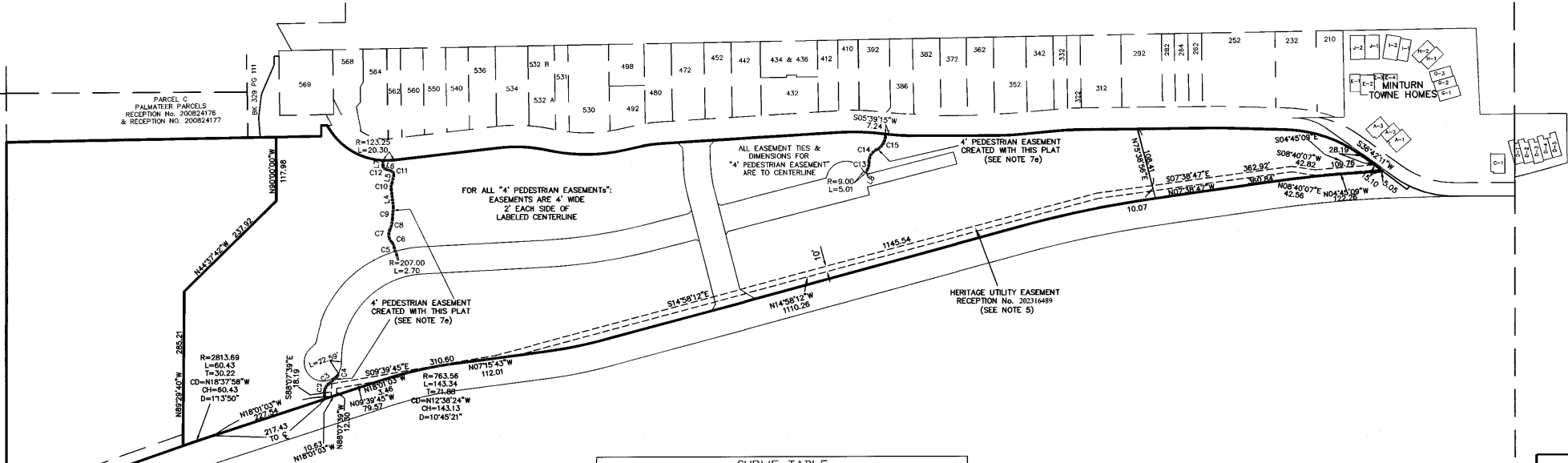
SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

DRAWN BY: MSS JOB NUMBER: 22055 DRAWING NAME: 22055 FP2.dwg
SHEET: 1 OF 5 DATE: 08-13-2023

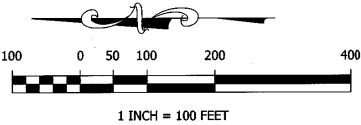
FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado
SHEET 5 OF 5

ADDITIONAL EASEMENT DETAIL SHEET



LINE TABLE		
LINE	LENGTH	BEARING
L4	32.13	N63°15'49"E
L5	14.91	S77°04'30"E
L6	11.48	N18°26'21"E
L7	9.83	S89°36'46"E
L8	7.28	N62°43'18"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	Tangent	Chord	Chd Bng	Delta
C2	29.35	22.25	17.26	27.27	S79°27'12"E	75°35'30"
C3	18.66	276.62	9.33	18.65	S39°43'32"E	3°51'51"
C4	9.01	8.52	4.97	8.59	S66°04'17"E	60°33'21"
C5	7.90	333.24	3.95	7.90	S79°46'25"W	12°13'31"
C6	11.08	18.95	5.70	10.93	N63°41'55"E	33°30'33"
C7	24.01	20.01	13.69	22.60	S81°19'10"W	68°45'04"
C8	20.65	49.15	10.48	20.50	S76°20'24"E	24°04'13"
C9	22.78	236.37	11.40	22.77	S85°36'54"E	5°31'15"
C10	12.77	20.27	6.60	12.56	S83°06'39"E	36°05'40"
C11	9.29	7.31	5.39	8.68	N57°19'55"E	72°46'53"
C12	8.09	6.45	4.68	7.57	N54°28'07"E	71°50'14"
C13	15.45	30.72	7.89	15.28	S77°07'28"E	28°48'21"
C14	27.14	23.79	15.26	25.69	S58°50'20"E	65°22'36"
C15	35.79	30.20	20.33	33.73	S60°06'18"E	67°54'31"

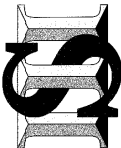


Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office mathew@slaglesurvey.com
www.SlagleSurvey.com

FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

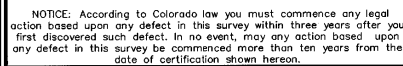
DRAWN BY: MGS
DATE: 08-13-2023
SHEET: 5 OF 5



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect, in no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

202402234

OVERALL SITE & TRACT C DETAIL

A circular seal for a Colorado Registered Professional Law Director. The outer ring contains the text "COLORADO REGISTERED" at the top and "PROFESSIONAL LAW DIRECTOR" at the bottom. The inner circle contains the name "JAMES W. WILSON" at the top, the number "34998" in the center, and the date "02-26-24" at the bottom. There is a signature across the center of the seal.

Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

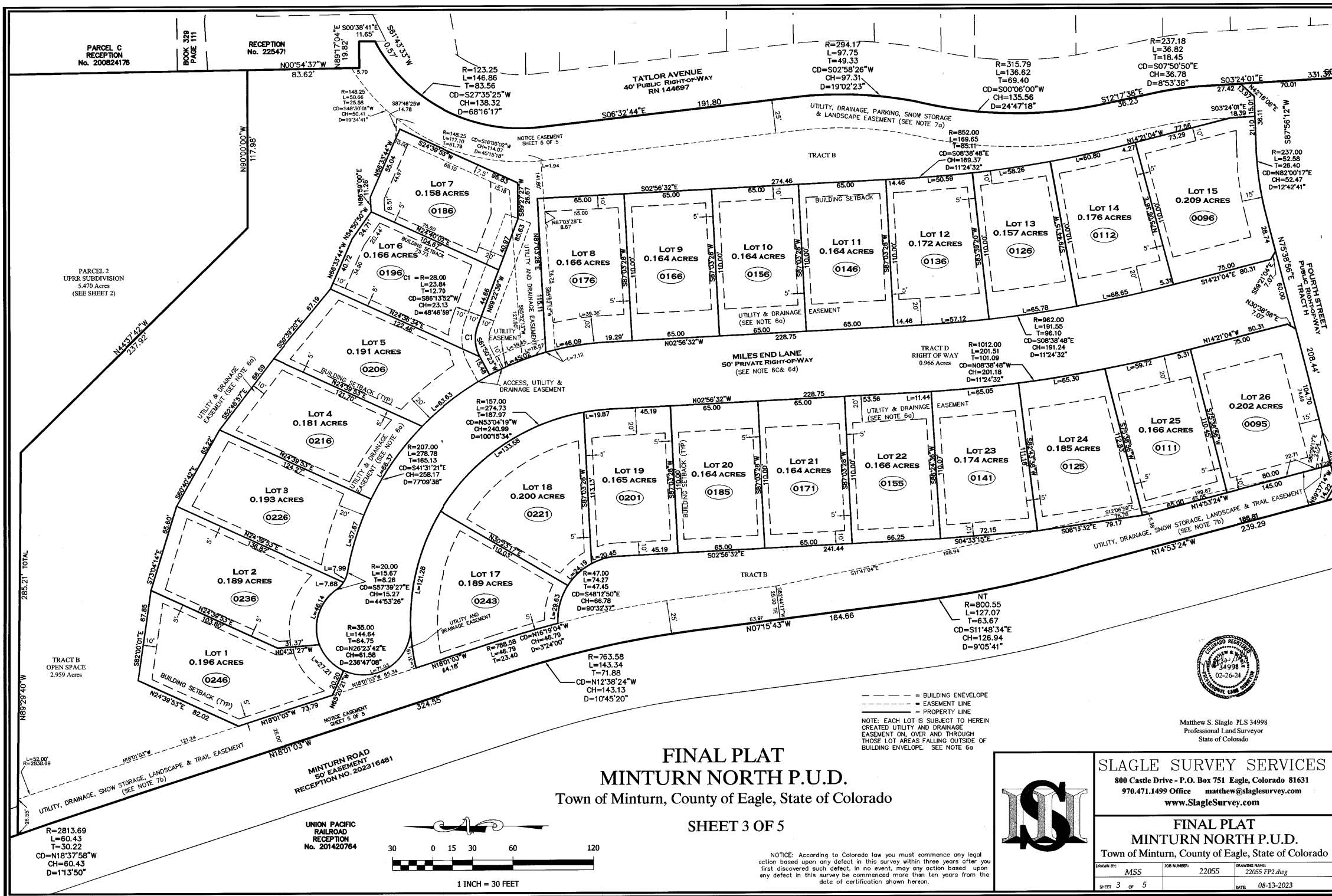
FOUND SURVEY MONUMENT
W 1/4 SEC 26
2.5" DIAMETER USGLO
BRASS CAP
STAMPED 1942

SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

**FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado**

DRAWN BY: MSS	JOB NUMBER: 22055	DRAWING NAME: 22055 FP2.dwg
SHEET 2 OF 5		DATE: 08-13-2023

Page 27 of 207



FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

SHEET 3 OF 5

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.



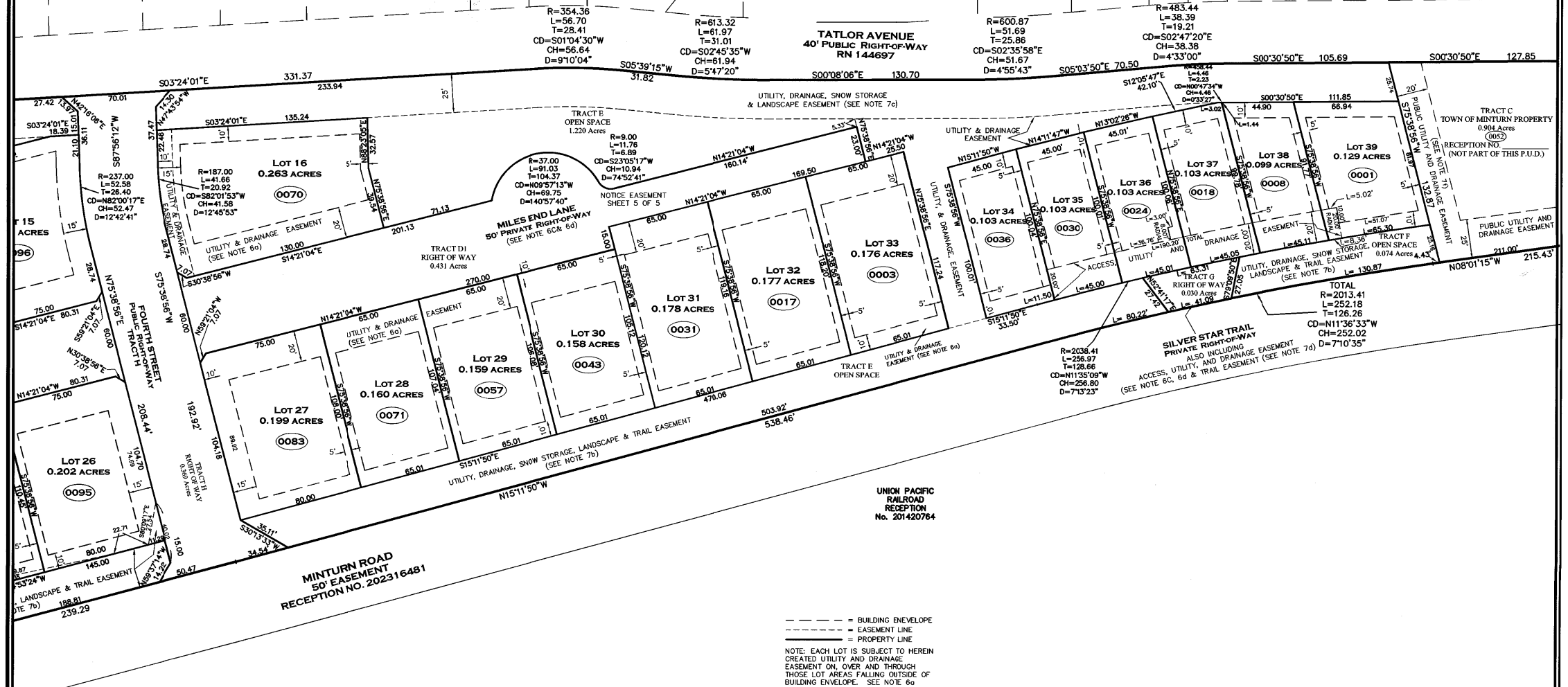
SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

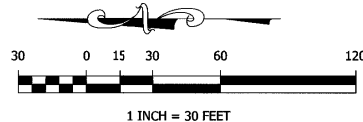
DRAWN BY:	MSS	JOB NUMBER:	22055	DRAWING NAME:	22055 FP2.dwg
SHEET:	3	OF:	5	DATE:	08-13-2023

202402234

FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado
SHEET 4 OF 5



Matthew S. Slagle P.L.S. 34998
Professional Land Surveyor
State of Colorado



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.



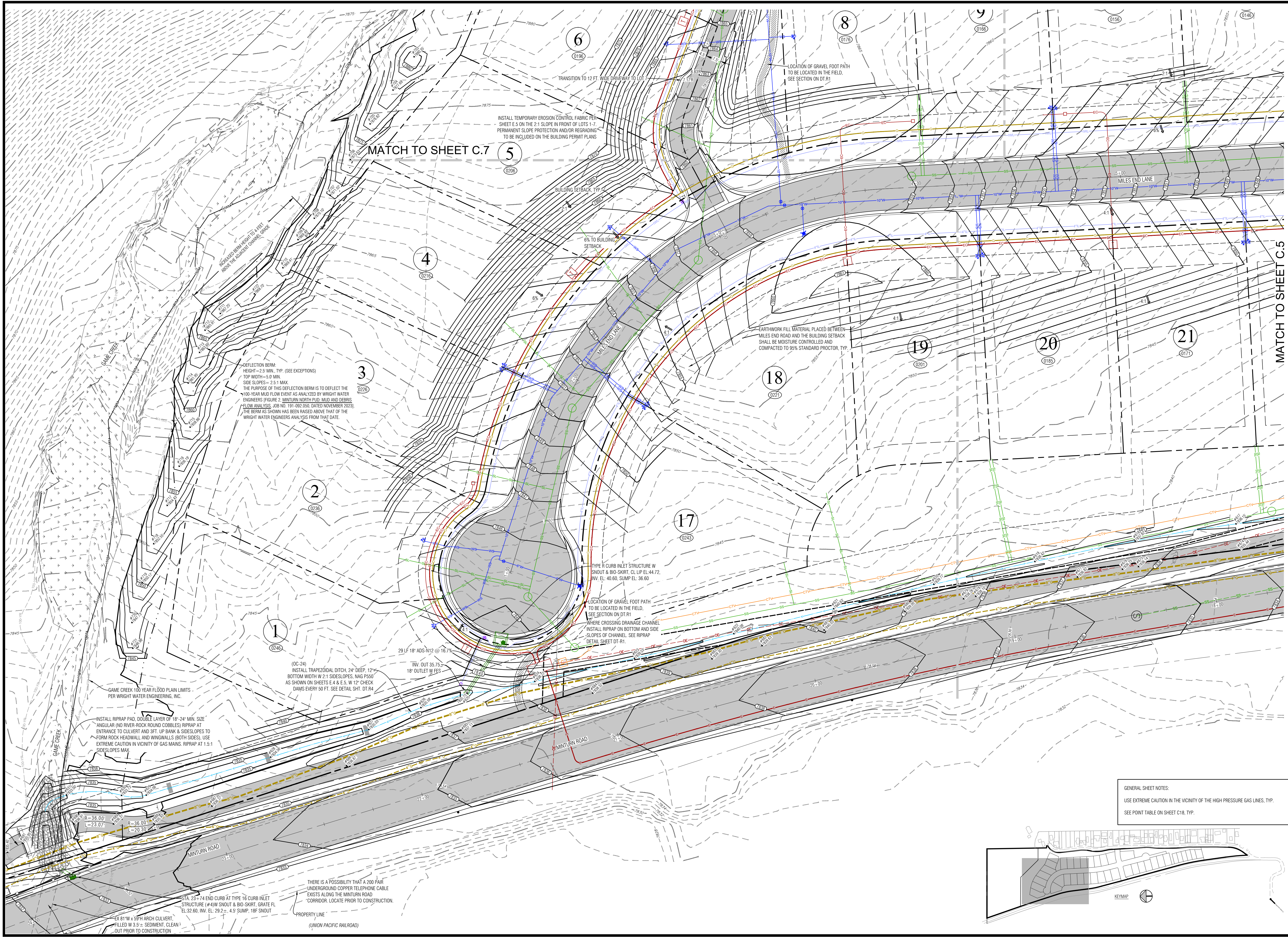
SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
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FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

DRAWN BY: MISS	JOB NUMBER: 22055	DRAWING NAME: 22055 FP2.dwg
SHEET 4 OF 5	DATE: 08-13-2023	

202402234

N:\PROJECTS\2022\22006-Minturn North.dwg 9/15/2025 11:46 AM



Boundaries Unlimited Inc.
Civil Engineering
Surveying
& Beyond

923 Cooper Ave., Ste. 201
Glenwood Springs, CO 81601
(770) 945.5252
www.bu-inc.com

Subsurface Utility Engineering (SUE)
Required Project: **TBD**
If "Yes", SUE Certification by:
Firm: **TBD**
Job #: **TBD**
Date: **TBD**

Engineer or Surveyor Seal

COLORADO LICENSED
SINCE 1982
PROFESSIONAL ENGINEER

Client Information:
MINTURN NORTH LAND COMPANY LLC
PO BOX 2633
EDWARDS, CO 81632
970 926-1720

811
Know what's below.
Call before you dig.

Minturn North P.U.D.
Overall Grading and Drainage Plan
Construction Plan Revision 7/1/24

TOWN OF MINTURN, COLORADO

No.	Date	Revision	By
1			
2			
3			
4			
5			
6			
7			
8			
9			

PROJECT NO.
22006
Designer:
PAH
Checker:
BUJ
Date:
12/26/22

Sheet
C.6

File Name: 22006 c-grading.dwg



LEGEND

- NOTES:**

- FLAGNOTES:

-
- A keymap showing the location of the proposed development within the surrounding area. The map includes a north arrow and a scale bar.



- N.T.S.

- N.T.S.

- N.T.S.

- N.T.S.



- NTS

CONTRACTOR TO VERIFY WITH PROJECT
GEOTECHNICAL CONSULTANT.



NOTE
SEE THE GRADING, DRAINAGE AND EROSION
CONTROL SHEET FOR SWALE LOCATIONS

- N.T.S.

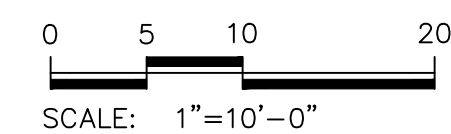
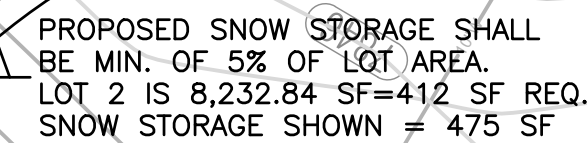
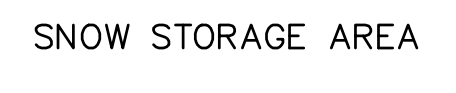
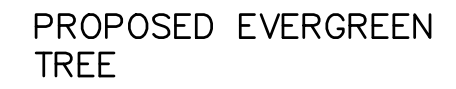


1. IMPLEMENTATION OF THE EROSION AND SEDIMENT CONTROL MEASURES SHALL PRECEDE STRIPPING OF NATIVE VEGETATIVE COVER AND AS GRADING PROGRESSES.
2. ALL TEMPORARY AND PERMANENT SOIL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE MAINTAINED AND REPAIRED AS NEEDED TO ASSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION. STRAW BALE DIKES OR SILT FENCING MAY REQUIRE PERIODIC REPLACEMENT. SEDIMENT TRAPS WILL REQUIRE PERIODIC SEDIMENT REMOVAL.
3. INSTALL PERMANENT EROSION FABRIC IN THE FLOW LINES OF DRAINAGE SWALES.



 IRRIGATED SOD, REFER TO L2 FOR DETAILS

 NATIVE SEED MIX WITH TEMPORARY IRRIGATION, REFER TO L2 FOR DETAILS



MINTURN NORTH P.U.D.
 LOT 2-LANDSCAPE PLAN
 TOWN OF MINTURN, COLORADO

DESIGNED: TT
DRAWN: TT
CHECKED: RH
DATE: September 15, 2025
REVISIONS:

DRB SUBMITTAL

SHEET TITLE:
PROPOSED
LANDSCAPE PLAN
SCALE: 1"=10'-0"
SHEET NUMBER:

L1

General Notes and Specifications:

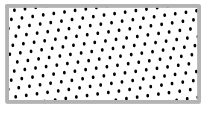
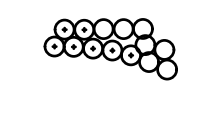
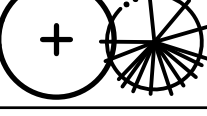
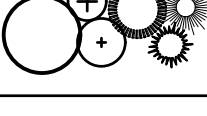
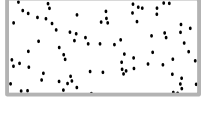
1. All areas disturbed by construction and not designated a shrub bed or sod, shall be planted with the specified native grass seed.
2. The contractor shall maintain positive drainage away from all walls and walkways. Fine grading shall be approved prior to planting.
3. The Landscape Plan shall be reviewed on site prior to installation to ensure planting meets the intent of the design guidelines and Town of Minturn standards.
4. See Civil Engineering sheets for final grading and drainage.
5. Snow Storage area shall be a min. of 25% of all driveway and parking areas.

Revegetation Notes:

1. Seed shall be broadcast and raked to ¼" depth.
2. Apply Biodegradable Green Dyed-Wood Celluose-Fiber Mulch to all seeded Areas at a rate of 20 lbs. per 1,000 s.f.
3. Prior to seeding, apply min. 6" topsoil, 10 lbs./1,000 s.f. Superphosphate and 40 lbs./1,000 s.f. Biosol Complete Fertilizer.

Fire Mitigation Recommendations:

1. Zone 1 (15' from building and integral planting): no highly flammable plants, such as evergreen trees and shrubs should be planted within 15' of the structure or attachments.
2. Zone 2 (70' from building and Integral planting): a 10' crown separation must be maintained for all evergreen trees and shrubs over 4' height. A 4' crown separation must be maintained for evergreen shrubs under 4' height.
3. Plants listed on forest service publication 6.305 FireWise Plant Material can be used in any zone.
4. Existing junipers within Zone 1 and Zone 2 must be limbed ½ of their total height, but no more than 10' height.
5. Dead limbs shall be removed from all existing Serviceberry within Zone 1 or Zone 2.
6. If necessary, final existing vegetation to be limbed or removed for fire mitigation purposes will be subject to the constraints of the final unit site plans and reviewed on site with a representative from the Town of Minturn on a unit by unit basis prior to construction.

LEGEND & IRRIGATION CALCULATIONS:		
Permanent Irrigation		Square Footage of Irrigation
	Permanent Pop-Up Spray Irrigation For Bluegrass Sod	1,783 SF
	Permanent micro-spray or drip irrigation for perennial beds	25 PERENNIALS x 1 SF = 25 SF
	Permanent Drip Irrigation For B&B Trees	9 TREES x 4.5 SF = 41 SF
	Permanent Drip Irrigation For 5 gal. Shrubs & Grasses	32 SHRUBS x 3 SF = 96 SF
		TOTAL PERMANENT IRRIGATED AREA: 1,945 SF
	Temporary Spray Irrigation For Native Seed	1,204 SF

IRRIGATION NOTES:

1. DESIGN CRITERIA: DESIGN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO UNIFORMLY IRRIGATE ALL PLANTING AREAS. ZONE IRRIGATED SOD, NATIVE SEED GRASS, AND SHRUB PLANTING AREAS SEPARATELY. PROVIDE DRIP IRRIGATION FOR SHRUB BEDS. PROVIDE MICRO-SPRAY HEADS OR DRIP IRRIGATION, DEPENDING ON PLANT MATERIAL, IN PERENNIAL AND GROUNDCOVER BEDS. DESIGN ROTORS FOR TURF GRASS AREAS MORE THAN 40' WIDE, AND POP-UP SPRAY HEADS FOR AREAS LESS THAN 40' WIDE.
2. ALL TREES AND SHRUBS TO BE DRIP IRRIGATED.

ALL DISTURBED AREAS SHALL BE SEEDED WITH:
'DRY NATIVE MOUNTAIN' SEED MIX

THIS SEED MIX HAS BEEN CHOSEN FOR THE SPECIFIC PROJECT LOCATION AND ELEVATION. LANDSCAPE INSTALLER SHALL NOT DEVIATE FROM THIS REVEGETATION SEED MIX WITHOUT WRITTEN APPROVAL FROM THE RESORT CONCEPTS SITE MANAGER.

COMMON NAME	SEEDING RATE % MIX	BULK LBS PER ACRE
SANDBERG BLUE	10%	5.00
MOUNTAIN BROME	20%	10.00
SLENDER WHEATGRASS	15%	7.50
BLUEBUNCH WHEATGRASS	10%	5.00
ROCKY MOUNTAIN FESCUE	10%	5.00
THICKSPIKE WHEATGRASS	15%	7.50
BOTTLEBRUSH SQUIRRELTAIL	2.5%	1.25
STREAMBANK WHEATGRASS	15%	7.50
<u>PRAIRIE JUNEGRASS</u>	<u>2.5%</u>	<u>1.25</u>
TOTAL LBS./ACRE	100%	50

NOTES:

PERCENTAGES OF MIXES VARY YEAR-TO-YEAR DEPENDING ON HARVEST OF SEEDS. HYDROSEED OR HAND BROADCAST: 1 LB. PER 1,000 SQ. FT. OR 50 LBS. PER ACRE. RAKE IN ¼" DEEP AND IRRIGATE, IF POSSIBLE UNTIL ESTABLISHED. 'DRY NATIVE MOUNTAIN' SEED MIX IS AVAILABLE FROM PAWNEE BUTTES SEED INC., 605 25TH STREET, GREELEY, CO 80632. PHONE: 1-800-782-5947 WEBSITE: PAWNEEBUTTESSEED.COM

PROPOSED PLANT MATERIALS LIST

Note: All plant material has been chosen from the CSU Extension Office recommended plant lists. These lists have been cross referenced to find suitable plants for the elevation of Minturn (10,000 ft and above), and also to maximize use of plants native to the area, low-water use plants, and plants that enhance habitat and food sources for insects, butterflies, birds and other animals. The cross referenced lists are the following:

- CSU Extension, Fire Wise Plant Materials - 6.305
- CSU Extension, Trees and Shrubs for Mountain Areas - Fact Sheet No. 7.423
- CSU Extension, Low-Water Native Plants for Colorado Gardens, Mountains 7,500' and Above - CO Native Plant Society
- CSU Extension, Native Trees for Colorado Landscapes - Fact Sheet No. 7.421
- CSU Extension, Native Shrubs for Colorado Landscapes - Fact Sheet No. 7.422

QUAN.	COMMON/ BOTANICAL NAME	FIRE MITIGATION ZONE	SIZE	COMMENTS
6	Quaking Aspen Populus tremuloides	1 & 2	1.5" cal.	Specimen quality B&B, guyed
3	Quaking Aspen Populus tremuloides	1 & 2	2.5" cal.	Specimen quality B&B, guyed

ORNAMENTAL GRASSES (planted @ 18" O.C. spacing)

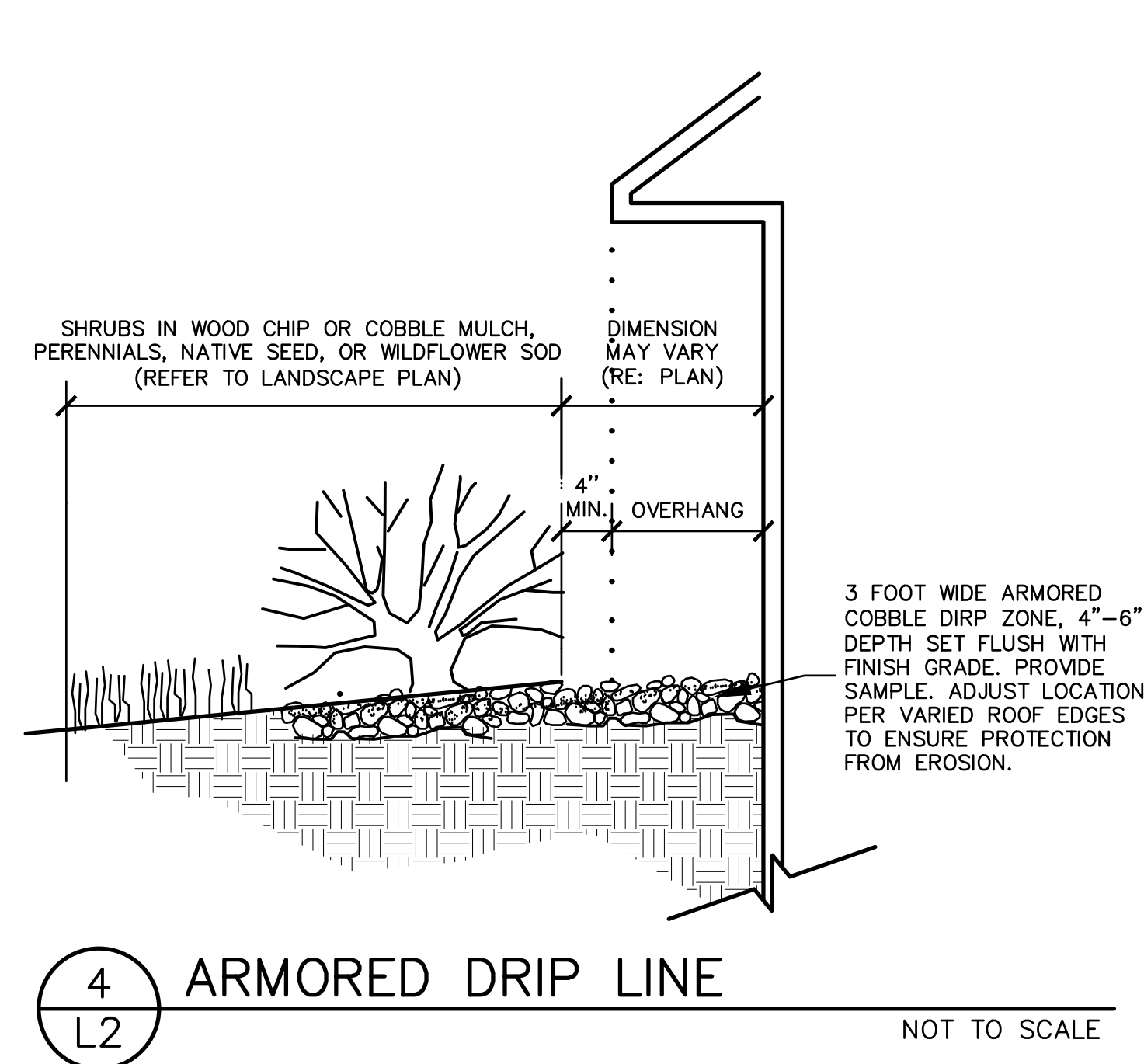
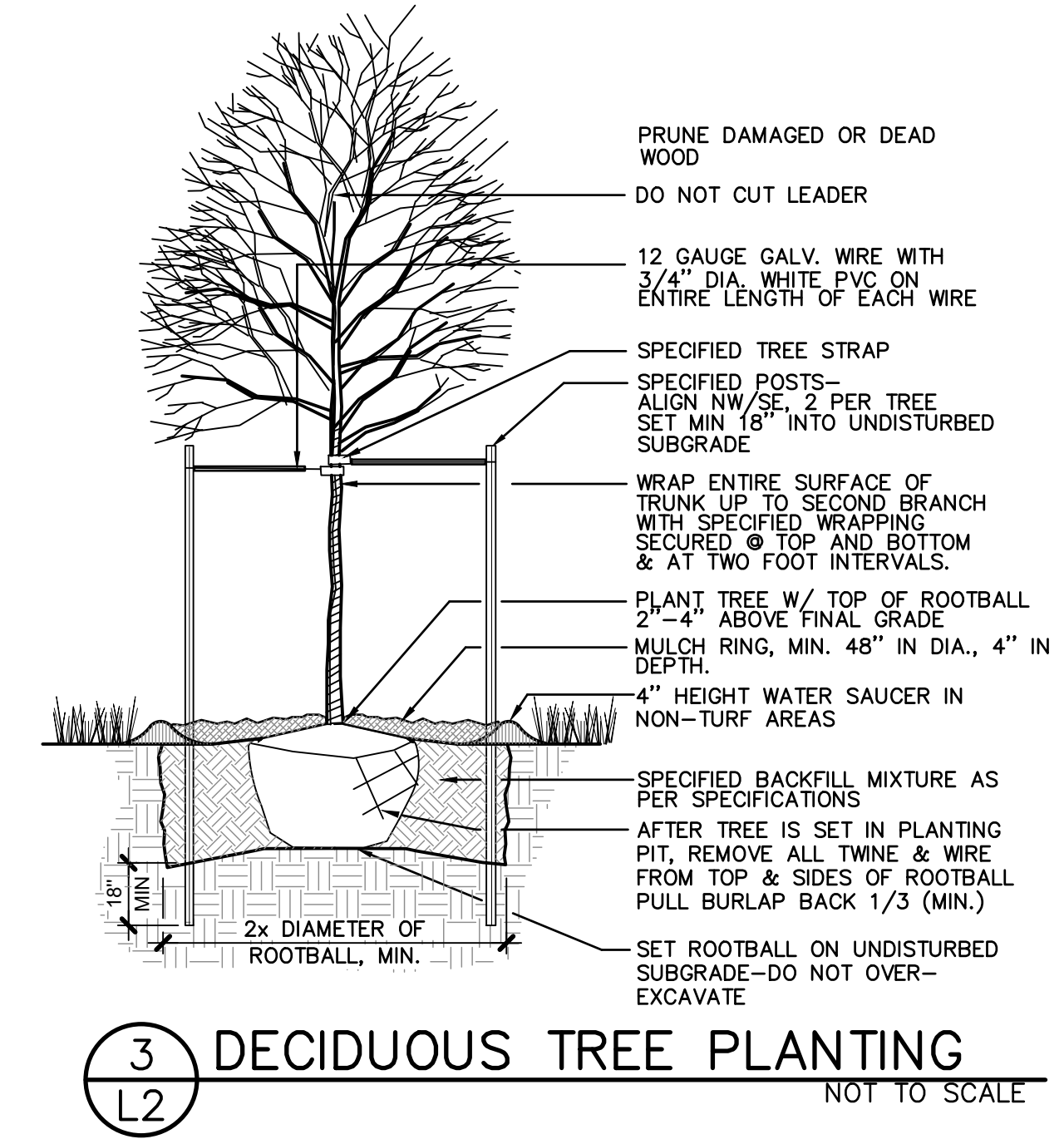
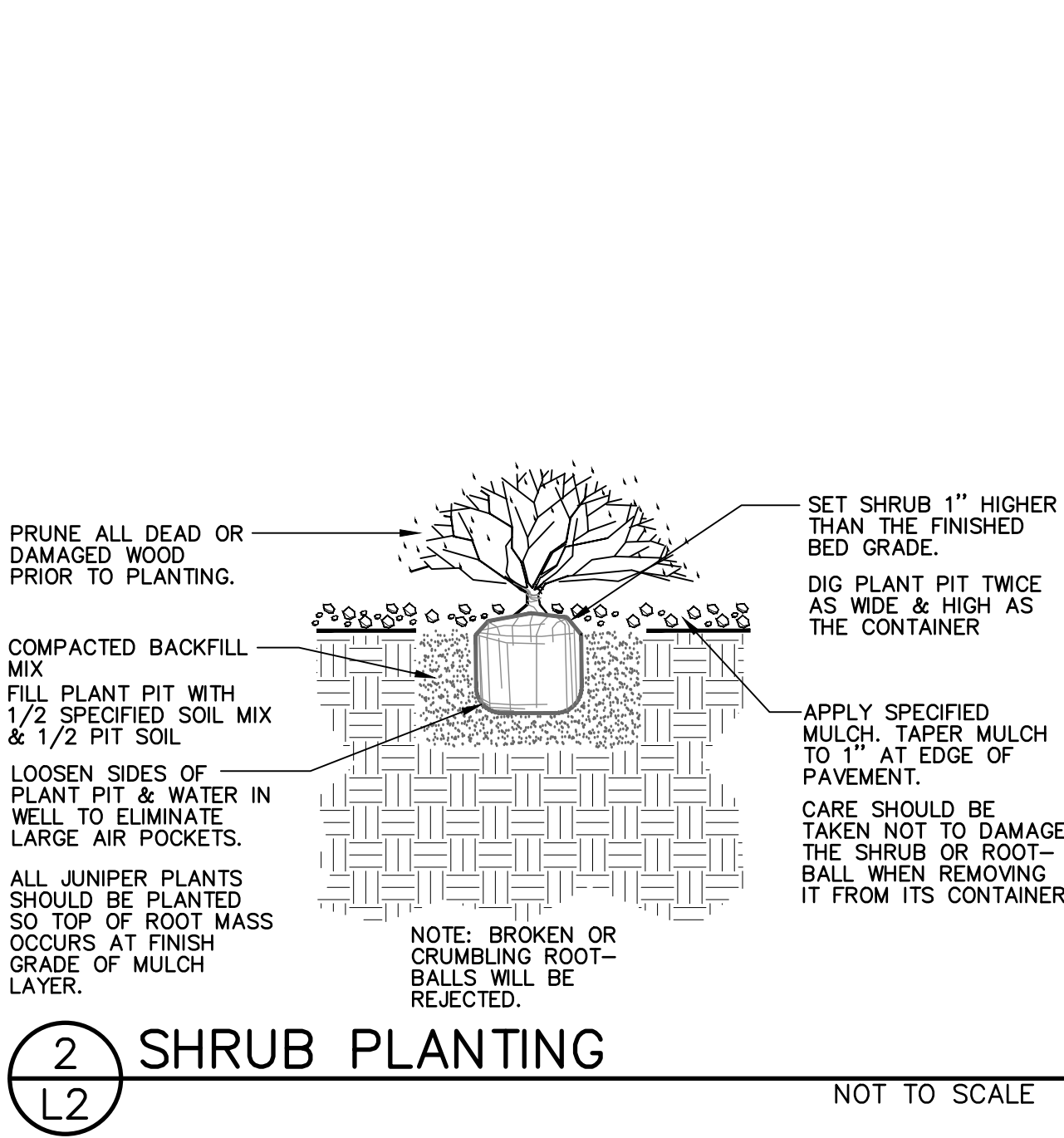
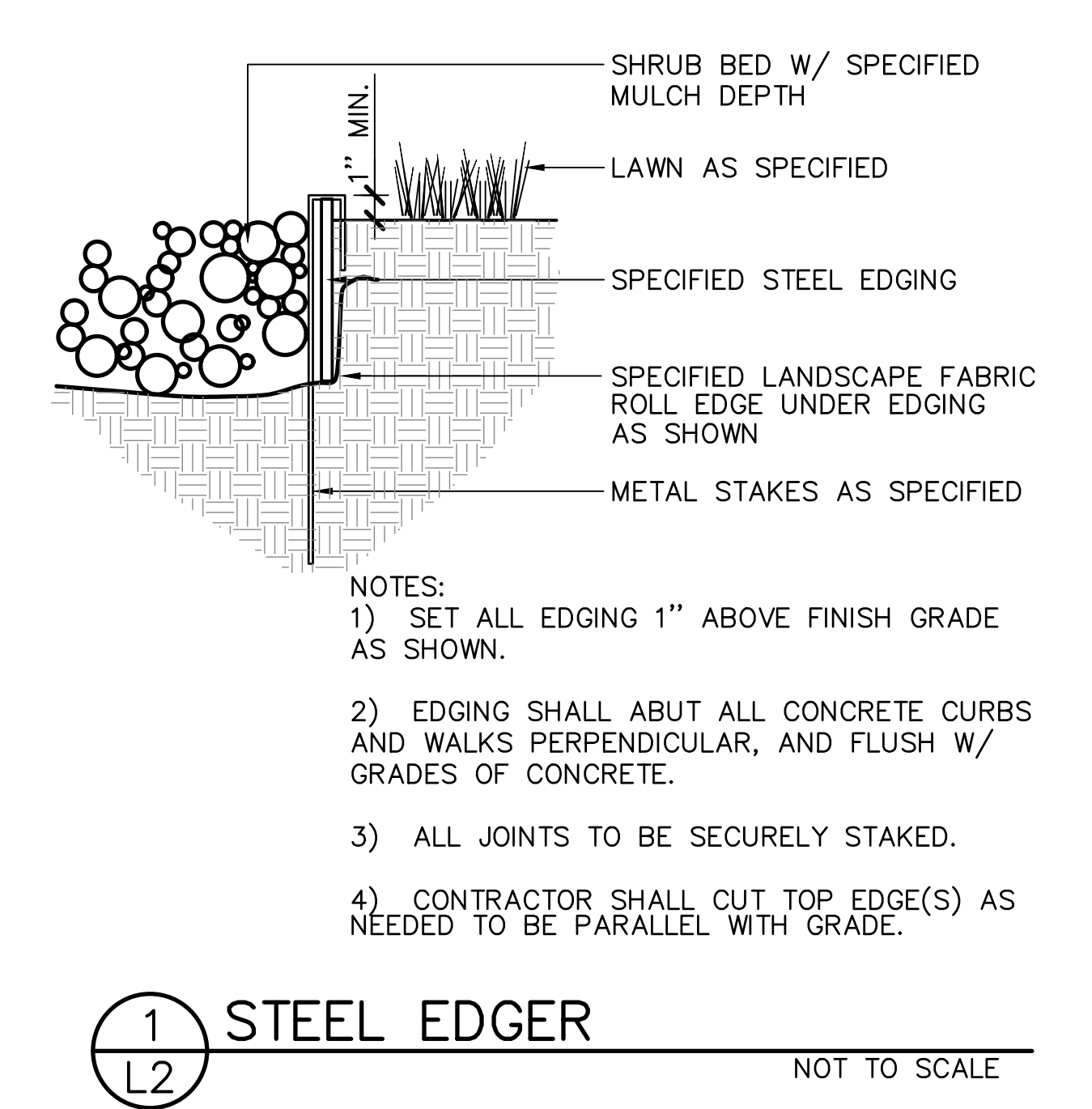
9	Blue Avena Grass Grass, Helictotrichon sempervirens	1 & 2	1 gal.	Container Full
---	--	-------	--------	----------------

PERENNIAL FLOWERS (planted @ 12" O.C. spacing)

12	Golden Banner Thermopsis divaricarpa	1 & 2	Flats of 15	
13	Silvery Lupine Lupinus argenteus	1 & 2	Flats of 15	

DECIDUOUS SHRUBS

3	Arnold's Red Honeysuckle Lonicera tatarica 'Arnold's Red'	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
3	Colorado Dogwood Cornus sericea coloradense	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
1	Common Purple Lilac Syringa vulgaris	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
4	Common White Lilac Syringa vulgaris 'Alba'	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
5	Golden Currant Ribes aureum	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
2	Mountain Spray Holodiscus dumosus	1 & 2	5 gal.	Container, 5 canes minimum 18"-24" ht.
5	Wood's Rose Rosa woodsii	1 & 2	5 gal.	Container, 5 canes minimum 12"-18" ht.

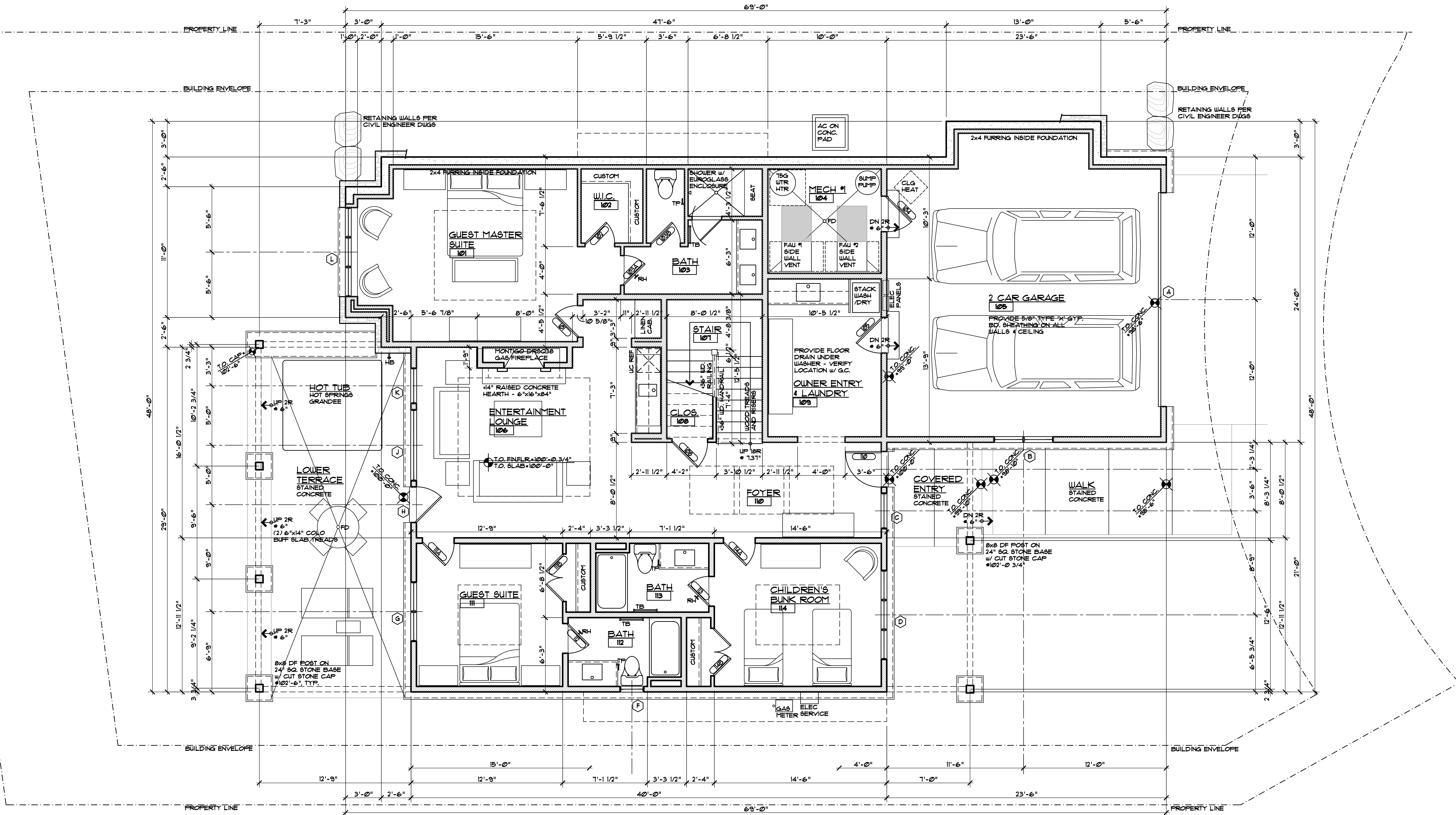


LANDSCAPE ARCHITECT:
TOMINA TOWNSEND, LA
PO BOX 3000, PMB 301
EDWARDS, CO 81632
P. 303.572.7876
TTownsend@ResortConceptsCO.com

MINTURN NORTH P.U.D.
LOT 2-LANDSCAPE PLAN
TOWN OF MINTURN, COLORADO

DESIGNED: TT
DRAWN: TT
CHECKED: RH
DATE: September 15, 2025
REVISIONS:

DRB SUBMITTAL
SHEET TITLE:
LANDSCAPE
NOTES & DETAILS
SCALE: NOT TO SCALE
SHEET NUMBER:
L2



ENTRY LEVEL PLAN

1/4" = 1'-0"
1,750 SF LIVING, 91 SF MECH, 583 SF GARAGE

- GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE OR CENTER OF POSTS, UNLESS NOTED OTHERWISE.
 2. TOP OF WALL HEIGHTS EQUAL TOP OF FLAT PLATE OR LOWER POINT ON BEVELED WALL PLATES.
 3. DO NOT SCALE DRAWINGS. NOTIFY ARCHITECT IMMEDIATELY UPON FINDING ANY DISCREPANCIES IN DOCUMENTS.
 4. ALL WORK SHALL COMPLY WITH STATE & LOCAL CODES AND ORDINANCES, BE BUILT TO INDUSTRY STANDARDS AND BE PERFORMED TO THE HIGHEST LEVEL OF CRAFTSMANSHIP.
 5. VERIFY ALL FINISHED FLOOR THICKNESS FOR DETERMINING MOUNTING HEIGHTS, STAIR CONSTRUCTION, ETC.
 6. CABINET LAYOUT, APPLIANCE SPECIFICATIONS, AND ELECTRICAL LOW VOLTAGE REQUIREMENTS & LOCATIONS NEED TO BE VERIFIED BY GENERAL CONTRACTOR PRIOR TO INSTALLATION.
 7. FRAMING CONTRACTOR TO PROVIDE BLOCKING FOR ALL SURFACE MOUNTED ACCESSORIES AND SHALL COORDINATE PLACEMENT WITH ON-SITE SUPERVISOR PRIOR TO INSTALLATION.
 8. VERIFY ALL VENTING, DUCTWORK, SUPPLY AND RETURN AIR LOCATIONS w/ HVAC CONTRACTOR PRIOR TO COMPLETION OF FRAMING & ELECTRICAL ROUGH-IN. GENERAL CONTRACTOR TO APPROVE ALL LOCATIONS.
 9. DROPPED CEILING AND SOFFIT LOCATIONS SHALL BE APPROVED BY ON-SITE SUPERVISOR AND COORDINATED w/ MEP SUB-CONTRACTORS PRIOR TO INSTALLATION.
 10. REFER TO WINDOW MANUFACTURER SHOP DRAWINGS FOR EXACT ROUGH OPENINGS FOR ALL DOORS & WINDOWS. NOTIFY ARCHITECT IMMEDIATELY WITH ANY ISSUES REGARDING HEADERS AND/OR POSTING.
 11. ALL INTERIOR DRYWALL IS 5/8" GYPSUM BOARD, UNO.
 12. 5/8" FIBER-REINFORCED GYPSUM PANELS OR FIBER-CEMENT BACKER BOARD SHALL BE INSTALLED IN ALL WET LOCATIONS BEHIND TILE.
 13. 5/8" GYPSUM BOARD ON CEILING FRAMING AT 24" O.C. MUST BE INSTALLED PERPENDICULAR TO FRAMING MEMBERS.

DISCLAIMER: ALL PLANS, RENDERINGS, SPECIFICATIONS AND MARKETING MATERIALS ARE SUBJECT TO REVISIONS AND MODIFICATIONS AT DEVELOPERS SOLE DISCRETION DUE TO SITE SPECIFIC GRADING CONDITIONS, AVAILABILITY OF MATERIALS, AVAILABILITY OF LABOR, MANUFACTURER SUPPLY SHORTAGES, AND GOVERNMENTAL AGENCY CHANGES. ALL PLANS AND SPECIFICATIONS ARE SUBJECT TO REVISIONS AND CONDITIONS OF APPROVAL BY TOWN OF MINTURN CITY COUNCIL, TOWN OF MINTURN DESIGN REVIEW BOARD, TOWN OF MINTURN BUILDING PERMIT DEPARTMENT AND ALL OTHER APPLICABLE REGULATORY AGENCIES. ARTIST RENDERINGS HAVE BEEN PROVIDED FOR ILLUSTRATIVE AND MARKETING PURPOSES ONLY AND SHOULD NOT BE RELIED UPON AS A BASIS FOR PURCHASING. COLOR, MATERIALS AND DESIGN ELEMENTS ARE SUBJECT TO REFINEMENT AND REVISION WITHOUT NOTICE AT DEVELOPERS SOLE DISCRETION.

EGGERS
ARCHITECTURE, INC.
PO BOX 758
KREMMLING, CO 80459
CELL: (970) 409-5750
don.eggars@eggarsarchitecture.com

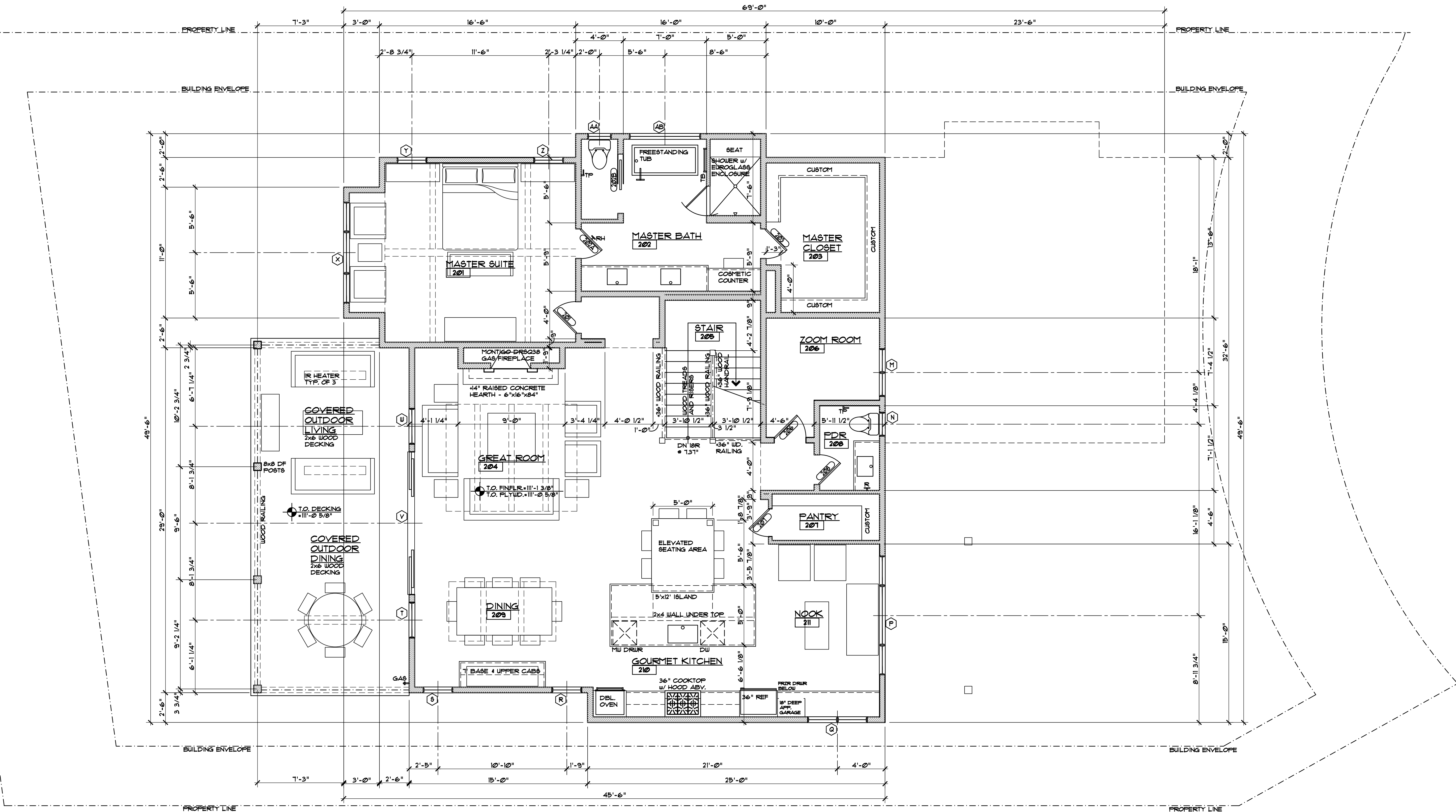
RESORT CONCEPTS
225 MAIN STREET, SUITE C-101
EDWARDS, COLORADO
(970) 926-1720

JACOBS
0236 MILES END LANE
LOT 2, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L02

ISSUED		COMMENTS	
#	DATE	BY	
3	9-15-25	DUE	DRE SUBMITTAL SET

A1.1



MAIN LEVEL PLAN

1/4" 1'-0"

1,368 SF LIVING

- GENERAL NOTES:
- 1. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE OR CENTER OF POSTS, UNLESS NOTED OTHERWISE.
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 - 5. VERIFY ALL FINISHED FLOOR THICKNESS FOR DETERMINING MOUNTING HEIGHTS, STAIR CONSTRUCTION, ETC.
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 - 12. 5/8" FIBER-REINFORCED GYPSUM PANELS OR FIBER-CEMENT BACKER BOARD SHALL BE INSTALLED IN ALL WET LOCATIONS BEHIND TILE.
 - 13. 5/8" GYPSUM BOARD ON CEILING FRAMING AT 24" O.C. MUST BE INSTALLED PERPENDICULAR TO FRAMING MEMBERS.

DISCLAIMER: ALL PLANS, RENDERINGS, SPECIFICATIONS AND MARKETING MATERIALS ARE SUBJECT TO REVISIONS AND MODIFICATIONS AT DEVELOPERS SOLE DISCRETION DUE TO SITE SPECIFIC GRADING CONDITIONS, AVAILABILITY OF MATERIALS, AVAILABILITY OF LABOR, MANUFACTURER SUPPLY SHORTAGES, AND GOVERNMENTAL AGENCY CHANGES. ALL PLANS AND SPECIFICATIONS ARE SUBJECT TO REVISIONS AND CONDITIONS OF APPROVAL BY TOWN OF MINTURN CITY COUNCIL, TOWN OF MINTURN DESIGN REVIEW BOARD, TOWN OF MINTURN BUILDING PERMIT DEPARTMENT AND ALL OTHER APPLICABLE REGULATORY AGENCIES. ARTIST RENDERINGS HAVE BEEN PROVIDED FOR ILLUSTRATIVE AND MARKETING PURPOSES ONLY AND SHOULD NOT BE RELIED UPON AS A BASIS FOR PURCHASING. COLOR, MATERIALS AND DESIGN ELEMENTS ARE SUBJECT TO REFINEMENT AND REVISION WITHOUT NOTICE AT DEVELOPERS SOLE DISCRETION.

EGGERS
ARCHITECTURE, INC.
PO BOX 798
KREMMLING, CO 80459
CELL: (970) 409-9790
don.eggars@eggarsarchitecture.com

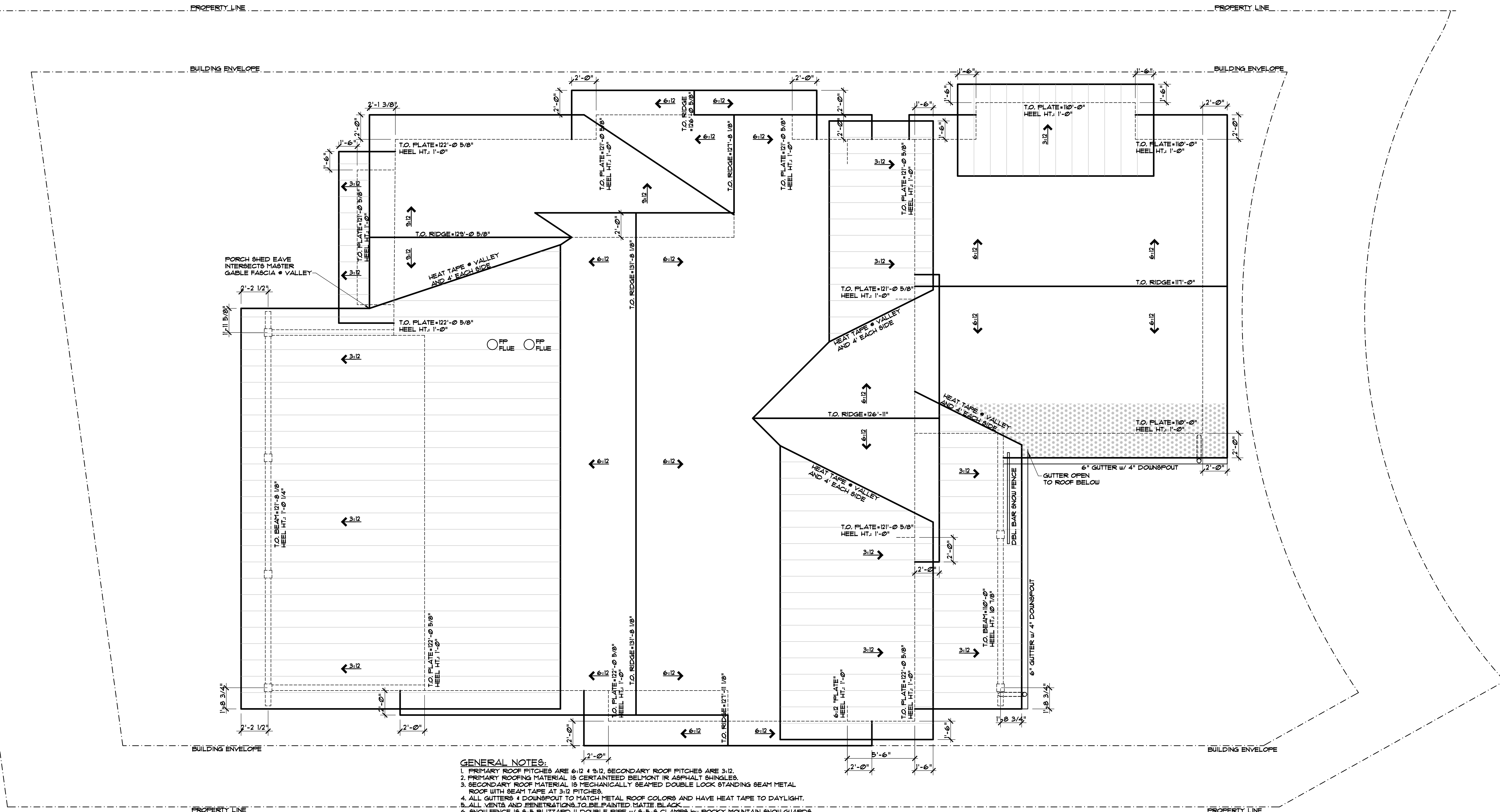
RESORT CONCEPTS
225 MAIN STREET, SUITE C-101
EDWARDS, COLORADO
(970) 926-1720

JACOBS
0236 MILES END LANE
LOT 2, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L02

ISSUED		COMMENTS	
#	DATE	BY	
3	9-15-25	DUE	DRE SUBMITTAL SET

A1.2

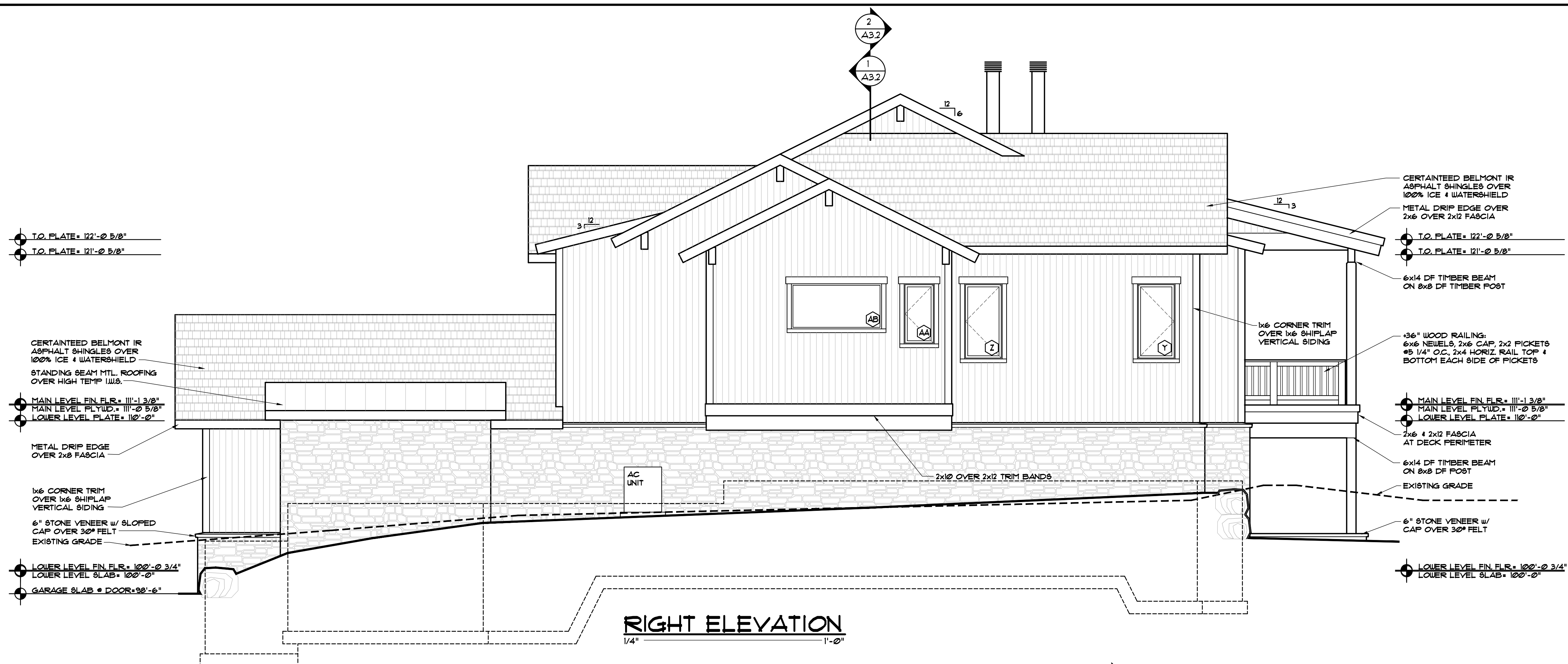


- GENERAL NOTES:**
1. PRIMARY ROOF PITCHES ARE 6:12 & 3:12, SECONDARY ROOF PITCHES ARE 3:12.
 2. PRIMARY ROOFING MATERIAL IS CERTAINTED BELMONT IR ASPHALT SHINGLES.
 3. SECONDARY ROOF MATERIAL IS MECHANICALLY SEALED DOUBLE LOCK STANDING SEAM METAL ROOF WITH SEAM TAPE AT 3:12 PITCHES.
 4. ALL GUTTERS & DOWNSPOUT TO MATCH METAL ROOF COLORS AND HAVE HEAT TAPE TO DAYLIGHT.
 5. ALL VENTS AND PENETRATIONS TO BE PAINTED MATTIE BLACK.
 6. SNOW FENCE IS 6-5 BLIZZARD II DOUBLE PIPE w/ 5-5-5 CLAMPS BY ROCKY MOUNTAIN SNOW GUARDS.
 7. SNOW CLIPS INTERLACED IN SHINGLES WHERE HATCHED. CLIPS TO MATCH COLOR OF ROOFING.
 8. DIMENSIONS ON ROOF PLAN ARE FACE OF STUD OR CENTER OF POST/BEAM TO FACE OF FINISHED FASCIA.
 9. TOP OF PLATE HEIGHTS ARE TO TOP OF FLAT PLATE OR LOW POINT OF BEVELED PLATE.
 10. TOP OF BEAM HEIGHTS ARE TO TOP OF FLAT PLATE OR HIGH POINT OF BEVELED BEAM.
 11. HEEL HEIGHTS ARE PLUMB DIMENSION AT OUTSIDE FACE OF BEARING.
 12. RIDGE HEIGHTS ARE TO FRAMING MEMBERS NOT ROOF SHEATHING.
 13. REFER TO ROOF ELECTRICAL PLAN FOR CLEAR ROOF REQUIREMENTS PER I.E.C.C.
 14. REFER TO ROOF MATERIAL MANUFACTURER'S DOCUMENTS FOR ALL ROOF PENETRATION DETAILS.

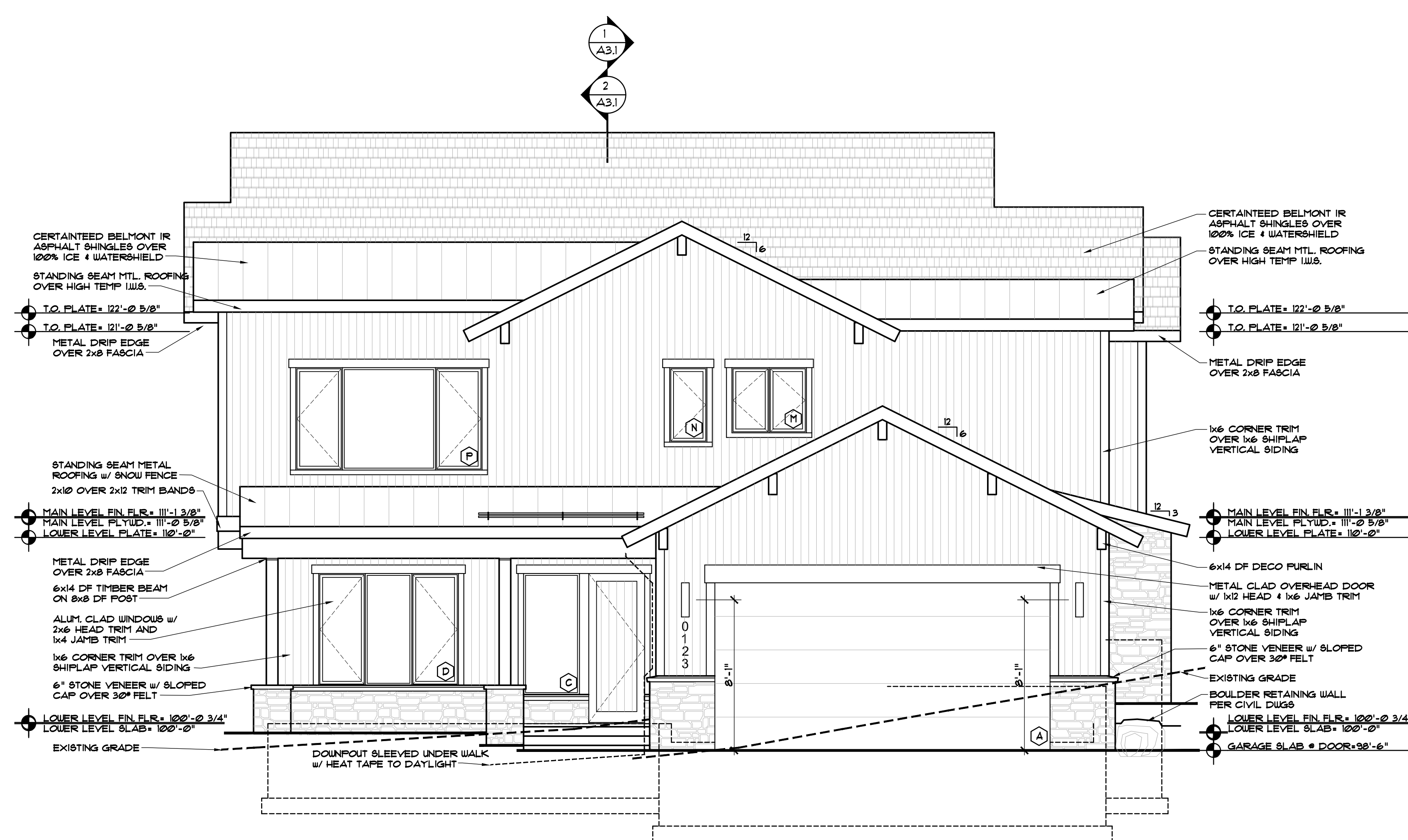
ROOF PLAN
1/4" = 1'-0"

ISSUED		COMMENTS	
#	DATE	BY	
3	9-15-25	DUE	DRB SUBMITTAL SET

ISSUED		COMMENTS		DATE	BY	DUE	DREB SUBMITTAL SET
#							
3				9-15-25			

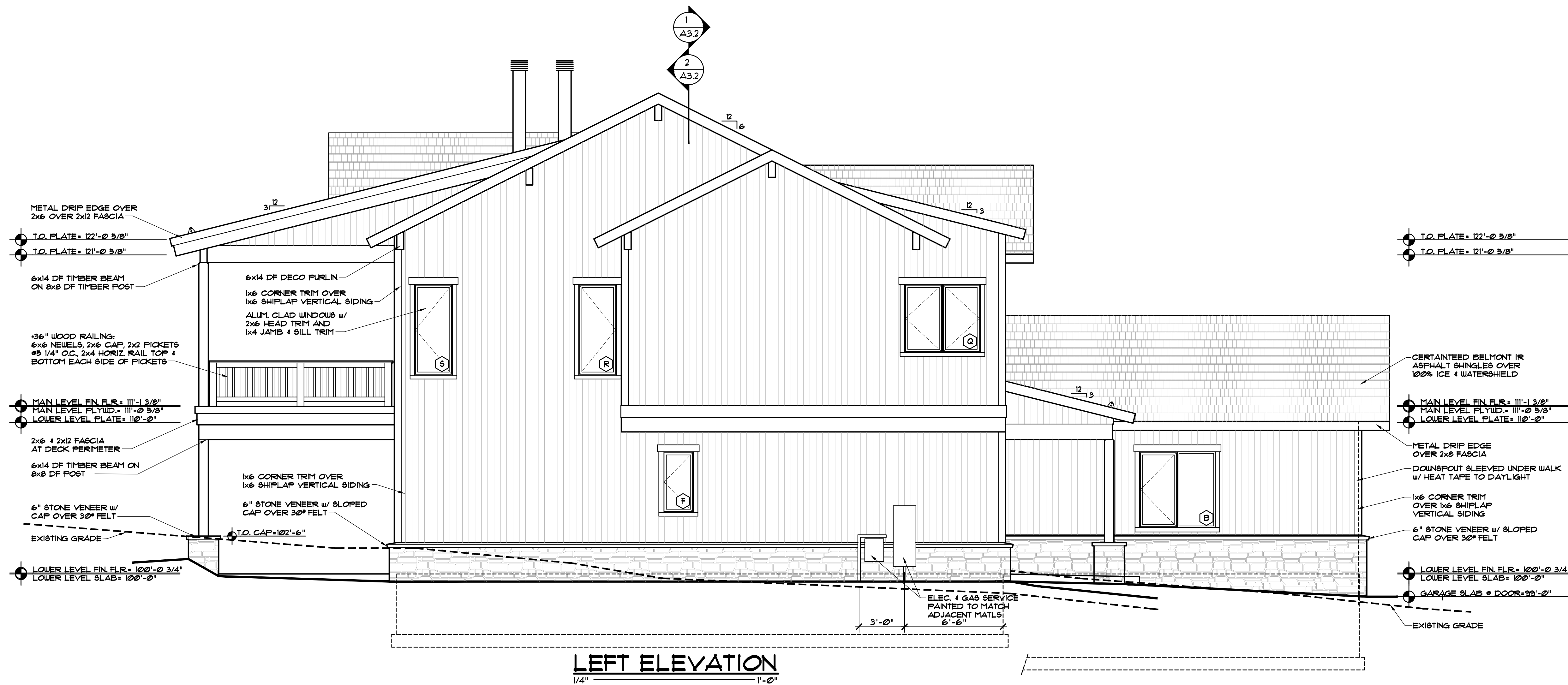


RIGHT ELEVATION
1/4" = 1'-0"



FRONT ELEVATION
1/4" = 1'-0"

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#	DATE	BY	COMMENTS	#	DATE	BY	COMMENTS
3	9-15-25						



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JACOBS
0236 MILES END LANE
LOT 2, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L02

ISSUED			
#	DATE	BY	COMMENTS
3	9-15-25	DUE	DRB SUBMITTAL SET

BH1



DISCLAIMER: All plans, renderings, specifications and marketing materials are subject to revisions and modifications at Developers sole discretion due to site specific grading conditions, availability of materials, availability of labor, manufacturer supply shortages, and Governmental Agency changes. All plans and specifications are subject to revisions and conditions of approval by the Minturn North Design Review Board, Town of Minturn City Council, Town of Minturn Design Review Board, Town of Minturn Building Permit Department and all other applicable regulatory agencies. Artist renderings have been provided for illustrative and marketing purposes only and should not be relied upon as a basis for purchasing. Color, materials and design elements are subject to refinement and revision without notice at Developers sole discretion.

MINTURN NORTH - LOT 2

DRB DESIGN REVIEW - 3D VIEWS
SEPTEMBER 22, 2025

EGGERS ARCHITECTURE, INC. AXIS DESIGN

RESORT CONCEPTS



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MINTURN NORTH - LOT 2

DRB DESIGN REVIEW - 3D VIEWS
SEPTEMBER 22, 2025

EGGERS ARCHITECTURE, INC. AXIS DESIGN

RESORT CONCEPTS



Terraces & Walkways
Stained Concrete



Exterior Stone
Colorado Buff



Vertical Siding
1"x8" - Butt Joint, Rough
Color: Custom Stain



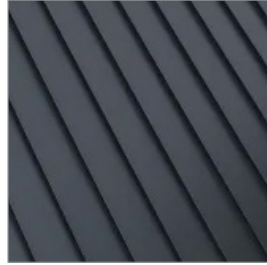
Columns, Fascia & Soffits
1"x8" - Butt Joint, Rough
Color: Custom Stain



Wood Columns per Plan
Color: Custom Stain



Roofing
Mfg: CertainTeed Belmont
Asphalt Shingles
Color: Black Granite



Roofing
Standing Seam Metal
Color: Matte Black



Garage Door
9'-0" x 18'-0" Insulated Metal
Color: Black



Windows and Doors
Mfg: Sierra Pacific
Color: Black



Exterior Lighting
Mfg: Hinkley Mist 22" Sconce
Color: Black



Entry Door
Solid Wood
Color: Custom Stain



Entry Door Hardware
Ashley Norton Full Plate with
Helios Interior Lever
Color: Black



To: Mayor and Council
From: Madison Harris, Planner II
Date: October 31, 2025
Agenda Item: Recent Planning Commission Recommendations and Actions

REQUEST:

Review and ratification of Planning Commission actions from their regular meeting of October 29, 2025. The following actions were taken by the Planning Commission, acting as the Minturn Design Review Board, which may be called-up for further review by the Minturn Town Council:

0246 Miles End Lane

- Final Plan DRB Application for a new Single Family Residence

Please note that unless there are revisions or additions to the conditions proposed by staff during decision by the Planning Commission, staff will no longer be writing cover memos for items on the Consent Agenda. In this case there was an addition of two conditions.

INTRODUCTION:

0246 Miles End Lane

At their regular meeting of October 29, 2025, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the final plans for a new single family residence located at 0246 Miles End Lane. The plans approved by the DRB are for:

- **A New Single Family Residence**

Site plans (exterior elevation renderings and floor plans) are attached for reference.

No neighbors spoke at the DRB hearing where the DRB discussed proposed exterior materials, as well as the proposed roof forms and massing in context to Chapter 16 – *Zoning*, and Appendix ‘B’ *Design Review Standards and Guidelines*, of the Town of Minturn Municipal Code (MMC).

The DRB unanimously supported the proposed construction as meeting the objectives and requirements of the MMC and design standards.

Ultimately, the DRB voted 5-0 to recommend approval of the proposal as a Final Plan review, with two conditions added by the Planning Commission:

1. The Applicant shall protect the water curb stop from snowplowing damage by enclosing it in a water valve box.
2. The Applicant shall add erosion control devices to the west side of the house above the trail and drainage ditch.

ANALYSIS:

In reviewing the application, the Planning Commission considered the criteria and findings required by the Minturn Municipal Code, as well as testimony of staff and the Applicant.

The proposal meets the requirements of Chapter 16 including Appendix B - Design Guidelines and Standards.

COMMUNITY INPUT:

No members of the public spoke at the DRB hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing, and following Section 16-21-610 Public notice.

BUDGET / STAFF IMPACT:

N/A.

STRATEGIC PLAN ALIGNMENT:

The Planning Commission's review of proposed development projects and their actions to approve final plans for individual projects, acting as the Town of Minturn Design Review Board, aligns with the following key strategies:

- Integrity
- Transparency
- Collaboration

RECOMMENDED ACTION OR PROPOSED MOTION:

Approve the following application on consent:

1. 0246 Miles End Lane – New Single Family Residence

ATTACHMENTS:

- Staff Report
- DRB Application
- Proposed exterior elevation drawings and site plans for 0246 Miles End Lane

Minturn Planning Department
Minturn Town Center
302 Pine Street
Minturn, Colorado 81645



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Michael Boyd
Amanda Mire
Eric Rippeth
Darell Wegert

Design Review Board Hearing

Final Plan Review for New Home

0246 Miles End Lane

Hearing Date:	October 29, 2025
File Name and Process:	Single-Family Residence Final Plan Review
Owner/Applicant:	Clay & Becky Stevens
Representative:	Taylor Hermes & Rick Hermes, Minturn North Construction Company
Legal Description:	Subdivision: MINTURN NORTH PUD Lot: 1
Address:	0246 Miles End Lane
Zoning:	Game Creek Character Area – Minturn North PUD Zone District
Staff Member:	Madison Harris, Planner I
Recommendation:	Approval

Staff Report

I. Summary of Request:

The Applicants, Clay and Becky Stevens, request Final Plan review of a new, four-bedroom, 4,892 (gross) square foot single-family residence located at 0246 Miles End Lane in the Game Creek Minturn North PUD Zone District. The Applicant's representatives, Taylor Hermes and Rick Hermes of the Minturn North Construction Company, have been proactive in meeting with Town staff prior to submitting plans for a new home and have provided a relatively complete and thorough set of site, landscaping, and architectural plans.

Proposed Plans

The plans show a two-story, four-bedroom structure with a maximum building height - measured to the midpoint of the roof – of 27 feet 10 inches, under the maximum allowable 28-foot limit within the Game Creek Minturn North PUD Zone District.

Additionally, the massing, forms, and scale of the proposed structure, as well as proposed exterior materials, textures and detailing also appear to achieve the design objectives of Appendix B – *Design Guidelines and Standards*, Minturn Municipal Code.

Parking is adequate, with four off-street spaces, two of which are provided within the garage and two in front of the garage. The plans show the lower level with a future bedroom and family room, main level with master suite, garage, and primary living area, and the upper level has the two remaining bedrooms, an office that could turn into a bedroom, and a family area. Please note that even if the office does become a bedroom, there is still adequate parking.

According to staff’s analysis of development standards and dimensional limitations in Section III below the project appears to meet the Town’s standards.

Overall, staff believes that the Applicants and their representative have provided a complete, detailed set of plans necessary to complete a thorough final plan review.

As a reminder, the Planning Commission has the option to review the proposal as a “conceptual” plan review if the Commission feels that the plans are *not* sufficient or are in need of revisions and additional review prior to final plan approval; or the Commission may take action to approve, approve with conditions, or deny the Final Plans.

Staff is **recommending approval**.

II. Summary of Process and Code Requirements:

These plans are being presented by the Applicant as “Final Plan” level of review for a new single-family residential structure on a legally created lot within the Town of Minturn. This is a formal hearing providing the Applicant and staff the opportunity to discuss the proposal with the Planning Commission, acting as the Design Review Board, and to address the DRB’s concerns or feedback regarding suggested revisions to the project.

If the DRB feels that the plans are complete, appropriate, and meet the intent and purposes of the Minturn Municipal Code, Chapter 16, the DRB has the option to take final action to approve the plans without conditions, or to approve with specific conditions and giving the Applicant and staff clear direction on any recommended revisions, additions or updates to the plans.

No variances are required or requested at this time.

Design Review Process

Appendix ‘B’ of the Minturn Municipal Code, Section 16-21-615 - *Design Review Applications*, subsection “d” below outlines the criteria and findings necessary for DRB review and approval of all new, major development proposals:

(d) *Administrative procedure.*

(1) *Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.*

(2) *Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:*

- a. The proposal's adherence to the Town's zoning regulations.*
- b. The proposal's adherence to the applicable goals and objectives of the Community Plan.*
- c. The proposal's adherence to the Design Standards.*

(3) *Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:*

- a. That the proposal is in conformance with the Town zoning regulations.*
- b. That the proposal helps achieve the goals and objectives of the Community Plan.*
- c. That the proposal complies with the Design Standards.*

Staff suggests that the final plans for 0246 Miles End Lane meet or can be revised to meet the required findings 'a,' 'b,' and 'c' or subparagraph 3 – *Necessary findings*.

III. Zoning Analysis:

Zoning

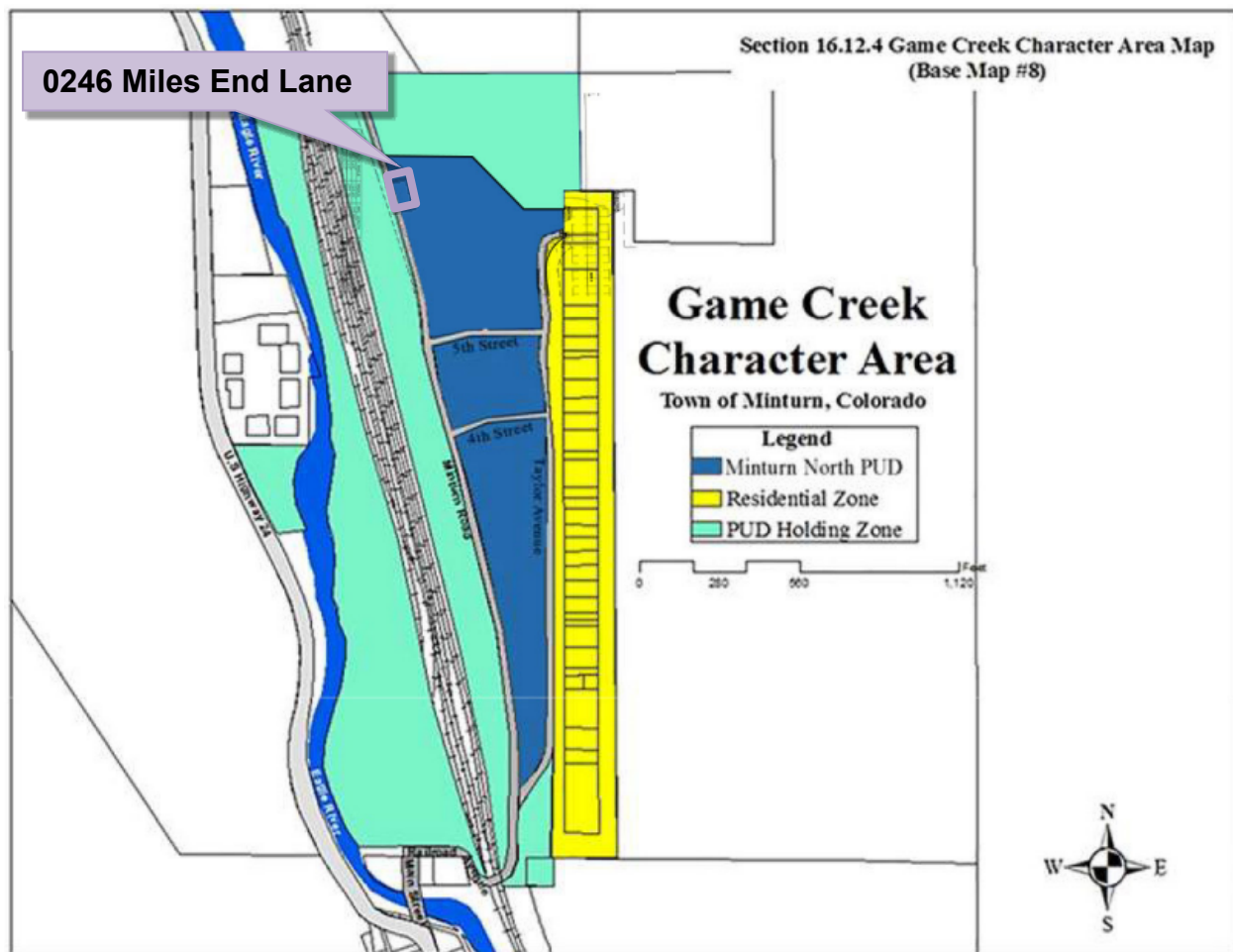
The subject property is located within the “Game Creek Character Area” Minturn North PUD Zone District Planning Area 1 (PA-1), described as follows:

“The primary intent of this Planning Area is to create a market rate single-family residential use zone surrounded by common area and open space.”

- Ordinance No. 15 – Series 2023 Minturn North PUD Guide

Rest of page left intentionally blank

Figure 1: Game Creek Character Area Zoning Map



Dimensional Limitations and Development Standards

The following table summarizes the lot, development and dimensional standards and limitations applicable to the subject property pursuant the approved Final Development Plan for the Minturn North PUD.

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	8,537.76 sq. ft.	8,537.76 sq. ft. (.196 ac.)
Maximum Building Height:	28 feet	27 feet – 10 inches
Minimum Front Setback:	20 feet	20 feet

Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10+ feet
Maximum Lot Coverage:	50% (4,268.88 sq. ft.)	2,921 sq. ft. (34.21%) Proposed
Maximum Impervious Coverage:	60% (5,122.67 sq. ft.)	4,113 sq. ft. (48.17%) Proposed
Minimum Snow Storage Area:	5% of Lot Area (8,537.76 sq. ft. x .05 = 427 sq. ft.)	465 sq. ft.
Parking:	4 spaces	4 spaces

IV. Applicable Standards and Design Guideline Criteria:

Design

In addition to the development standards listed above, the following general design principles are provided for reference.

Final Site, Grading and Drainage Design

The Minturn Design Guidelines encourage designs that integrate or account for site topography and existing conditions, surrounding conditions, solar orientation, placement on lots relative to streets and natural features, snow storage and snow shed from roof structures.

Mass and Form

The following excerpt from the Design Guidelines is applicable to the proposed home design:

“c. Massing and Scale

“A simple central form with additive features shall be designed. This style creates visual interest and is appropriate for the community due to its compatibility with existing structures. Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.

“Building mass, form, length and height shall be designed to provide variety and visual interest while maintaining a scale that is similar or compatible to adjacent structures.”

-Town of Minturn Design Guidelines

Staff Response:

Staff believes that the design and scale of the proposed structure incorporates a simple central form with additive features and is complementary to adjacent residential structures and character on nearby parcels. Staff further suggests that the scale of the project is appropriate and will not overpower surrounding natural and built environments. Proposed roof forms and pitches, materials and textures are compatible and complementary to the surrounding built and natural environments.

V. Issues and Recommended Revisions:

Staff has not identified any issues.

VI. Staff Recommendation:

Staff suggests that the Final Plans for 0246 Miles End Lane generally **comply** with or exceed the applicable provisions and/or minimum standards of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

Staff is **recommending approval** of the plans.

October 9, 2025

Madison Harris
Town of Minturn Planner
PO Box 309
Minturn, CO 81645

Re: 246 Miles End Lane
Lot 1, Minturn North PUD
DRB Resubmittal Review
Project No. 24-0001

Dear Madison:

We reviewed the plans entitled “Stevens Residence; 246 Miles End Lane; Lot 1, Minturn North, Minturn Colorado” dated September 18, 2025, by Eggers Architecture Inc. (Plans) included in the DRB application for Lot 1, Minturn North PUD. Our review was for compliance with the engineering requirements of Section 16-21-615: Design Review applications of the Minturn Municipal Code (MMC).

MMC Section 16-21-615 Section C:

Section (C) (2) Boundary Survey:

Paragraphs a through e:

“Final Plat: Minturn North PUD” recorded March 4, 2024 (Reception No. 202402234) has been included as the Boundary Survey. The Town reviewed this plat and associated title commitment, and the plat is suitable as the Boundary Survey for this application.

Paragraphs f through i:

Sheet C.6 of the “Minturn North PUD Overall Grading and Drainage Plan; Construction Plan Set 7/1/24” prepared by Boundaries Unlimited Inc. is included in the application. The Town issued a Grading Permit based on the Construction Plan Set and Sheet C.6 shows the grading and utilities underway at Minturn North. This plan reflects the basis for design, and fulfills the requirements of Paragraphs f through i.

Section (C) (3) Site Plan:

1. Sheet BH1 provides Building height information necessary for Planning Staff review.

VAIL VALLEY OFFICE

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO 81620

DENVER OFFICE

9618 Brook Hill Lane | Lone Tree, CO 80124

970.949.5072 | info@inter-mtn.net

Madison Harris

Re: 246 Miles End Lane
Lot 1, Minturn North PUD
DRB Resubmittal Review
Project No. 24-0001

2. Sheet C1 of the Plans *“Lot 1 Minturn North PUD; Site Grading and Drainage Plan”* dated September 18, 2025, by Boundaries Unlimited presents the proposed Site Plan.
 - i. The site plan shows the 30’ Setback to the “Ordinary High Water Mark” (OHWM) of Game Creek. Improvements are located outside of the OHWM setback as shown.
 - ii. The site plan identifies the location of the 100 Year Flood Plain and the “Proposed 100 Year Mudflow extents.” Improvements are located outside of the identified limits of the hazard zones.
 - iii. The water curb stop is located in the driveway and should be protected from snowplowing damage by enclosing it in a water valve box.

Section (C) (4) Grading & Drainage Plan:

Sheet C1 of the Plans *“Lot 1 Minturn North PUD; Site Grading and Drainage Plan”* dated September 18, 2025, by Boundaries Unlimited presents the proposed site grading, drainage, and erosion control.

- i. Erosion control devices need to be added to the west side of the house above the trail and drainage ditch.

Review by Inter-Mountain Engineering is for general conformance with Minturn Municipal Code requirements and is not a peer review. Review by Inter-Mountain Engineering in no way relieves any responsibilities of design professionals associated with the project. Please feel free to contact us if you have additional questions.

Respectfully,
Inter-Mountain Engineering (Town Engineer)



Jeffery M. Spanel PE

CC: Scot Hunn, Michael Martinez



DESIGN REVIEW APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
Phone: 970-827-5645 Fax: 970-827-5545 Email: planner1@minturn.org

Project Name:

Minturn North – Stevens Residence

Project Location

Street Address: 246 Miles End Lane

Zoning: **Residential**

Parcel Number(s): **2103-262-30-001**

Application Request:

Design review of new single-family home

Applicant:

Name: Taylor Hermes & Rick Hermes – Minturn North Construction Company, LLC

Mailing Address: PO Box 2633 Edwards, CO 81632

Phone: **970-926-1720**

Email: **THermes@ResortConceptsCO.com**

Property Owner:

Name: **Clay & Becky Stevens**

Mailing Address: 664 Tiger Lily Way Highlands Ranch, CO 80126

Phone: **303-884-8453 (Clay) / 303-596-2104 (Becky)**

Email: **clay@stevensmgmt.com / becky@stevensmgmt.com**

Required Information:

Lot Size: 0.196 acres	Type of Residence (Single Family, ADU, Duplex) SFH	# of Bedrooms 4	# On-site Parking Spaces 4
# of Stories: 3	Snow storage sq ft: 465 sf	Building Footprint sq ft: 2,921 sf	Total sq ft Impervious Surface: 4,113 sf

Signature:

9/25/25

Fee Paid: _____ Date Received: _____ Planner: _____

DESIGN REVIEW APPLICATION

SUBMITTAL CHECKLIST REQUIREMENTS (TO BE INCLUDED WITH APPLICATION)

Applicant Staff

☒☐

Application Fee (Non-Refundable application fee shall be collected)

- Design Review Board - \$200.00

☒☐

Letter of Intent

-- What is the purpose of the project including;

☒☐

- Relevant Background

☒☐

- Current Status of the Site

☒☐

- All Proposed Uses and Structures

☒☐

- How the Proposal Differs from what already exists

☒☐

- Information regarding Easements or Dedicated Tracts, etc.

☒☐

Vicinity Map

-- Directional Map indicating how to get to the Property involved in the request.

☒☐

- Zoning of Property

☒☐

Site Plan showing Precise Nature of the Proposed Use –

☒☐

To Scale

☒☐

- Scaled Drawings of Proposed Design of Structure

☒☐

- Plan View and Sections

☒☐

- Building Heights – all 4 directions N/S/E/W

☒☐

- topography

☒☐

- Building Location and impervious coverage

☒☐

- Setbacks

☒☐

- Ordinary High Water Mark determined by the Town Engineer and paid for by Applicant

☒☐

- Parking Plan

☒☐

- Traffic Circulation

☒☐

- Location and Width of Existing and Proposed Access Points

☒☐

- Location of Existing Driveways and Intersections

☒☐

- Landscaped Area – Plan including existing and proposed vegetation.

☒☐

- Approximate Location of Existing Wooded Areas and Rock Outcrops

☒☐

- Location and Type of Existing and Proposed Easements

☒☐

- Utility Easements

☒☐

- Drainage Features

☒☐

- Snow Storage areas expressed in square feet as a percentage of the overall site area

☒☐

Preliminary Building Plans and Elevations

- Indicates Dimensions

☒☐

- General Appearance

☒☐

- Scale

☒☐

- Interior Plan for the Buildings

☒	☐
☒	☐
☒	☐
☒	☐
☒	☐

Elements needed on the Site Plan

- Scale
- North Arrow
- Date Prepared
- Lot Dimensions, Area, Entire Site Acreage

☒	☐
☒	☐
☒	☐
☒	☐
☒	☐
☒	☐

Architecture Details – Materials Board

- Windows – Placement and Color
- Doors – Placement and Color
- Siding – Type and Color
- Roof Material – Type and Color
- Paint Color

☒	☐
☒	☐
☒	☐
☒	☐

Boundary Survey with a stamp and signature of a licensed surveyor

- Date of survey (survey date must be within 6 months of the project application date)
- Right-of-way and property lines; including bearings, distances and curve information.
- Labeled ties to existing USGS benchmark.
- Property boundaries to the nearest one-hundredth (.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
- All existing easements recorded with the County Clerk and Recorder. Include bearings and distances.
- Spot elevations at the edge of asphalt along the street frontage of the property at five-foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
- Topographic conditions at two-foot contour intervals.
- Existing trees or groups of trees having trunks with diameters of four (4) inches or more.
- Rock outcroppings and other significant natural features.
- All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
- Environmental hazards where applicable (i.e., rock fall, wetlands and floodplain).
- Watercourse setbacks, if applicable. Show centerline and edge of stream or creek in addition to the required stream setback from the ordinary high water mark.

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Grading and Drainage Plan

- Existing contours. Existing two-foot contours must be provided for all disturbed areas. Contours for undisturbed areas must be shown when drainage in those areas impacts the disturbed area.
- Proposed contours. Proposed two-foot contours for all disturbed areas must be shown and must demonstrate positive drainage.
- Spot elevations. Show critical spot elevations, as necessary to demonstrate positive drainage and the direction of flow. Finished grade at all building corners must be provided.
- Top-of-foundation elevations. The top-of-foundation elevation must be shown on the plan and must be consistent with the foundation plan. For buildings on slopes of thirty percent (30%) or greater, elevations for stepped foundation walls must be shown.
- Drainage arrows. Include drainage arrows that show how stormwater will be routed around buildings and where stormwater will exit the property. Stormwater cannot cause damage to any adjacent property. Drainage and erosion control features needed to prevent damage must be included.
- Drainage facilities. Proposed drainage facilities, such as French drains or culverts, must be shown.
- Retaining walls. Retaining wall details are required and must include drainage details. Note top- and bottom-of-wall elevations at each location where the retaining wall steps up or down, and include the tallest point of the retaining wall.

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September 25, 2025
Town of Minturn Planning Commission
Attn: Madison Harris

RE: Stevens Residence
Lot 1 Minturn North – 0246 Miles End Lane, Minturn, CO 81645
Design Review Letter of Intent

Madison:

The attached submittal includes a single-family residence within the Minturn North neighborhood. The home is subject to the Minturn North PUD Guide, Town of Minturn Code and all pertinent documents approved by the Town Council.

Lot 1 is located at 0246 Miles End Lane on a cross-sloping vacant lot which drops in elevation approximately 10' through the building envelope from East to West. The home has been oriented facing northeast, parallel to the building envelope lines to maximize the site's primary view facing Game Creek. The home has been designed as a walkup residence due to the gently up-sloping topography. The architectural style is a mix of gable forms and low pitch shed roofs to create a composition of forms rather than a single massive structure. Overall, the structure has been nestled into the topography to balance the architecture with the topography.

The home exterior is a mix of stone, stucco and wood with appropriate architectural detailing which enhances the mountain vernacular. The landscaping is intentionally minimal in-keeping with the intent of the approved Minturn North PUD.

Should you have any questions or need clarifications, please don't hesitate to contact me.

Sincerely,



Taylor Hermes
512.468.3012

STEVENS RESIDENCE

246 MILES END LANE

LOT 1, MINTURN NORTH

MINTURN, COLORADO

DRB SUBMITTAL SET

SEPTEMBER 18, 2025



OWNER'S REPRESENTATIVE

RESORT CONCEPTS
PO BOX 5127
EDWARDS, COLORADO 81632
(970) 926-1720

ARCHITECT

EGGERS ARCHITECTURE, INC
PO BOX 798
KREMMLING, COLORADO 80459
(970) 409-9790

STRUCTURAL ENGINEER

SUNDQUIST DESIGN GROUP
PO BOX 249
TARPON SPRINGS, FLORIDA 34688
(303) 838-2222

LANDSCAPE ARCHITECT

TOMINA TOWNSEND
PO BOX 3000
EDWARDS, COLORADO 81632
(303) 945-5252

CIVIL ENGINEER

BOUNDARIES UNLIMITED, INC.
923 COOPER AVENUE, SUITE 201
GLENWOOD SPRINGS, COLORADO 81601
(970) 945-5252

SURVEYOR

SLAGLE SURVEY SERVICES
PO BOX 751
EAGLE, COLORADO 81631
(970) 471-1499

GEOTECHNICAL ENGINEER

CTL THOMPSON, INC
1790 AIRPORT ROAD, UNIT 2
BRECKENRIDGE, COLORADO 80424
(970) 453-2047

PROJECT INFORMATION:

FLOOR AREA:	FINISHED	MECH.	UNFINISHED	GARAGE	TOTAL
LOWER LEVEL:	188 SF	105 SF	733 SF		1,026 SF
MAIN LEVEL:	1,829 SF			695 SF	2,524 SF
UPPER LEVEL:	1,342 SF				1,342 SF
TOTALS:	3,359 SF	105 SF	733 SF	695 SF	4,892 SF

LOT AREA:	8,537.76 SF
BUILDING COVERAGE:	2,921 SF 34.21 % 50% ALLOWABLE
IMPERVIOUS COVERAGE:	4,113 SF 48.17 % 60% ALLOWABLE

CODE INFORMATION:

JURISDICTION:	TOWN OF MINTURN, COLORADO
CODES:	2021 INTERNATIONAL RESIDENTIAL CODE 2021 INTERNATIONAL ENERGY CONSERVATION CODE + LOCAL AMENDMENTS

OCCUPANCY:	R-3, SINGLE FAMILY RESIDENCE
CONTRUCTION:	TYPE V-B, NON RATED
SPRINKLER SYSTEM:	NONE

DRAWING SCHEDULE

C	COVER
	FINAL PLAT MINTURN NORTH P.U.D.
C.6	MINTURN NORTH P.U.D. OVERALL GRADING PLAN
C1	SITE GRADING, DRAINAGE & EROSION CONTROL PLAN
C2	CIVIL DETAILS
L1	LANDSCAPE PLANTING PLAN
L2	LANDSCAPE SCHEDULES & DETAILS
A1.1	LOWER LEVEL PLAN
A1.2	MAIN LEVEL PLAN
A1.3	UPPER LEVEL PLAN
A1.4	ROOF PLAN
A2.1	BUILDING ELEVATIONS
A2.2	BUILDING ELEVATIONS
BH1	BUILDING HEIGHT CALCULATIONS

EGGERS
ARCHITECTURE, INC.
PO BOX 798
KREMMLING, CO 80459
CELL: (970) 409-9790
don.eggars@eggarsarchitecture.com

RESORT CONCEPTS
225 MAIN STREET, SUITE C-101
EDWARDS, COLORADO
(970) 926-1720

STEVENS
0246 MILES END LANE
LOT 01, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L01

#	DATE	BY	COMMENTS	DUE	DRB SUBMITTAL SET
1	9-18-25				

C

DISCLAIMER: ALL PLANS, RENDERINGS, SPECIFICATIONS AND MARKETING MATERIALS ARE SUBJECT TO REVISIONS AND MODIFICATIONS AT DEVELOPERS SOLE DISCRETION DUE TO SITE SPECIFIC GRADING CONDITIONS, AVAILABILITY OF MATERIALS, AVAILABILITY OF LABOR, MANUFACTURER SUPPLY SHORTAGES, AND GOVERNMENTAL AGENCY CHANGES. ALL PLANS AND SPECIFICATIONS ARE SUBJECT TO REVISIONS AND CONDITIONS OF APPROVAL BY THE TOWN OF MINTURN CITY COUNCIL, TOWN OF MINTURN DESIGN REVIEW BOARD, TOWN OF MINTURN BUILDING PERMIT DEPARTMENT AND ALL OTHER APPLICABLE REGULATORY AGENCIES. ARTIST RENDERINGS HAVE BEEN PROVIDED FOR ILLUSTRATIVE AND MARKETING PURPOSES ONLY AND SHOULD NOT BE RELIED UPON AS A BASIS FOR PURCHASING. COLOR, MATERIALS AND DESIGN ELEMENTS ARE SUBJECT TO REFINEMENT AND REVISION WITHOUT NOTICE AT DEVELOPERS SOLE DISCRETION.

MINTURN TOWN CERTIFICATE

This plat is approved by the town council of the Town of Minturn, County of Eagle, State of Colorado this 1 day of March, 2024, for filing with the Clerk and Recorder of the County of Eagle, Colorado, and for conveyance of the dedications shown hereon; subject to the provisions that approval in no way obligates the Town of Minturn for financing or construction of improvements of said lands, streets or easements dedicated to the public, except as specifically agreed to by the Town Council of the Town of Minturn.

WITNESS MY HAND AND THE SEAL OF THE TOWN OF MINTURN
TOWN COUNCIL OF THE TOWN OF MINTURN

BY:

MAYOR
TOWN OF MINTURN, COLORADO

ATTEST:

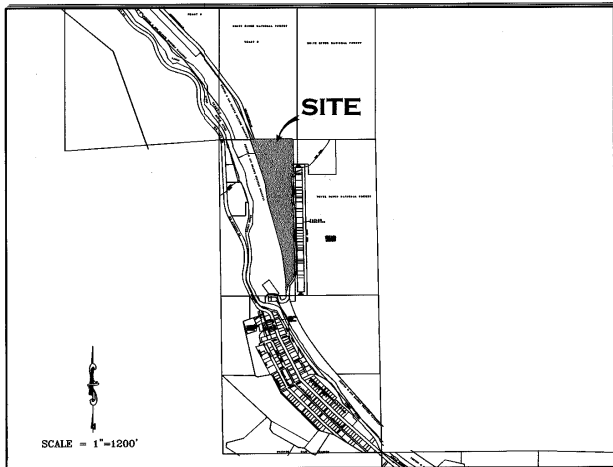
TOWN CLERK
TOWN OF MINTURN, COLORADO

LAND USE TABLE

LOT	USE	AREA	ADDRESS
1	SINGLE FAMILY	0.196 Acres	0246 Miles End Lane
2	SINGLE FAMILY	0.189 Acres	0236 Miles End Lane
3	SINGLE FAMILY	0.193 Acres	0226 Miles End Lane
4	SINGLE FAMILY	0.181 Acres	0216 Miles End Lane
5	SINGLE FAMILY	0.191 Acres	0206 Miles End Lane
6	SINGLE FAMILY	0.166 Acres	0196 Miles End Lane
7	SINGLE FAMILY	0.158 Acres	0186 Miles End Lane
8	SINGLE FAMILY	0.166 Acres	0176 Miles End Lane
9	SINGLE FAMILY	0.164 Acres	0166 Miles End Lane
10	SINGLE FAMILY	0.164 Acres	0156 Miles End Lane
11	SINGLE FAMILY	0.164 Acres	0146 Miles End Lane
12	SINGLE FAMILY	0.172 Acres	0136 Miles End Lane
13	SINGLE FAMILY	0.157 Acres	0126 Miles End Lane
14	SINGLE FAMILY	0.176 Acres	0112 Miles End Lane
15	SINGLE FAMILY	0.209 Acres	0096 Miles End Lane
16	SINGLE FAMILY	0.263 Acres	0070 Miles End Lane
17	SINGLE FAMILY	0.189 Acres	0243 Miles End Lane
18	SINGLE FAMILY	0.200 Acres	0221 Miles End Lane
19	SINGLE FAMILY	0.165 Acres	0201 Miles End Lane
20	SINGLE FAMILY	0.164 Acres	0185 Miles End Lane
21	SINGLE FAMILY	0.164 Acres	0171 Miles End Lane
22	SINGLE FAMILY	0.166 Acres	0155 Miles End Lane
23	SINGLE FAMILY	0.174 Acres	0141 Miles End Lane
24	SINGLE FAMILY	0.185 Acres	0125 Miles End Lane
25	SINGLE FAMILY	0.166 Acres	0111 Miles End Lane
26	SINGLE FAMILY	0.202 Acres	0095 Miles End Lane
27	SINGLE FAMILY	0.199 Acres	0083 Miles End Lane
28	SINGLE FAMILY	0.160 Acres	0071 Miles End Lane
29	SINGLE FAMILY	0.159 Acres	0057 Miles End Lane
30	SINGLE FAMILY	0.158 Acres	0043 Miles End Lane
31	SINGLE FAMILY	0.178 Acres	0031 Miles End Lane
32	SINGLE FAMILY	0.177 Acres	0017 Miles End Lane
33	SINGLE FAMILY	0.176 Acres	0003 Miles End Lane
34	SINGLE FAMILY	0.103 Acres	0036 Silver Star Trail
35	SINGLE FAMILY	0.103 Acres	0030 Silver Star Trail
36	SINGLE FAMILY	0.103 Acres	0024 Silver Star Trail
37	SINGLE FAMILY	0.103 Acres	0018 Silver Star Trail
38	SINGLE FAMILY	0.099 Acres	0008 Silver Star Trail
39	SINGLE FAMILY	0.129 Acres	0001 Silver Star Trail
Tract B	OPEN SPACE	2.958 Acres	
Tract C	Town Property	0.904 Acres	0052 Minturn Road (Not of PUD)
Tract D	Right of Way	0.966 Acres	Miles End Lane (North)
Tract D1	Right of Way	0.431 Acres	Miles End Lane (South)
Tract E	Open Space	1.220 Acres	
Tract F	Open Space	0.074 Acres	
Tract G	Right of Way	0.030 Acres	Silver Star Trail
Tract H	Right of Way	0.369 Acres	Fourth Street
TOTAL		13.485 ACRES	

ADDRESSES ARE FOR INFORMATIONAL PURPOSES ONLY

FINAL PLAT MINTURN NORTH P.U.D. Town of Minturn, County of Eagle, State of Colorado



GENERAL NOTES AND NOTES FOR CREATED EASEMENTS:

- The purpose of this Final Plat is to create various lots with building envelopes, open space areas and tracts, along with easements and Right of Ways, for the purposes described herein, all pursuant to Town of Minturn Land Use Regulations and Colorado Revised Statutes concerning the subdivision of land.
- Basis of Bearing: N27°04'04" W between monuments marking the C-W 16th Corner and the Northwest Corner Section 26, Township 5 South, Range 81 West, of the 6th P.M., shown and described herein. This bearing is based on the non-recorded stumped Land Survey Plat performed by Eagle Valley Survey and dated August 7, 2018.
- Survey Date: December, 2022 through July 2023.
- Legal description, easements and location of boundary lines are based on Old Republic National Title Insurance Company order number no. ABC30450645-9, dated August 03, 2023, Quitclaim Deed recorded December 02, 2014 as Reception No. 201400764 along with plat and survey monumentation referenced herein (to include the non-recorded stumped Land Survey Plat performed by Eagle Valley Survey and dated August 7, 2018). In regards to items referenced in schedule B II of this title commitment referenced above: Items 1-8, 10, 21, 24, 27 and 30 were not researched by surveyor or found to not contain easement restrictions or other survey or platting related issues.
- Item 9 - Pipe easement does not effect this platted parcel, falls in Northeast Quarter of the Northwest Quarter of Sec 26, T5S, R81W.
- Item 11&12- Ordinance and Dedication regarding Taylor Avenue. Depicted hereon by eastern Boundary, recorded in Book 248 at Page 178 and Book 248 at Page 452.
- Item 13 - 20 foot Sewer Easement, Does not effect this platted Parcel.
- Item 14 - Conveyance to State Department of Highways, Does not Effect these platted lands.
- Item 15 - Does not effect these Platted lands but references conveyance of portions of Taylor Addition to the Town of Minturn.
- Item 16 - effects subject parcel as it is an Annexation of property to Town of Minturn recorded in Book 333 at Page 349.
- Item 17 & 18- Do not effect subject Parcel.
- Item 19 - Conveyance described in Book 687 at Page 268 does not contain any easements not already defined herein.
- Item 20 - Does not effect these Platted lands. (k.a. subject parcel)
- Item 21 - Public Service Company of Colorado Easement, Reception No. 897924, falls off subject Parcel.
- Item 22 - Boundary Agreement recorded as Reception No. 200824177, called out as adjoiner herein.
- Item 25 & 26 - Parcel is subject to Mapping of Piping and Ditches in area of this subject parcel defined in document recorded as Reception No. 201703240, and 201703454 any rights or restrictions and exact location thereof not clear to surveyor from face of documents.
- Item 29 - Parcel is subject to 190440 foot wide easement for right of way from Denver Rio Grand Railroad to Eagle County, the location of which is not determinable from face of document. This Agreement has to be have been Terminated prior to the Recording of this Plat.
- These platted lands are subject to:
 - The Minturn North P.U.D. Guide recorded as Reception no. 202402232
 - The Declarations of Covenants, Conditions, Restrictions and Easements for Minturn North recorded as Reception No. 202402232
- The non-exclusive Heritage Utility Easement as shown herein on page five (5) - on, over, under, above, across and through those areas designated herein as "Heritage Utility Easement" as defined in document recorded in the Eagle County Clerk and Recorder's Office as Reception No. 202316489.

PERTAINING TO HEREON CREATED EASEMENTS:

- the owner, hereby reserves for themselves their successors and / or assigns the following non-exclusive easements created herein:
 - a non-exclusive utility and drainage easement as shown herein - on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Access, Utility, and Drainage Easement" AND those areas of each lot described in Building Envelopes, for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electrical lines, fiber optic lines, other communication lines and all related structures, together with right of ingress and egress.
 - a non-exclusive Utility Easement as shown herein - on, over, under, above, across and through those areas designated herein as "Access, Utility and Drainage Easement", and "Private Right of Way" to include, but not limited to, areas shown as Fourth Street, Tract D, Tract D1 and Tract G, for the purpose of i) Ingress and Egress, reasonable Pedestrian use including ingress and egress of persons including vehicle, foot, bicycle or small wheel use ii) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, and iii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto.

GENERAL NOTES CONTINUED:

- Continued...
 - Tract D, Tract D1, and Tract G, shall be open to Public vehicular and non-vehicular access.
 - Any Easement that permits public recreation on Private Property shall benefit from the provision of C.R.S. 33-41-101 et seq.
- FOLLOWING CREATED EASEMENTS DEDICATED TO TOWN OF MINTURN:
- the owner, hereby dedicates to the Town of Minturn the following non-exclusive easements:
 - a non-exclusive Utility, Drainage, Access, Utility, and Drainage Easement - on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Access, Utility, and Drainage Easement" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto, iii) reasonable local snow storage, ii) Landscaping use, and maintenance along with v) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - a non-exclusive Utility, Drainage, Access, Utility, and Drainage Easement - on, over, under, above, across and through those areas designated herein as "Utility, Drainage, Access, Utility, and Drainage Easement" for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto, iii) reasonable local snow storage, iii) Landscaping use, and maintenance along with v) Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with sidewalk or path construction, use and repair.
 - a non-exclusive trail easement on, over, across, and through those strips of land depicted and designated herein as "Trail Easement" on sheet 5 of 5 for Pedestrian and Trail use including reasonable ingress and egress of persons to include foot, bicycle or non-motorized use along with path construction, or use. Maintenance of any path improvements within the "Trail Easement" shall be at the sole cost and expense of the Minturn North P.O.A..
 - a non-exclusive utility and drainage easement as shown herein - on, over, under, above, across and through those areas designated herein as "Public Utility and Drainage Easement", as shown in Tract C, on sheet 2 of 5, for the purpose of i) the installation, use, repair, replacement, improvement and maintenance of utilities of any kind, including but not limited to waterlines and hydrants, sanitary sewerlines and manholes, telephone lines, cable television lines, gaslines, electrical lines, fiber optic lines, other communication lines and all related structures, together with right of ingress and egress, ii) storm drainage, drainage of water flow from other lands along with the installation, use, repair, replacement, improvement and maintenance of surface drainage structures including but not limited to swales, gutters, ditches, culverts, together with right of ingress and egress thereto.

SURVEYOR'S CERTIFICATE

I, Matthew S. Slagle, do hereby certify that I am a Professional Land Surveyor licensed to practice land surveying under the laws of the State of Colorado. That this Subdivision Plat is a true, correct and complete plat of MINTURN NORTH P.U.D., as laid out, platted, dedicated and shown hereon that such plat was made from an accurate survey of said property by me and/or under my supervision and accurately shows the location and dimensions of the lots, easements and rights-of-way of said plat as the same are monumented upon the ground in compliance with applicable regulation governing the subdivision of land, that such plat is based upon the professional land surveyor's knowledge, information and belief, that it has been prepared in accordance with applicable standards of practice, and that such plat is not a guaranty or warranty, either expressed or implied.



Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

Revised 02-07-24 Edited C.O.D. MSS
Revised 12-02-23 Edited Note 6a MSS
Revised 11-14-23 minor text MSS
Revised 11-07-23 Certain Dimensions MSS
Revised 11-06-23 Tract C Easements MSS
Revised 11-03-23 Town Comments MSS
Revised 10-11-23 Town Comments MSS
Revised 10-06-23 Town Comments MSS
Revised 09-26-23 Added Note regarding Tract C MSS

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

CERTIFICATE OF DEDICATION AND OWNERSHIP

Know all men by these presents that Minturn Crossing LLC (being sole owner in fee simple, mortgagee or lienholder, of all that real property situated in the Town of Minturn, County of Eagle, State of Colorado described as follows:
Parcel 1, UPRR Subdivision according to the Final Plat thereof recorded on 13th, day of December, 2023 as Reception No. 202316483 in the Office of the Eagle County Clerk and Recorder, Eagle County, Colorado. Containing 13.485 acres more or less; and has caused the same to be laid out, platted and subdivided, and designated as MINTURN NORTH P.U.D. subdivision in the Town of Minturn, County of Eagle, State of Colorado, and does hereby accept responsibility for the completion of the improvements required by this plat, and does hereby accept responsibility for the completion of the improvements required by this plat and does hereby dedicate and set aside the following tracts, parcels and easements as follows:
-To the Town of Minturn Tract H (Fourth Street) and the easements described and depicted hereon in General Note 7, together with associated public improvements.
-To Utility Providers such utility easements as depicted herein in which utility infrastructure is located.

OWNER: MINTURN CROSSING LLC
ADDRESS: 225 Main Street, Suite C-101
Edwards, Colorado 81632

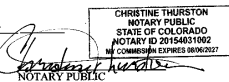
BY: RICK HERMES
TITLE: MANAGER

STATE OF COLORADO)
COUNTY OF EAGLE)

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS 4 DAY OF MARCH, A.D. 2024 BY RICK HERMES AS MANAGER OF MINTURN CROSSING LLC.

MY COMMISSION EXPIRES 6 AUG 27

WITNESS MY HAND AND OFFICIAL SEAL



SUBORDINATION BY MORTGAGEE

Philip Hadley, being the holder of a promissory note secured by deed of trust recorded the 13th day of December 2023, at Reception No. 202316490, in the Office of the Clerk and Recorder of Eagle County, Colorado, hereby consents to the Subdivision of the lands set forth in this Final Plat of Minturn North, P.U.D., and subordinates the lien represented by the aforesaid deed of Trust to the Dedication and restrictions as shown on this final plat and relative covenants, conditions and restrictions.

MORTGAGEE: Philip Hadley

BY: Philip Hadley as Individual

STATE OF Colorado)
COUNTY OF Eagle)

The foregoing Subordination by Mortgagee was acknowledged before me this 26 day of February, 2024, By Philip Hadley as Individual

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: Aug 01, 2025



CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of January 1, 2023, upon all parcels of real estate described on this Plat are paid in full.

DATED THIS 1st OF March, A.D. 2024
ROSE DI
TREASURER OF EAGLE COUNTY

TITLE CERTIFICATE
I, Matthew S. Slagle, does hereby certify that it has examined the title to all lands shown upon this plat and that title to such is vested in MINTURN CROSSING LLC free and clear of all liens, taxes, and encumbrances, except DEED OF TRUST RECORDED 12/13/23, 202316490

DATED THIS 26th DAY OF February, A.D. 2024

AGENT:

CLERK AND RECORDER'S CERTIFICATE # 539

This Plat was filed for record in the Office of the Clerk and Recorder at 1:59 o'clock P.M., on this 4 day of March, A.D. 2024

BY: Matthew S. Slagle DEPUTY



SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

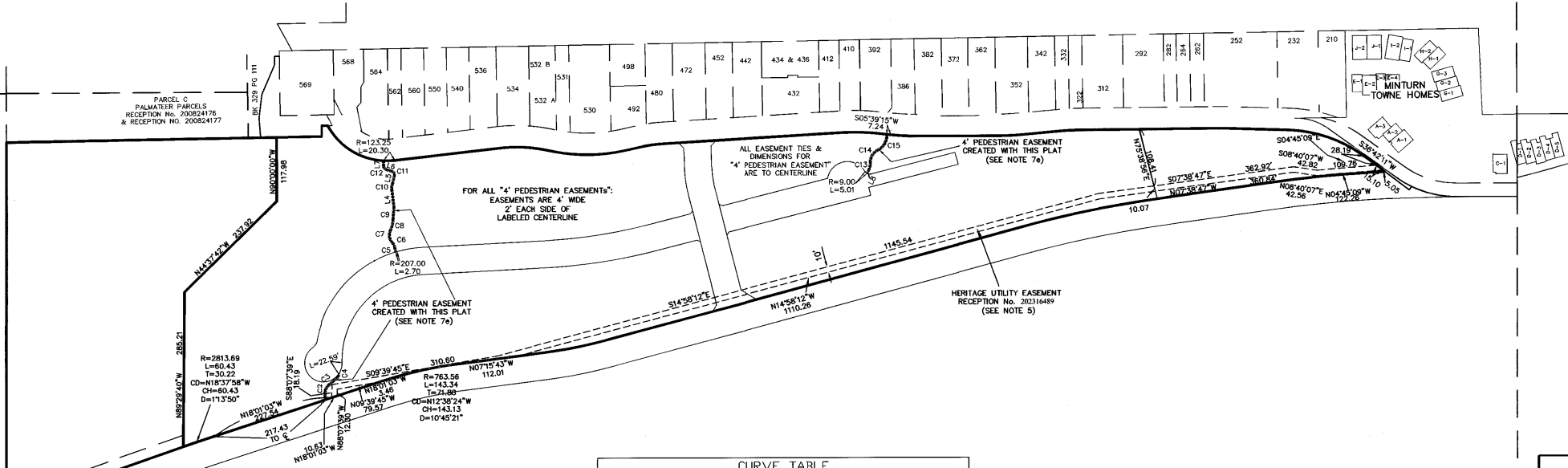
FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

DRAWN BY: MSS JOB NUMBER: 22055 DRAWING NAME: 22055 FP2.dwg
SHEET: 1 OF 5 DATE: 08-13-2023

Eagle County, CO
Regina O'Brien
Pgs: 5
REC: \$55.00 DOC: \$0.00
20240834
03/04/2024
12:59:13 PM
Page 2 of 207

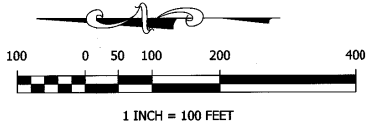
FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado
SHEET 5 OF 5

ADDITIONAL EASEMENT DETAIL SHEET



LINE TABLE		
LINE	LENGTH	BEARING
L4	32.13	N63°15'49"E
L5	14.91	S77°04'30"E
L6	11.48	N18°26'21"E
L7	9.83	S89°36'46"E
L8	7.28	N62°43'18"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	Tangent	Chord	Chd Bng	Delta
C2	29.35	22.25	17.26	27.27	S79°27'12"E	75°35'30"
C3	18.66	276.62	9.33	18.65	S39°43'32"E	3°51'51"
C4	9.01	8.52	4.97	8.59	S66°04'17"E	60°33'21"
C5	7.90	333.24	3.95	7.90	S79°46'25"W	12°13'31"
C6	11.08	18.95	5.70	10.93	N63°41'55"E	33°30'33"
C7	24.01	20.01	13.69	22.60	S81°19'10"W	68°45'04"
C8	20.65	49.15	10.48	20.50	S76°20'24"E	24°04'13"
C9	22.78	236.37	11.40	22.77	S85°36'54"E	5°31'15"
C10	12.77	20.27	6.60	12.56	S83°06'39"E	36°05'40"
C11	9.29	7.31	5.39	8.68	N57°19'55"E	72°46'53"
C12	8.09	6.45	4.68	7.57	N54°28'07"E	71°50'14"
C13	15.45	30.72	7.89	15.28	S77°07'28"E	28°48'21"
C14	27.14	23.79	15.26	25.69	S58°50'20"E	65°22'36"
C15	35.79	30.20	20.33	33.73	S60°06'18"E	67°54'31"

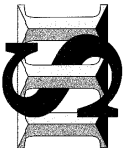


Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

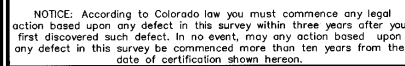
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CHECKED BY:	MSS	DATE:	08-13-2023
DATE:	2/20/25	DATE:	08-13-2023



NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect, in no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

202402234

OVERALL SITE & TRACT C DETAIL

A circular seal for a Colorado Registered Professional Law Director. The outer ring contains the text "COLORADO REGISTERED" at the top and "PROFESSIONAL LAW DIRECTOR" at the bottom. The inner circle contains the name "Matthew S. Blum" in a stylized font, the number "34998", and the date "02-26-24".

Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

FOUND SURVEY MONUMENT
W 1/4 SEC 26
2.5" DIAMETER USGLO
BRASS CAP
STAMPED 1942

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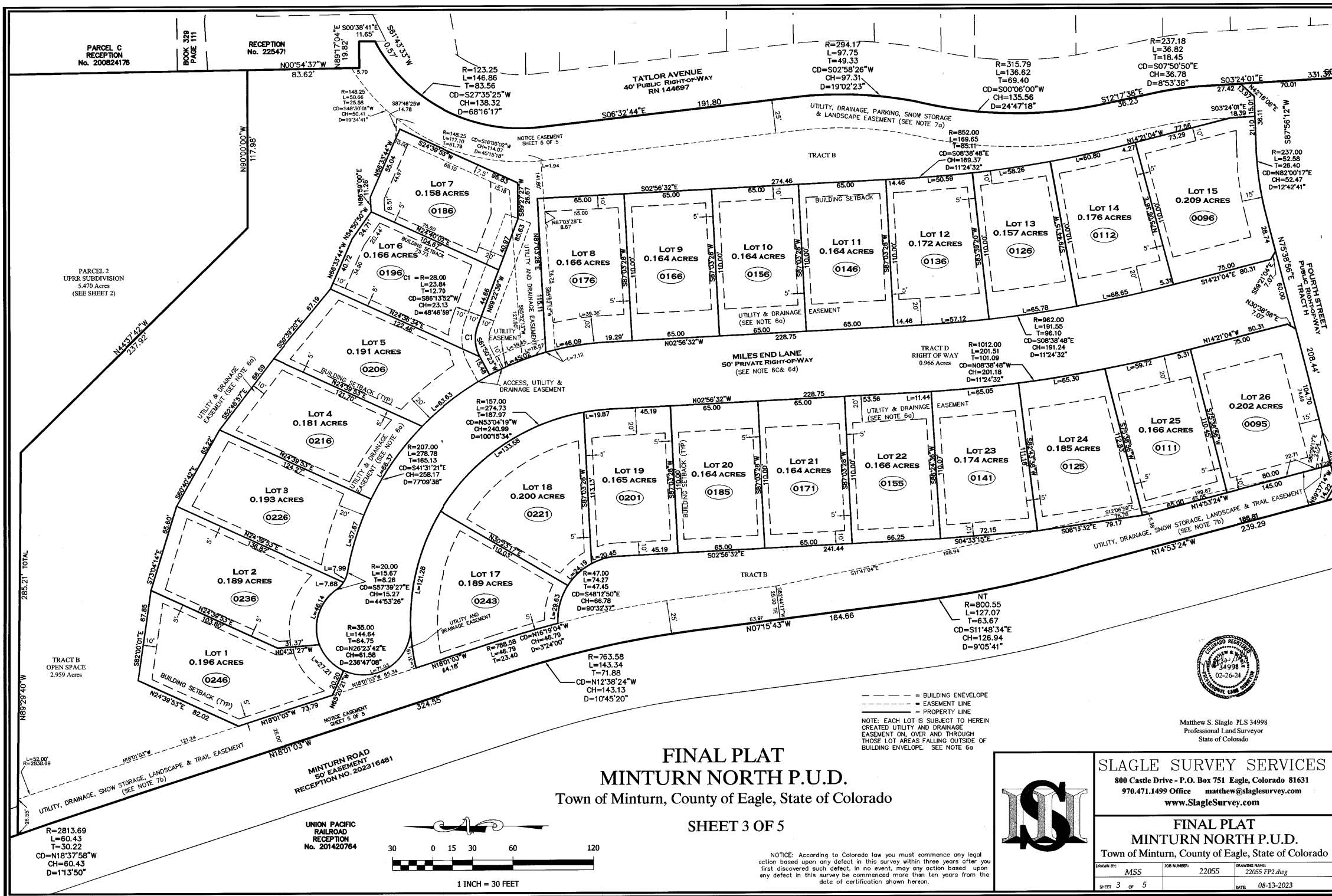
**FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado**

SHEET 2 OF 5	DRAWN BY: MSS	JOB NUMBER: 22055	DRAWING NAME: 22055 FP2.dwg
	DATE: 08-13-2023		

DATE: 08-13-2023

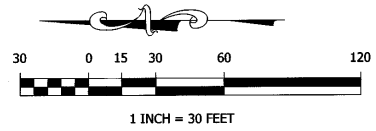
SHEET 2 OF 5

Page 61 of 207



FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

SHEET 3 OF 5



--- BUILDING ENVELOPE
--- EASEMENT LINE
--- PROPERTY LINE
NOTE: EACH LOT IS SUBJECT TO HEREIN
CREATED UTILITY AND DRAINAGE
EASEMENT ON, OVER AND THROUGH
THOSE LOT AREAS FALLING OUTSIDE OF
BUILDING ENVELOPE. SEE NOTE 6a



Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado



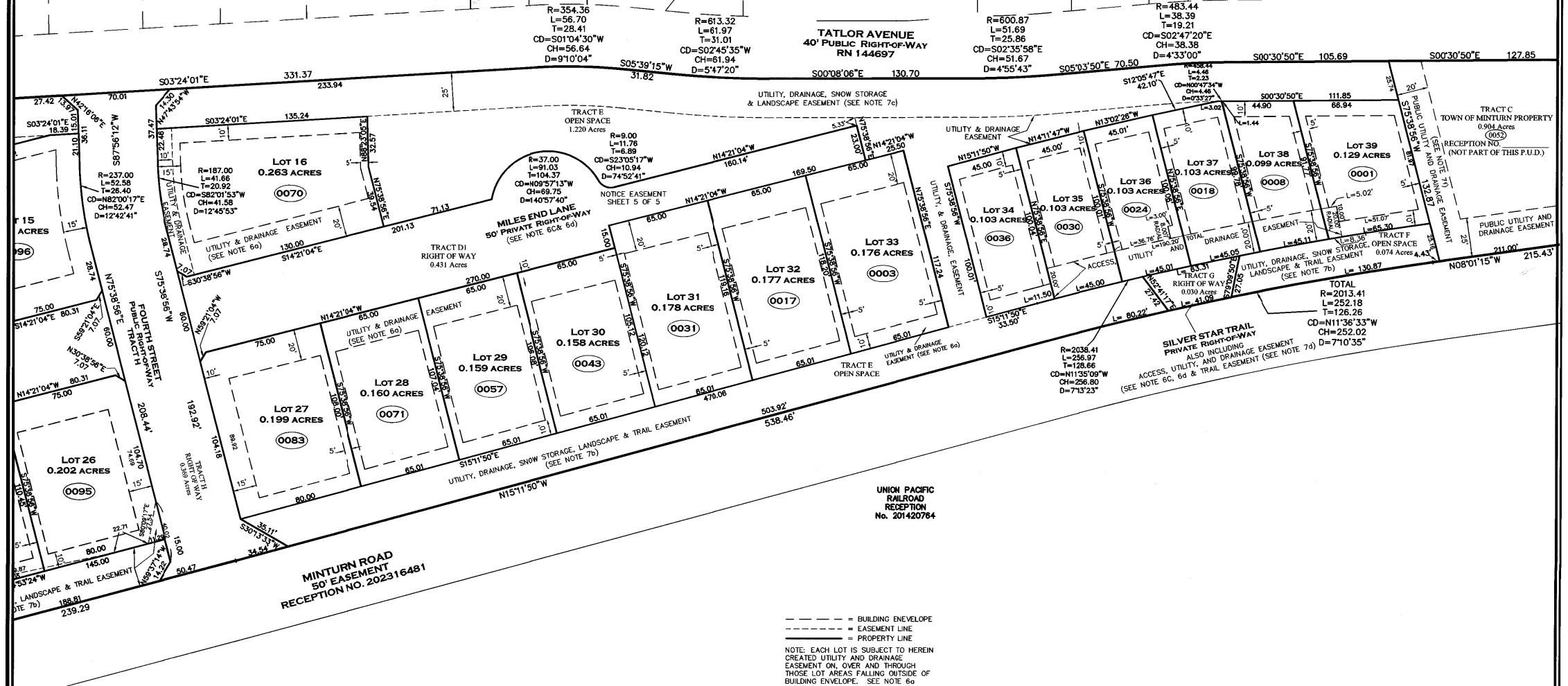
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800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
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FINAL PLAT
MINTURN NORTH P.U.D.
Town of Minturn, County of Eagle, State of Colorado

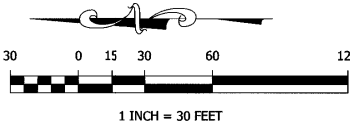
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SHEET:	3 OF 5	DATE:	08-13-2023		

202402234

FINAL PLAT MINTURN NORTH P.U.D. Town of Minturn, County of Eagle, State of Colorado SHEET 4 OF 5



Matthew S. Slagle P.L.S. 34998
Professional Land Surveyor
State of Colorado



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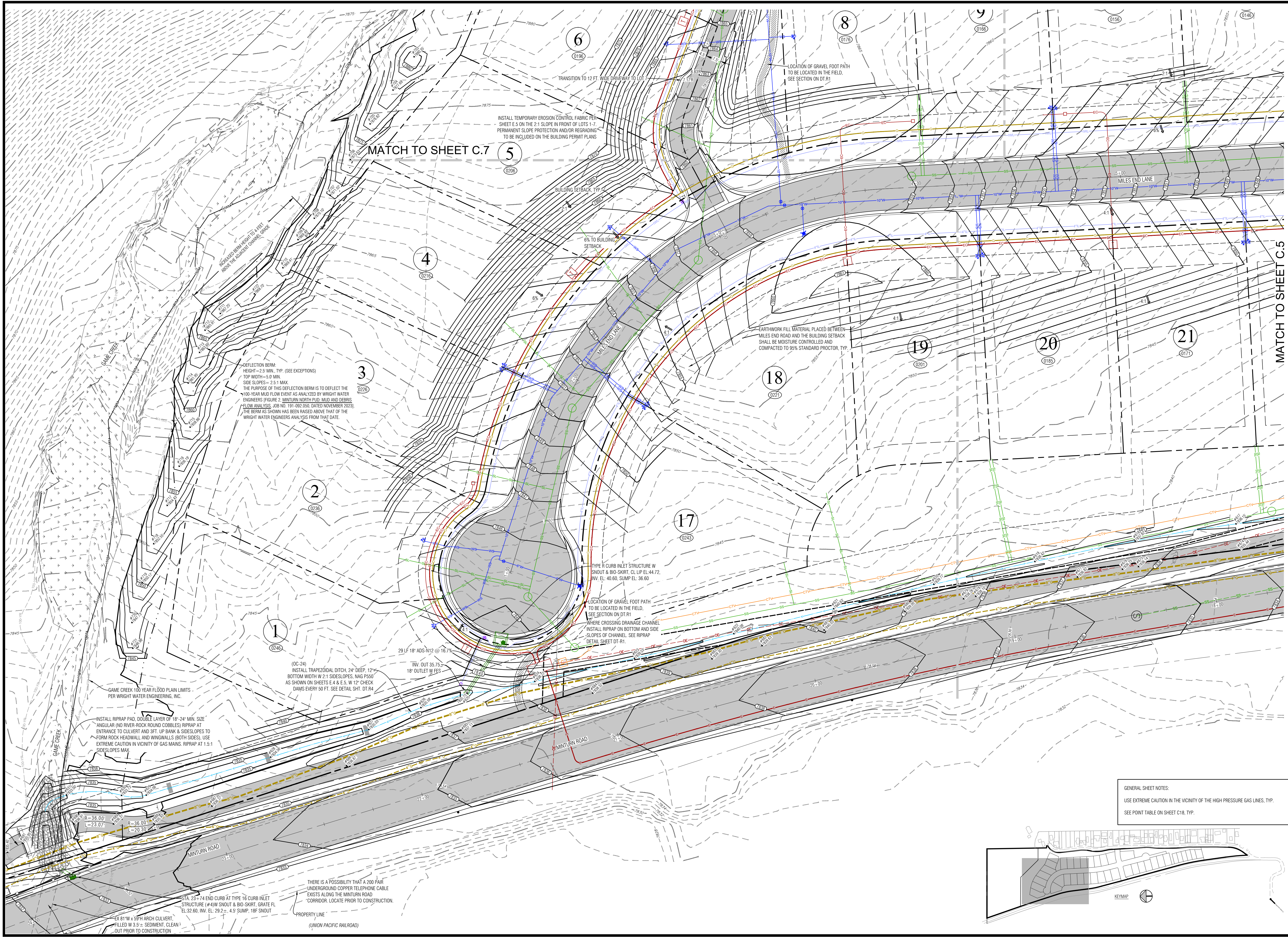
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www.SlagleSurvey.com

**FINAL PLAT
MINTURN NORTH P.U.D.**
Town of Minturn, County of Eagle, State of Colorado

DRAWN BY: MISS	JOB NUMBER: 22055	DRAWING NAME: 22055 FP2.dwg
SHEET 4 OF 5	DATE: 08-13-2023	

202402234

N:\PROJECTS\2022\22006-Minturn North.dwg 9/15/2025 11:46 AM



Boudaries Civil Engineering Surveying & Beyond

923 Cooper Ave., Ste. 201
Glenwood Springs, CO 81601
(770) 970.945.5252
www.bu-inc.com

Subsurface Utility Engineering (SUE)
Required Project: **TBD**
If Yes: SUE Certification by: **TBD**
Firm: **TBD**
Job #: **TBD**
Date: **TBD**

Engineer or Surveyor Seal

COLORADO LICENSED
5/1/24
19082
PROFESSIONAL ENGINEER

Client Information:
MINTURN NORTH LAND COMPANY LLC
PO BOX 2633
EDWARDS, CO 81632
970 926-1720

NORTH

Scale 1" = 20'

811

Know what's below.
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TOWN OF MINTURN, COLORADO

Minturn North P.U.D.

Overall Grading and Drainage Plan

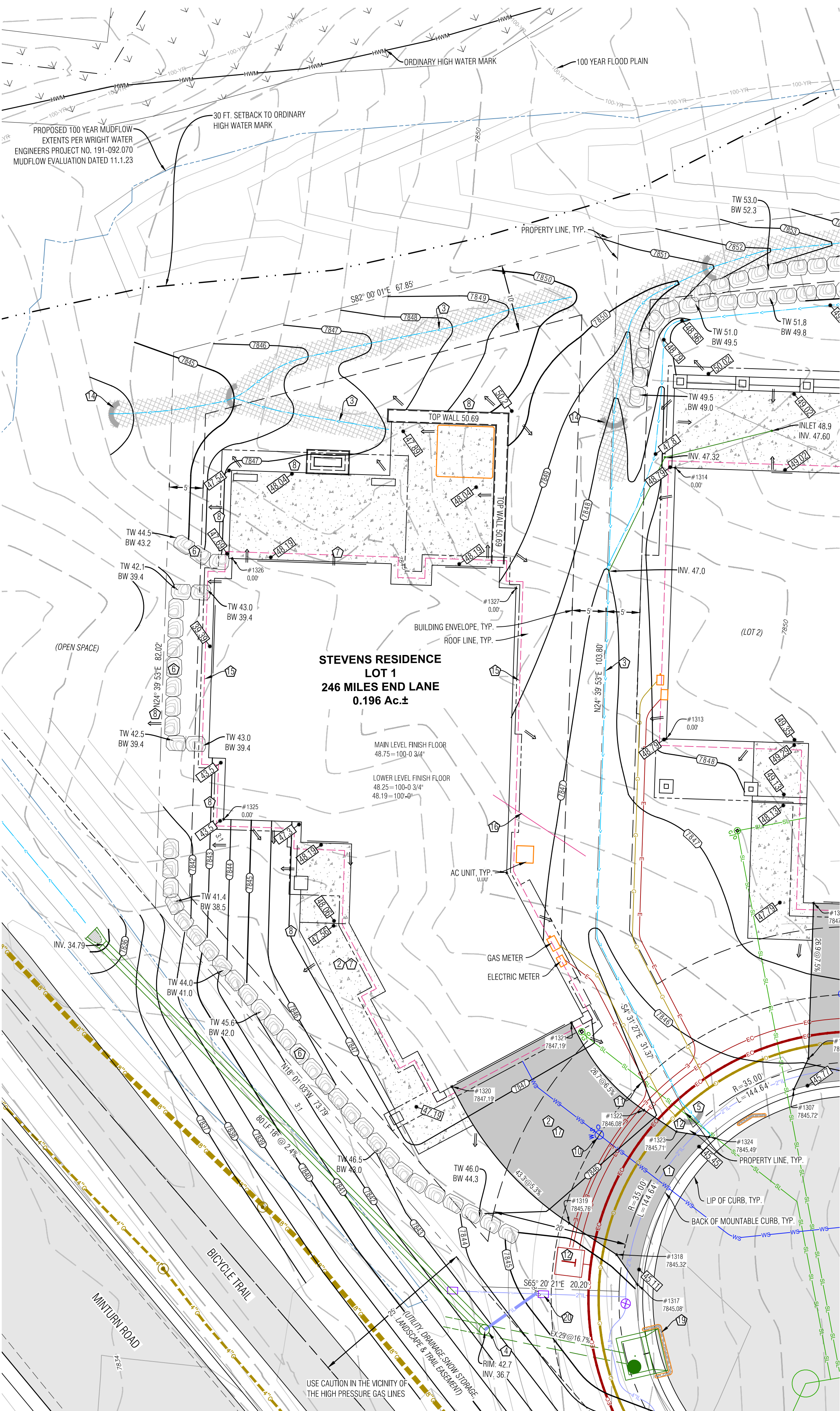
Construction Plan Revision 7/1/24

By	Revision	Date
	1	
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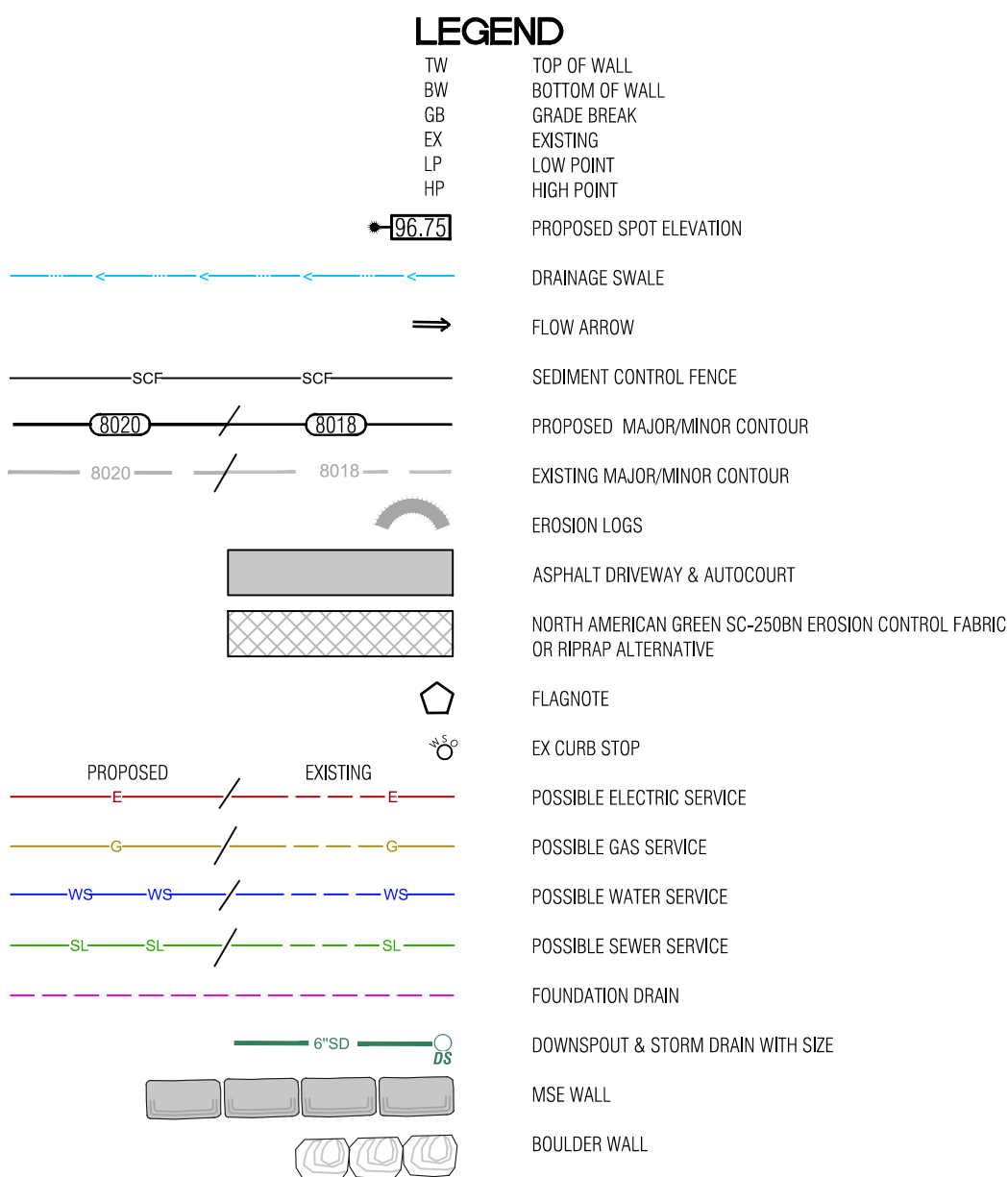
PROJECT NO. **22006**
Designer: **PAH**
Checker: **BUJ**
Date: **12/26/22**

Sheet **C.6**

File Name: 22006 c-grading.dwg



Point Table				
Point #	Desc.	Elev.	North	East
1317	Driveway	7845.08'	4429.17	5338.91
1318	Driveway	7845.32	4434.48	5237.77
1319	Driveway	7845.76'	4441.43	5233.13
1320	Driveway	7847.19	4463.76	5224.97
1321	Driveway	7847.19	4468.59	5244.88
1322	Driveway	7846.08'	4452.54	5249.76
1323	Driveway	7845.71'	4447.77	5252.95
1324	Driveway	7845.49	4445.18	5257.08
1325	House Corner	0.00'	4516.10	5209.19
1326	House Corner	0.00'	4551.09	5225.25
1327	House Corner	0.00'	4530.84	5262.17
1328	House Corner	0.00'	4492.67	5244.64



NOTES:

1) BASIS OF ELEVATION: NAVD88 BASED ON THE ORIGINAL TOPOGRAPHIC MAP OF MINTURN NORTH PREPARED BY GORE RANGE SURVEYING, LLC., JOB NO. 19-1203, DATED 4/1/21. NO BENCHMARK WAS NOTED ON THE BASE SURVEY.

2) THE BOUNDARY DIMENSIONS, EASEMENTS AND RIGHTS OF WAY SHOWN HEREON ARE BASED ON THE FINAL PLAT OF MINTURN NORTH PUD, AND SURVEY CONTROL MONUMENTS FOUND AT THE TIME OF THE SURVEY AND SHOWN ON THE SURVEY REFERENCED ABOVE.

3) SEE ADDITIONAL SITE NOTES & DETAILS ON SHEET C2.

4) EXISTING CONTOUR INTERVAL IS 1 FT., PROPOSED CONTOUR INTERVAL IS 1 FT.

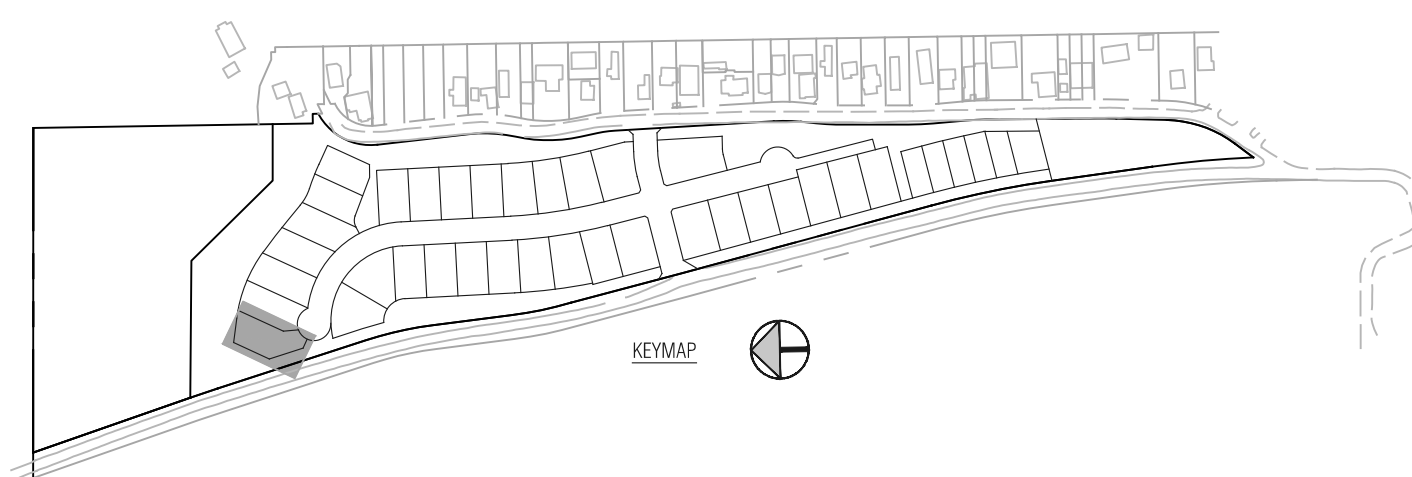
5) LOT AREA: 8,547 SF±
DISTURBANCE AREA: 8,547 SF±

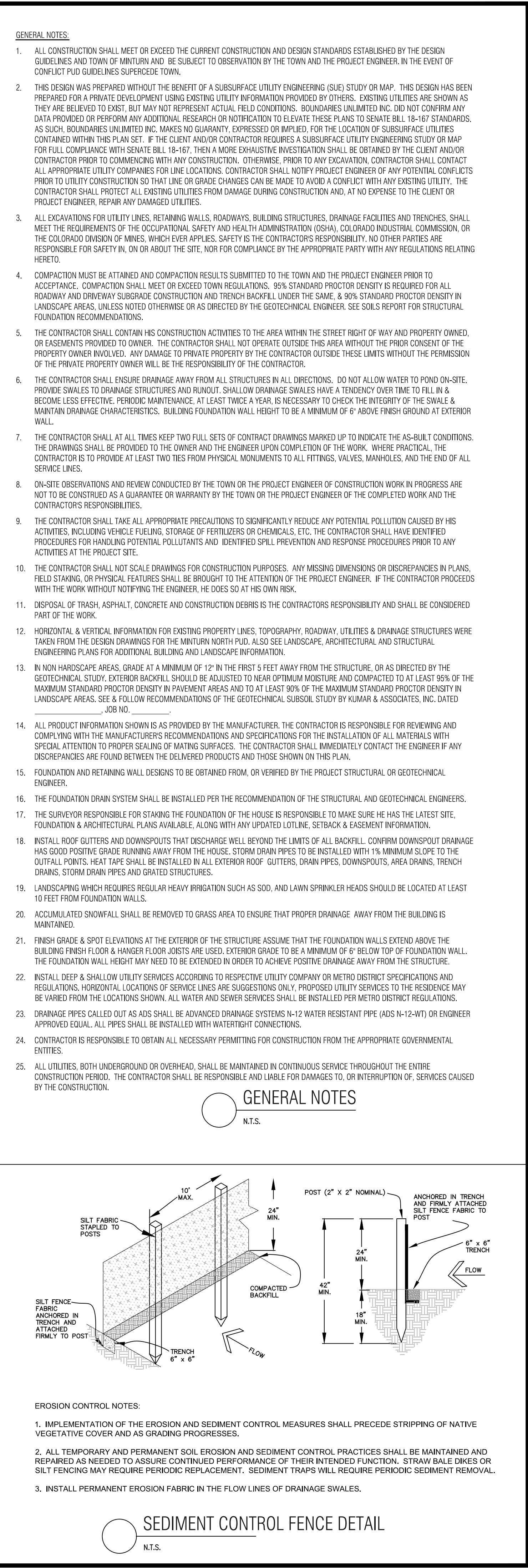
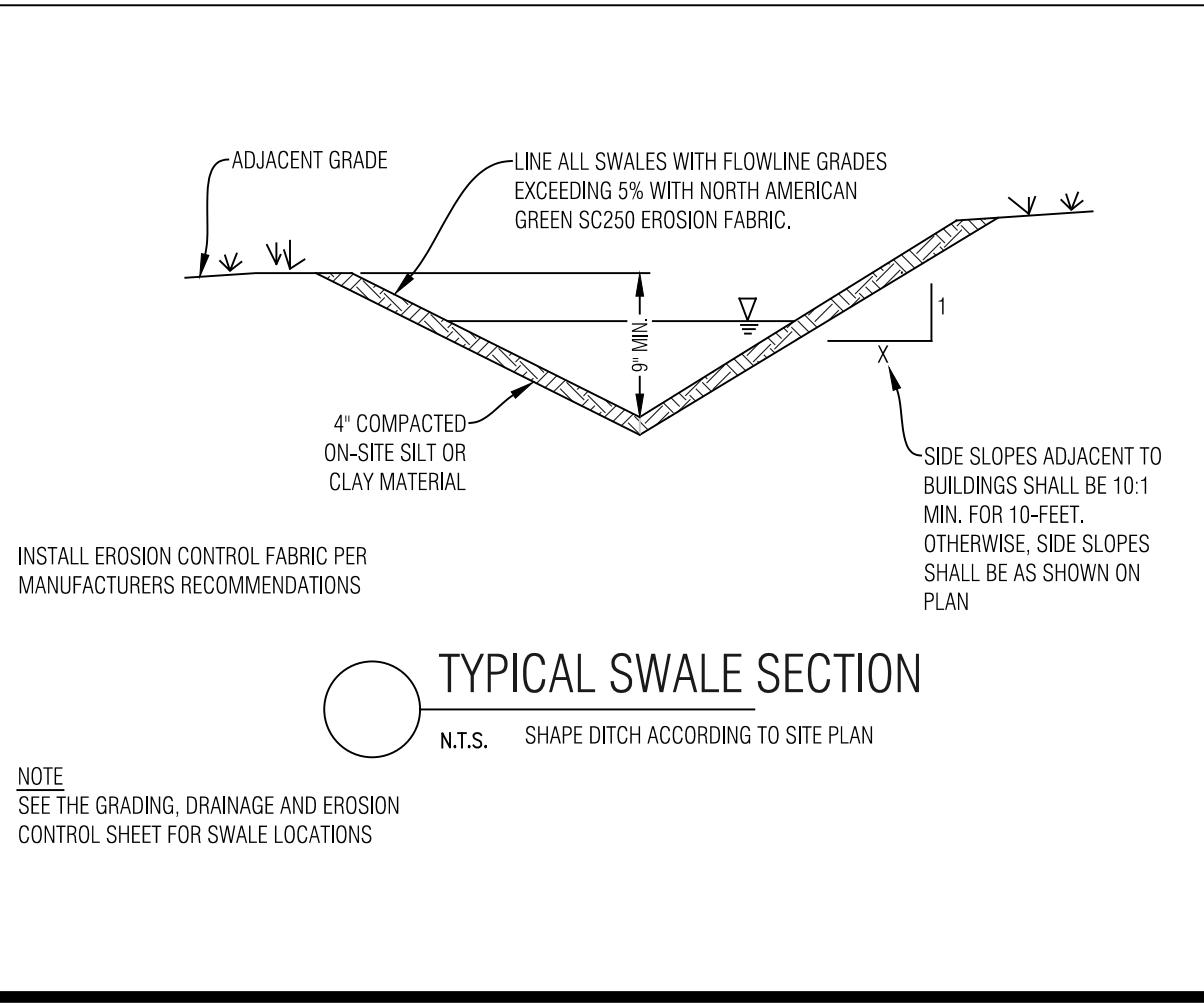
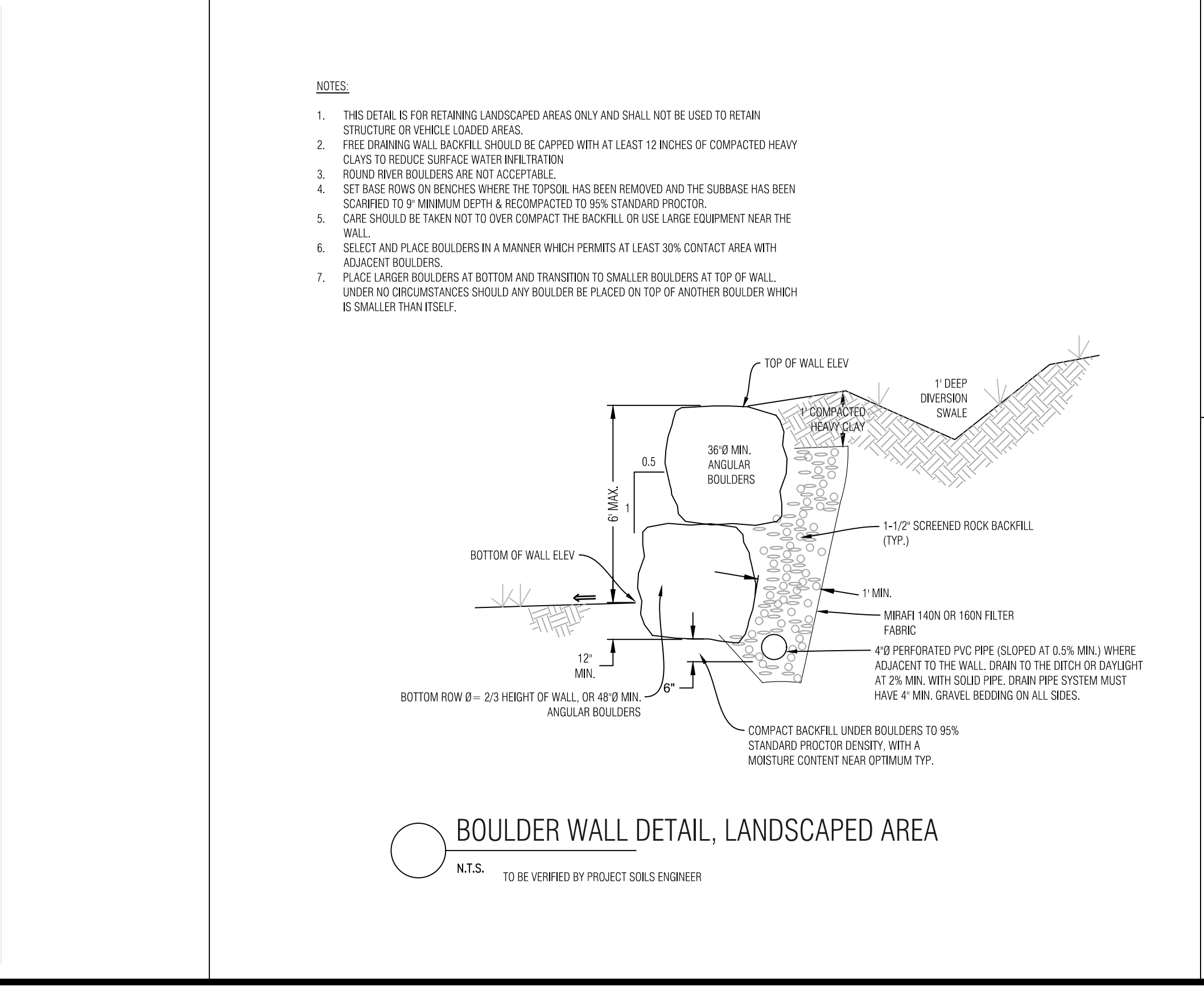
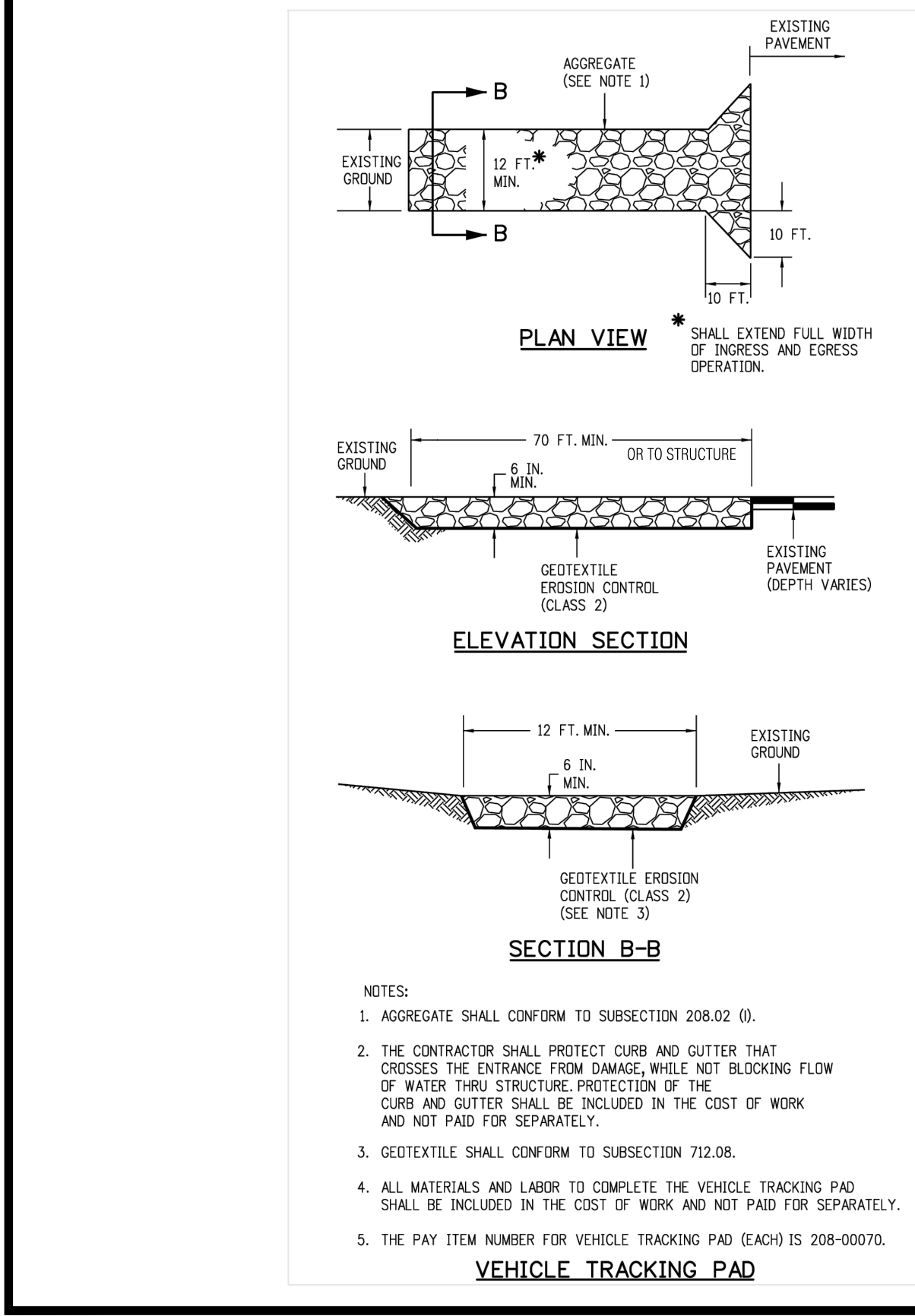
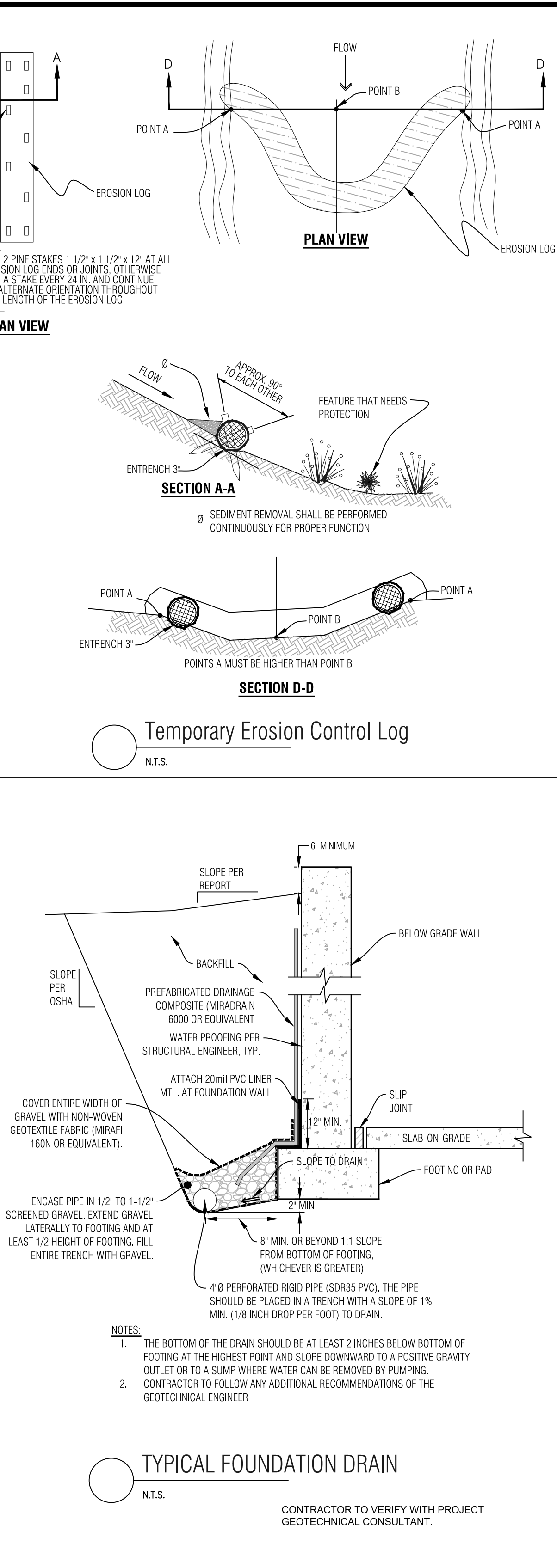
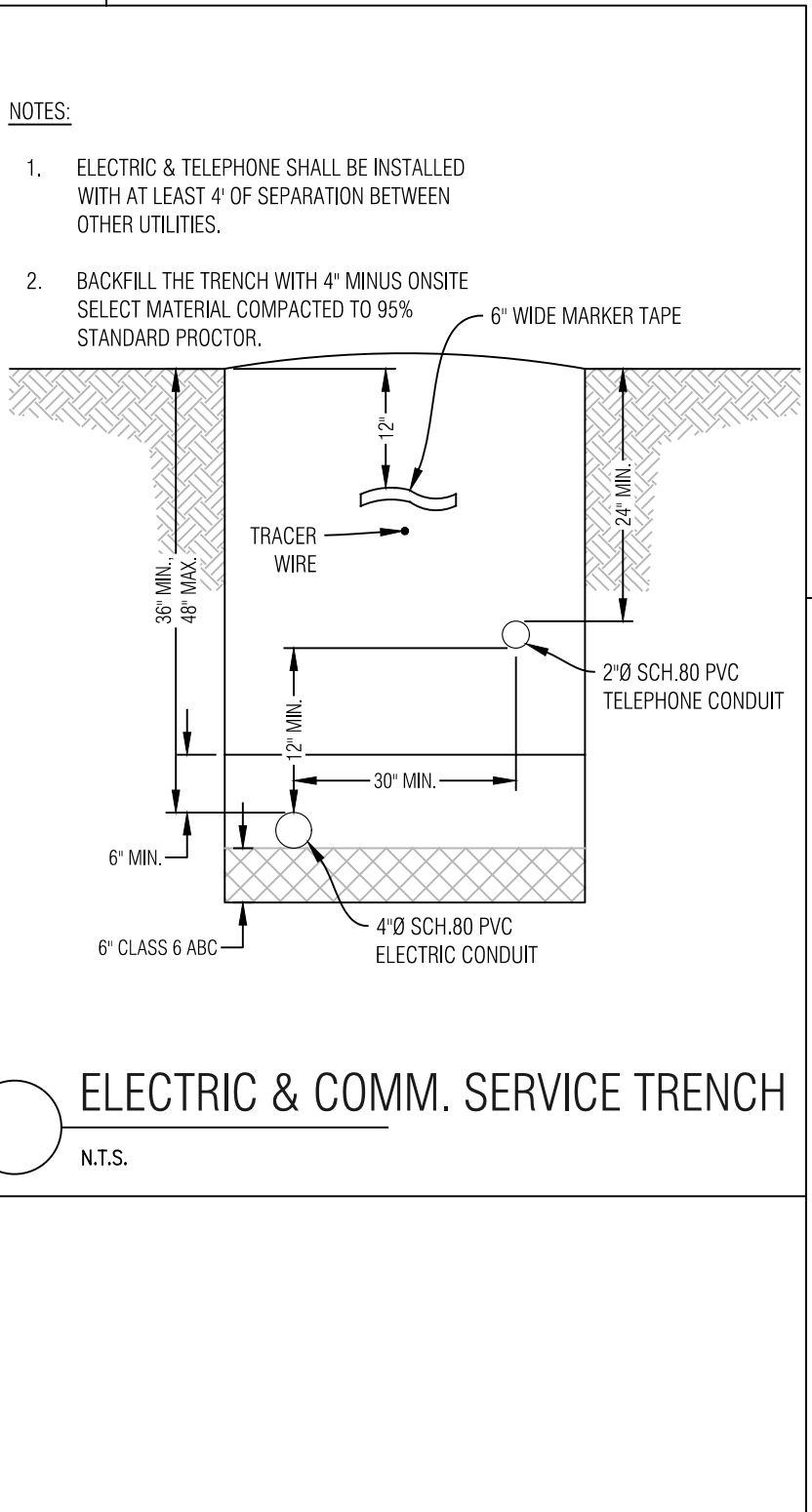
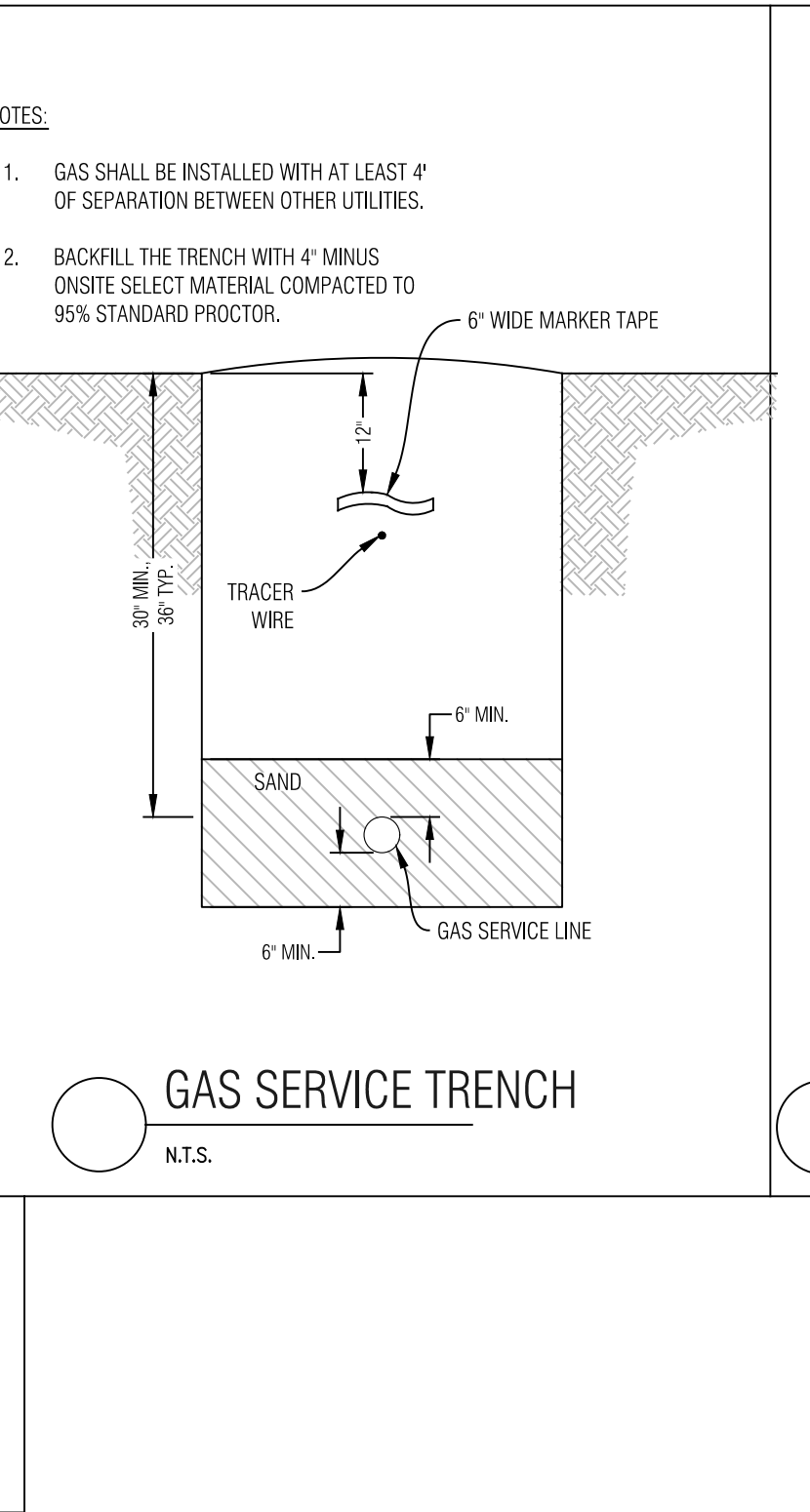
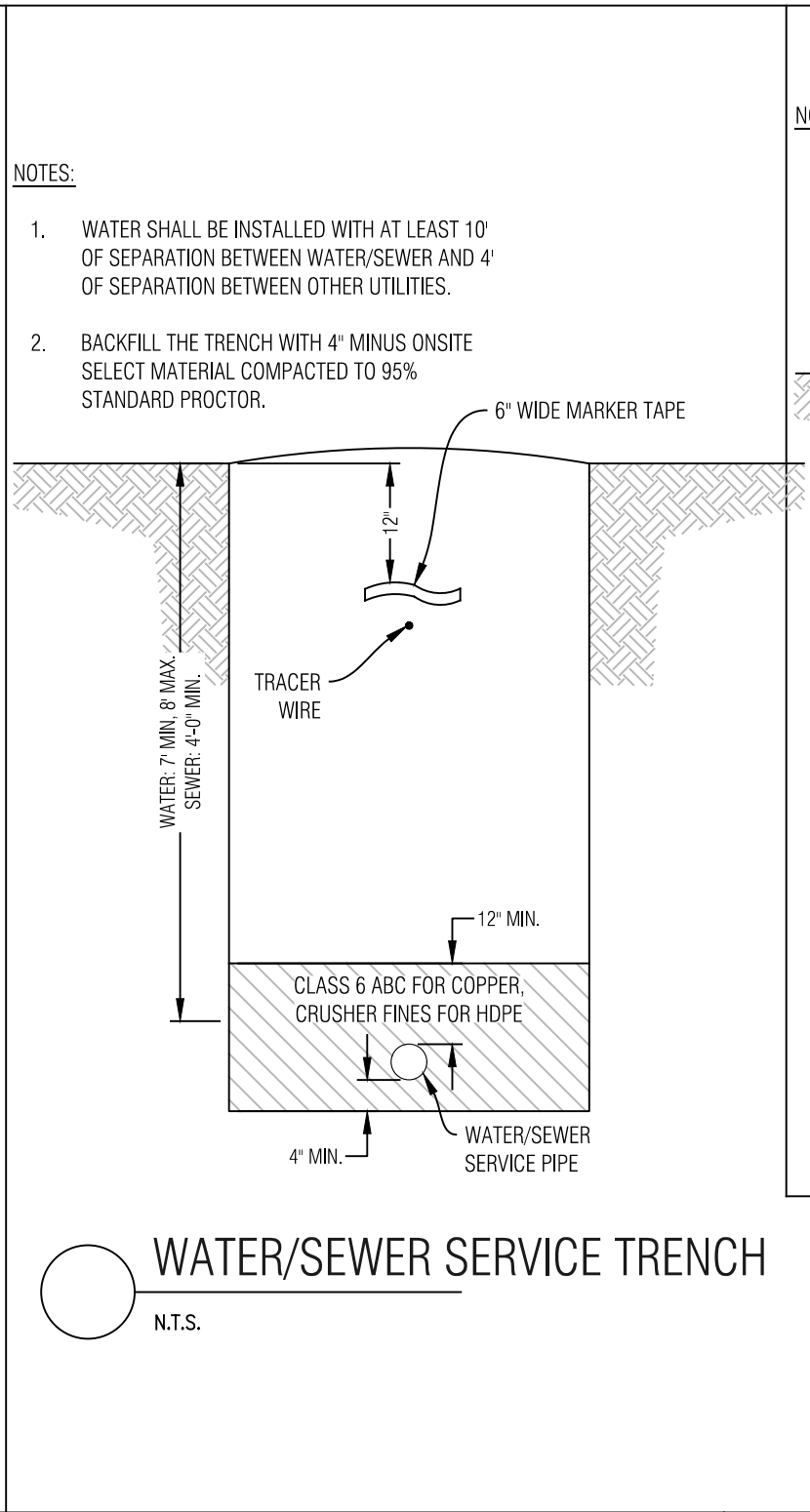
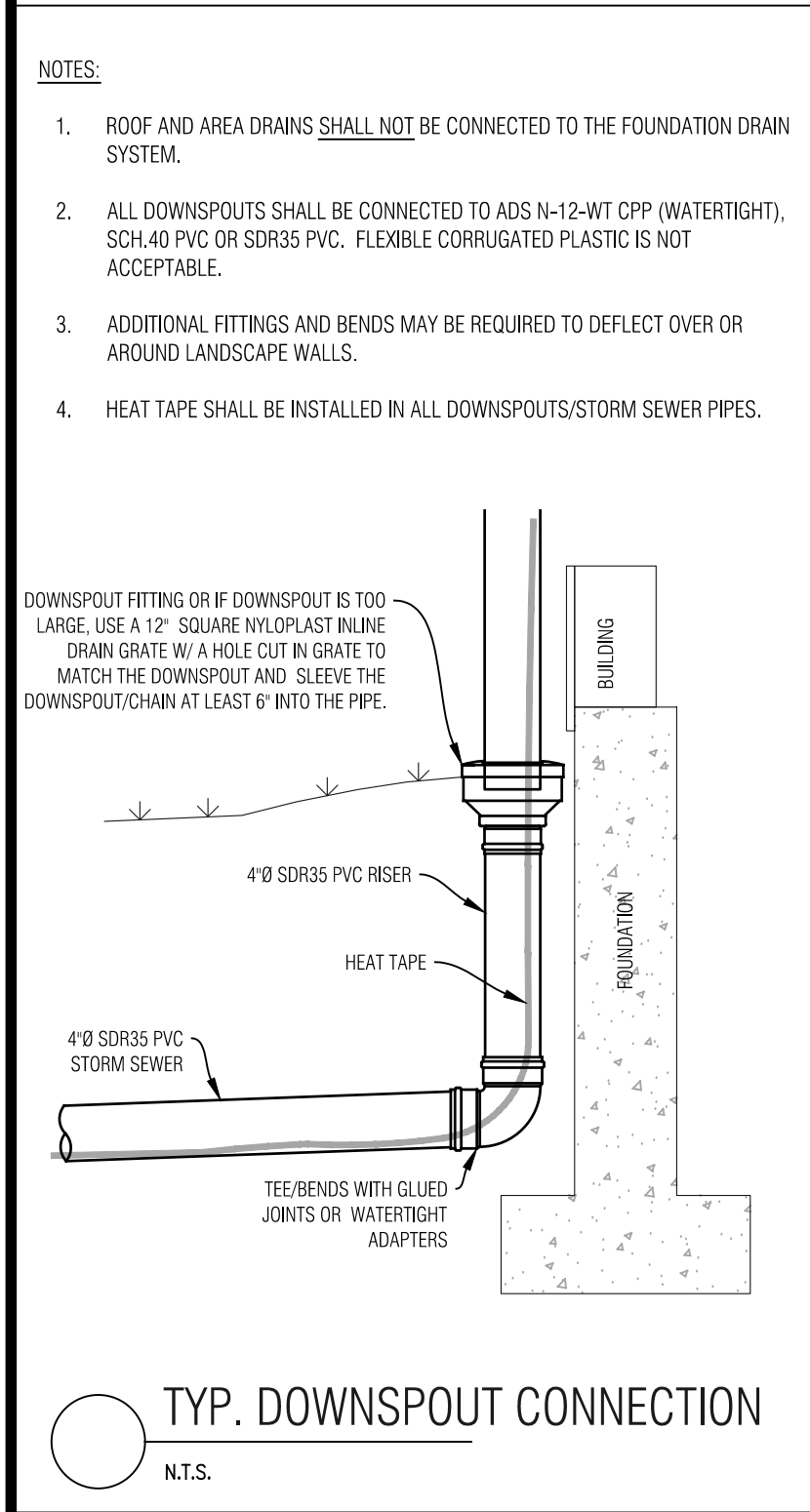
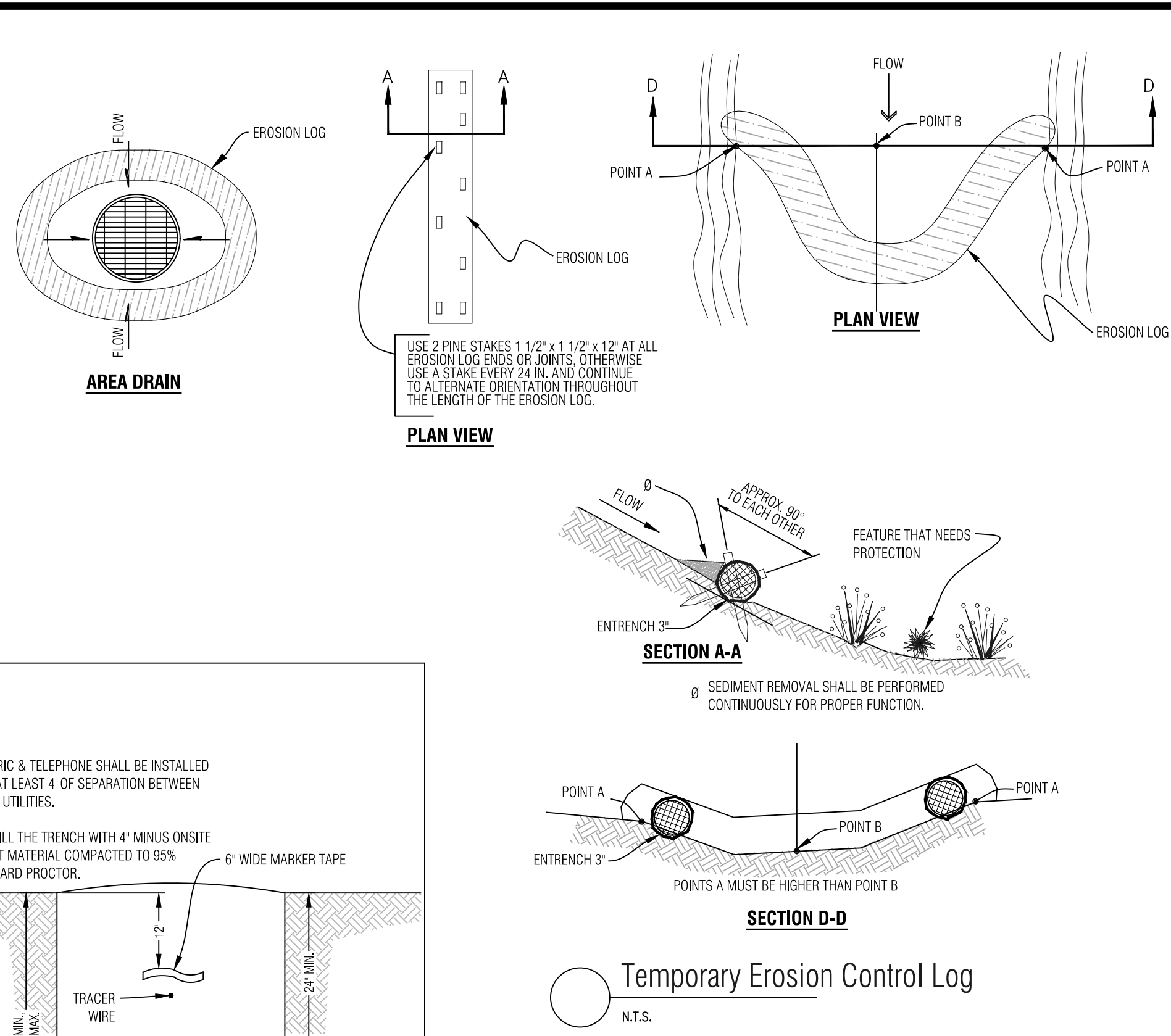
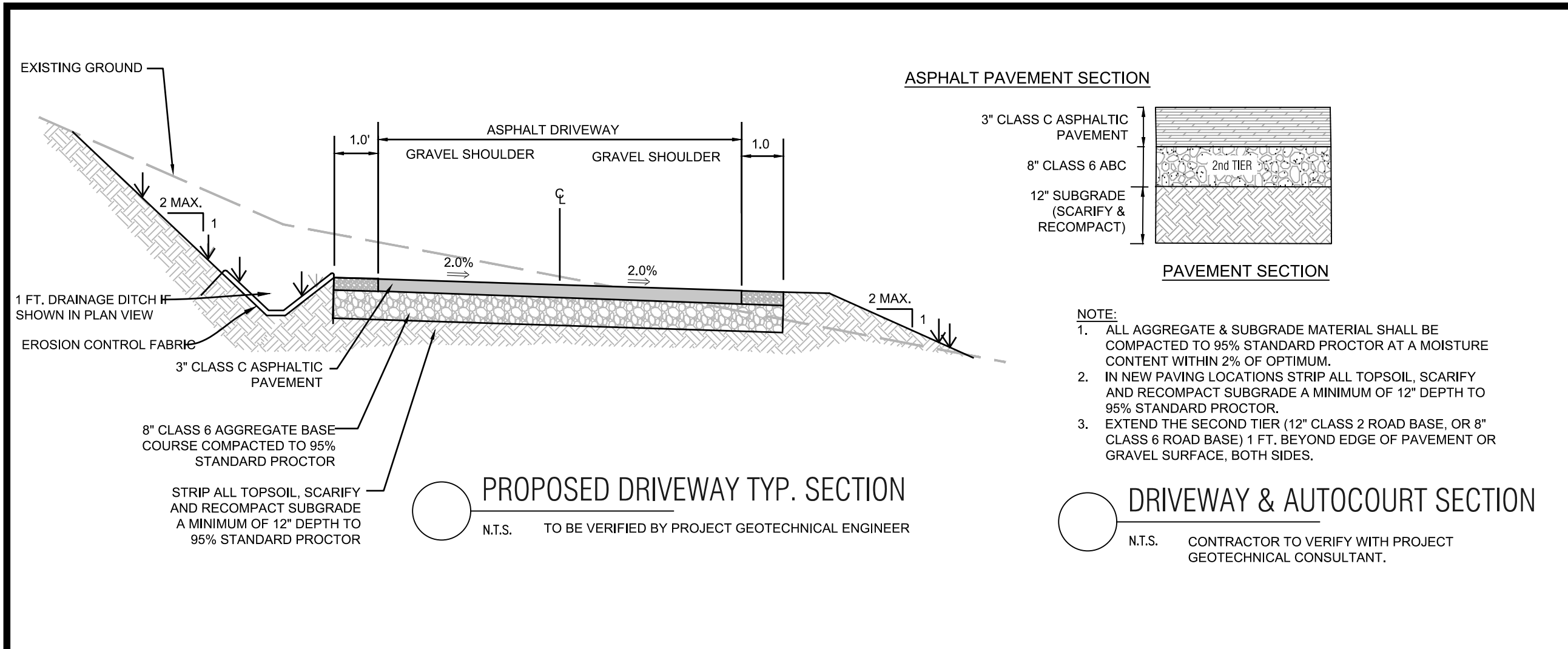
6) THIS (CIVIL) PLAN SET IS INTENDED TO BE PLOTTED IN COLOR. FAILURE TO DO SO MAY RESULT IN MISSING DATA & INFORMATION CRITICAL TO THE PROJECT.

7) CONSTRUCTION ACCESS TO BE LIMITED TO THE AREA WITHIN THE VEHICLE TRACKING PAD. SILT SOCKS TO BE INSTALLED EVERY 30 FEET WITHIN THE CURB LINE ALONG THE LOT FRONTAGE. DIRT TRACKED ONTO PUBLIC ROW TO BE CLEANED AFTER ANY MAJOR STORM EVENT OR WITHIN THREE WORKING DAYS.

FLAGNOTES:

- 1 MATCH TO BACK OF EXISTING CURB.
- 2 PROPOSED ASPHALT DRIVEWAY, AUTO-COURT AND CONCRETE WALKWAYS, STRUCTURAL FILL UNDER THE BUILDING TO FOLLOW THE DIRECTION OF THE GEOTECH REPORT. ALL EARTHWORK CONSTRUCTION TO BE APPROVED BY THE GEOTECHNICAL ENGINEER.
- 3 PROVIDE DRAINAGE SWALE AS SHOWN, WITH NORTH AMERICAN GREEN SC250 EROSION FABRIC OR RIPRAP WHERE SLOPE EXCEEDS 5%. SEE DETAIL.
- 4 REMOVE 6 FT. OF EXISTING STORM SEWER AND INSTALL NEW 24" NYLOPLAST DRAINAGE INLET WITH STANDARD LID. CONNECT TO 80 LF OF 18" HP STORM PIPE, WITH OUTLET IN EXISTING DRAINAGE CHANNEL. RELOCATE AND INSTALL FES FROM ORIGINAL STORM SEWER OUTLET TO EXISTING DRAINAGE CHANNEL.
- 5 SPILL THE LOCAL CHANNEL OVER THE TOP OF THE CURB LINE. FAN OUT DRAINAGE SWALE TO EVENLY DISSIPATE DRAINAGE. TYP.
- 6 INSTALL BOULDER WALL PER THE DETAIL ON SHEET C2. WALL DRAIN LINES NOT SHOWN.
- 7 SLOPE PATIOS, DECKS AND WALKS AT 2% MIN. AWAY FROM THE STRUCTURE.
- 8 GRADE AROUND THE PERIMETER OF BUILDING AS NECESSARY 10% FOR 5- FEET MIN. (10 FT. WHERE POSSIBLE) IN UNPAVED AREAS TO ENSURE PROPER DRAINAGE AWAY FROM THE FOUNDATION. IT WILL BE IMPORTANT TO CONSTRUCT AND DIRECT SURFACE DRAINAGE AWAY FROM BUILDING. WALKS AND WALLS TO EITHER THE AUTOCOURT, THE OUTLET SWALE, OR DOWNWARD SLOPING NATURAL GRADE. VERIFY DRAINAGE AND SWALE INTEGRITY ON A REGULAR BASIS.
- 9
- 10 LOCATE EXISTING CURB STOP. CONFIRM LOCATION AND CONNECTION WITH THE WATER & SANITATION DISTRICT. CONNECT AND EXTEND NEW WATER SERVICE TO MECHANICAL ROOM. WATER SERVICE TO BE 1-1/2" CONTINUOUS COPPER LINE FROM THE CURB STOP TO THE MECHANICAL ROOM. MAINTAIN COVER OVER NEW SERVICE PER DISTRICT REGULATIONS.
- 11 APPROXIMATE LOCATION OF SEWER SERVICE STUB. CONNECT AND EXTEND NEW SEWER SERVICE TO MECHANICAL ROOM. MAINTAIN COVER OVER NEW SERVICE PER DISTRICT REGULATIONS. INSTALL CLEANOUTS AT HOUSE EXTERIOR AND ALL BEND LOCATIONS.
- 12 LOCATE, CONNECT TO, AND EXTEND GAS, ELECTRIC, AND COMMUNICATION SERVICES TO METER CABINET AND GAS METER LOCATION. MAINTAIN COVER & CLEARANCES BETWEEN/OVER NEW SERVICES PER UTILITY REGULATIONS
- 13 EROSION LOGS PER DETAIL ON SHEET C2.
- 14 DRAINAGE DRAIN, TYP., INSTALL IN ACCORDANCE WITH THE GEOTECHNICAL REPORT. DRAIN @ 0.5% MIN. TO DAYLIGHT, SEE DETAIL ON SHEET C2.
- 15 EXTEND THE DRAINAGE DRAIN FROM PUMP PUMP HOUSE TO DAYLIGHT WITH SOLID PIPE. COVER WITH A RODENT SCREEN AT END.
- 16 INSTALL VEHICLE TRACKING PAD. SEE DETAIL SHEET. AT LOCATION OF DRIVEWAY, TRACKING PAD TO BE REMOVED PRIOR TO FINAL DRIVEWAY SUBGRADE PREPARATION AND PAVING.
- 17 SILT FENCE PER DETAIL ON SHEET C2.
- 18 INSTALL SILT SOCKS WITHIN CURB LINE. EVERY 30 FT. +/-
- 19 RELOCATE EXISTING IRRIGATION DRAINAGE BOX. INSTALL 2" SCHEDULE 40 DRAIN LINE INTO NEW NYLOPLAST INLET.





Civil Engineering Surveying & Beyond

Boundaries Unlimited Inc.

923 Cooper Ave., Ste. 201
Glenwood Springs, CO 81601
(770) 970.945.5252
www.bu-inc.com

Subsurface Utility Engineering (SUE)
Required Project: **TBD**
If Yes: SUE Certification by:
Firm: **TBD**
Job #: **TBD**
Date: **TBD**

Engineer or Surveyor Seal

NOT FOR REVIEW

Client Information:
MINTURN NORTH LAND COMPANY LLC
PO BOX 2633
EDWARDS, CO 81632
970 926-1720

811
Know what's below.
Call before you dig.

TOWN OF MINTURN, COLORADO

Lot 1, Minturn North P.U.D.

Details and Notes

DRB 9/18/25

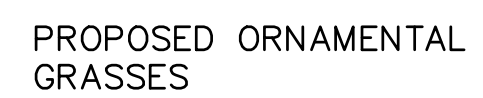
By	Revision	Date
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PROJECT NO. 2005
Designer: **PAH**
Checker: **BU**
Date: **9/18/25**

Sheet **C2**

File Name: **lot 1 sp-01.dwg**

-
 IRRIGATED SOD, REFER TO L2 FOR DETAILS
-
 NATIVE SEED MIX WITH TEMPORARY IRRIGATION, REFER TO L2 FOR DETAILS



LANDSCAPE ARCHITECT:
TOMINA TOWNSEND, LA
PO BOX 3000, PMB 301
EDWARDS, CO 81632
P. 303.572.7876
TTownsend@ResortConceptsCO.com

MINUTURN NORTH P.U.D.

LOT 1 - LANDSCAPE PLAN
TOWN OF MINTURN, COLORADO

DESIGNED: TT
DRAWN: TT
CHECKED: RH
DATE: September 18, 2025
REVISIONS:

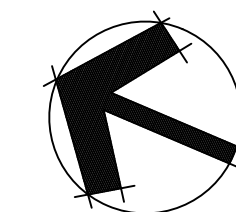
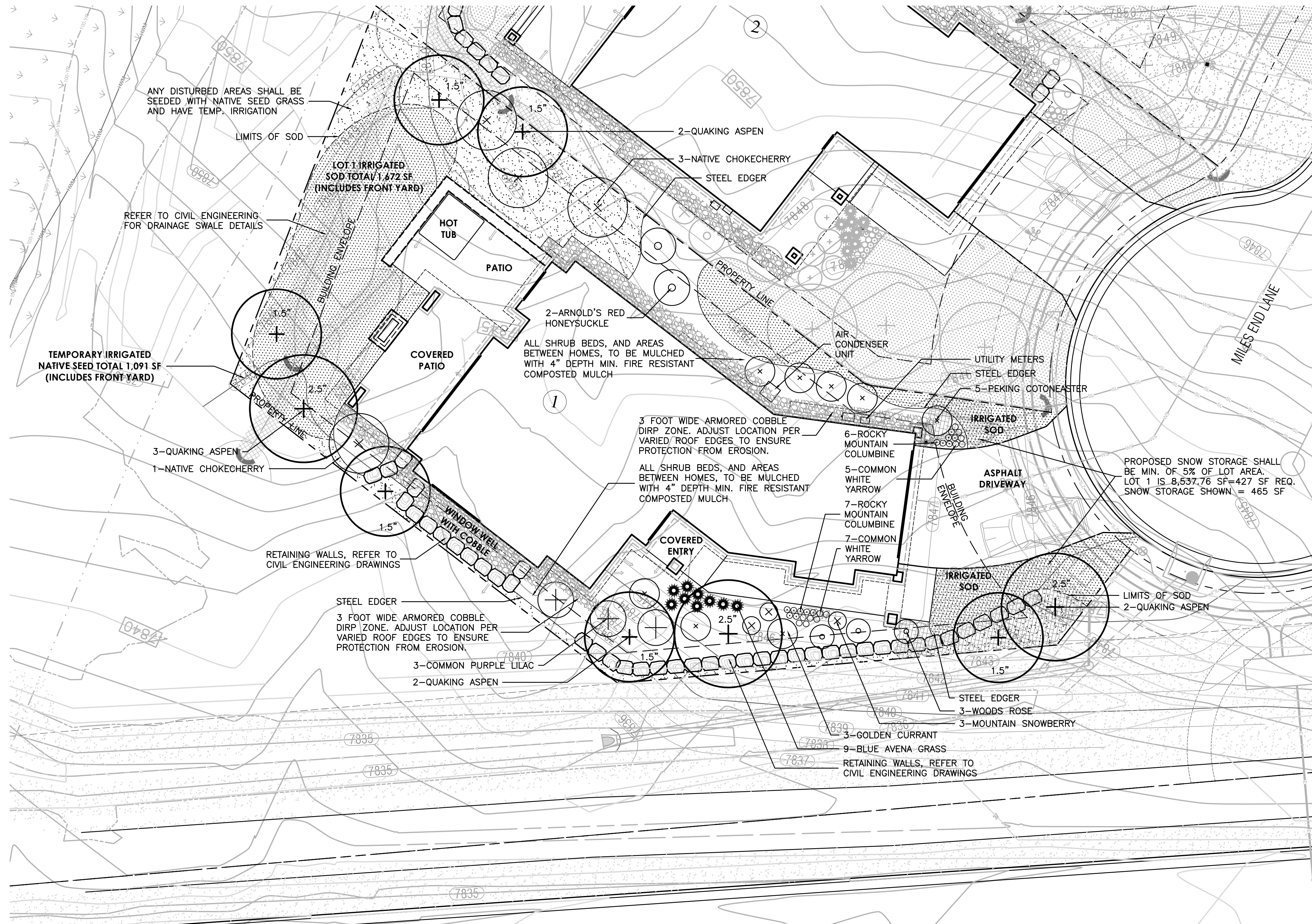
SHEET TITLE:

PROPOSED LANDSCAPE PLAN

SCALE: 1"=10'-0"

SHEET NUMBER:

L1



0 5 10 20

SCALE: 1"=10'-0"

General Notes and Specifications:

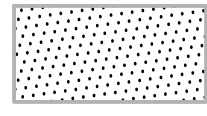
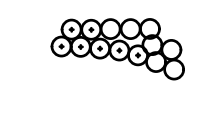
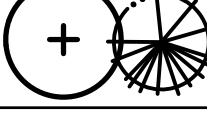
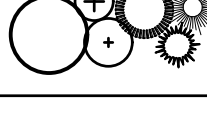
1. All areas disturbed by construction and not designated a shrub bed or sod, shall be planted with the specified native grass seed.
2. The contractor shall maintain positive drainage away from all walls and walkways. Fine grading shall be approved prior to planting.
3. The Landscape Plan shall be reviewed on site prior to installation to ensure planting meets the intent of the design guidelines and Town of Minturn standards.
4. See Civil Engineering sheets for final grading and drainage.
5. Snow Storage area shall be a min. of 25% of all driveway and parking areas.

Revegetation Notes:

1. Seed shall be broadcast and raked to ¼" depth.
2. Apply Biodegradable Green Dyed-Wood Cellulose-Fiber Mulch to all seeded Areas at a rate of 20 lbs. per 1,000 s.f.
3. Prior to seeding, apply min. 6" topsoil, 10 lbs./1,000 s.f. Superphosphate and 40 lbs./1,000 s.f. Biosol Complete Fertilizer.

Fire Mitigation Recommendations:

1. Zone 1 (15' from building and integral planting): no highly flammable plants, such as evergreen trees and shrubs should be planted within 15' of the structure or attachments.
2. Zone 2 (70' from building and Integral planting): a 10' crown separation must be maintained for all evergreen trees and shrubs over 4' height. A 4' crown separation must be maintained for evergreen shrubs under 4' height.
3. Plants listed on forest service publication 6.305 FireWise Plant Material can be used in any zone.
4. Existing junipers within Zone 1 and Zone 2 must be limbed ½ of their total height, but no more than 10' height.
5. Dead limbs shall be removed from all existing Serviceberry within Zone 1 or Zone 2.
6. If necessary, final existing vegetation to be limbed or removed for fire mitigation purposes will be subject to the constraints of the final unit site plans and reviewed on site with a representative from the Town of Minturn on a unit by unit basis prior to construction.

LEGEND & IRRIGATION CALCULATIONS:		
Permanent Irrigation		Square Footage of Irrigation
	Permanent Pop-Up Spray Irrigation For Bluegrass Sod	1,672 SF
	Permanent micro-spray or drip irrigation for perennial beds	25 PERENNIALS x 1 SF = 25 SF
	Permanent Drip Irrigation For B&B Trees	9 TREES x 4.5 SF = 41 SF
	Permanent Drip Irrigation For 5 gal. Shrubs & Grasses	32 SHRUBS x 3 SF = 96 SF
		TOTAL PERMANENT IRRIGATED AREA: 1,834 SF
	Temporary Spray Irrigation For Native Seed	1,091 SF

IRRIGATION NOTES:

1. DESIGN CRITERIA: DESIGN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO UNIFORMLY IRRIGATE ALL PLANTING AREAS. ZONE IRRIGATED SOD, NATIVE SEED GRASS, AND SHRUB PLANTING AREAS SEPARATELY. PROVIDE DRIP IRRIGATION FOR SHRUB BEDS. PROVIDE MICRO-SPRAY HEADS OR DRIP IRRIGATION, DEPENDING ON PLANT MATERIAL, IN PERENNIAL AND GROUNDCOVER BEDS. DESIGN ROTORS FOR TURF GRASS AREAS MORE THAN 40' WIDE, AND POP-UP SPRAY HEADS FOR AREAS LESS THAN 40' WIDE.
2. ALL TREES AND SHRUBS TO BE DRIP IRRIGATED.

ALL DISTURBED AREAS SHALL BE SEEDED WITH:
'DRY NATIVE MOUNTAIN' SEED MIX

THIS SEED MIX HAS BEEN CHOSEN FOR THE SPECIFIC PROJECT LOCATION AND ELEVATION. LANDSCAPE INSTALLER SHALL NOT DEVIATE FROM THIS REVEGETATION SEED MIX WITHOUT WRITTEN APPROVAL FROM THE RESORT CONCEPTS SITE MANAGER.

COMMON NAME	SEEDING RATE % MIX	BULK LBS PER ACRE
SANDBERG BLUE	10%	5.00
MOUNTAIN BROME	20%	10.00
SLENDER WHEATGRASS	15%	7.50
BLUEBUNCH WHEATGRASS	10%	5.00
ROCKY MOUNTAIN FESCUE	10%	5.00
THICKSPIKE WHEATGRASS	15%	7.50
BOTTLEBRUSH SQUIRRELTAIL	2.5%	1.25
STREAMBANK WHEATGRASS	15%	7.50
PRAIRIE JUNEGRASS	2.5%	1.25
TOTAL LBS./ACRE	100%	50

NOTES:

PERCENTAGES OF MIXES VARY YEAR-TO-YEAR DEPENDING ON HARVEST OF SEEDS. HYDROSEED OR HAND BROADCAST: 1 LB. PER 1,000 SQ. FT. OR 50 LBS. PER ACRE. RAKE IN ¼" DEEP AND IRRIGATE, IF POSSIBLE UNTIL ESTABLISHED. 'DRY NATIVE MOUNTAIN' SEED MIX IS AVAILABLE FROM PAWNEE BUTTES SEED INC., 605 25TH STREET, GREELEY, CO 80632. PHONE: 1-800-782-5947 WEBSITE: PAWNEEBUTTESSEED.COM

PROPOSED PLANT MATERIALS LIST

Note: All plant material has been chosen from the CSU Extension Office recommended plant lists. These lists have been cross referenced to find suitable plants for the elevation of Minturn (10,000 ft and above), and also to maximize use of plants native to the area, low-water use plants, and plants that enhance habitat and food sources for insects, butterflies, birds and other animals. The cross referenced lists are the following:

- CSU Extension, Fire Wise Plant Materials - 6.305
- CSU Extension, Trees and Shrubs for Mountain Areas - Fact Sheet No. 7.423
- CSU Extension, Low-Water Native Plants for Colorado Gardens, Mountains 7,500' and Above - CO Native Plant Society
- CSU Extension, Native Trees for Colorado Landscapes - Fact Sheet No. 7.421
- CSU Extension, Native Shrubs for Colorado Landscapes - Fact Sheet No. 7.422

QUAN.	COMMON/ BOTANICAL NAME	FIRE MITIGATION ZONE	SIZE	COMMENTS
6	Quaking Aspen Populus tremuloides	1 & 2	1.5" cal.	Specimen quality B&B, guyed
3	Quaking Aspen Populus tremuloides	1 & 2	2.5" cal.	Specimen quality B&B, guyed

ORNAMENTAL GRASSES (planted @ 18" O.C. spacing)

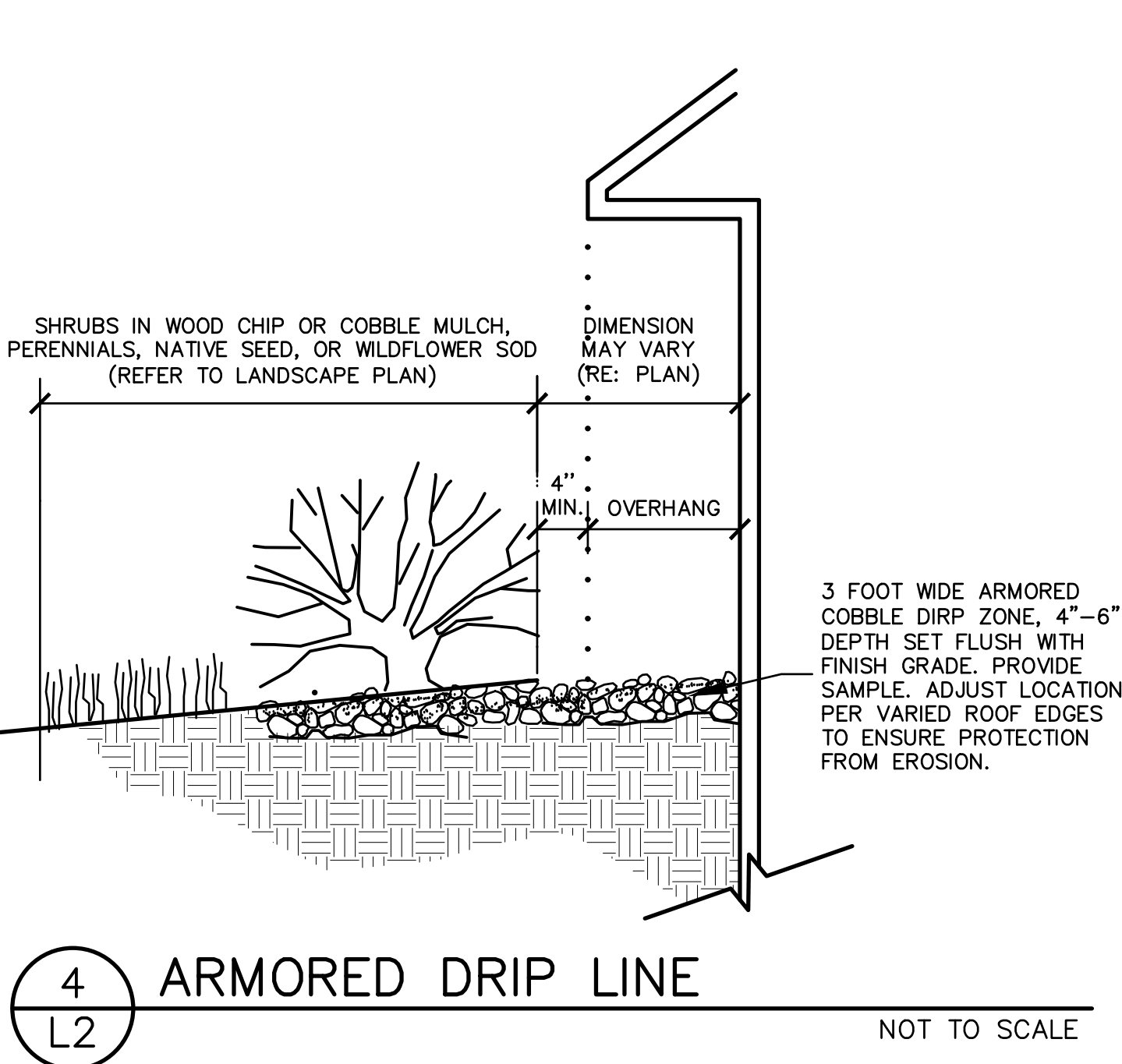
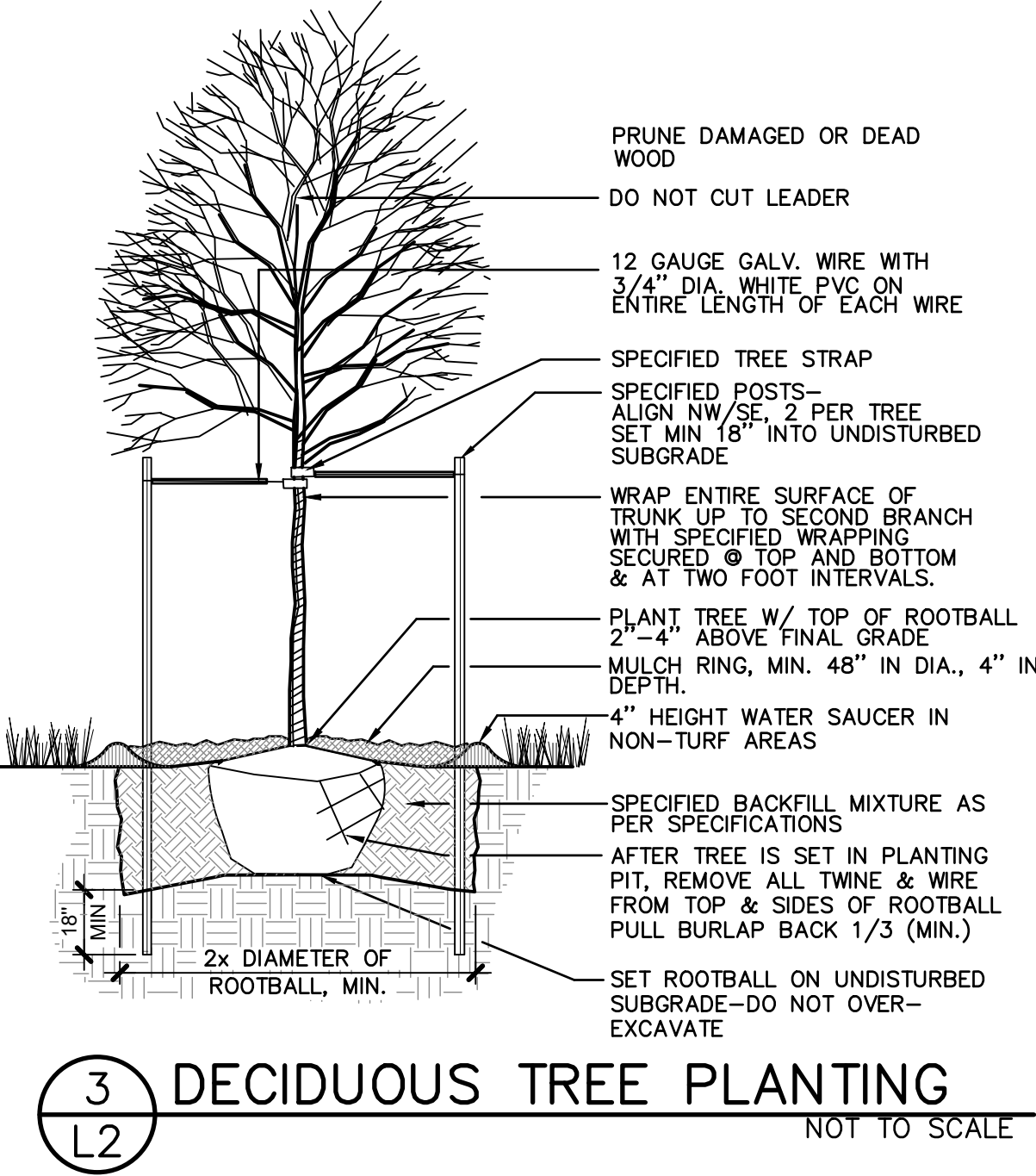
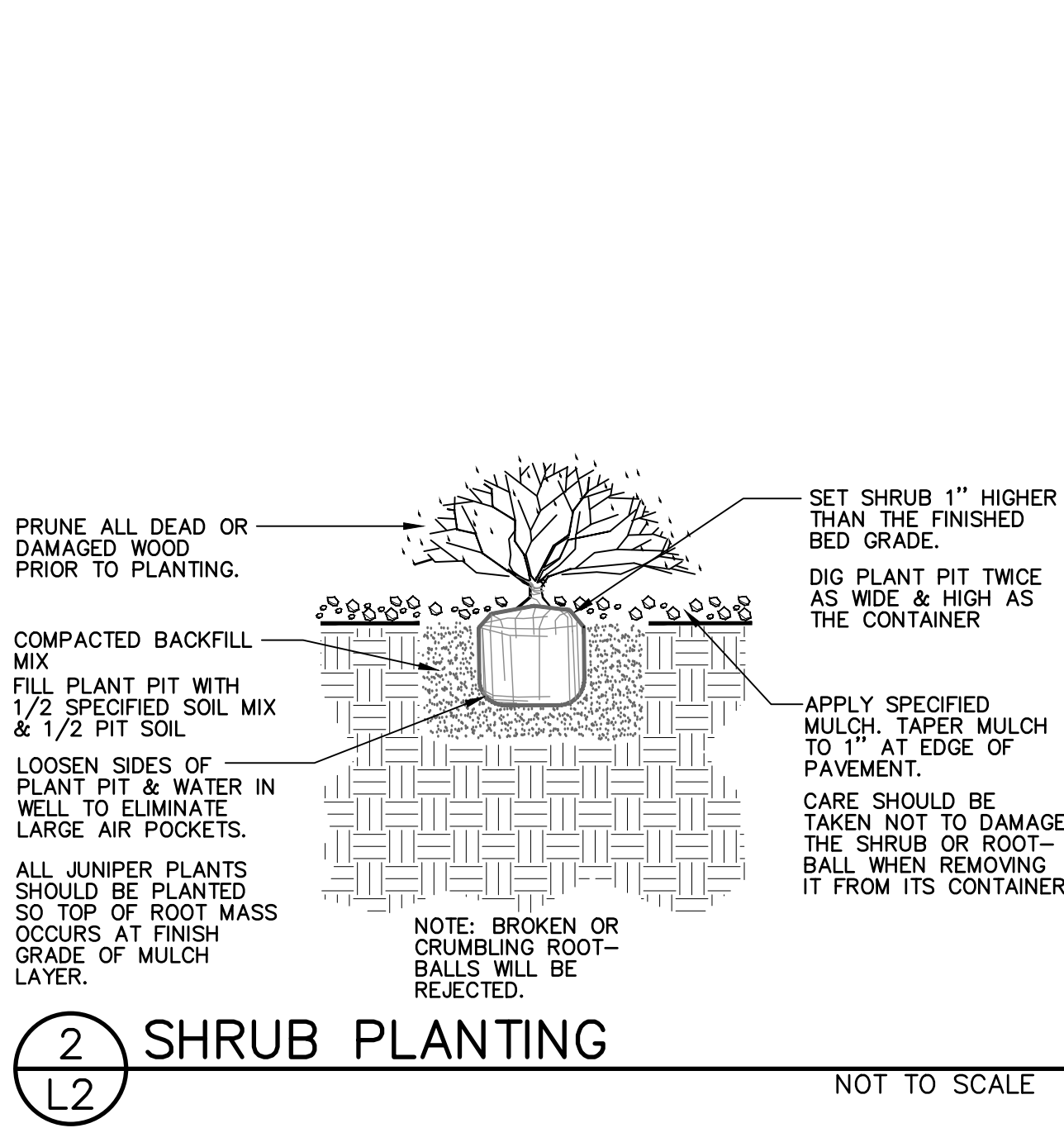
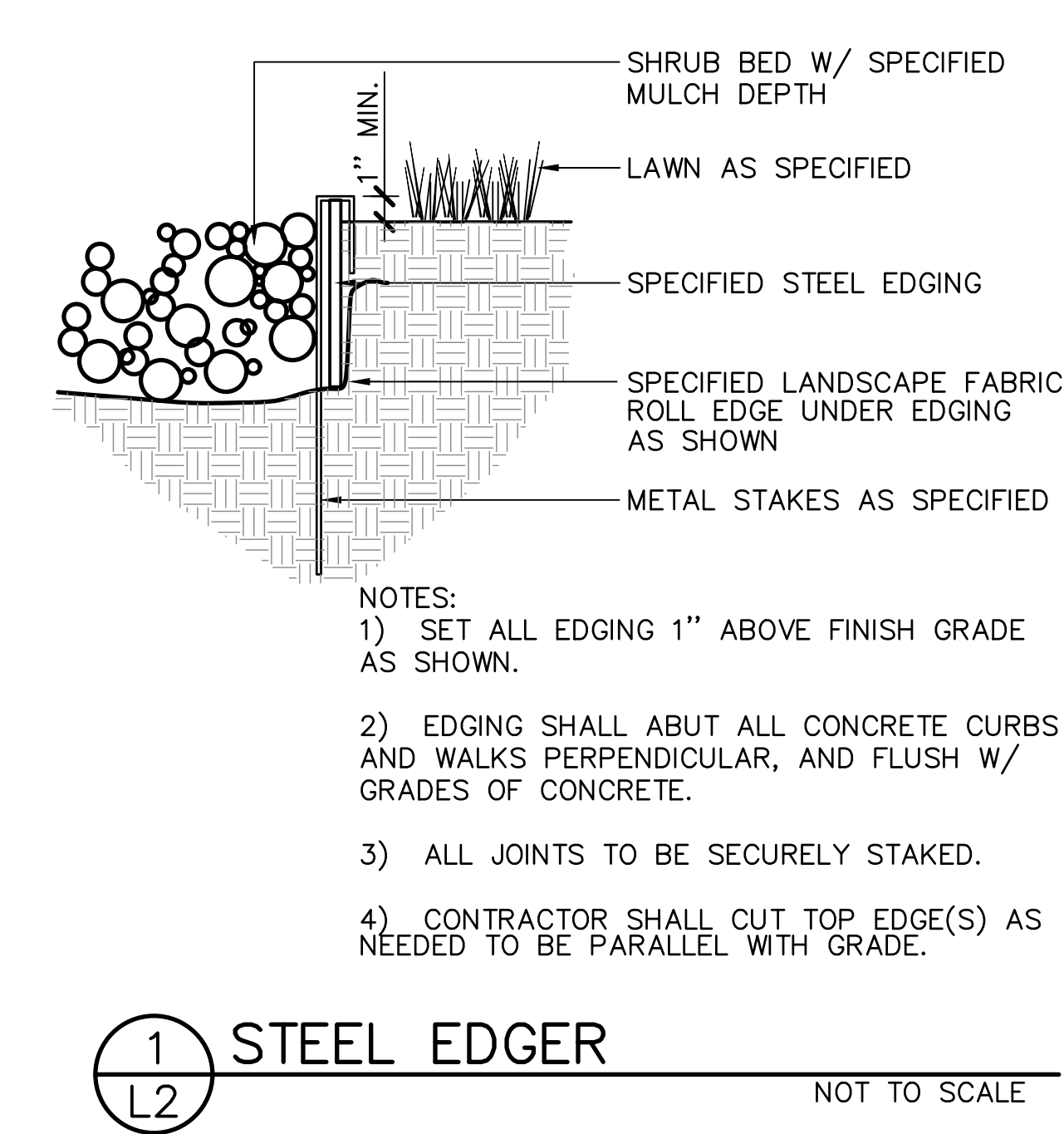
9	Blue Avena Grass Grass, Helictotrichon sempervirens	1 & 2	1 gal.	Container Full
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PERENNIAL FLOWERS (planted @ 12" O.C. spacing)

12	Common White Yarrow Achillea millefolium	1 & 2	Flats of 15 or 32	
13	Rocky Mountain Columbine Aquilegia coerulea	1 & 2	Flats of 15 or 32	

DECIDUOUS SHRUBS

2	Arnold's Red Honeysuckle Lonicera tatarica 'Arnold's Red'	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
3	Common Purple Lilac Syringa vulgaris	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
3	Golden Currant Ribes aureum	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
3	Mountain Snowberry Symphoricarpos oreophilus	1 & 2	5 gal.	Container, 5 canes minimum 12"-18" ht.
4	Native Chokecherry Prunus virginiana melanocarpa	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
5	Peking Cotoneaster Cotoneaster lucidus	1 & 2	5 gal.	Container, 5 canes minimum 24"-36" ht.
3	Wood's Rose Rosa woodsii	1 & 2	5 gal.	Container, 5 canes minimum 12"-18" ht.





Know what's below.
Call before you dig.

LANDSCAPE ARCHITECT:
TOMINA TOWNSEND, LA
PO BOX 3000, PMB 301
EDWARDS, CO 81632
P. 303.572.7876
TTownsend@ResortConceptsCO.com

MINTURN NORTH P.U.D.

LOT 1-LANDSCAPE PLAN

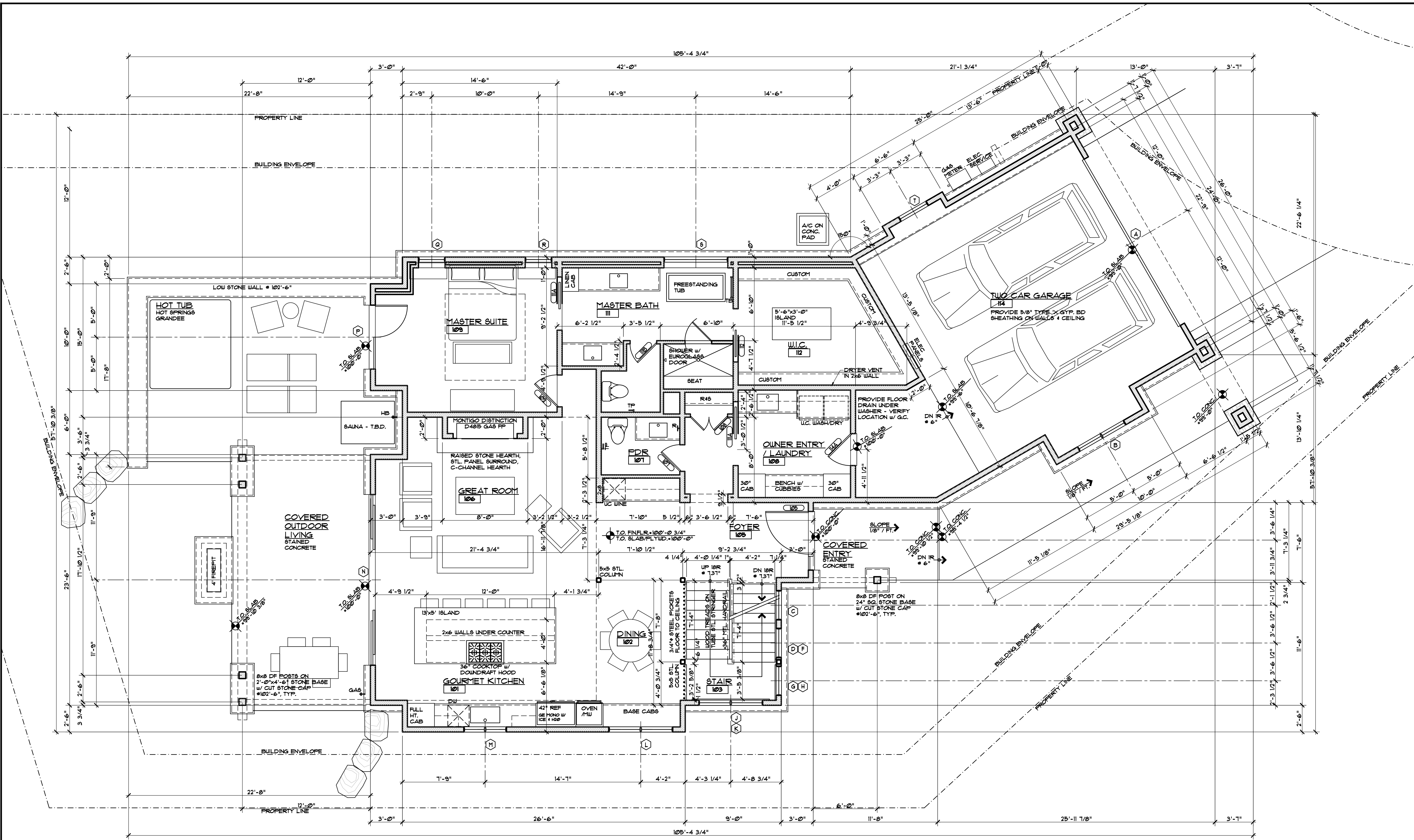
TOWN OF MINTURN, COLORADO

DESIGNED: TT
DRAWN: TT
CHECKED: RH
DATE: September 18, 2025
REVISIONS:

DRB SUBMITTAL

SHEET TITLE:
LANDSCAPE
NOTES & DETAILS

SCALE: NOT TO SCALE
SHEET NUMBER:
L2



MAIN LEVEL PLAN

1/4" = 1'-0"

1225 SF LIVING + 625 SF GARAGE

- GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE OR CENTER OF POSTS, UNLESS NOTED OTHERWISE.
 2. TOP OF WALL HEIGHTS EQUAL TOP OF FLAT PLATE OR LOWER POINT ON BEVELED WALL PLATES.
 3. DO NOT SCALE DRAWINGS. NOTIFY ARCHITECT IMMEDIATELY UPON FINDING ANY DISCREPANCIES IN DOCUMENTS.
 4. ALL WORK SHALL COMPLY WITH STATE & LOCAL CODES AND ORDINANCES, BE BUILT TO INDUSTRY STANDARDS AND BE PERFORMED TO THE HIGHEST LEVEL OF CRAFTSMANSHIP.
 5. VERIFY ALL FINISHED FLOOR THICKNESS FOR DETERMINING MOUNTING HEIGHTS, STAIR CONSTRUCTION, ETC.
 6. CABINET LAYOUT, APPLIANCE SPECIFICATIONS, AND ELECTRICAL/LOW VOLTAGE REQUIREMENTS & LOCATIONS NEED TO BE VERIFIED BY GENERAL CONTRACTOR PRIOR TO INSTALLATION.
 7. FRAMING CONTRACTOR TO PROVIDE BLOCKING FOR ALL SURFACE MOUNTED ACCESSORIES & SHALL COORDINATE PLACEMENT WITH ON-SITE SUPERVISOR PRIOR TO INSTALLATION.
 8. VERIFY ALL VENTING, DUCTWORK, SUPPLY AND RETURN AIR LOCATIONS W/ HVAC CONTRACTOR PRIOR TO COMPLETION OF FRAMING & ELECTRICAL ROUGH-IN. GENERAL CONTRACTOR TO APPROVE ALL LOCATIONS.
 9. DROPPED CEILING AND SOFFIT LOCATIONS SHALL BE APPROVED BY ON-SITE SUPERVISOR AND COORDINATED W/ ME/P. SUB-CONTRACTORS PRIOR TO INSTALLATION.
 10. REFER TO WINDOW MANUFACTURER SHOP DRAWINGS FOR EXACT ROUGH OPENINGS FOR ALL DOORS & WINDOWS. NOTIFY ARCHITECT IMMEDIATELY WITH ANY ISSUES REGARDING HEADERS AND/OR POSTING.
 11. ALL INTERIOR DRYWALL IS 5/8" GYPSUM BOARD, UNO.
 12. 5/8" FIBER-REINFORCED GYPSUM PANELS OR FIBER-CEMENT BACKER BOARD SHALL BE INSTALLED IN ALL WET LOCATIONS BEHIND TILE.
 13. 5/8" GYPSUM BOARD ON CEILING FRAMING AT 24" O.C. MUST BE INSTALLED PERPENDICULAR TO FRAMING MEMBERS.

DISCLAIMER: ALL PLANS, RENDERINGS, SPECIFICATIONS AND MARKETING MATERIALS ARE SUBJECT TO REVISIONS AND MODIFICATIONS AT DEVELOPERS SOLE DISCRETION DUE TO SITE SPECIFIC GRADING CONDITIONS, AVAILABILITY OF MATERIALS, AVAILABILITY OF LABOR, MANUFACTURER SUPPLY SHORTAGES, AND GOVERNMENTAL AGENCY CHANGES. ALL PLANS AND SPECIFICATIONS ARE SUBJECT TO REVISIONS AND CONDITIONS OF APPROVAL BY THE TOWN OF MINTURN CITY COUNCIL, TOWN OF MINTURN DESIGN REVIEW BOARD, TOWN OF MINTURN BUILDING PERMIT DEPARTMENT AND ALL OTHER APPLICABLE REGULATORY AGENCIES. ARTIST RENDERINGS HAVE BEEN PROVIDED FOR ILLUSTRATIVE AND MARKETING PURPOSES ONLY AND SHOULD NOT BE RELIED UPON AS A BASIS FOR PURCHASING. COLOR, MATERIALS AND DESIGN ELEMENTS ARE SUBJECT TO REFINEMENT AND REVISION WITHOUT NOTICE AT DEVELOPERS SOLE DISCRETION.

EGGERS
ARCHITECTURE, INC.
PO BOX 798
KREMMLING, CO 80459
CELL: (970) 409-9750
don.eggars@eggarsarchitecture.com

RESORT CONCEPTS
225 MAIN STREET, SUITE C-101
EDWARDS, COLORADO
(970) 926-1720

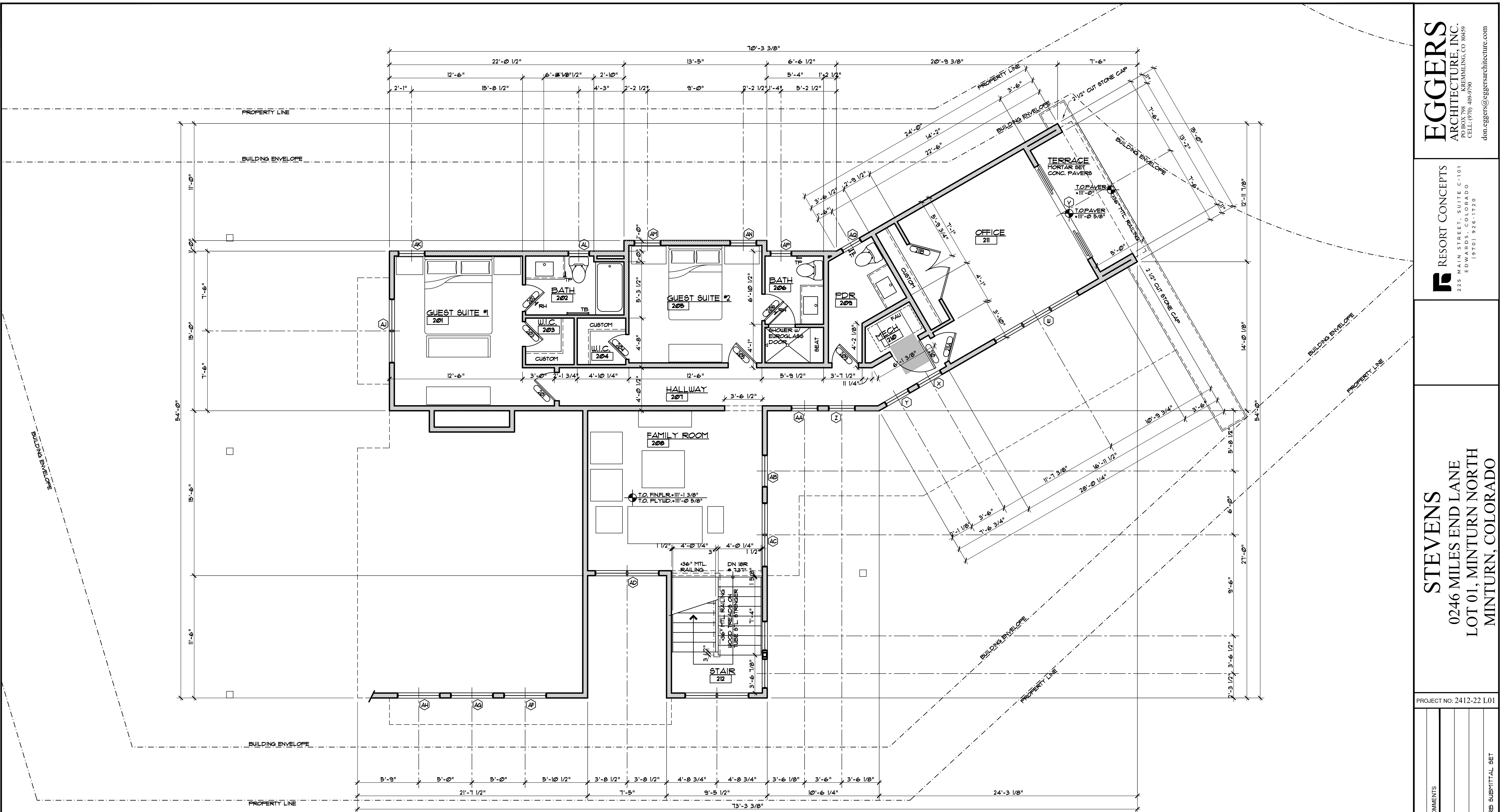
STEVENSON
0246 MILES END LANE
LOT 01, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L01

ISSUED	#	DATE	BY	COMMENTS
	1	9-16-25		DREB SUBMITTAL SET

A1.2

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UPPER LEVEL PLAN

1/4" = 1'-0"

1,342 SF LIVING

- GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE OR CENTER OF POSTS, UNLESS NOTED OTHERWISE.
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 8. VERIFY ALL VENTING, DUCTWORK, SUPPLY AND RETURN AIR LOCATIONS w/ HVAC CONTRACTOR PRIOR TO COMPLETION OF FRAMING & ELECTRICAL ROUGH-IN. GENERAL CONTRACTOR TO APPROVE ALL LOCATIONS.
 9. DROPPED CEILING AND SCOFF LOCATIONS SHALL BE APPROVED BY ON-SITE SUPERVISOR AND COORDINATED w/ MEP SUB-CONTRACTORS PRIOR TO INSTALLATION.
 10. REFER TO WINDOW MANUFACTURER SHOP DRAWINGS FOR EXACT ROUGH OPENINGS FOR ALL DOORS & WINDOWS. NOTIFY ARCHITECT IMMEDIATELY WITH ANY ISSUES REGARDING HEADERS AND/OR POSTING.
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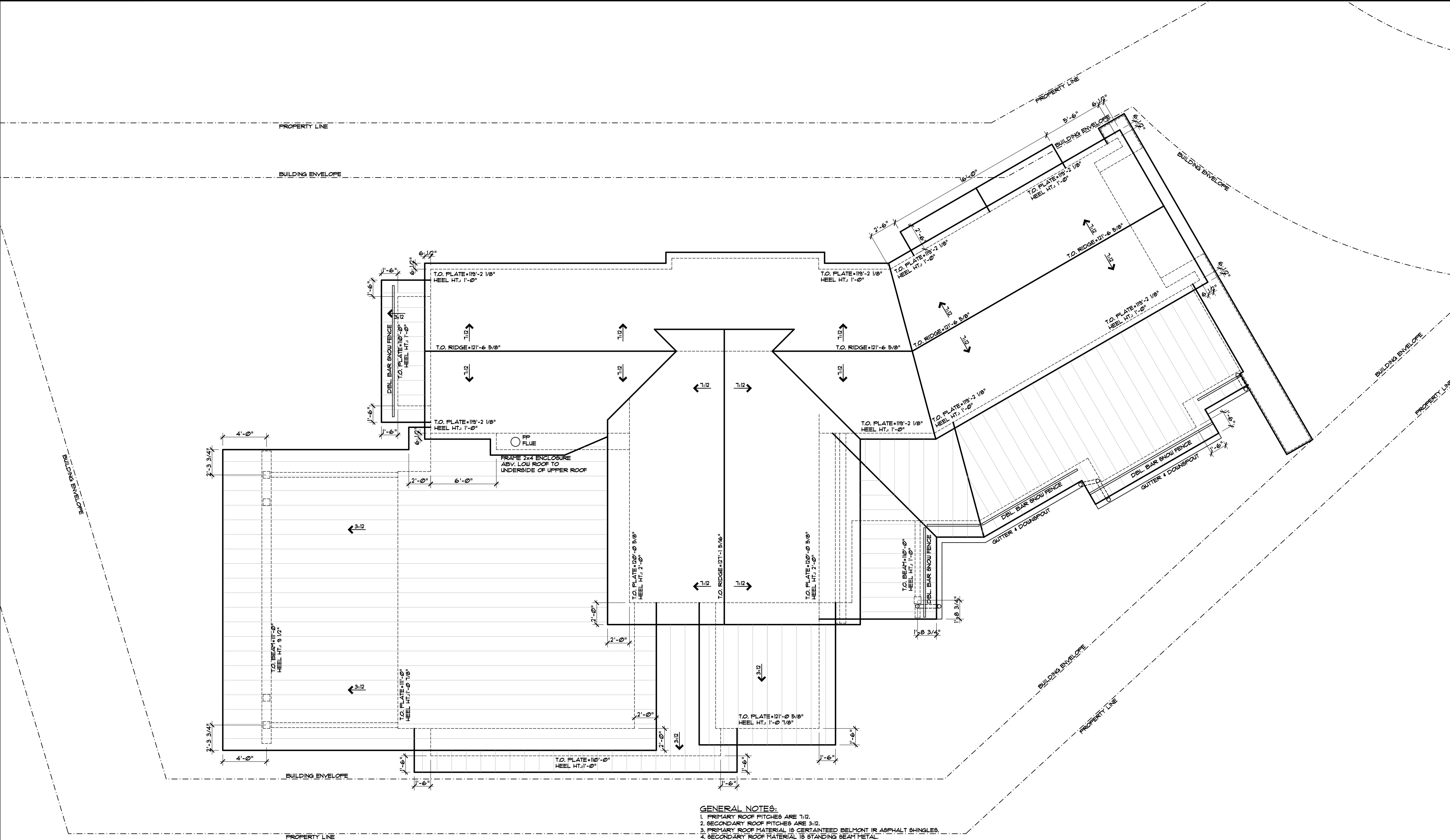
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MINTURN, COLORADO

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ISSUED	#	DATE	BY	COMMENTS
	1	9-18-25	DUE	DREB SUBMITTAL SET

A1.3

Page 71 of 207



- GENERAL NOTES:
1. PRIMARY ROOF PITCHES ARE 1:12.
 2. SECONDARY ROOF PITCHES ARE 3:12.
 3. PRIMARY ROOF MATERIAL IS CERTANTEED BELMONT IR ASPHALT SHINGLES.
 4. SECONDARY ROOF MATERIAL IS STANDING SEAM METAL.
 5. ALL GUTTERS & DOWNSPOUT TO MATCH METAL ROOF COLORS AND HAVE HEAT TAPE TO DAYLIGHT.
 6. ALL VENTS TO BE PAINTED TO MATCH ADJACENT MAT'L'S.
 7. SNOW FENCE IS 8-8 ELIZZARD II DOUBLE PIPE w/ 8-8 S CLAMPS.
 8. SNOW CLIPS TO BE INTERLACED w/ SHINGLES AND TO MATCH COLOR BOTH BY ROCKY MOUNTAIN SNOW GUARDS.

ROOF PLAN
1/4" = 1'-0"

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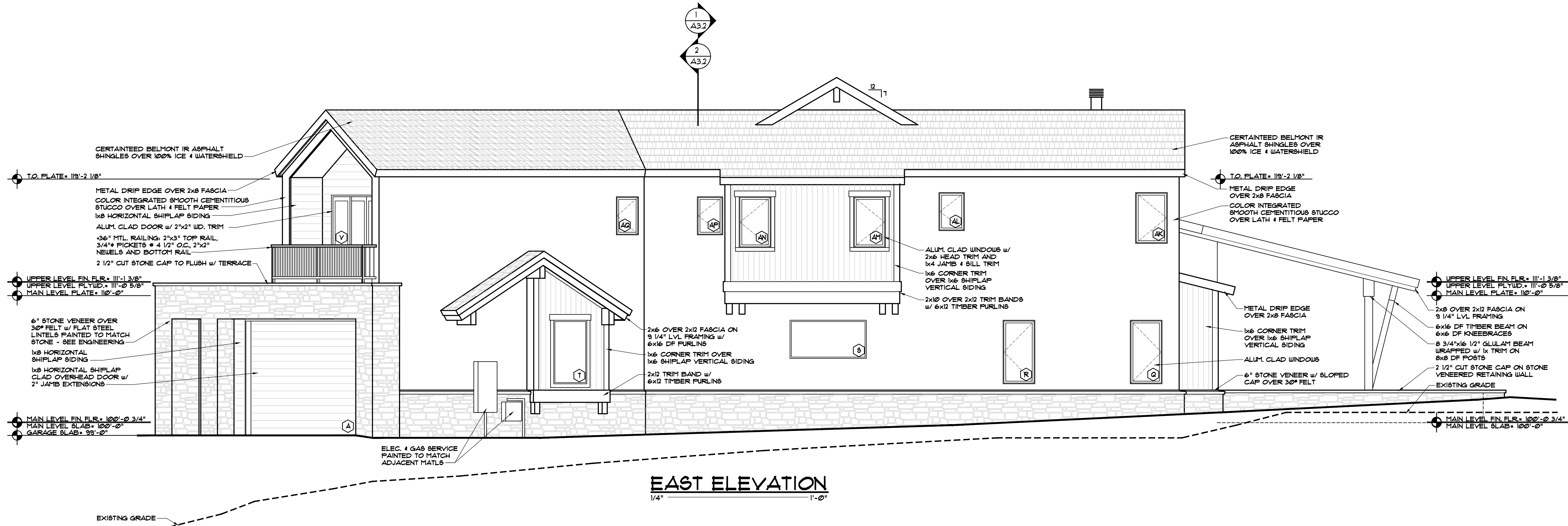
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EDWARDS, COLORADO
(970) 926-1720

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0246 MILES END LANE
LOT 01, MINTURN NORTH
MINTURN, COLORADO

PROJECT NO: 2412-22 L01

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#	DATE	BY	
1	9-18-25	DUE	DREB SUBMITTAL SET

A1.4

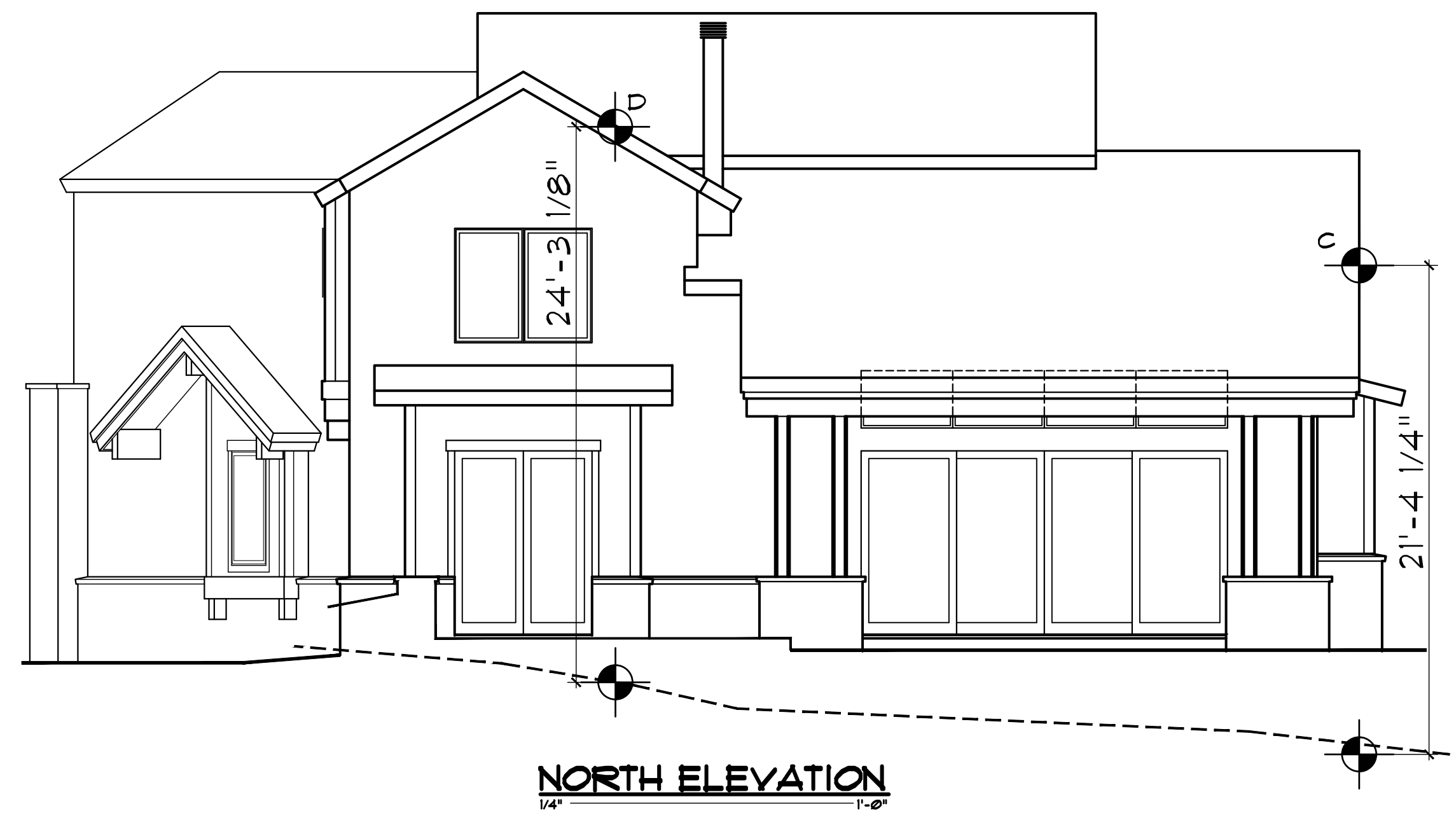
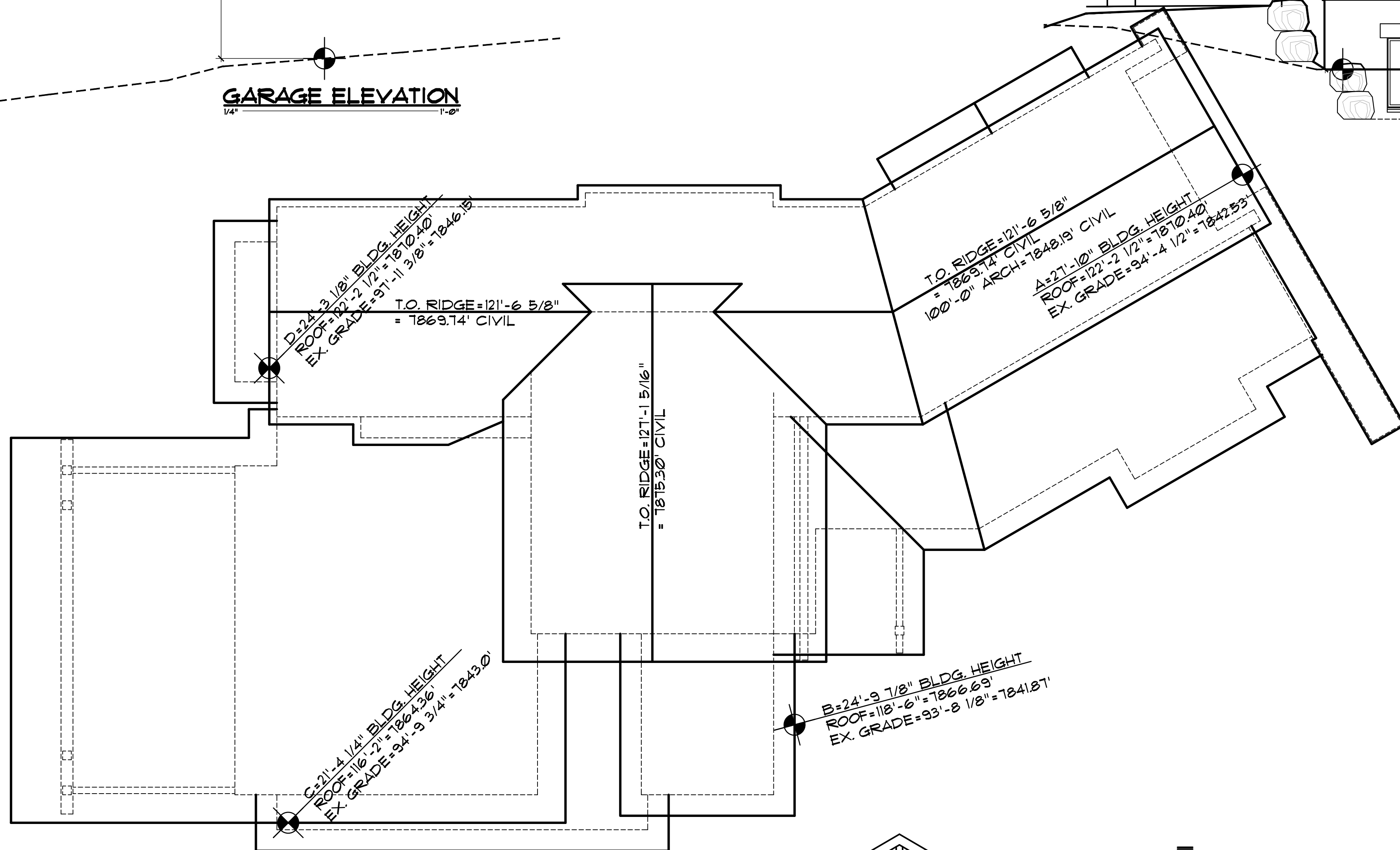
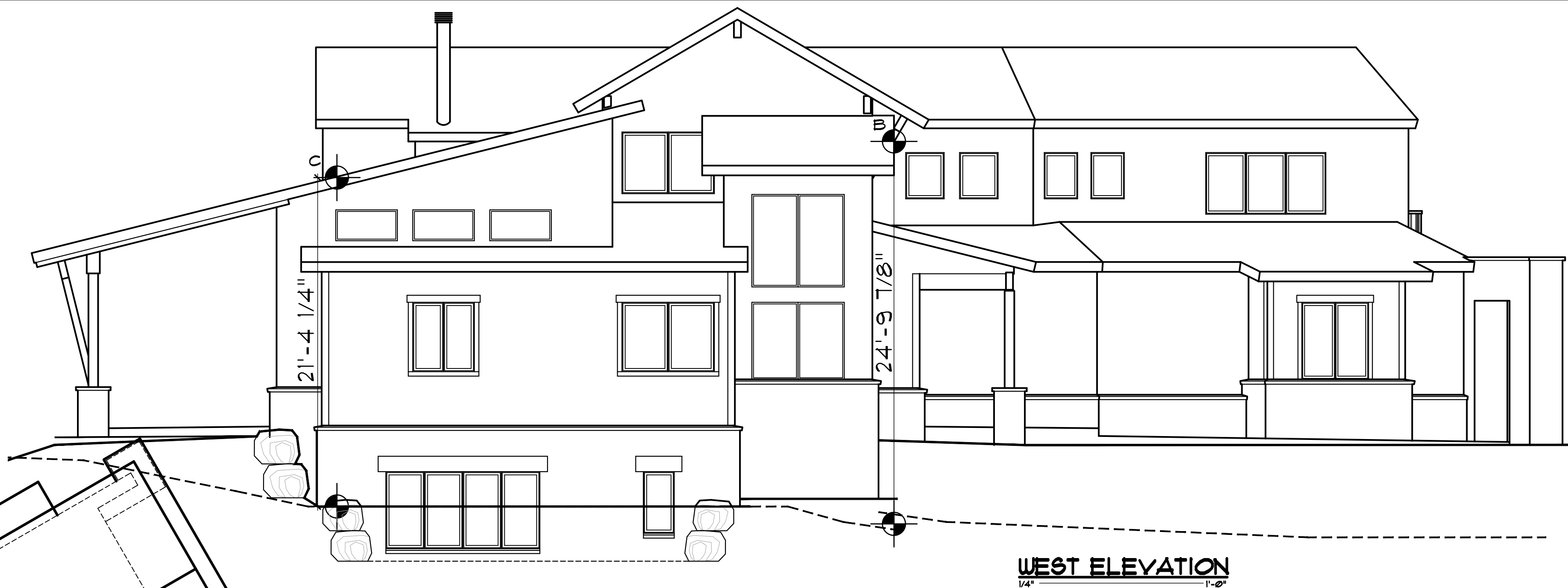
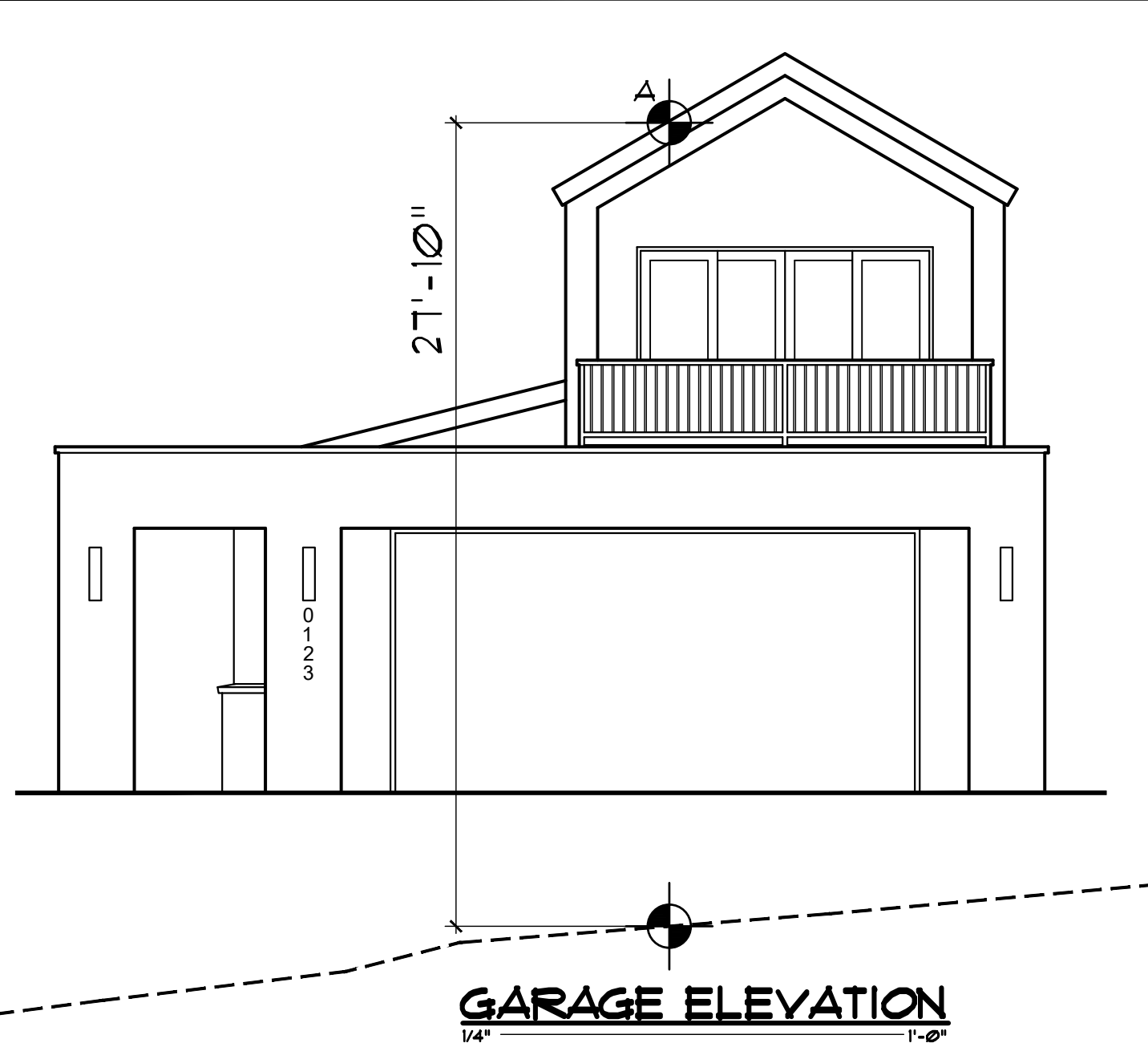


EAST ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

#	DATE	BY	COMMENTS	DUE	DREB SUBMITTAL SET
1	9-18-25				



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MINTURN, COLORADO

PROJECT NO: 2412-22 L01

ISSUED			
#	DATE	BY	COMMENTS
T	9-18-25	DUE	DRB SUBMITTAL SET

BH1



DISCLAIMER: All plans, renderings, specifications and marketing materials are subject to revisions and modifications at Developers sole discretion due to site specific grading conditions, availability of materials, availability of labor, manufacturer supply shortages, and Governmental Agency changes. All plans and specifications are subject to revisions and conditions of approval by the Minturn North Design Review Board, Town of Minturn City Council, Town of Minturn Design Review Board, Town of Minturn Building Permit Department and all other applicable regulatory agencies. Artist renderings have been provided for illustrative and marketing purposes only and should not be relied upon as a basis for purchasing. Color, materials and design elements are subject to refinement and revision without notice at Developers sole discretion.

MINTURN NORTH - LOT 1

DRB DESIGN REVIEW - 3D VIEWS
SEPTEMBER 22, 2025

EGGERS ARCHITECTURE, INC. AXIS DESIGN

RESORT CONCEPTS



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MINTURN NORTH - LOT 1

DRB DESIGN REVIEW - 3D VIEWS

SEPTEMBER 22, 2025

EGGERS
ARCHITECTURE, INC

AXIS
DESIGN

RESORT CONCEPTS



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MINTURN NORTH - LOT 1

DRB DESIGN REVIEW - 3D VIEWS

SEPTEMBER 22, 2025

EGGERS
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RESORT CONCEPTS



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MINTURN NORTH - LOT 1

DRB DESIGN REVIEW - 3D VIEWS

SEPTEMBER 22, 2025

EGGERS
ARCHITECTURE, INC

AXIS
DESIGN

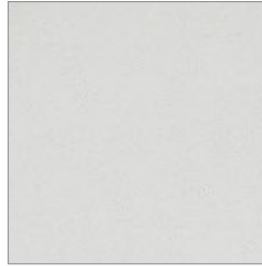
RESORT CONCEPTS



Terraces & Walkways
Stained Concrete



Exterior Stone
Colorado Buff



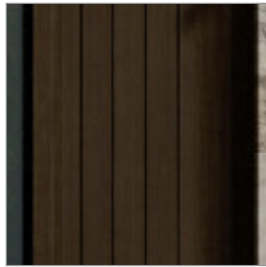
Siding
Stucco
Color: Dover Sky



Vertical Siding
1"x8" – Butt Joint, Rough
Color: Custom Stain



Horizontal Siding
1"x8" – Butt Joint, Rough
Color: Custom Stain



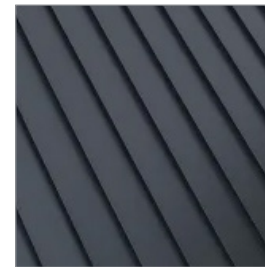
Columns, Fascia & Soffits
1"x8" – Butt Joint, Rough
Color: Custom Stain



Wood Columns per Plan
Color: Custom Stain



Roofing
Mfg: CertainTeed Belmont
Asphalt Shingles
Color: Black Granite



Roofing
Standing Seam Metal
Color: Matte Black



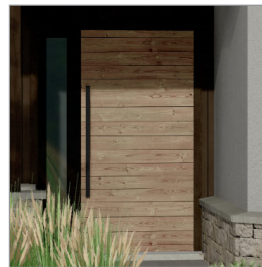
Garage Door
9'-0" x 18'-0" Insulated Wood
Color: Custom Stain



Windows and Doors
Mfg: Sierra Pacific
Color: Black



Exterior Lighting
Mfg: Hinkley Mist 22" Sconce
Color: Black



Entry Door & Hardware
Solid Wood
Color: Custom Stain

Minturn Planning Department
Minturn Town Center
301 Boulder St. #309
Minturn, CO 81645
970-827-5645
planner1@minturn.org
www.minturn.org



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Michael Boyd
Amanda Mire
Eric Rippeth
Darell Wegert

Memorandum

Date: October 2, 2025
To: Minturn Planning Commission
From: Madison Harris, Planner II
Re: 0018 Abby Road - Changes to Approved Plans

Introduction:

As the Planning Commission is aware, staff processes Minor DRB applications that cover things like landscaping updates, window movements, or material changes. Staff does not approve anything to do with building height or building/impervious coverage changes as those are more substantial and so always bring them back through the Planning Commission. In this case, neither building height nor building/impervious coverage is changing, but staff was not comfortable with approving the extent of the changes ourselves.

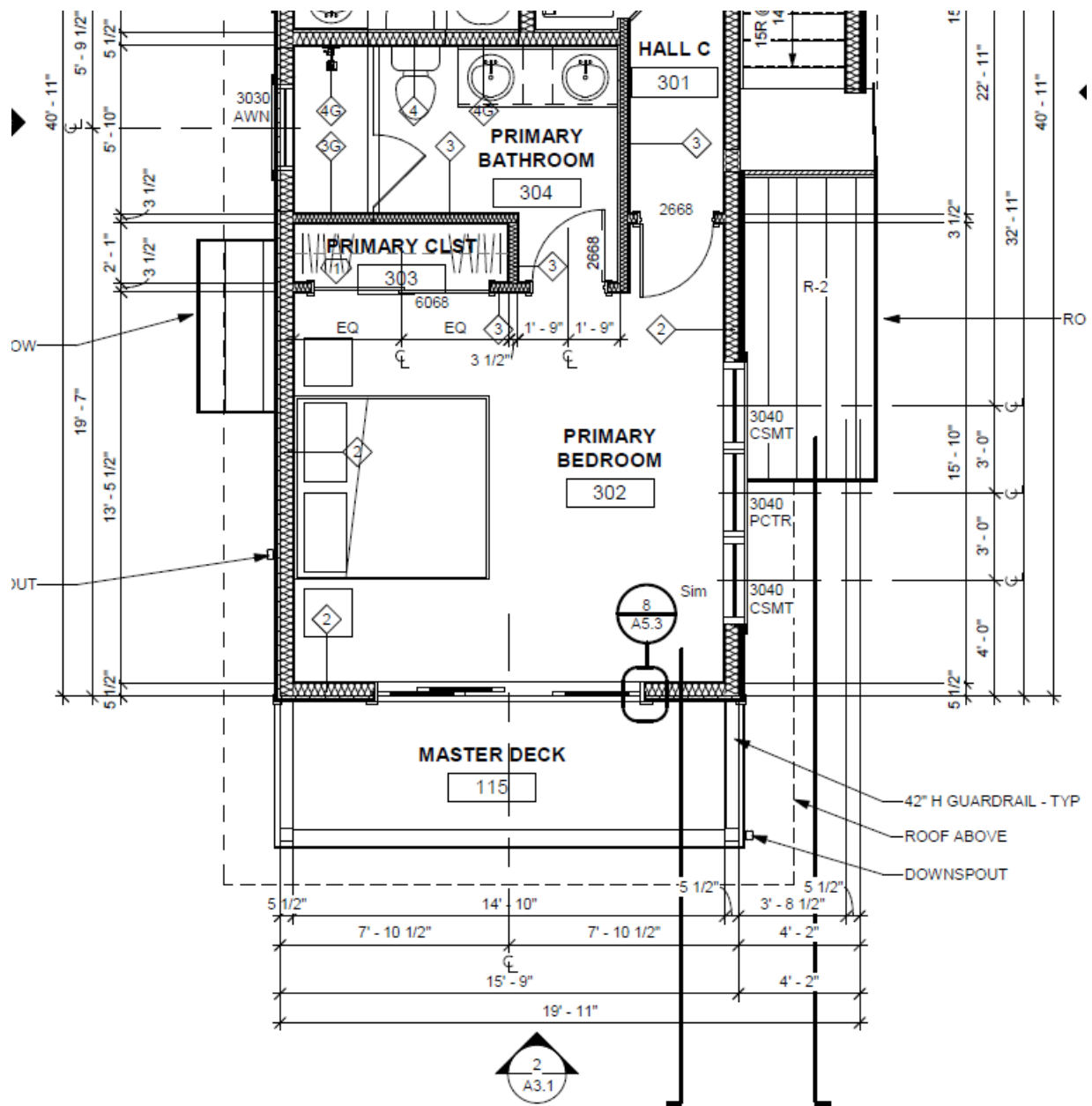
Analysis:

This is a single family home in the Belden Place PUD Zone District. It is three stories with a basement that originally had a third story deck right outside the master bedroom with the roof structure over it. What is being proposed is to enclose where the deck was, and make the master bedroom bigger. Staff has included screenshots from the original and the proposed plans below to illustrate the biggest changes. They are also proposing to change some windows which can be viewed in the attached plan set.

As building height and building/impervious coverage amounts are not being affected, staff believes that the proposal meets the standards laid out in the Minturn Municipal Code and the Belden Place PUD Guide just like the original application.

Recommendation:

Staff is recommending approval of the plans.



2 UPPER LEVEL A2.2 1/4" = 1'-0"

Figure 1: Original Floor Plan for Master Suite

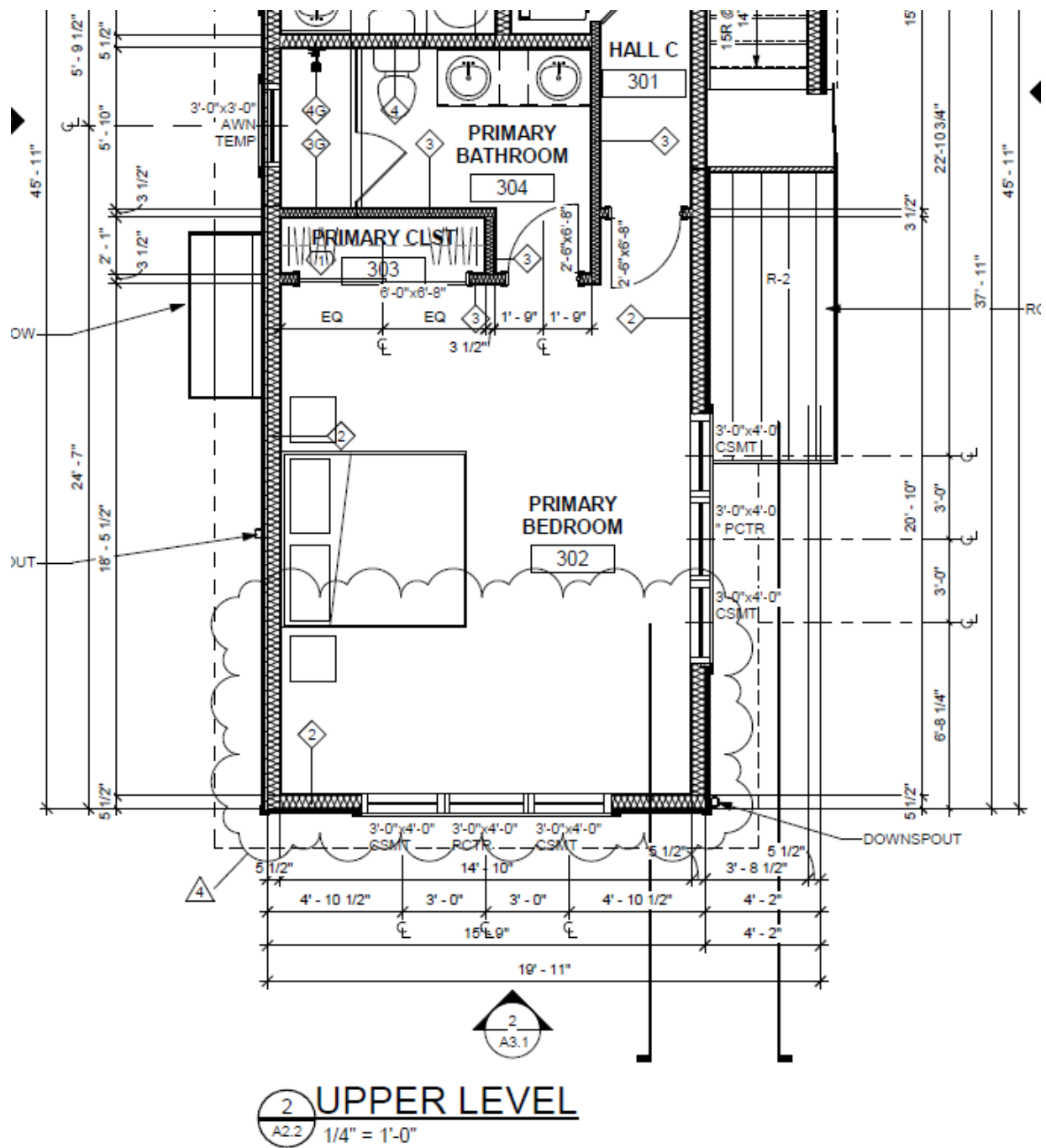


Figure 2: Proposed Floor Plan of Master Suite

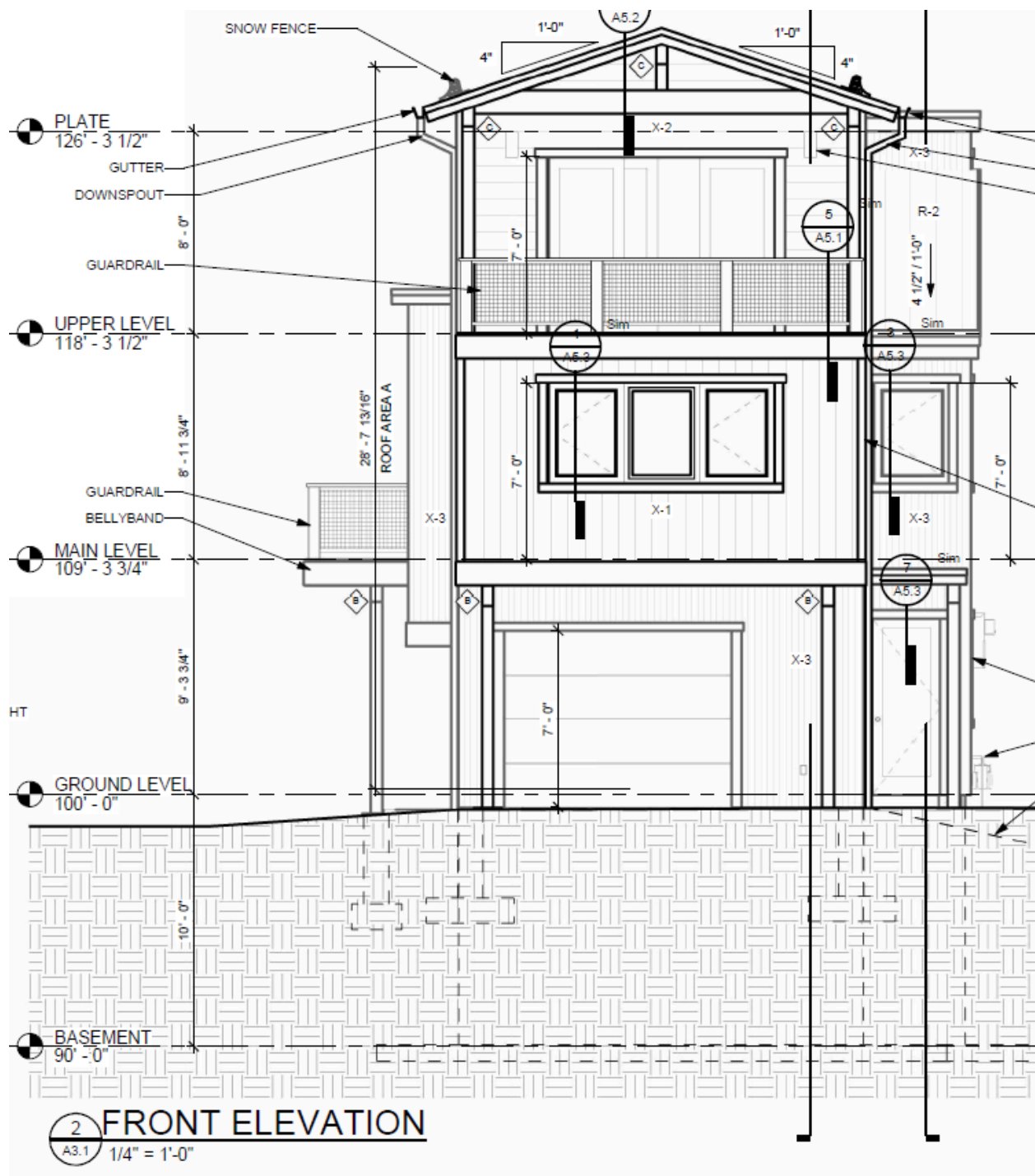


Figure 3: Original Front Elevation

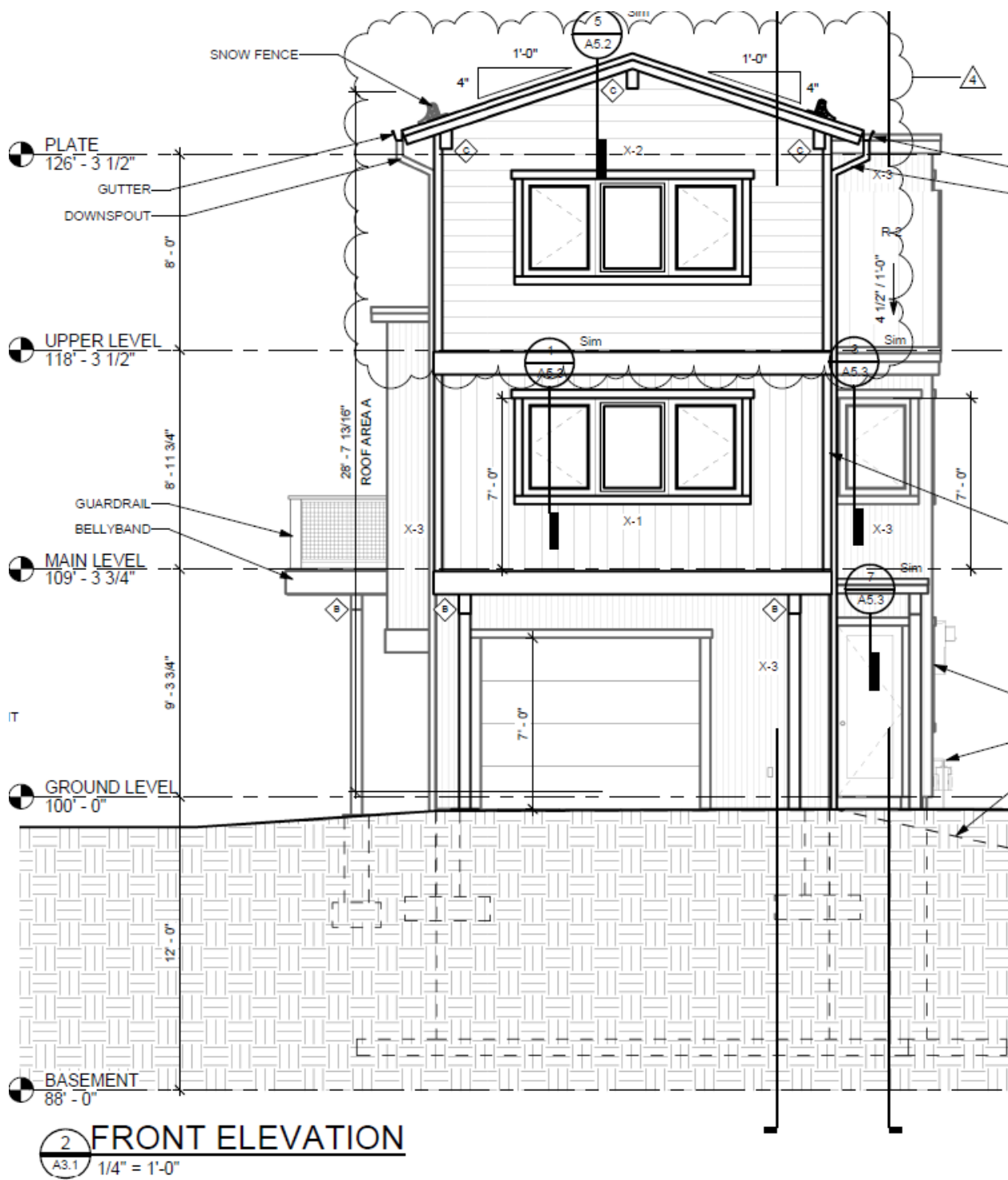


Figure 4: Proposed Front Elevation

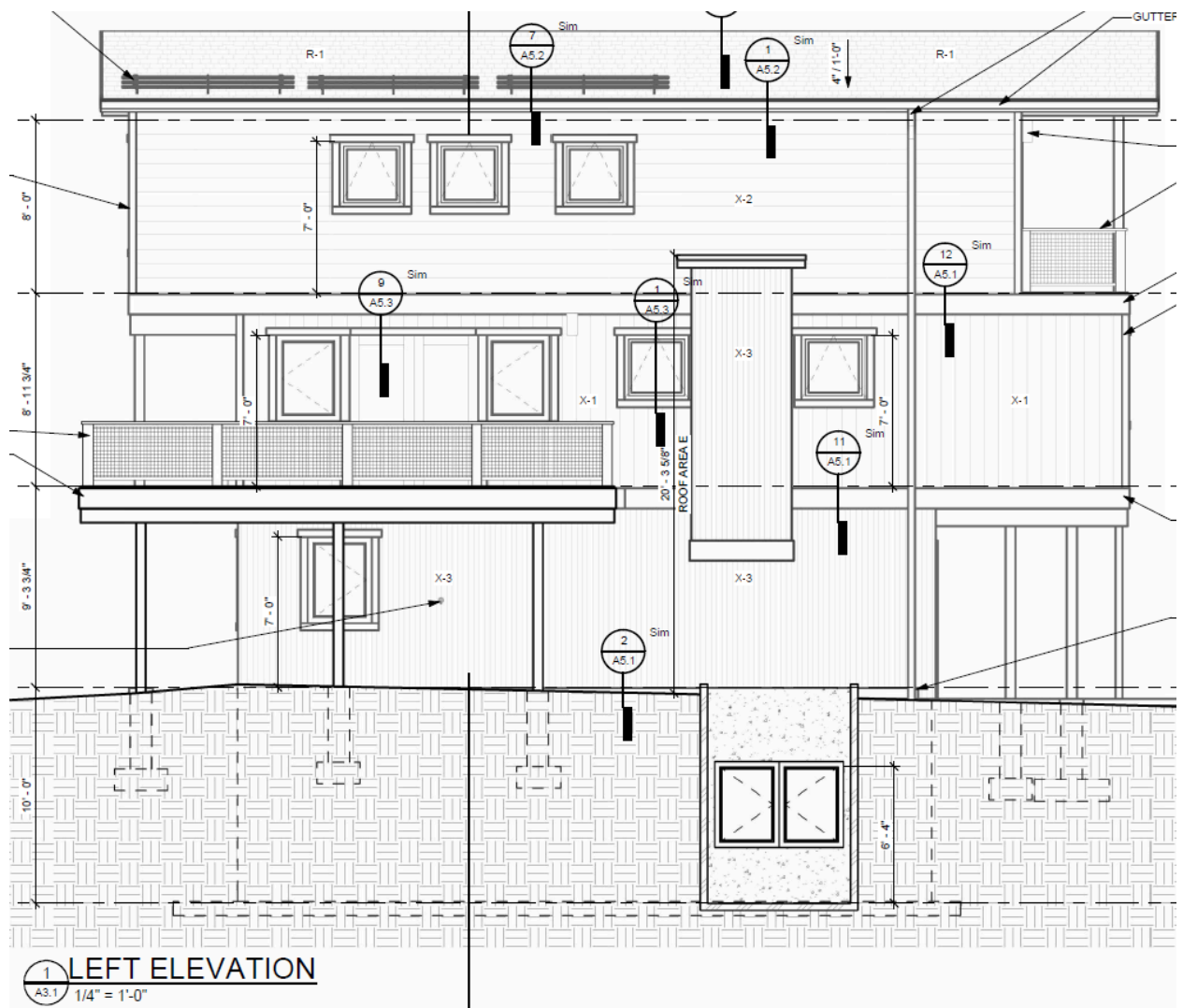


Figure 5: Original Side Elevation

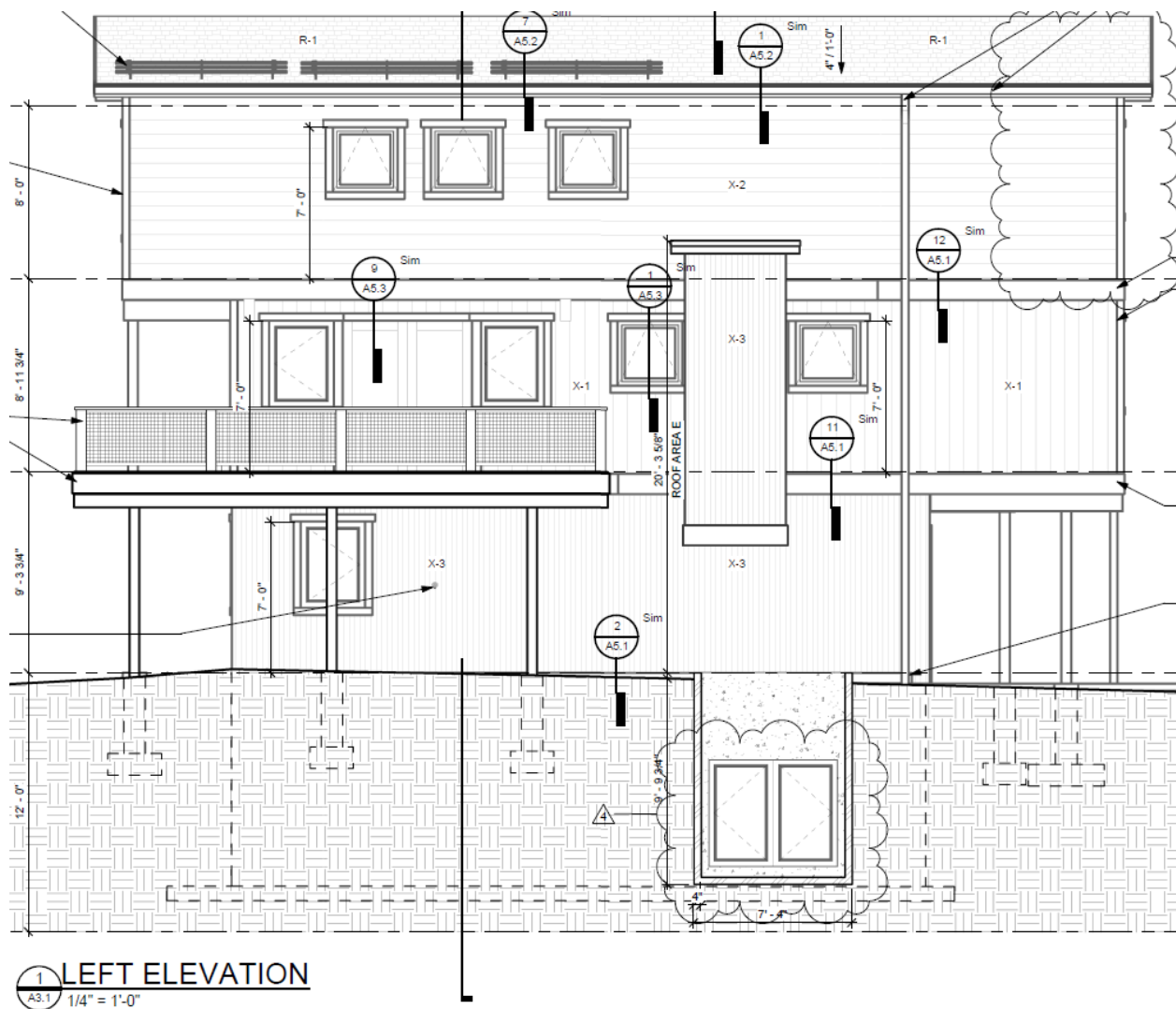


Figure 6: Proposed Side Elevation

Design Review Application

9/25/2025 9:19:45 AM

Project Information

Please ensure you are familiar with the [Design Review Process Guide & Appendix B.II.A](#) prior to filling out an application.

Project Information

Is this a Minor or Major DRB Project?: Minor

Project Name: Belden Place

Street Address

Address Line 1: 0018 Abby Road

Address Line 2:

City: Minturn

State: Colorado

Zip: 81645

Zoning: PUD

Application Request: Minor DRB application for a new layout for the upper level (removal of deck), as well as updated window sizes at the basement.

Applicant Information

Name: Greg Macik

Mailing Address

Address Line 1: 56 Edwards Village Blvd

Address Line 2: Suite #210

City: Edwards

State: Colorado

Zip: 81632

Phone: (970) 766-1470

Email: greg@tabassociates.com

Is the Property Owner different than the Applicant?: Yes

Property Owner Information

Name: Alison Perry, Miners Base Camp LLC

Mailing Address

Address Line 1: PO Box 1134

Address Line 2:

City: Minturn

State: Colorado

Zip: 81645

Phone: (970) 306-2264

Email: perry@vailland.com

Additional Information

Submittal Requirements (as applicable)

Lot Size: 2098

of Stories: 4

Type of Residence: Single Family

Snow Storage (sq ft): 105

of Bedrooms: 4

Building Footprint (sq ft): 922

of On-site Parking Spaces: 3

Total Impervious Surfaces (sq ft): 1046

Uploads

Submittal Checklist Requirements (as applicable)

Letter of Intent

What is the purpose of the project including;

- Relevant Background
- Current Status of the Site
- All Proposed Uses and Structures
- How the Proposal Differs from what already exists
- Information regarding Easements or Dedicated Tracts, etc.

Letter of Intent: [2025 0925 Belden Lot 1 - Minor DRB Memo.pdf](#)

Vicinity Map

Directional Map indicating how to get to the Property involved in the request.

- Zoning of Property

Vicinity Map:

Boundary Survey with a stamp and signature of a licensed surveyor

- Date of survey (survey date must be within 6 months of the project application date)
- Right-of-way and property lines; including bearings, distances and curve information.
- Labeled ties to existing USGS benchmark.
- Property boundaries to the nearest one-hundredth (.01) of a foot accuracy. Distances and bearings and a basis of bearing must be shown. Show existing pins or monuments found and their relationship to the established corner.
- All existing easements recorded with the County Clerk and Recorder. Include bearings and distances.
- Spot elevations at the edge of asphalt along the street frontage of the property at five-foot intervals, and a minimum of two (2) spot elevations on either side of the lot.
- Topographic conditions at two-foot contour intervals.
- Existing trees or groups of trees having trunks with diameters of four (4) inches or more.
- Rock outcroppings and other significant natural features.
- All utility meter locations, including any pedestals on site or in the right-of-way adjacent to the site and the exact location of existing utility sources.
- Environmental hazards where applicable (i.e., rock fall, wetlands and floodplain).
- Watercourse setbacks, if applicable. Show centerline and edge of stream or creek in addition to the required stream setback from the ordinary high water mark.

Boundary Survey with a stamp and signature of a licensed surveyor:

Site Plan showing Precise Nature of the Proposed Use – To Scale

- Scaled Drawings of Proposed Design of Structure - Plan View and Sections
- Building Heights – all 4 directions N/S/E/W
- Topography
- Building Location and impervious coverage
- Setbacks
- Ordinary High Water Mark determined by the Town Engineer and paid for by Applicant
- Parking Plan
- Traffic Circulation - Location and Width of Existing and Proposed Access Points & Location of Existing Driveways and Intersections
- Landscaped Area – Plan including existing and proposed vegetation
- Approximate Location of Existing Wooded Areas and Rock Outcrops
- Location and Type of Existing and Proposed Easements
- Utility Easements
- Drainage Features
- Snow Storage areas expressed in square feet as a percentage of the overall site area

Site Plan:

Preliminary Building Plans and Elevations

- Indicates Dimensions
- General Appearance
- Scale
- Interior Plan for the Buildings

Preliminary Building Plans and Elevations: [2025 0925 - 2215 Lot 1 - Updated DRB Set.pdf](#)

Elements needed on the Site Plan

- Scale
- North Arrow
- Date Prepared
- Lot Dimensions, Area, Entire Site Acreage

Elements needed on the Site Plan:

Architecture Details – Materials Board

- Windows – Placement and Color
- Doors – Placement and Color
- Siding – Type and Color
- Roof Material – Type and Color
- Paint Color

Architecture Details – Materials Board:

Grading and Drainage Plan

- Existing contours. Existing two-foot contours must be provided for all disturbed areas. Contours for undisturbed areas must be shown when drainage in those areas impacts the disturbed area.
- Proposed contours. Proposed two-foot contours for all disturbed areas must be shown and must demonstrate positive drainage.
- Spot elevations. Show critical spot elevations, as necessary to demonstrate positive drainage and the direction of flow. Finished grade at all building corners must be provided.
- Top-of-foundation elevations. The top-of-foundation elevation must be shown on the plan and must be consistent with the foundation plan. For buildings on slopes of thirty percent (30%) or greater, elevations for stepped foundation walls must be shown.
- Drainage arrows. Include drainage arrows that show how stormwater will be routed around buildings and where stormwater will exit the property. Stormwater cannot cause damage to any adjacent property. Drainage and erosion control features needed to prevent damage must be included.
- Drainage facilities. Proposed drainage facilities, such as French drains or culverts, must be shown.
- Retaining walls. Retaining wall details are required and must include drainage details. Note top- and bottom-of-wall elevations at each location where the retaining wall steps up or down, and include the tallest point of the retaining wall.

Grading and Drainage Plan:

Approval Page

Comments:

Applicant Signature

☒ I declare under penalty of perjury in the second degree that the statements made in the above application are true and complete to the best of my knowledge.

Signature: Greg Macik

Date: 09-25-2025

TAB Associates, Inc.
The Architectural Balance

56 Edwards Village Blvd
Edwards, Colorado 81632
(970) 766-1471 fax
www.tabassociates.com tab@vail.net



Memo

Project: Belden Place – Lots 1

Project No: **2215**

Date: September 25th, 2025

RE: Minor Design Review Submittal

FROM:

Greg Macik, Principal
Jack Little, Project Manager

TO:

Town of Minturn DRB

VIA:

Email and Digital Copies

Remarks:

We are submitting Minor DRB modifications to Lot 1 (Single Family) in the Belden Place development. The extents of the change include modified window sizes and the removal of the upper-level balcony.

Changes have been clouded and noted on drawing set.

BELDEN PLACE

Lot 1 - 0018 Abby Road

Single Family

Minturn, CO 81645

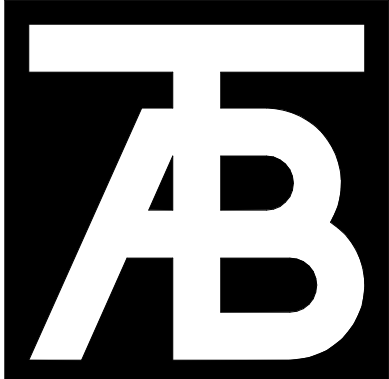


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A0.02	PUD GUIDE
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A1.1	LANDSCAPE PLAN
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A2.2	MAIN, UPPER, & ROOF PLANS
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A5.1	DETAILS
A5.2	DETAILS
A5.3	DETAILS



VICINITY MAP

Minor DRB Modification
09/25/2025



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Timberline Engineering
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Structural Engineer
KRM Consultants, Inc.
(970) 949-9391
Mechanical Engineer
Electrical Engineer

Seal

Belden Place-Single Family
Lot 01 - 0018 Abby Road
Minturn, Colorado

Revisions:		
No.	Description	Date
4	Minor DRB	09/25/2025

Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

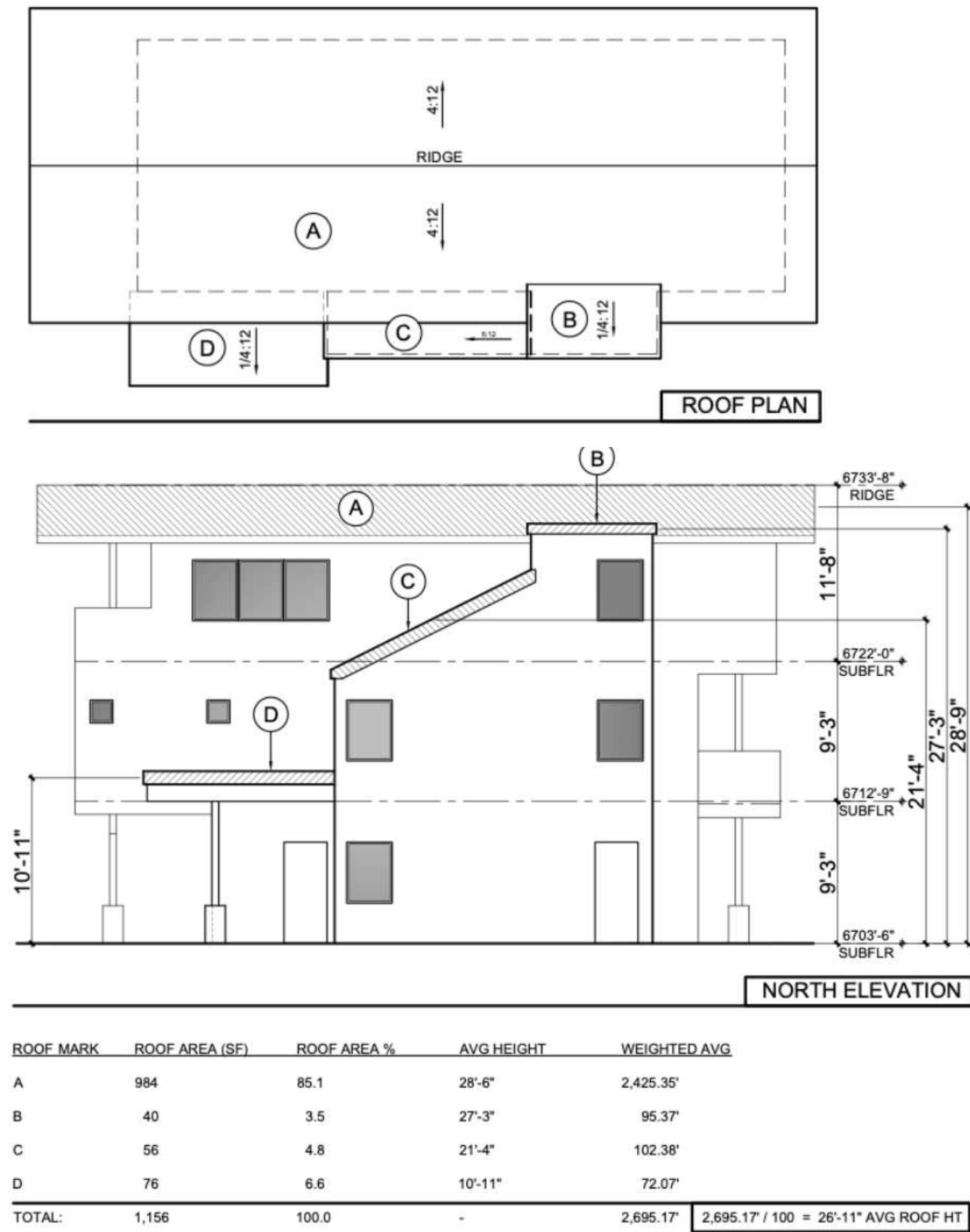
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Cover

Project No:
2215

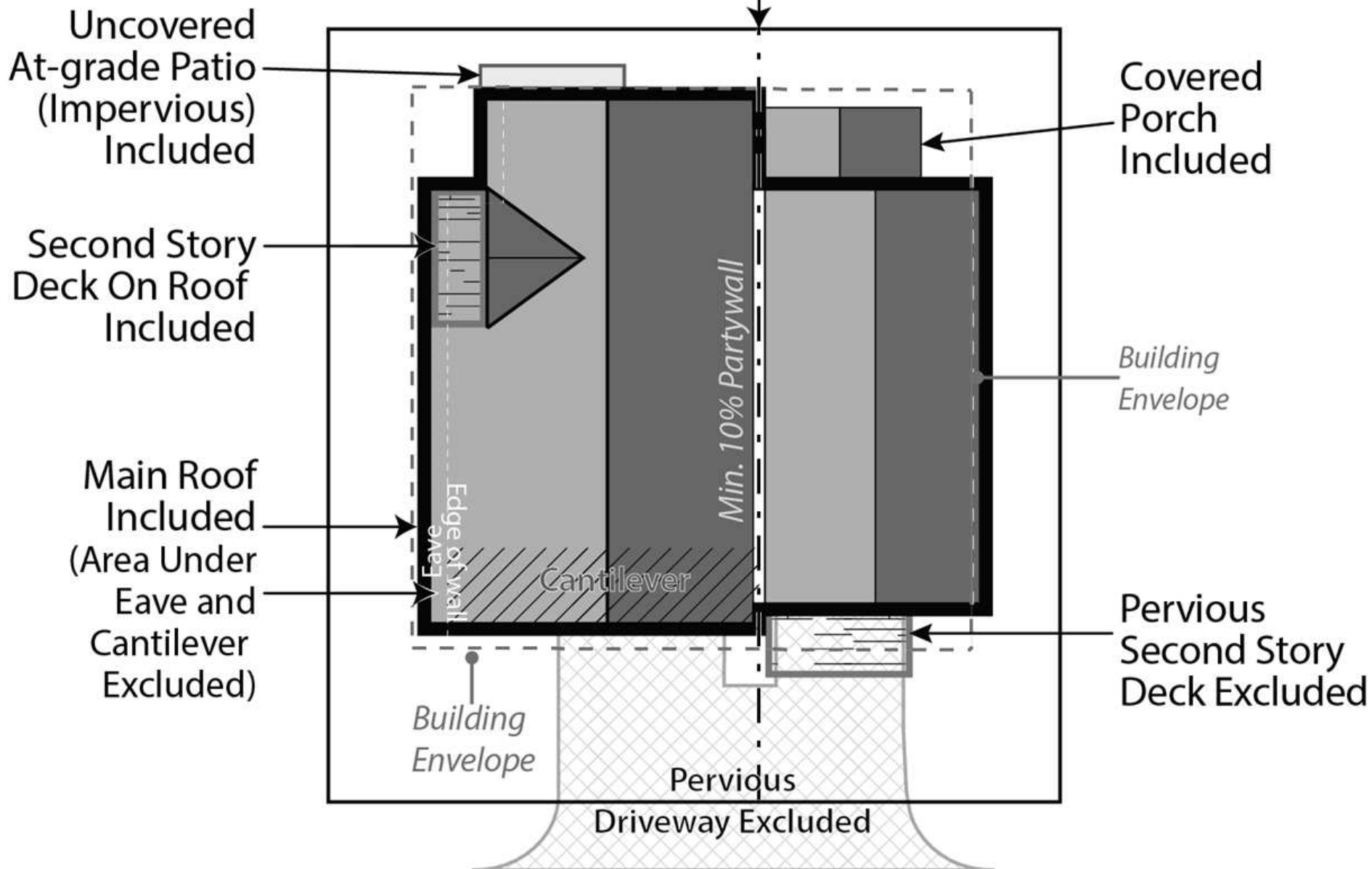
Sheet No:
A0.0

BELDEN PLACE PUD GUIDE INFORMATION
The following is an abbreviated version of information found in the PUD guide.

Building Height. Determining building height uses a weighted height calculation as measured from final/finished grade. Max heights - 28' for single famil and duplex, 35' for Row Houses and Flats.



Site Coverage. Site coverage means the portion of a lot covered by materials forming any unbroken surface, impervious to water including, but not limited to: buildings, streets, slab on-grade patios, exterior fireplaces, and other hardscape materials. Site coverage excludes non-hardscape areas under eaves or similar (e.g., open-sided cantilever).



BUILDING PLACEMENT AND ENVELOPES

Residential building envelopes are necessary in order to maximize the buildability and economic viability of the lots while offering greenspace and or space between neighbors to the greatest extent possible. All portions of structure- including fireplaces, chimneys, window wells, eaves, overhangs, etc. must be contained within property lines; however, with the platted building envelope acting as building setbacks for each lot, encroachments are available for certain features.

The following encroachments are permitted beyond the platted building envelope:

Unenclosed or uncovered decks; deck supports; eaves up to 18" beyond the envelope; porches, patios and landings less than 30" above the surrounding natural or finished grade; window or light wells; heat or A/C units; residential solar alternative energy installations; fences; counterforts below grade; staircases (enclosed or otherwise); structures of less than 6" in height; landscaping and drainage features. No encroachment may be located within 24" from the property line or directly on top of in-ground utility easements. Underground parking elements and staircases may encroach within 12" of the most southern property line on Lot 7.

1. SINGLE-FAMILY DETACHED

- a. Style
- (1) Residences with the same architectural elevations and coloring shall not be placed adjacent to each other or directly across the street from one another.
 - (2) Each residential unit type shall have at least two (2) elevations to provide stylistic diversity. This may include:
 - i. Roof forms/lines and profiles
 - ii. Varied window and door styles
 - iii. Varied entry treatments and locations including porches, columns, etc.
 - iv. Two or three story homes
 - v. Second or third story decks or balconies
- b. Building Form
- (1) The mass of the residence should strongly reflect the architectural style and be scaled to provide visual interest and depth, reduce boxiness and achieve an articulated form on the front and sides of the homes.
 - (2) Roofs shall be designed and pitched accordingly in consideration of solar technology and/or drainage.
 - (3) Roof-top decks are permitted only on certain lots as established by developer and cannot be added on buildings not constructed with this initial feature.

2. DUPLEX/TRI-PLEX or MULTIFAMILY STRUCTURES

- a. Style
- (1) Structures shall have at least two (2) elevations to provide stylistic diversity.
 - (2) Units may be multi-stories.
 - (3) Units may be divided horizontally (townhomes) or vertically (flats).
 - (4) Second story decks or balconies permitted.
 - (5) Units have no minimum length of connection and may be joined via shared walls of the garage, external staircases, or main living area wall(s) or floors.
- b. Building Form
- (1) The mass of the residence should strongly reflect the architectural style and be scaled to provide visual interest and depth, reduce boxiness and achieve an articulated form on the front of the homes.
 - (2) Roofs shall be designed and pitched accordingly in consideration of solar technology and/or drainage.
 - (3) Roof-top decks are permitted only on certain lots as established by developer and cannot be added on buildings not constructed with this initial feature.

3. MATERIALS

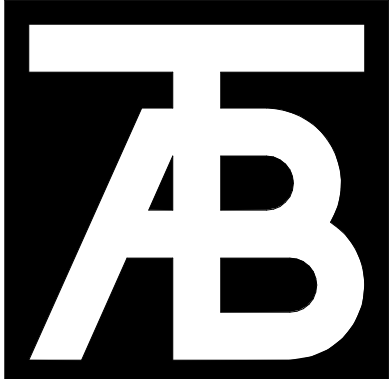
- a. Roofing materials are limited to the following:
- (1) Artificial wood shingle (to mimic wood shake shingle). Treated wood shake shingles or any other combustible material is prohibited.
 - (2) Standing seam metal.
 - (3) Asphalt shingles.
 - (4) Imitation (composite or similar); or, real slate tiles.
 - (5) Non-reflective solar tiles that mimic the above-mentioned products
 - (6) Any other recommended FireWise materials similar to the above-mentioned products.
- b. Siding materials are limited to the following:
- (1) Metal
 - (2) Wood
 - (3) Composite siding
 - (4) Fiber cement board (commonly known as "Hardie Board")
 - (5) Stucco.
 - (6) Any other recommended FireWise materials similar to the above-mentioned products.
 - (7) All siding materials to have non-reflective finishes.
- c. Doors and Windows:
- (1) Structures with multiple garage doors must always have identical, matching doors.
 - (2) All replacement windows shall be consistent and match the aesthetic of previous windows unless otherwise approved by the design review board. Skylight or solar tubes permitted.
 - (3) Screen or storm doors, in addition to typical front doors are permitted. Screen or storm doors cannot replace front doors at any time.
- d. Design Elements. This development may incorporate mountain appropriate design elements into the buildings, including, but not limited to, exposed heavy timber beams as accent elements or entry features, walls faced with wood, stone, faux stone or cultured stone, metal railings or accents. Stucco may only be utilized in small quantities on building facades and is not to be used as a primary material for home.
- e. Building materials for residential exteriors shall include at least two (2) types of materials as part of the building façade.

I. LANDSCAPING – See also PUD Landscaping Plan

Shall not interfere with any drainage way, utility, pedestrian access, or entry into any structure. Landscaping shall not obscure windows, be installed under gas fireplace or dryer vents, nor shall any landscaping material overtake any yard, or spread into any common or neighboring yards.

Landscaping minimums:

- 1. At least one (1) tree per 1,200 sf of lot area and two (2) shrubs for all lots. See also official Landscaping Plan for Belden Place.
- 2. All landscaping proposed on the approved Landscaping Plan shall be installed initially with expectations for maintenance.
- 3. No exposed soil is permitted. Soil must be covered in groundcover that may consist of seed (includes wildflower seed), cobble, perennials, mulch, or similar.
- 4. All dead materials must be replaced during the same season death occurs.



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(970) 963-9869
Structural Engineer
KRM Consultants, Inc.
(970) 949-9391
Mechanical Engineer
Electrical Engineer

Seal

Belden Place- Single Family
Lot 01 - 0018 Abby Road
Minturn, Colorado

Revisions:		
No	Description	Date

Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title:
PUD GUIDE

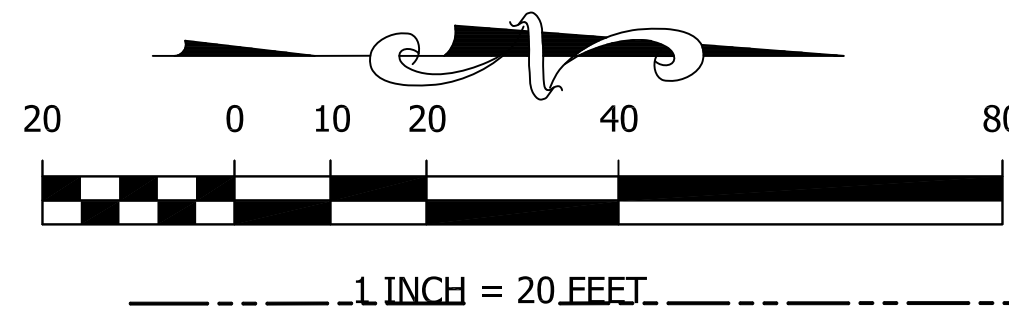
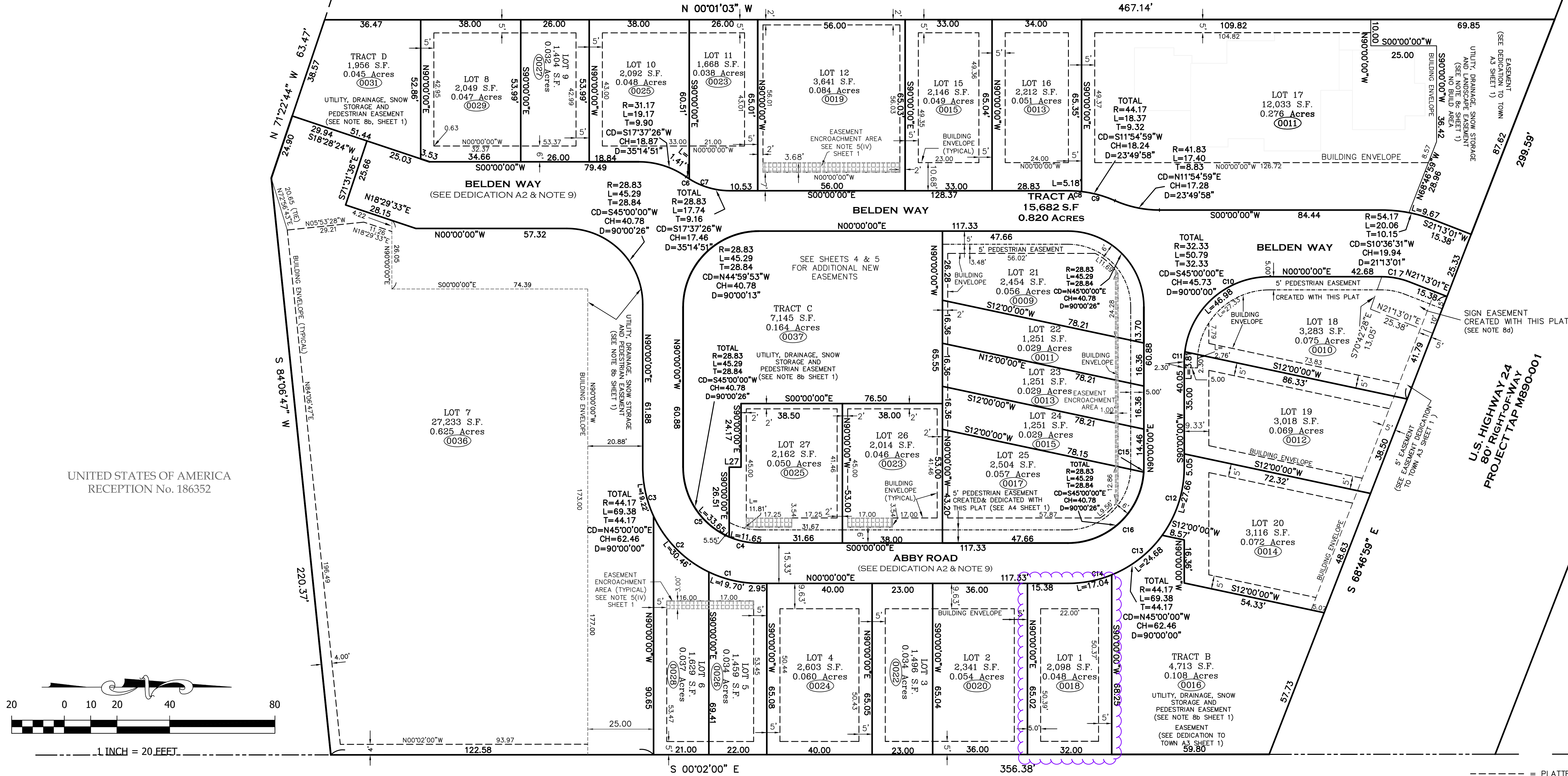
Project No:
2215

Sheet No:
A0.2

FINAL PLAT
BELDEN PLACE, P.U.D.
Town of Minturn, County of Eagle, State of Colorado

SHEET 3 OF 5
SUBDIVISION

LOT 28
SOUTH MINTURN ADDITION
RECEPTION No. 163447



L27 = S00°00'00\"W 4.50

CURVE TABLE						
CURVE	LENGTH	RADIUS	Tangent	Chord	Chd Bng	Delta
C1	19.70	44.17	10.01	19.53	N12°46'33\"E	25°33'06\"
C2	30.46	44.17	15.86	29.86	N45°18'32\"E	39°30'53\"
C3	19.22	44.17	9.76	19.07	N77°31'59\"E	24°56'01\"
C4	11.65	28.83	5.91	11.57	N11°34'15\"E	23°08'56\"
C5	33.65	28.83	19.03	31.77	N56°34'28\"E	66°51'30\"
C6	1.41	28.83	0.71	1.41	N33°50'32\"E	2°48'39\"
C7	16.32	28.83	8.39	16.11	N16°13'06\"E	32°26'12\"
C8	5.18	44.17	2.59	5.18	S03°21'35\"W	6°43'11\"
C9	13.19	44.17	6.65	13.14	S15°16'34\"W	17°06'47\"
C10	46.98	32.33	28.73	42.95	S41°37'23\"E	83°14'46\"
C11	3.81	32.33	1.91	3.81	S86°37'23\"E	6°45'14\"
C12	27.66	44.17	14.30	27.21	N72°03'40\"W	35°52'40\"
C13	24.68	44.17	12.67	24.36	N38°06'40\"W	32°01'20\"
C14	17.04	44.17	8.63	16.93	N11°03'00\"W	22°06'00\"
C15	1.89	28.83	0.94	1.89	N88°07'42\"W	3°45'03\"
C16	43.41	28.83	27.01	39.42	N43°07'29\"W	86°15'24\"
C17	10.68	28.83	5.40	10.62	N10°36'31\"E	21°13'28\"

UNITED STATES OF AMERICA
RECEPTION No.246983



Matthew S. Slagle PLS 34998
Professional Land Surveyor
State of Colorado

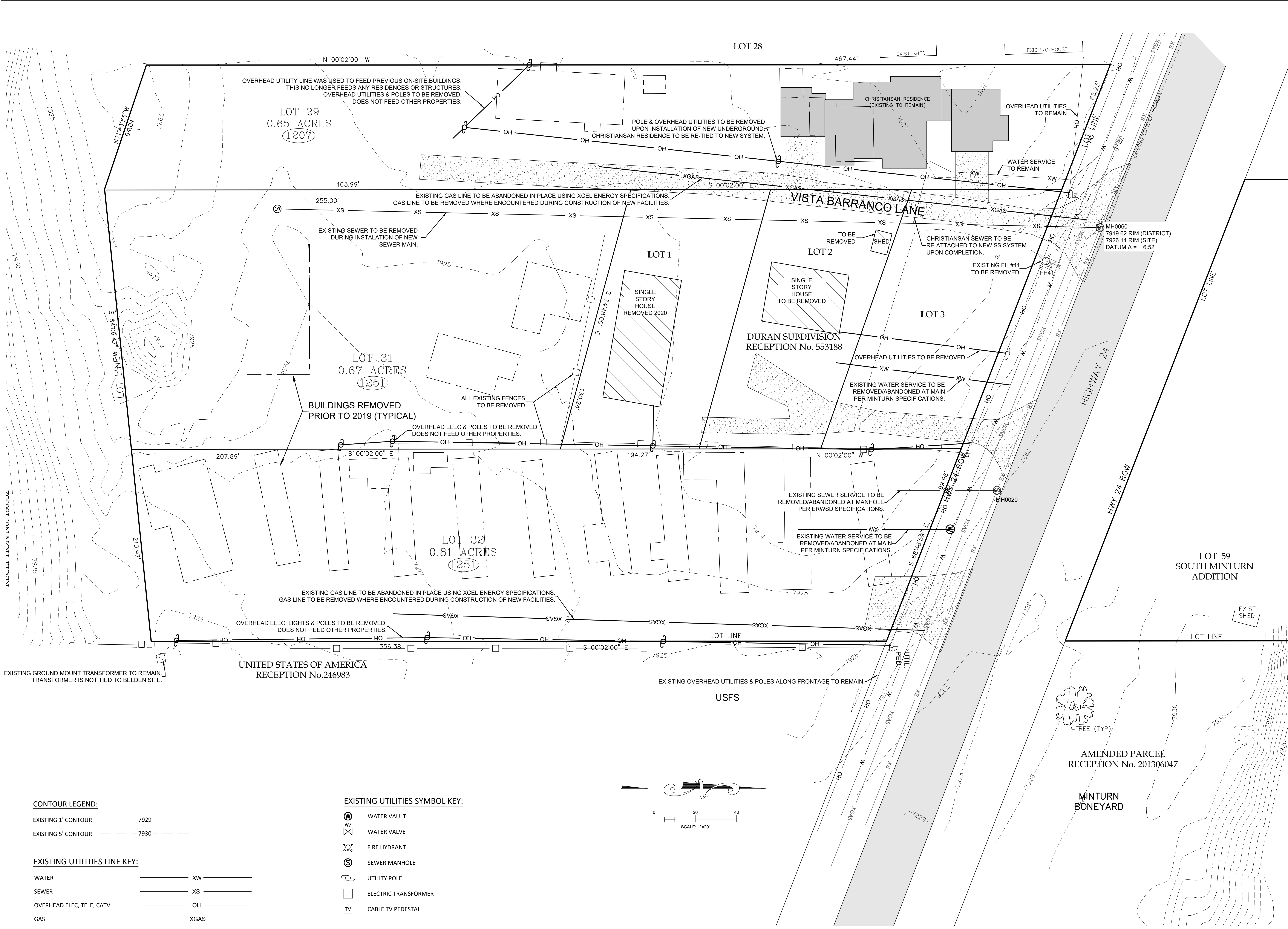


SLAGLE SURVEY SERVICES
800 Castle Drive - P.O. Box 751 Eagle, Colorado 81631
970.471.1499 Office matthew@slaglesurvey.com
www.SlagleSurvey.com

FINAL PLAT
BELDEN PLACE, P.U.D.
Town of Minturn, County of Eagle, State of Colorado

DRAWN BY: MSS	JOB NUMBER: 18029	DRAWING NAME: 18029_PUD-23.dwg
SHEET 3 OF 5	DATE: 11-11-2023	

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



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Belden Place - 12 Plex (Flats)

Lot 7

NOT FOR
CONSTRUCTION

DATE	REVISION
2/15/22	Permit Set
7/29/24	Review comments 1

Title: **EXISTING
SITE &
DEMOLITION
PLAN**

Sheet:

C.110

0036 Abby Road, Minturn, Colorado 81645



EARTHWORK:
5175 CYD CUT
8130 CYD FILL
2955 CYD NET <FILL>
(DOES NOT INCLUDE ONSITE HAUL-IN ± 1000 CYD)



PROJECT LOCATION MAP

LINE KEY:

WATER	W
SEWER	S
ELECTRIC	UEL
GAS	GAS
TELEPHONE	TEL
CATV	CTV
PROPERTY LINE	PL

CONTOUR LEGEND:

EXISTING 1' CONTOUR	7929
EXISTING 5' CONTOUR	7930
PROPOSED 1' CONTOUR	7929
PROPOSED 5' CONTOUR	7930

PROPOSED UTILITY SYMBOL KEY:

W	WATER VAULT	SL	STREET LIGHT
WV	WATER VALVE		
FD	FIRE HYDRANT		
SM	SEWER MANHOLE		
UP	UTILITY POLE		
ET	ELECTRIC TRANSFORMER		
CTV	CABLE TV PEDESTAL		
ESV	ELECTRIC SPURCE VAULT		
WSCS	WATER SERVICE CURB STOP		
SSC	SANITARY SEWER CLEANOUT		

ABBREVIATION KEY

AD	= AREA DRAIN	CFS	= CUBIC FEET PER SECOND
CONC	= CONCRETE	EC	= EDGE OF CONCRETE
EOA	= EDGE OF ASPHALT	EP	= EDGE OF PAVEMENT
EX	= EXISTING	FF	= FINISHED FLOOR
FG	= FINISHED GRADE	FL	= FLOW LINE
GD	= GRADE/GROUND	HP	= HIGH POINT
LP	= LOW POINT	TBC	= TOP BACK OF CURB
TD	= TRENCH DRAIN	TOS	= TOP OF SLAB
TOW	= TOP OF WALL	TYP	= TYPICAL
WH	= WALL HEIGHT	TOW	= TOP BACK OF WALK
EL	= ELEVATION	TOP	= TOP OF PIPE
WV	= WATER VALVE	WW	= WINDOW WELL

CONTACTS
Owner/contractor: Peter Murray Group
Brian Claydon
970 390-3489

Architect: TAB Associates, Inc.
56 Edwards Village Boulevard
Edwards, CO 81632
970 766-1470

Structural Engineer: KRM Consultants, Inc.
PO Box 4572
Vail, CO 81658
970 949-9391

Geotechnical Engineer: Kumar & Associates, Inc.
5020 County Road 154
Glenwood Springs, CO 81601
970 345-7988

Water: Town of Minturn Public Works
Arnold Martinez
970 445-2416

Sewer: Eagle River Water & Sanitation District
970 477-5451

Electric & Gas: Excel Energy
Electrical Emergency 800 895-1999
Gas Emergency 800 895-2999

Call before you dig: 811

UNIT 1

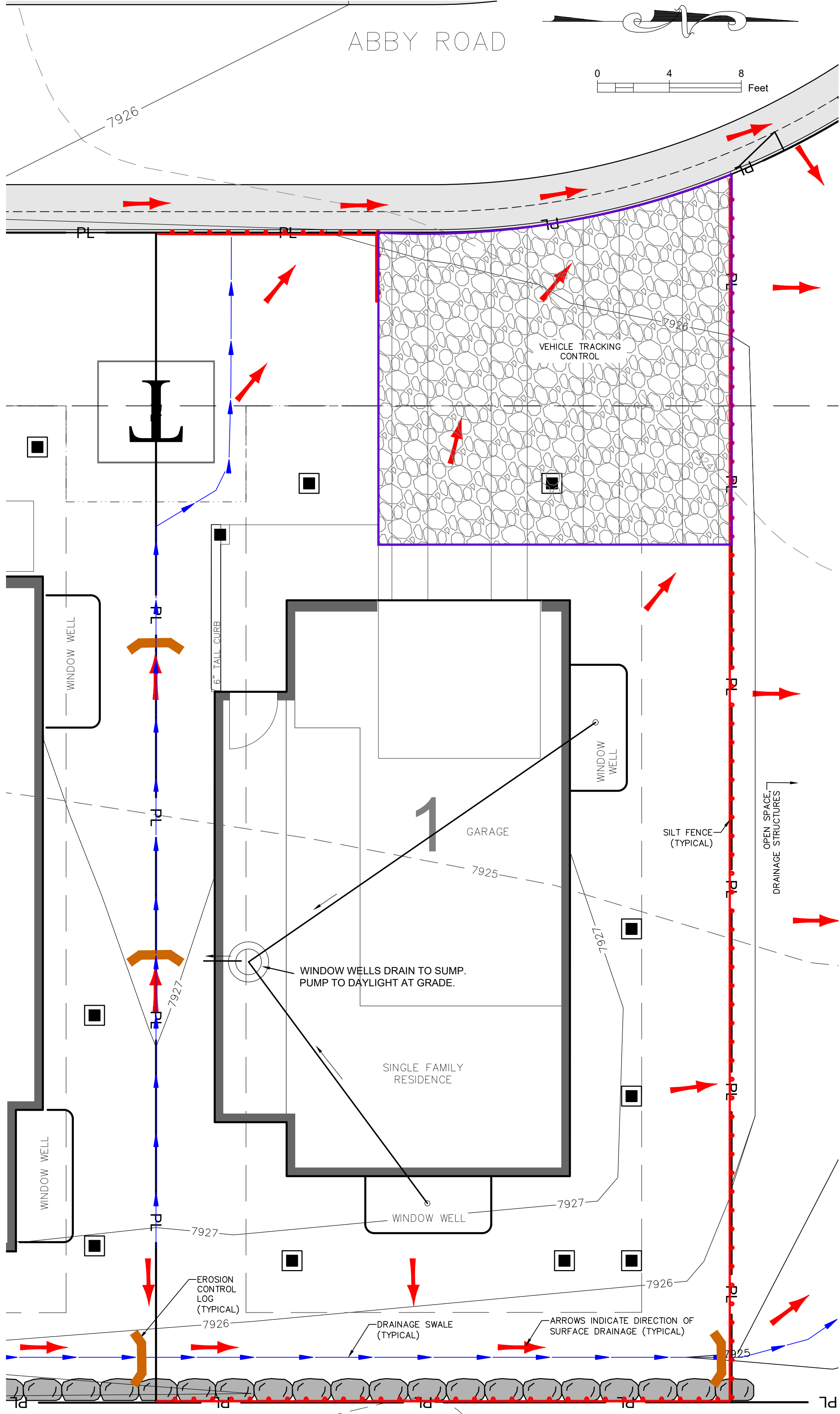
SHEET INDEX:

C.1 SITE PLAN
C.2 EROSION CONTROL DETAILS

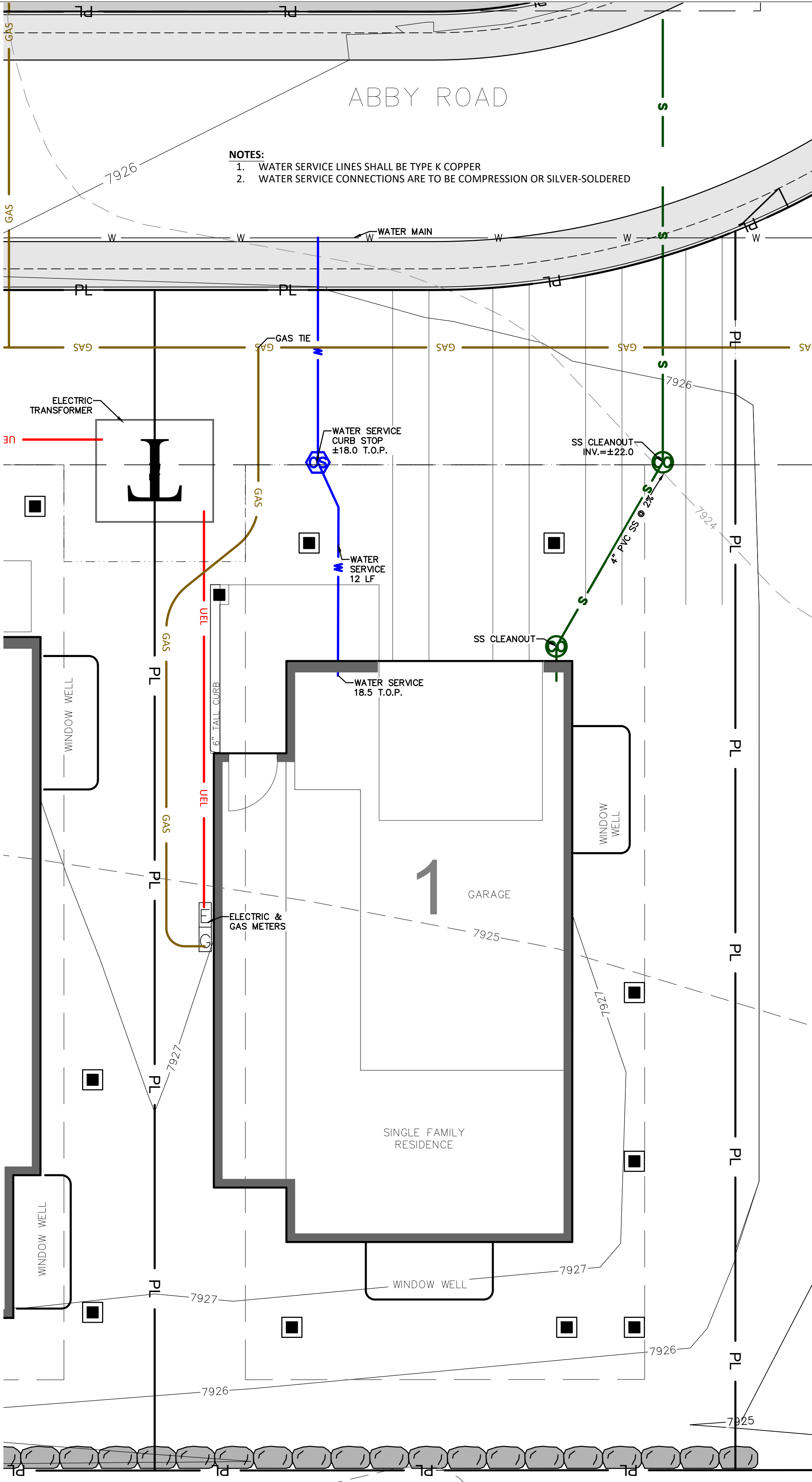
TIMBERLINE ENGINEERING, INC. CIVIL/STRUCTURAL
218 E. Valley Rd., Suite 104-PMB 177
Carbondale, Colorado 81623
timberlineengineering@gmail.com
p 970.963.9869

PROFESSIONAL ENGINEER
No. 139276
State of Colorado

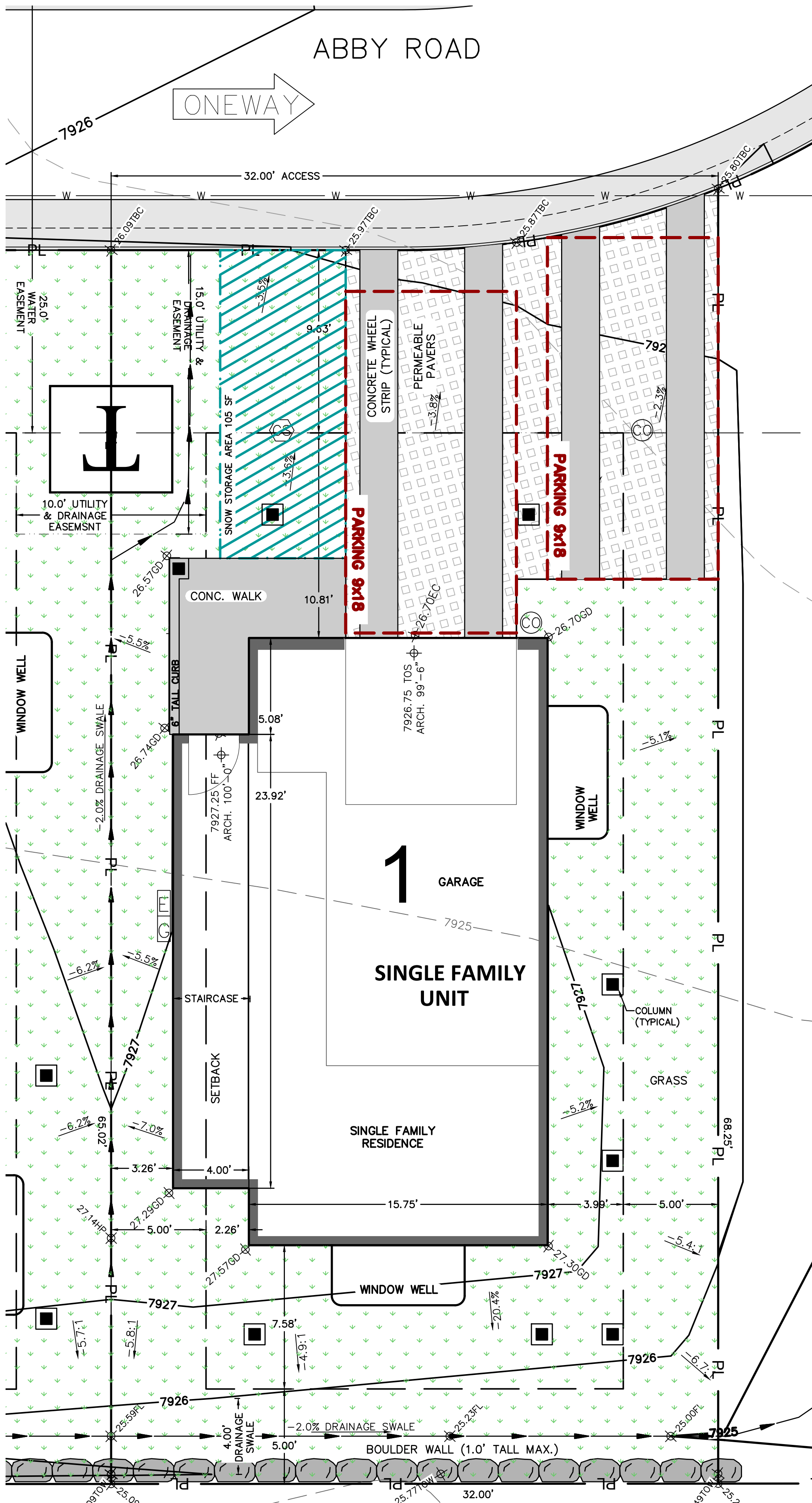
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EROSION CONTROL PLAN



UTILITY PLAN



SITE PLAN W/ GRADING

Belden Place UNIT 1 - SINGLE FAMILY RESIDENCE

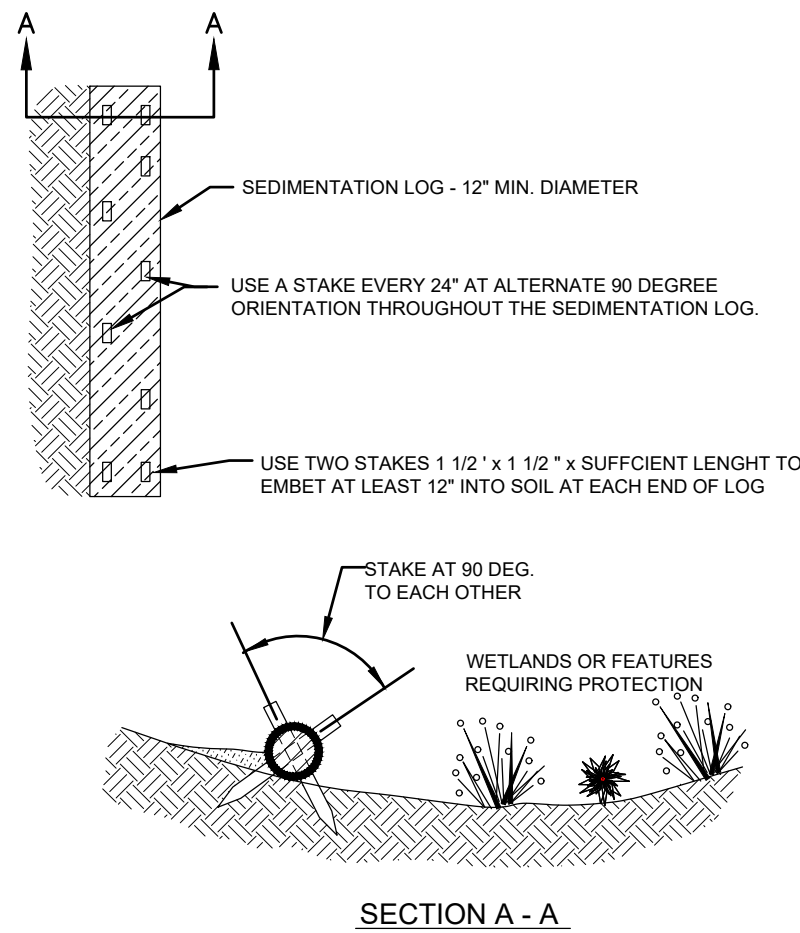
Minturn, Colorado

NOT FOR CONSTRUCTION

DATE	REVISION
1/15/25	DRB Coordination
3/12/25	DRB Updates

Title: SITE PLAN

Sheet: C.1



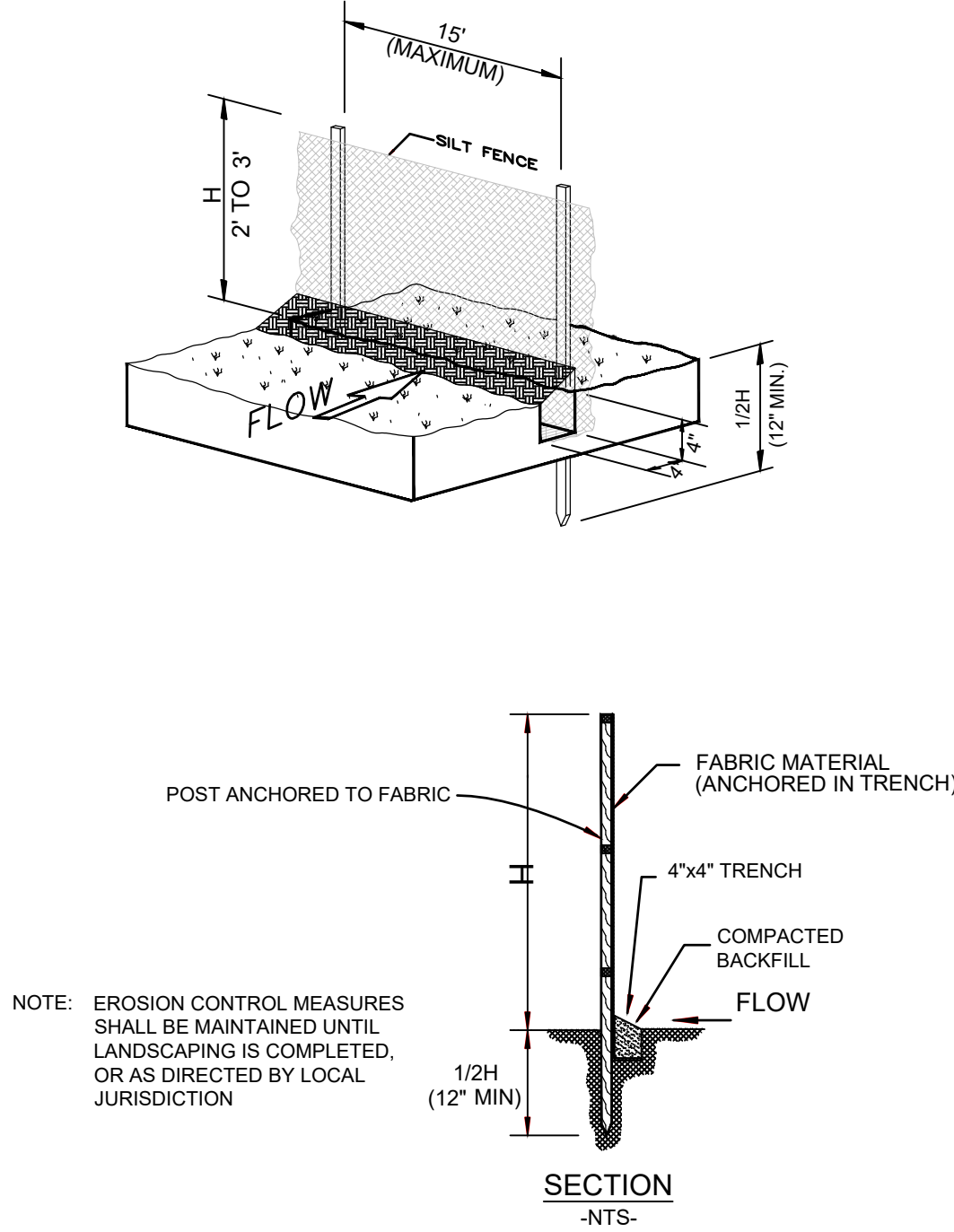
SEDIMENT CONTROL LOG INSTALLATION NOTES

1. SEE PLAN VIEW FOR LOCATION AND LENGTH OF SEDIMENT CONTROL LOG.
2. SEDIMENT CONTROL LOGS INDICATED ON INITIAL SWMP PLAN SHALL BE INSTALLED PRIOR TO ANY LAND-DISTURBING ACTIVITIES.
3. SEDIMENT CONTROL LOGS SHALL CONSIST OF STRAW, COMPOST, EXCELSIOR, OR COCONUT FIBER.
4. NOT FOR USE IN CONCENTRATED FLOW AREAS.
5. THE SEDIMENT CONTROL LOG SHALL BE TRENCHED INTO THE GROUND A MINIMUM OF 2".

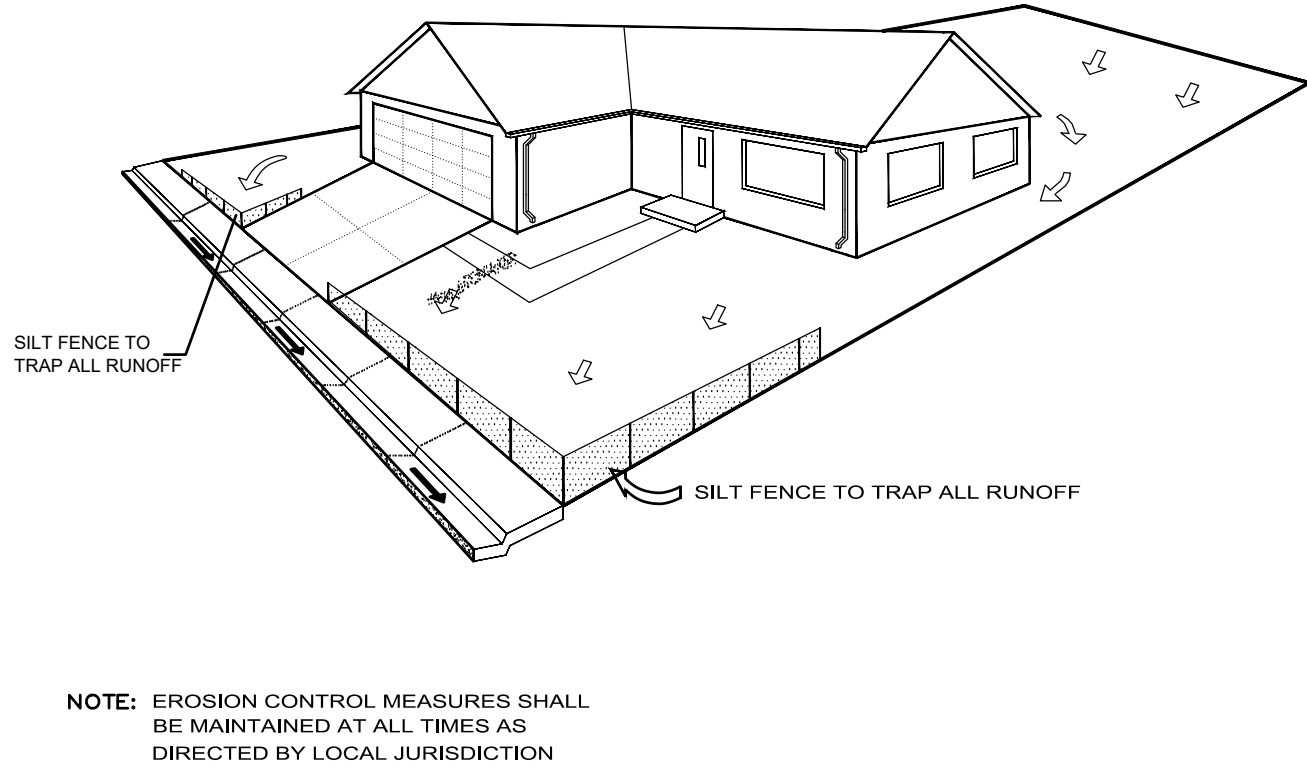
SEDIMENT CONTROL LOG MAINTENANCE NOTES

1. THE SWMP MANAGER SHALL INSPECT SEDIMENT CONTROL LOGS DAILY, DURING AND AFTER ANY STORM EVENT AND MAKE REPAIRS OR CLEAN OUT UPSTREAM SEDIMENT AS NECESSARY.
2. SEDIMENT ACCUMULATED UPSTREAM OF SEDIMENT CONTROL LOGS SHALL BE REMOVED WHEN THE UPSTREAM SEDIMENT DEPTH IS WITHIN 1/2 THE HEIGHT OF THE CREST OF LOG.
3. SEDIMENT CONTROL LOG SHALL BE REMOVED AT THE END OF CONSTRUCTION. IF ANY DISTURBED AREA EXISTS AFTER REMOVAL, IT SHALL BE COVERED WITH TOP SOIL, DRILL SEEDED AND CRAMP MULCHED OR OTHERWISE STABILIZED IN A MANNER APPROVED BY THE LOCAL JURISDICTION.

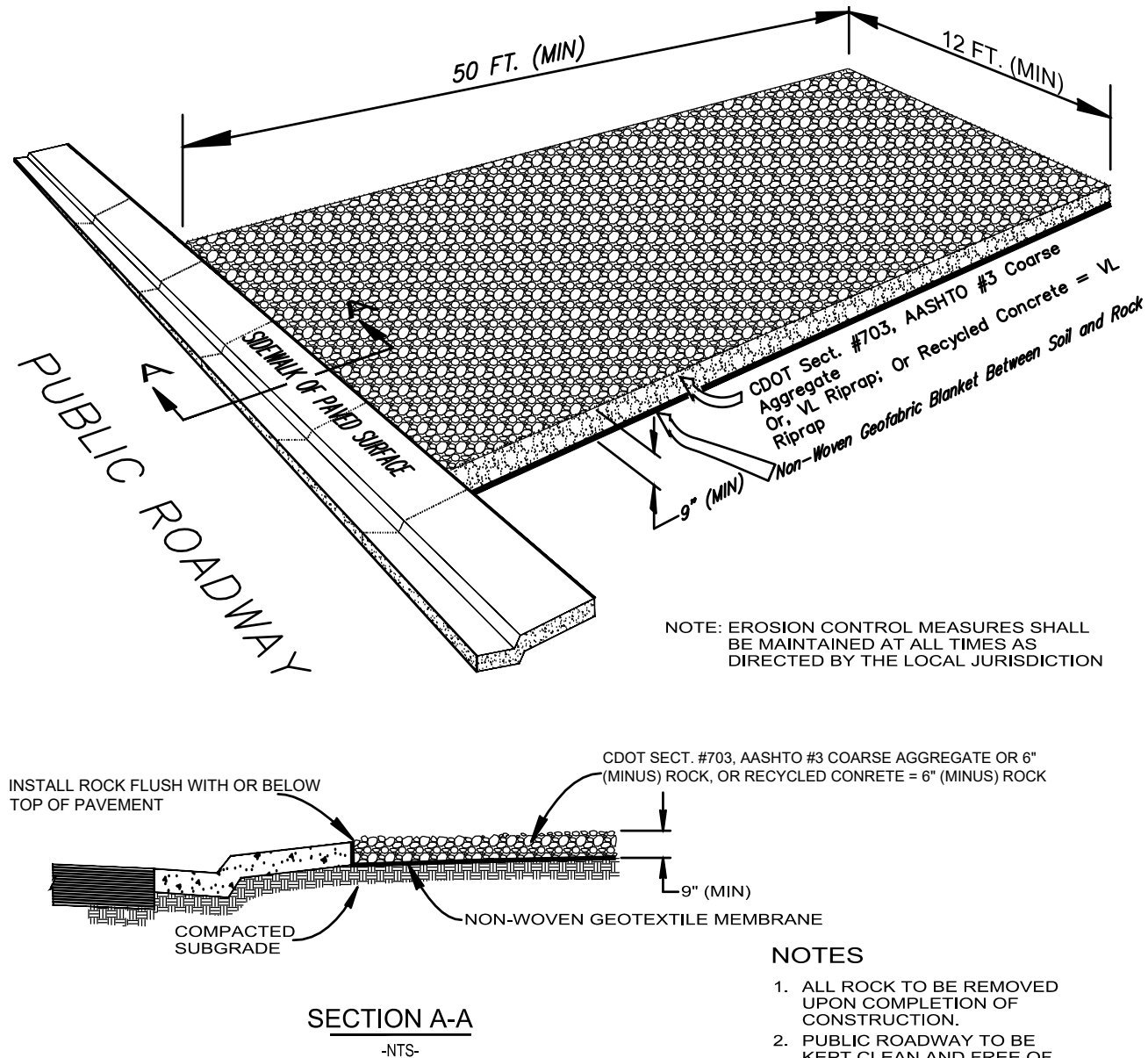
**EROSION CONTROL LOG
DETAIL**



**SILT FENCE INSTALLATION
DETAIL**



**SILT FENCE PLACEMENT
DETAIL**



**TEMPORARY VEHICLE TRACKING CONTROL
DETAIL**



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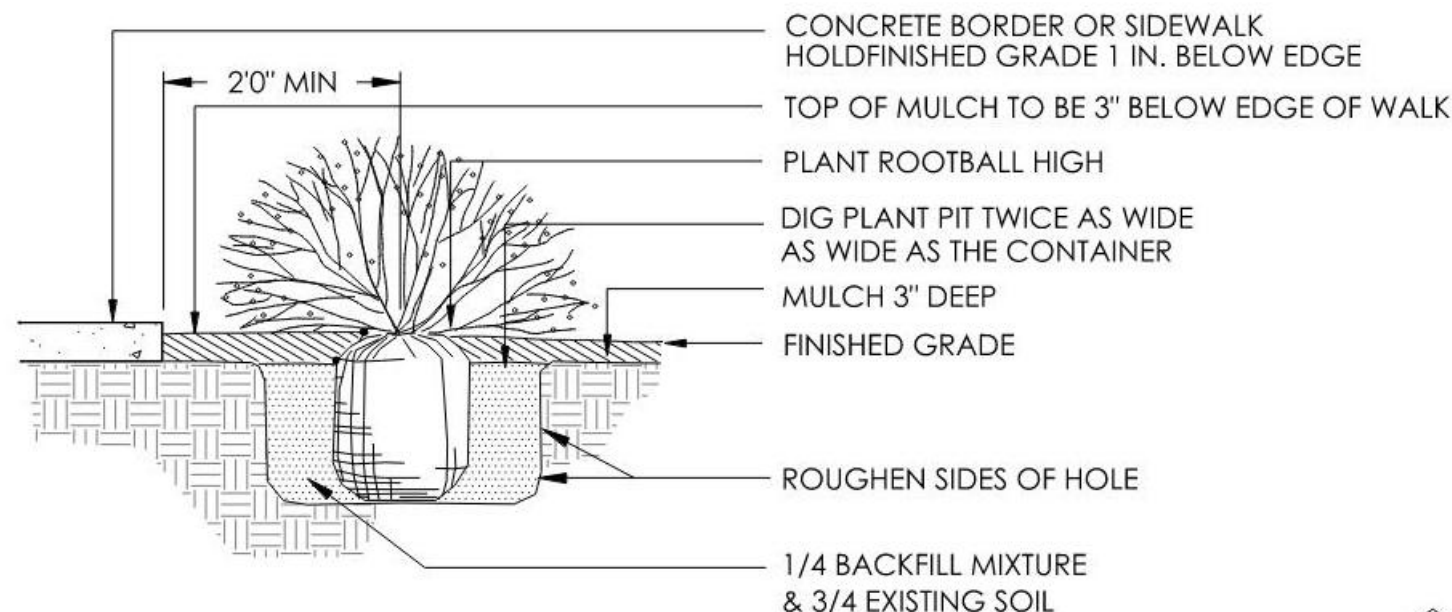
Belden Place
UNIT 1 - SINGLE FAMILY RESIDENCE
Minturn, Colorado

NOT FOR CONSTRUCTION	
DATE	REVISION
1/15/25	DRB Coordination
3/12/25	DRB Updates

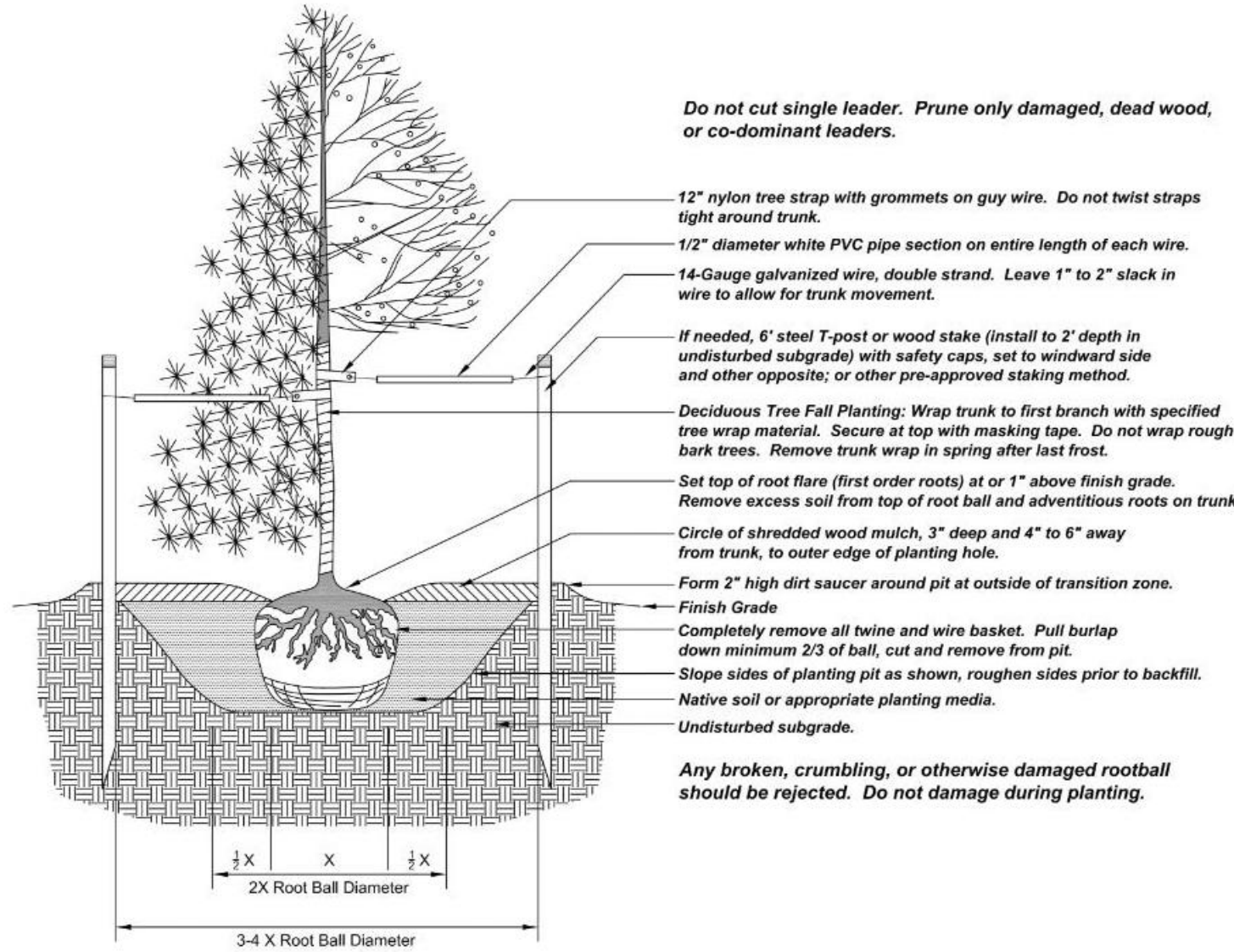
Title:
**EROSION
CONTROL
DETAILS**

Sheet:

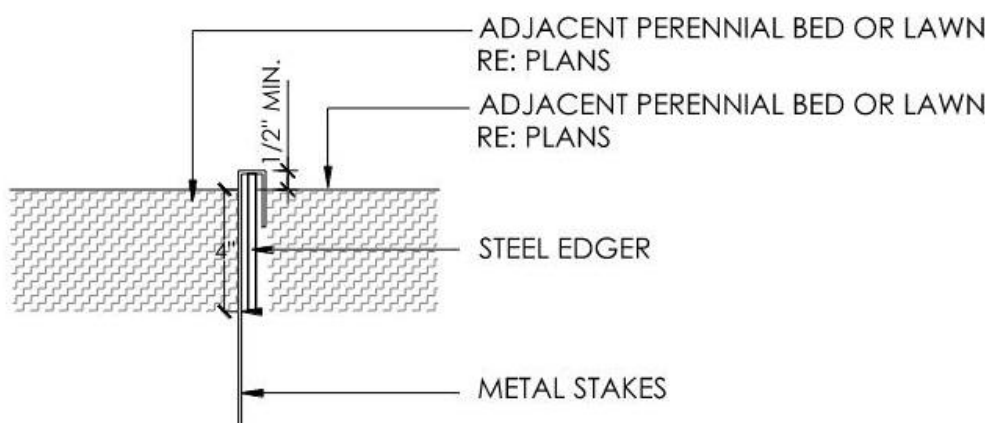
C.2



1 SHRUB PLANTING
SCALE: 3/4" = 1'-0"



3 TREE PLANTING
SCALE: N.T.S.



- NOTES:
1. CONTRACTOR TO SUBMIT SAMPLE PRIOR TO ORDERING MATERIAL OR DELIVERING TO SITE.
 2. NO EDGER REQUIRED WHEN MULCH IS ADJACENT TO PAVEMENT, BORDER, OR WALLS.
 3. SET ALL EDGING 1/2" ABOVE FINISH GRADE AS SHOWN.
 4. EDGING SHALL ABUT ALL CONCRETE CURBS AND WALKS PERPENDICULAR, AND FLUSH W/ GRADES OF CONCRETE.
 5. ALL JOINTS TO BE SECURELY STAKED.
 6. CONTRACTOR SHALL CUT TOP EDGE(S) AS NEEDED TO BE PARALLEL WITH GRADE.

8 METAL EDGER
SCALE: 3/4" = 1'-0"

GENERAL NOTES:

1. CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.
2. CONTRACTOR TO CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO BEFORE DIGGING, INCLUDING BUT NOT LIMITED TO, TRENCHING, SHRUB AND TREE PLANTING PITS. IF UTILITIES OCCUR WITHIN (3) THREE FEET OF PROPOSED FOOTINGS, THE CONTRACTOR SHALL REPORT SUCH CONDITIONS TO THE OWNER.
3. CONTRACTOR IS RESPONSIBLE FOR FULL ON-SITE INVESTIGATIONS AS NEEDED IN ORDER TO GAIN A FULL UNDERSTANDING OF EXISTING CONDITIONS PRIOR TO CONSTRUCTION. FAILURE TO INSPECT THE SITE PRIOR TO CONSTRUCTION SHALL NOT BE CAUSE FOR REQUESTING ADDITIONAL MONIES BY THE CONTRACTOR.
4. THE CONTRACTOR SHALL OBTAIN, AT HIS EXPENSE, ALL PERMITS WHICH ARE NECESSARY TO PERFORM THE PROPOSED WORK.
5. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR FOR SAFETY PRECAUTIONS OR PROBLEMS UTILIZED IN CONNECTION WITH THE WORK, AND HE/SHE WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
6. VERIFY ALL CONDITIONS AT THE JOB SITE AND NOTIFY LANDSCAPE ARCHITECT AND THE OWNER'S REP. IMMEDIATELY OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES PRIOR TO ANY DEMOLITION OR CONSTRUCTION.

SIGHT TRIANGLE NOTES:

PEDESTRIAN SIGHT TRIANGLES: NO ITEMS THAT ARE WIDER THAN 18" MAY BE TALLER THAN 30" WITHIN THE PEDESTRIAN SIGHT TRIANGLE.

CORNER SIGHT TRIANGLES: NO ITEMS TALLER THAN 30" MAY BE PLACED WITHIN THE CORNER SIGHT TRIANGLE, EXCEPT FOR TRAFFIC CONTROL DEVICES AND EQUIPMENT. TREES MUST BE LIMBED TO 8 FEET AT ADEQUATE MATURITY. TREES SHALL BE PLANTED A MINIMUM OF 10 FEET FROM LIGHT OR UTILITY POLES.

ROADWAY SIGHT TRIANGLES: NO ITEMS THAT ARE WIDER THAN 18" MAY BE TALLER THAN 30" WITHIN THE ROADWAY SIGHT TRIANGLE EXCEPT FOR STREET TREES AND TRAFFIC CONTROL DEVICES AND EQUIPMENT.

TREE PROTECTION ZONE (TPZ) NOTES:

1. CONTRACTOR SHALL VERIFY FINAL BOUNDARIES OF TPZ PRIOR TO COMMENCEMENT OF CONSTRUCTION/DEMOLITION ACTIVITIES. EXCESSIVE BRANCH PRUNING ON EXISTING TREES FOR CONSTRUCTION CLEARANCE WILL NOT BE PERMITTED. PRUNING FOR BUILDING CLEARANCE SHALL BE MINIMIZED. DUE TO SCOPE OF CONSTRUCTION AND SIZE OF EX. ROW TREES, USE CHAIN LINK FENCING TO ESTABLISH TPZ.
2. THE TREE LAWN WITHIN THE BOUNDARY OF THE TREE DRIPLINE SHALL NOT BE ROTOTILLED AT ANY TIME. ROTOTILLING IS ONLY PERMITTED IN AREAS OUTSIDE OF EXISTING TREE DRIPLINE WHERE CONCRETE & HARDSCAPE ARE REMOVED.

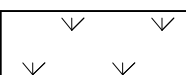
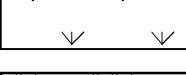
ORNAMENTAL TREES

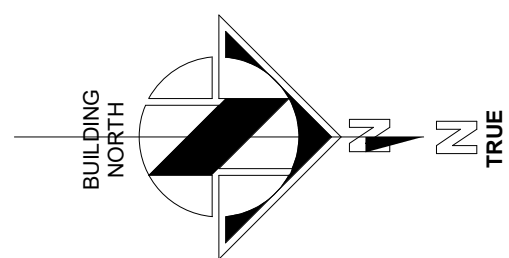
ORNAMENTAL TREES					
	ABB.	BOTANIC	COMMON	SPACING	SIZE QTY
	AMG	<i>Amelanchier x grandiflora</i>	Autumn Brilliance Serviceberry	as shown	8' clump 21
	CMT	<i>Crataegus x mordensis</i> 'Toba'	Toba Hawthorn	as shown	2" Cal 5
	MAS	<i>Malus</i> 'Spring Snow'	Spring Snow Crabapple	as shown	2" Cal 8
	MAT	<i>Malus</i> 'Thunderchild'	Thunderchild Crabapple	as shown	2" Cal 5
	QUG	<i>Quercus gambeli</i>	Gambel Oak	as shown	8' clump 11

DECIDUOUS SHRUBS

	ABB.	BOTANIC	COMMON	SPACING	SIZE	QTY
+	SAR	<i>Salix repens</i>	Creeping Willow	as shown	5 Gal.	9
⊗	SOS	<i>Sorbaria sorbifolia</i>	Ash-leaf Spirea	as shown	5 Gal.	6
⊗	SPM	<i>Syringa patula</i> 'Miss Kim'	Miss Kim Lilac	as shown	5 Gal.	9
⊗	SYO	<i>Symphoricarpos occidentalis</i>	Western Snowberry	as shown	5 Gal.	4

PLAN IS ENLARGED DETAIL AND
UPDATE FROM THE PUD APPROVED PLAN.
REFER TO PUD APPROVED PLAN
FOR ADDITIONAL INFORMATION

	NATIVE GRASS	<u>SITE CALCULATIONS</u>	
		SITE SQFT	2,098 SQFT
	2" GRAVEL DRIP LINE MULCH	BUILDING COVERAGE	887 SQFT
		IMPERVIOUS COVERAGE (Includes Building)	1,081 SQFT
	CONCRETE	SITE COVERAGE ALLOWED	60%
		SITE COVERAGE	51.5%
	PERMEABLE PAVERS		



LANDSCAPE PLAN

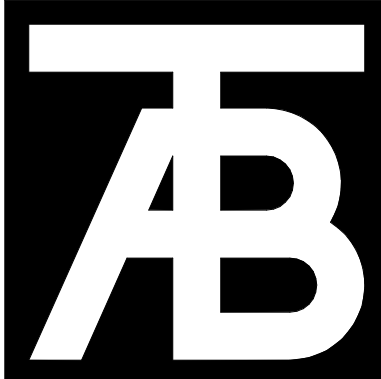
LANDSCAPE NOTES:

1. ALL NEW LANDSCAPE AND IRRIGATION SHALL BE UNDER WARRANTY FOR A PERIOD OF (1) ONE YEAR. THE WARRANTY PERIOD SHALL COMMENCE ONCE ALL PUNCH LIST ITEMS ARE SATISFACTORY COMPLETED AND A LETTER OF FINAL COMPLETION IS PROVIDED FROM THE OWNER'S REPRESENTATIVE. ALL LANDSCAPE AND IRRIGATION MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR 1 YEAR AFTER THE FINAL COMPLETION IS PROVIDED IN WRITING.
2. PLANT MATERIAL AND BED LOCATIONS TO BE STAKED BY THE LANDSCAPE CONTRACTOR FOR REVIEW BY THE OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT. ALL ADJUSTMENTS SHALL BE MADE BY THE CONTRACTOR. THE CONTRACTOR SHALL NOT DIG PLANT PITS UNTIL LOCATIONS ARE APPROVED.
3. ROUGH GRADING TO PLUS OR MINUS ONE TENTH OF A FOOT BY GENERAL CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE FINISH GRADING IN ALL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR TO APPROVE ROUGH GRADES PRIOR TO MOBILIZATION. MOBILIZATION ON THE PART OF THE LANDSCAPE CONTRACTOR WILL INDICATE THAT ROUGH GRADING IS ACCEPTABLE TO THE LANDSCAPE CONTRACTOR, AND THEREFORE BE RESPONSIBLE FOR PROVIDING ALL FINISHED GRADES TO MEET THE CIVIL GRADING PLANS.
4. TREES AND SHRUBS WILL BE INSPECTED ON-SITE. LANDSCAPE PLANT MATERIALS MAY BE REJECTED AT ANY TIME DUE TO ISSUES OF QUALITY.
5. ALL NEW LANDSCAPE AREAS SHALL BE IRRIGATED BY A COMMERCIAL GRADE, FULLY AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. TREES, SHRUBS, AND DECORATIVE GRASSES SHALL BE IRRIGATED BY A SEPARATE ZONE FROM SOD/GRASS; THIS INCLUDES TREES PLANTED IN SOD/GRASS AREA. THE IRRIGATION SYSTEM IS TO HAVE A RAIN SENSOR SHUTOFF INSTALLED. IRRIGATION TO BE DESIGN/BUILD. CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH ARCHITECT, LANDSCAPE ARCHITECT, AND MECHANICAL AND FOR GENERATION OF AN IRRIGATION PLAN FOR REVIEW WITH AS BUILD PLAN AS REQUIRED.
6. ALL PLANT MATERIAL SHALL MEET OR EXCEED CURRENT AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 AND THE COLORADO NURSERY ACT AND ACCOMPANYING RULE AND REGULATIONS.
7. TRUNK-WRAP TAPE: TWO LAYERS OF CRINKLED PAPER CEMENTED TOGETHER WITH BITUMINOUS MATERIAL, 4 INCHES (102 MM) WIDE MIN.
8. WRAPPING TREE TRUNKS: WRAP TREES WITH TRUNK-WRAP TAPE. START AT BASE OF TRUNK AND SPIRAL COVER TRUNK TO HEIGHT OF FIRST BRANCHES. OVERLAP WRAP, EXPOSING HALF THE WIDTH, AND SECURELY ATTACH WITHOUT CAUSING GIRDLING. DO NOT USE STAPLES. INSPECT TREE TRUNKS FOR INJURY, IMPROPER PRUNING, AND INSECT INFESTATION AND TAKE CORRECTIVE MEASURES REQUIRED BEFORE WRAPPING. DO NOT WRAP ROUGH BARK, POPULUS OR GLEDITSIA TREES. REMOVE WRAP IN SPRING.
- 8.1. NO TREE SHALL BE WRAPPED AFTER MAY 21 OR BEFORE NOVEMBER 1.
- 8.2. ALL DECIDUOUS TREES SHALL BE WRAPPED BY NOV. 15. REMOVE TREE WRAP BY MAY 15.
- 8.3. CONTRACTOR SHALL BE RESPONSIBLE FOR WRAPPING AND UNWRAPPING TREES DURING THE WARRANTY PERIOD.
9. FIBER MULCH AT PLANTING BEDS: ORGANIC MULCH FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS, CONSISTING OF SHREDDED REDWOOD MULCH NOT LARGER THAN FOUR INCHES (4") IN LENGTH. SUBMIT 1.0 CF SAMPLE FOR APPROVAL.

SOIL PREPARATION:

SOIL SHALL BE AMENDED BASED ON THE SOIL TEST RECOMMENDATIONS (TO ADDRESS SPECIFIC DEFICIENCIES & ISSUES IN EXISTING SOIL). THE FOLLOWING INCLUDES THE SOIL TEST REQUIREMENTS AND RECOMMENDATIONS TO BE USED IN CONJUNCTION WITH THE SOIL TEST RESULTS:

1. SOIL ANALYSIS, BULK DENSITY TESTING AND REMEDIATION REQUIRED. SOIL ANALYSIS FROM A LOCAL ACCREDITED SOIL ANALYSIS LABORATORY WITH EXPERIENCE IN LOCAL URBAN SOILS SHALL BE REQUIRED WHEN PLANTS ARE TO BE INSTALLED IN GREEN SPACE. ALL SOIL REMEDIATION SHALL BE BASED ON THE SOIL ANALYSIS.
 - 1.1. MINIMUM SOIL ANALYSIS MUST DETERMINE SOIL TEXTURE AND STRUCTURE, PH BALANCE, SOIL SALINITY, FREE LIME, ORGANIC MATTER (OM) CONTENT, PLANT AVAILABLE NUTRIENTS AND COMPACTION.
 - 1.2. DEPTH OF LANDSCAPE SOIL ANALYSIS SHALL BE 24IN FOR TREES AND 8IN FOR ALL OTHER AREAS
 - 1.3. SOIL REMEDIATION REQUIRED BASED ON SOIL ANALYSIS.
2. COMPOSTED MATERIAL SHALL CONSIST OF AGED ORGANIC MATERIAL, FREE OF WEEDS OR OTHER NOXIOUS PLANT SEEDS, LUMPS, STONES, OR OTHER FOREIGN CONTAMINANTS HARMFUL TO PLANT LIFE, AND HAVING THE FOLLOWING CHARACTERISTICS BASED ON A NUTRIENT TEST PERFORMED NO LONGER THAN 3 MONTHS PRIOR TO ITS INCORPORATION INTO THE PROJECT:
 - 1.1. ORGANIC MATTER: 25% MINIMUM.
 - 1.2. SALT CONTENT: 5.0 MMHOS/CM MAXIMUM.
 - 1.3. PH: 8.5 MAXIMUM.
 - 1.4. CARBON TO NITROGEN RATIO OF 10:1 TO 20:1.
 - 1.5. PARTICLE SIZE NO PARTICLE SMALLER THAN SILT OR CLAY SIZE, OR LARGER THAN 1/2" DIAMETER
 - 1.6. ACCEPTABLE COMPOST PRODUCT: CLASS I COMPOST, SUCH AS ECOGRO OR BIO-COMP, AS PROVIDED BY A1 ORGANICS, EATON, CO, OR APPROVED EQUAL.
2. FINISH GRADE TO BE BELOW THE EDGE OF PAVEMENT PRIOR TO SODDING OR PLANTING:
 - 1.1. SEEDED/SODDED AREAS: ALLOW 1 INCH FOR SOD.
 - 1.2. PLANTED AREAS: ALLOW 3 INCHES FOR MULCH.
4. AFTER APPLYING SOIL CONDITIONER AND FERTILIZER, THOROUGHLY TILL AREA TO DEPTH OF 6" MINIMUM UNTIL SOIL IS WELL PULVERIZED AND THOROUGHLY MIXED.



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KRM Consultants, Inc
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Mechanical Engineer

Electrical Engineer

Seal

**Belden Place-Single Family
Lot 01 - 0018 Abby Road
Minturn, Colorado**

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Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title

Landscape Plan

Sheet No:

A1.1

CONTRACTOR TO PROVIDE THE FOLLOWING AS DEFERRED SUBMITTALS FOR BUILDING PERMIT

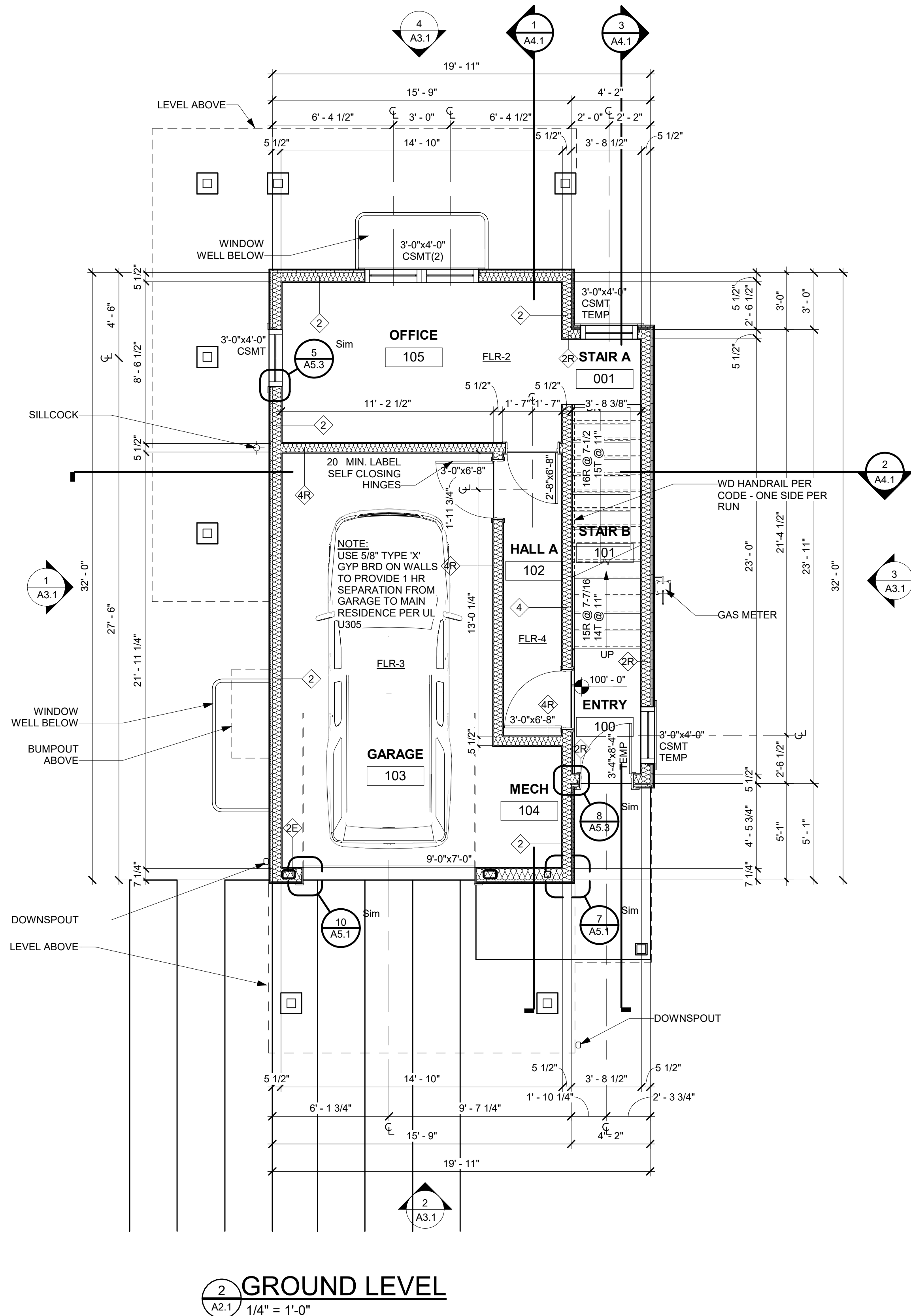
MECHANICAL
M1. PLEASE PROVIDE THE REQUIRED MANUAL J AND S, M1401.2
M2. PLEASE PROVIDE THE REQUIRED MANUAL D, M1601.1
M3. PLEASE PROVIDE THE CONSTRUCTION DETAILS FOR THE PROPOSED WHOLE HOUSE VENTILATION SYSTEM, M1505.4
M4. SHEET A2.1: IF ALL THE GAS FIRED APPLIANCES ARE NOT SEALED COMBUSTION AND THE KITCHEN EXHAUST HOOD IS GREATER THAN 400 CFM MAKEUP AIR SYSTEM WILL BE REQUIRED. PLEASE PROVIDE THE CONSTRUCTION DETAILS FOR THE PROPOSED MAKEUP AIR SYSTEM IF NEEDED.

PLUMBING
P1. SHEET A2.1: LOWER FLOOR. PLEASE INDICATE HOW THE WATER HEATER AND ASSOCIATED PIPING WILL BE PROTECTED FROM FREEZING, P2603.5
PLEASE INDICATE THE REQUIRED 3' X 3' X 7' HIGH CLEAR SPACE AT THE WATER HEATER, R403.5.4 AS AMENDED
B. INDICATE THE REQUIRED CONDENSATE DRAIN AT THE WATER HEATER THAT WILL ALLOW NATURAL DRAINAGE, R403.5.4 AS AMENDED
PLEASE NOTE THAT THAT THESE TWO COMMENTS ARE INTENDED TO PROVIDE SPACE AND DRAINAGE FOR A HEAT PUMP WATER HEATER. WE ARE NOT AWARE THAT HEAT PUMP WATER HEATERS CAN BE INSTALLED IN AN UNCONDITIONED OR CONDITIONED GARAGE.

CONTRACTOR TO PROVIDE THE FOLLOWING FOR IECC REQUIREMENTS AND COMPLETION
REQUIRED BLOWER DOOR TEST AT 3-ACH50, R402.4.1.3
A. REQUIRED DUCT TIGHTNESS TEST, R403.3.5
IV. REQUIRED DOMESTIC HOT WATER PIPING INSULATION, R403.5.2
VI. THE REQUIRED ITEMS THAT ARE TO BE LISTED ON THE COMPLIANCE CERTIFICATE, R401.3 AS AMENDED

CONTRACTOR TO COORDINATE DUCTING FROM THE FURNACE (IF PENETRATING THE GARAGE/HOUSE SEPARATION) WILL BE A MINIMUM OF 26 GAUGE AND THAT THE FURNACE HAS NO OPENINGS INTO THE GARAGE, R302.5. NOTE THAT WE ARE NOT AWARE OF ANY FURNACE THAT IS AIRTIGHT, HAVING THE FURNACE AND THE WATER HEATER WITHIN THE GARAGE SPACE CAN BE DIFFICULT AT BEST.

AREA SUMMARY	
PROPOSED CONDITIONED SQUARE FOOTAGE	
BASEMENT LEVEL	520 SF
GROUND LEVEL	232 SF
MAIN LEVEL	630 SF
UPPER LEVEL	602 SF
TOTAL	1,984 SF
PROPOSED UNCONDITIONED SQUARE FOOTAGE	
BASEMENT LEVEL	0
GROUND LEVEL	275 SF
MAIN LEVEL	0
UPPER LEVEL	0
TOTAL	275 SF
TOTAL COND & UNCOND	
	2,259 SF

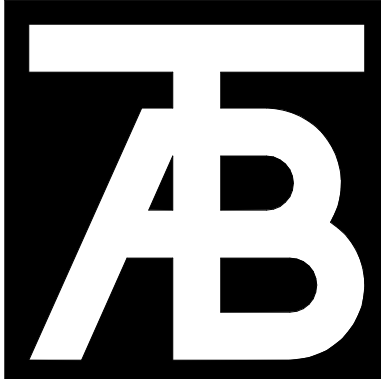


NOTES:

- CLOSET NOTES:**
- SINGLE HANGING: DESIGNATED BY SINGLE DASHED LINE IN CLOSETS TO BE: 16" SHELF @ 7'-0" AFF, 10" SHELF & ROD @ 5'-0" AFF.
 - DOUBLE HANGING: DESIGNATED BY DOUBLE DASHED LINE IN CLOSETS TO BE: 16" SHELF & ROD @ 7'-0" AFF, 12" SHELF & ROD @ 3'-0" AFF.
 - SHELVES @ WALK-IN CLOSETS: 6 - 16" SHELVES @ 1'-2" OC, 1st SHELF @ 1'-2" AFF, SHELF WIDTH TO BE CLOSET WIDTH, LESS 4'-0" OR AS OTHERWISE INDICATED.
 - LINEN SHELVES: 6 SHELVES, WIDTH AS NOTED, @ 1'-2" OC, 1st SHELF @ 1'-2" AFF, FULL CLOSET WIDTH.
 - STORAGE SHELVES: 6 - 16" SHELVES @ 1'-2" OC, 1st SHELF @ 1'-2" AFF, FULL CLOSET WIDTH.
- GENERAL CLOSET NOTES:**
- ALL SHELVES & VERTICAL DIVIDERS TO BE AC PLYWOOD WITH 1x2 EDGE, SPECIES TO BE SPECIFIED BY DEVELOPER.
 - CLEARANCE TO BE 1x2 CLEAR PINE.
 - PROVIDE ROD SUPPORTS @ 36" OC MAX.
 - ALL TO BE STAINED TO MATCH CASE & BASE.

- FLOOR PLAN GENERAL NOTES:**
- PATCH EXISTING CONSTRUCTION SCHEDULED TO REMAIN. REPAIRED SURFACES TO BE FLUSH WITH ADJACENT FINISH SURFACES. TO SAME QUALITY AS NEW CONSTRUCTION PRIOR TO INSTALLING NEW FINISHES. REFER TO THE FINISH MANUFACTURER'S GUIDELINES FOR INSTALLATION.
 - PATCH EXISTING FIRE-RATED WALLS, FLOOR CEILING, ETC. SO AS TO MAINTAIN THE FIRE-RADIATING. ADD FIRE-SMOKE DAMPERS WHERE NEW DUCTS CROSS. ADD FIRE STOP AT ALL.
 - PATCH WALLS AT REMOVED RECEPTACLE OPENINGS SO AS TO RECEIVE SUBSEQUENT WORK.
 - PATCH AND LEVEL FLOOR SUBSTRATES TO RECEIVE NEW WORK AS SCHEDULED.
 - COORDINATE ALL FLOOR CORE DRILLING WITH EXISTING.
 - DO NOT SCALE DRAWINGS.
 - IN ROOMS WITH FLOOR DRAINS, SLOPE CONCRETE SURFACE WITHIN 1/4" RADIUS AT 1/4" PER FOOT TOWARD FLOOR DRAIN, UNLESS OTHERWISE INDICATED.
 - ALL SPOT ELEVATIONS SHOWN ON THE FLOOR PLANS OUTSIDE THE BUILDING RELATE TO USGS ELEVATIONS. ALL SPOT ELEVATIONS INSIDE THE BUILDING REFER TO BUILDING REFERENCE ELEVATIONS. NOTIFY ARCHITECT IMMEDIATELY SHOULD CONDITIONS BE FOUND CONTRADICTORY TO THESE DRAWINGS.
 - ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS ARE TO GRID LINE, FACE OF CONCRETE OR MASONRY, OR FACE OF GYPSUM BOARD, UNLESS OTHERWISE NOTED.
 - ALL FLOOR PLAN DIMENSIONS TO MASONRY ARE NOMINAL DIMENSIONS, UNLESS NOTED AS ACTUAL.
 - WINDOW AND DOOR SIZES: EX 3040 = 3'0"x4'0", 3060 = 3'0"x6'0"

- GENERAL NOTES:**
- DO NOT SCALE DRAWINGS. USE GIVEN DIMENSIONS. IMMEDIATELY NOTIFY ARCHITECT IF ADDITIONAL INFORMATION IS REQUIRED. ALL DIMENSIONS ARE GIVEN TO FACE OF WALL FRAMING. SEE WALL SECTIONS AND WALL TYPES FOR EXACT CONSTRUCTION.
 - SEE SHEET A0.1 FOR WALL TYPES INDICATED ON FLOOR PLANS.
 - PROVIDE ALL NECESSARY BLOCKING FOR PROPER ATTACHMENT OF WORK IN WALLS AND CEILINGS. LOCATIONS INCLUDE BUT NOT LIMITED TO: TOILET AND BATH ACCESSORIES, WALL AND CEILING MOUNTED ELECTRICAL EQUIPMENT, WINDOW TREATMENTS, CASEWORK, COUNTERTOPS, ETC.
 - WHERE WALL PARTITIONS ARE A CONTINUATION OF EXISTING ONES, NEW FINISH SURFACES MUST BE FLUSH AND CONTINUOUS WITH EXISTING SURFACES ON BOTH SIDES. INFILL OPENINGS IN EXISTING WALLS WITH MATERIAL TO MATCH EXISTING WALL THICKNESS, TEXTURE, AND FINISH.
 - REFERENCE S-SERIES DRAWINGS FOR STRUCTURAL NOTES AND DETAILS AND COORDINATE.
 - EXISTING BUILDING DIMENSIONS AND ELEVATIONS ARE BASED UPON EXISTING SURVEY INFORMATION. IMMEDIATELY NOTIFY ARCHITECT IF CONDITIONS ARE ENCOUNTERED THAT DO NOT AGREE WITH DIMENSIONS AND/OR ELEVATIONS SHOWN.
 - VERIFY ALL PITCHED FLOOR AREAS SHOWN WITH PITCH LINES WITH THE ARCHITECT. PROVIDE A SLAB DEPRESSION AT ALL FLOOR DRAINS WHERE PITCH LINES ARE NOT SHOWN ON DRAWINGS.
 - PROVIDE 4" RETURN FROM FACE OF ADJACENT WALL FOR ANY DOORS NOT DIMENSIONED.
 - SEE MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR ITEMS NOT SHOWN ON ARCHITECTURAL DRAWINGS AND COORDINATE.
 - ALL INTERIOR WALLS SHALL EXTEND TO UNDERSIDE OF ROOF DECK AND STEEL STRUCTURE (BEAM) UNLESS NOTED OTHERWISE. SEE PARTITION WALL TYPES ON SHEET A0.03.
 - DATUM 100'-0" INDICATED ON ALL DRAWINGS, OTHER THAN CIVIL SERIES EQUALS XXXX.XX ON CIVIL DRAWINGS.
 - ALL STEEL LOCATED BELOW AND EXPOSED TO GRADE TO BE COATED WITH BITUMINOUS DAMPROOFING.
 - CONTRACTOR TO COMPLY WITH ALL REQUIREMENTS FOR SPECIAL INSPECTIONS, 2015 IBC-1704.



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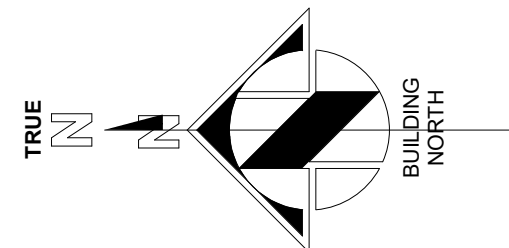
Revisions:		
No.	Description	Date
4	Minor DRB	09/25/2025

Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title:
Basement & Ground Floor Plans

Project No:
2215

Sheet No:
A2.1



TRUSS
RIDGE
●
B.O. RIDGE +20'-2 5/8"
120'-2 5/8" (3359.22')
T.O. RIDGE 8360.68'

T.O. WALL
PLATE
●
T.O. PLATE
+10'-0"
110'-0"

FLOOR
SPOT ELEV
●
MAIN LEVEL
T.O. PLYWOOD CONC/GYP
100'-0" (8466.5')

NOTES:

CLOSET NOTES:

- 1 SINGLE HANGING: DESIGNATED BY SINGLE DASHED LINE IN CLOSETS TO BE: 16" SHELF @ 7'-0" AFF, 16" SHELF & ROD @ 5'-6" AFF.
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- 5 STORAGE SHELVES: 6 - 16" SHELVES @ 1'-2" OC, 1st SHELF @ 1'-2" AFF, FULL CLOSET WIDTH.

GENERAL CLOSET NOTES:

1. ALL SHELVES & VERTICAL DIVIDERS TO BE AC PLYWOOD WITH 1x2 EDGE. SPECIES TO BE SPECIFIED BY DEVELOPER.
2. CLEATS TO BE 1/2" CLEAR PINE.
3. PROVIDE ROD SUPPORTS @ 36" OC MAX.
4. ALL TO BE STAINED TO MATCH CASE & BASE.

FLOOR PLAN GENERAL NOTES:

1. PATCH EXISTING CONSTRUCTION SCHEDULED TO REMAIN. REPAIRED SURFACES TO BE FLUSH WITH ADJACENT FINISH SURFACES. TO SAME QUALITY AS NEW CONSTRUCTION PRIOR TO INSTALLING NEW FINISHES. REFER TO THE FINISH MANUFACTURERS GUIDELINES FOR INSTALLATION.
2. PATCH EXISTING FIRE-RATED WALLS, FLOOR CEILINGS, ETC. SO AS TO MAINTAIN THE FIRE-RADIATING ADD FIRE-SMOKE DAMPERS WHERE NEW DUCTS CROSS. ADD FIRE STOP AT ALL.
3. PATCH WALLS AT REMOVED RECEPTACLE OPENINGS SO AS TO RECEIVE SUBSEQUENT WORK.
4. PATCH AND LEVEL FLOOR SUBSTRATES TO RECEIVE NEW WORK AS SCHEDULED.
5. COORDINATE ALL FLOOR CORE DRILLING WITH EXISTING.
6. DO NOT SCALE DRAWINGS.
7. IN ROOMS WITH FLOOR DRAINS, SLOPE CONCRETE SURFACE WITHIN 18" RADIUS AT 1/4" PER FOOT TOWARD FLOOR DRAIN, UNLESS OTHERWISE INDICATED.
8. ALL SPOT ELEVATIONS SHOWN ON THE FLOOR PLANS OUTSIDE THE BUILDING RELATE TO USGS ELEVATIONS. ALL SPOT ELEVATIONS INSIDE THE BUILDING REFER TO BUILDING REFERENCE ELEVATIONS. NOTIFY ARCHITECT IMMEDIATELY SHOULD CONDITIONS BE FOUND CONTRADICTORY TO THESE DRAWINGS.
9. ALL ANGLES SHOWN ON THE FLOOR PLANS ARE 90 DEGREES UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO GRID LINE, FACE OF CONCRETE OR MASONRY, OR FACE OF GYPSUM BOARD, UNLESS OTHERWISE NOTED.
11. ALL FLOOR PLAN DIMENSIONS TO MASONRY ARE NOMINAL DIMENSIONS, UNLESS NOTED AS ACTUAL.
12. WINDOW AND DOOR SIZES: EX 3040 = 30"x40", 3060 = 30"x60"

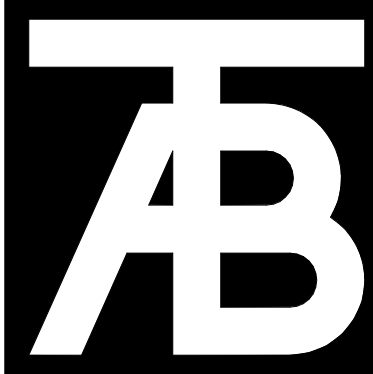
GENERAL NOTES:

1. DO NOT SCALE DRAWINGS. USE GIVEN DIMENSIONS. IMMEDIATELY NOTIFY ARCHITECT IF ADDITIONAL INFORMATION IS REQUIRED. ALL DIMENSIONS ARE GIVEN TO FACE OF WALL FRAMING. SEE WALL SECTIONS AND WALL TYPES FOR EXACT CONSTRUCTION.
2. SEE SHEET A0.1 FOR WALL TYPES INDICATED ON FLOOR PLANS
3. PROVIDE ALL NECESSARY BLOCKING FOR PROPER ATTACHMENT OF WORK IN WALLS AND CEILINGS. LOCATIONS INCLUDE BUT NOT LIMITED TO: TOILET AND BATH ACCESSORIES, WALL AND CEILING MOUNTED ELECTRICAL EQUIPMENT, WINDOW TREATMENTS, CASEWORK, COUNTERTOPS, ETC.
4. WHERE WALL PARTITIONS ARE A CONTINUATION OF EXISTING ONES, NEW FINISH SURFACES MUST BE FLUSH AND CONTINUOUS WITH EXISTING SURFACES ON BOTH SIDES. INFILL OPENINGS IN EXISTING WALLS WITH MATERIAL TO MATCH EXISTING WALL THICKNESS, TEXTURE, AND FINISH.
5. REFERENCE S-SERIES DRAWINGS FOR STRUCTURAL NOTES AND DETAILS AND COORDINATE.
6. EXISTING BUILDING DIMENSIONS AND ELEVATIONS ARE BASED UPON EXISTING SURVEY INFORMATION. IMMEDIATELY NOTIFY ARCHITECT IF CONDITIONS ARE ENCOUNTERED THAT DO NOT AGREE WITH DIMENSIONS AND/OR ELEVATIONS SHOWN.
7. VERIFY ALL PITCHED FLOOR AREAS SHOWN WITH PITCH LINES WITH THE ARCHITECT. PROVIDE A SLAB DEPRESSION AT ALL FLOOR DRAINS WHERE PITCH LINES ARE NOT SHOWN ON DRAWINGS.
8. PROVIDE 4" RETURN FROM FACE OF ADJACENT WALL FOR ANY DOORS NOT DIMENSIONED.
9. SEE MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS FOR ITEMS NOT SHOWN ON ARCHITECTURAL DRAWINGS AND COORDINATE.
10. ALL INTERIOR WALLS SHALL EXTEND TO UNDERSIDE OF ROOF DECK AND STEEL STRUCTURE (BEAM) UNLESS NOTED OTHERWISE. SEE PARTITION WALL TYPES ON SHEET A0.03
11. DATUM 100'-0" INDICATED ON ALL DRAWINGS, OTHER THAN CIVIL SERIES EQUALS XXXXX ON CIVIL DRAWINGS
12. ALL STEEL LOCATED BELOW AND EXPOSED TO GRADE TO BE COATED WITH BITUMINOUS DAMPROOFING.
13. CONTRACTOR TO COMPLY WITH ALL REQUIREMENTS FOR SPECIAL INSPECTIONS, 2015 IBC-1704.

ROOF FINISH LEGEND

NOTES:

1. HATCHED AREAS INDICATE OVERBUILT ROOF & CRICKETS, RE: STRUCTURAL
 2. ALL GUTTERS & DOWNSPOUTS TO RECEIVE HEAT TAPE FOR ENTIRE LENGTH. RE: DIAGRAM ON ELECTRICAL PLANS
 3. T.O. RIDGE ELEVATIONS GIVEN AT TOP OF ROOF SHEATHING
 4. CONTRACTOR TO VERIFY CHIMNEY DIMENSIONS WITH FIREPLACE MANUFACTURERS REQUIREMENTS
- R-1 RANDOM ASPHALT SHINGLES, SEE SYSTEM NOTES SHEET A0.1
- R-2 60 MIL EPDM ROOF SEE SYSTEM NOTES SHEET A0.1
- R-3 COIL COATED MTL STANDING SEAM ROOF SEE SYTEM NOTES SHEET A0.1
- COIL COATED MTL FLASHING, GUTTERS, AND DOWNSPOUTS
- OVERHANGS ARE 1'-6" FROM FACE OF FRAMING TYP, U.N.O.
- ROOF BEAMS - ROUGH SAWN TIMBER



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email: tab@tab.net

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Cal E-000000

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(970) 963-9869

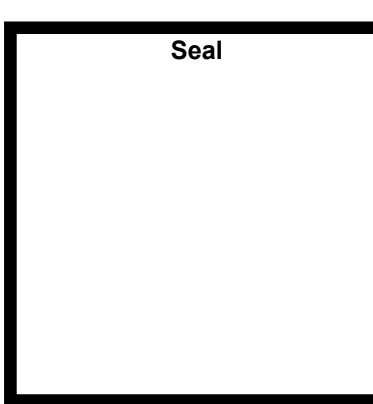
Structural Engineer

KRM Consultants, Inc.

(970) 949-9391

Mechanical Engineer

Electrical Engineer



Belden Place-Single Family
Lot 01 - 0018 Abby Road
Minturn, Colorado

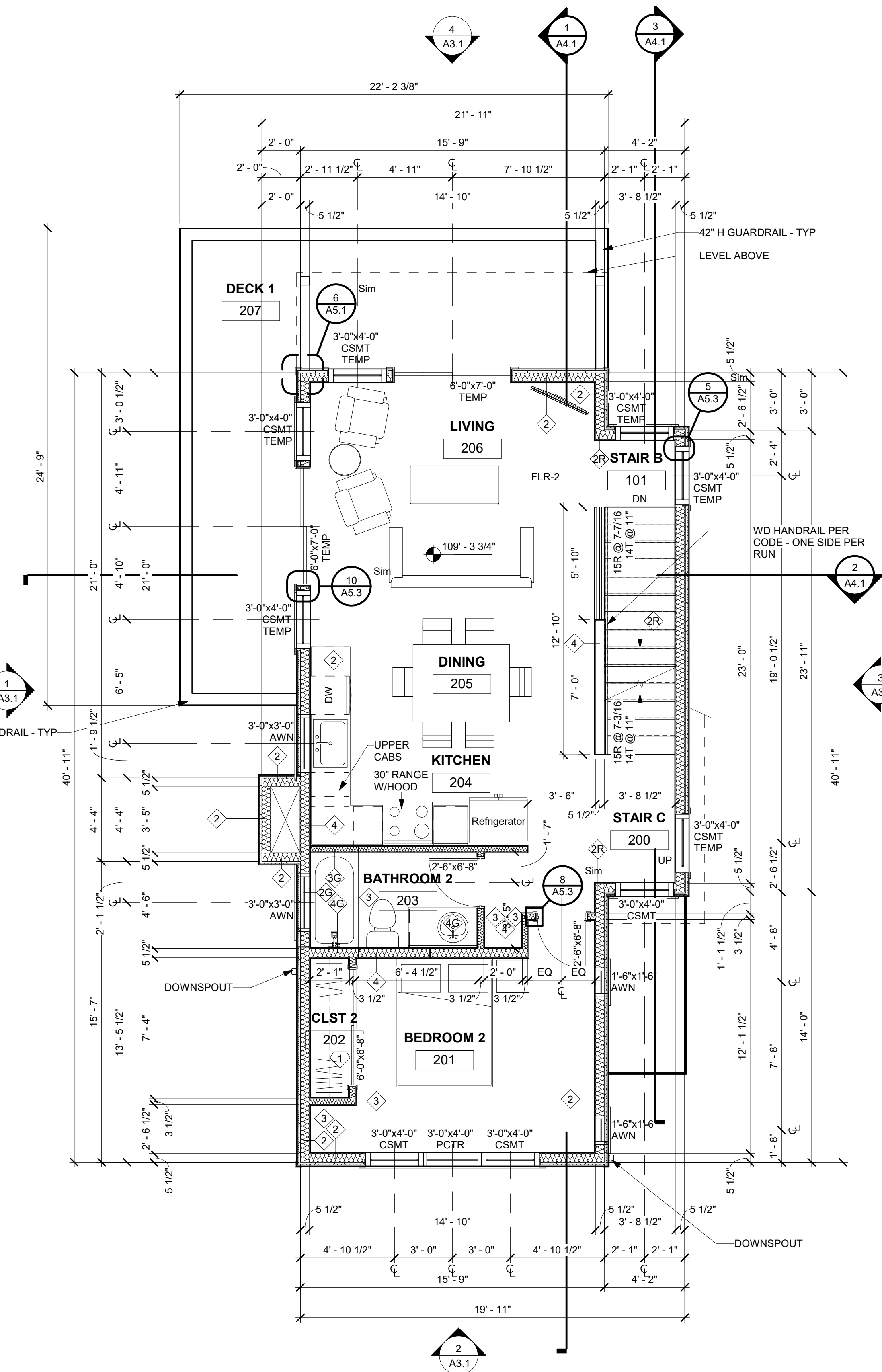
Revisions:		
No.	Description	Date
4	Minor DRB	09/25/2025

Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

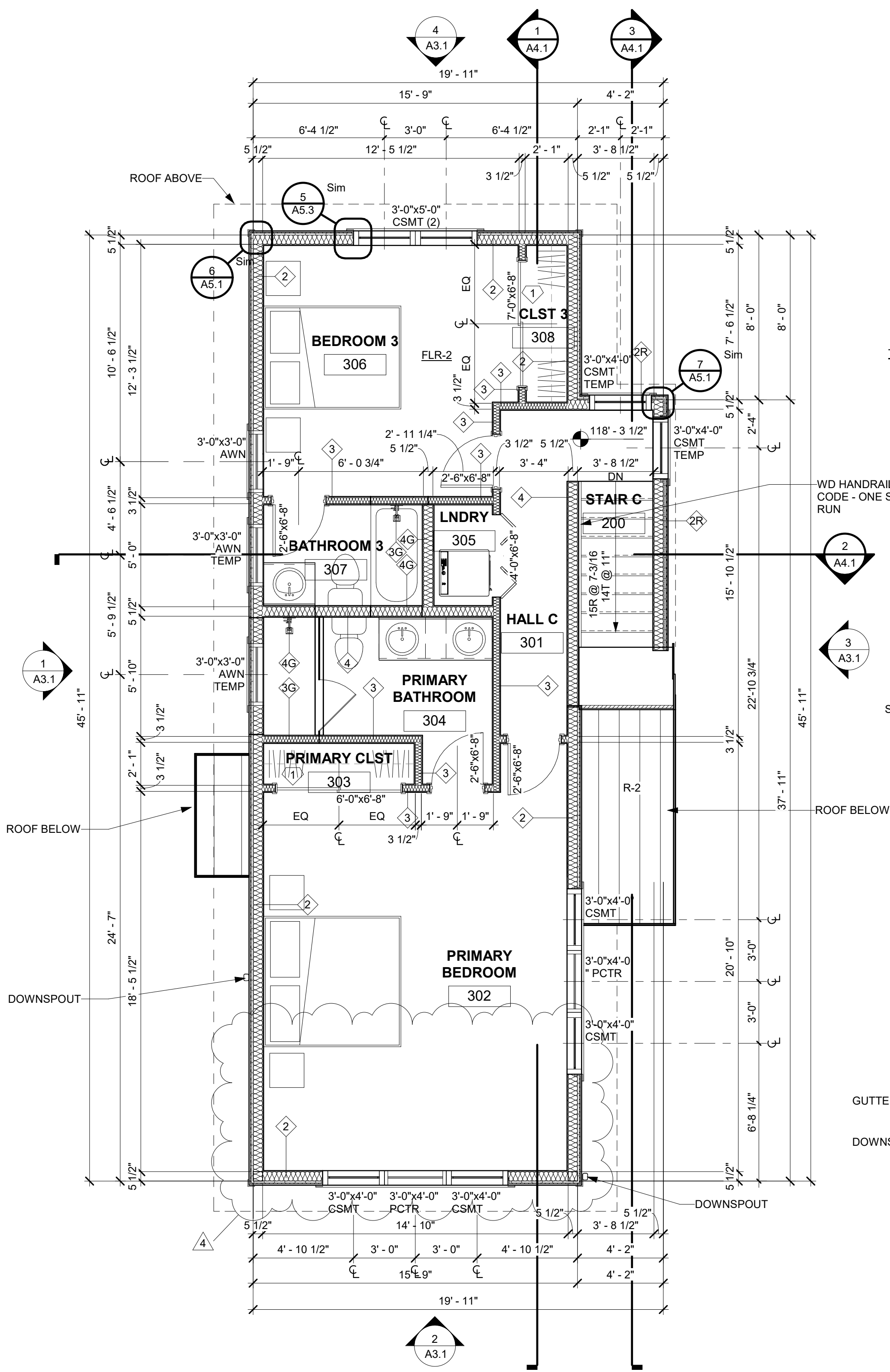
Sheet Title:
**Main,
Upper, &
Roof
Plans**

Project No:
2215

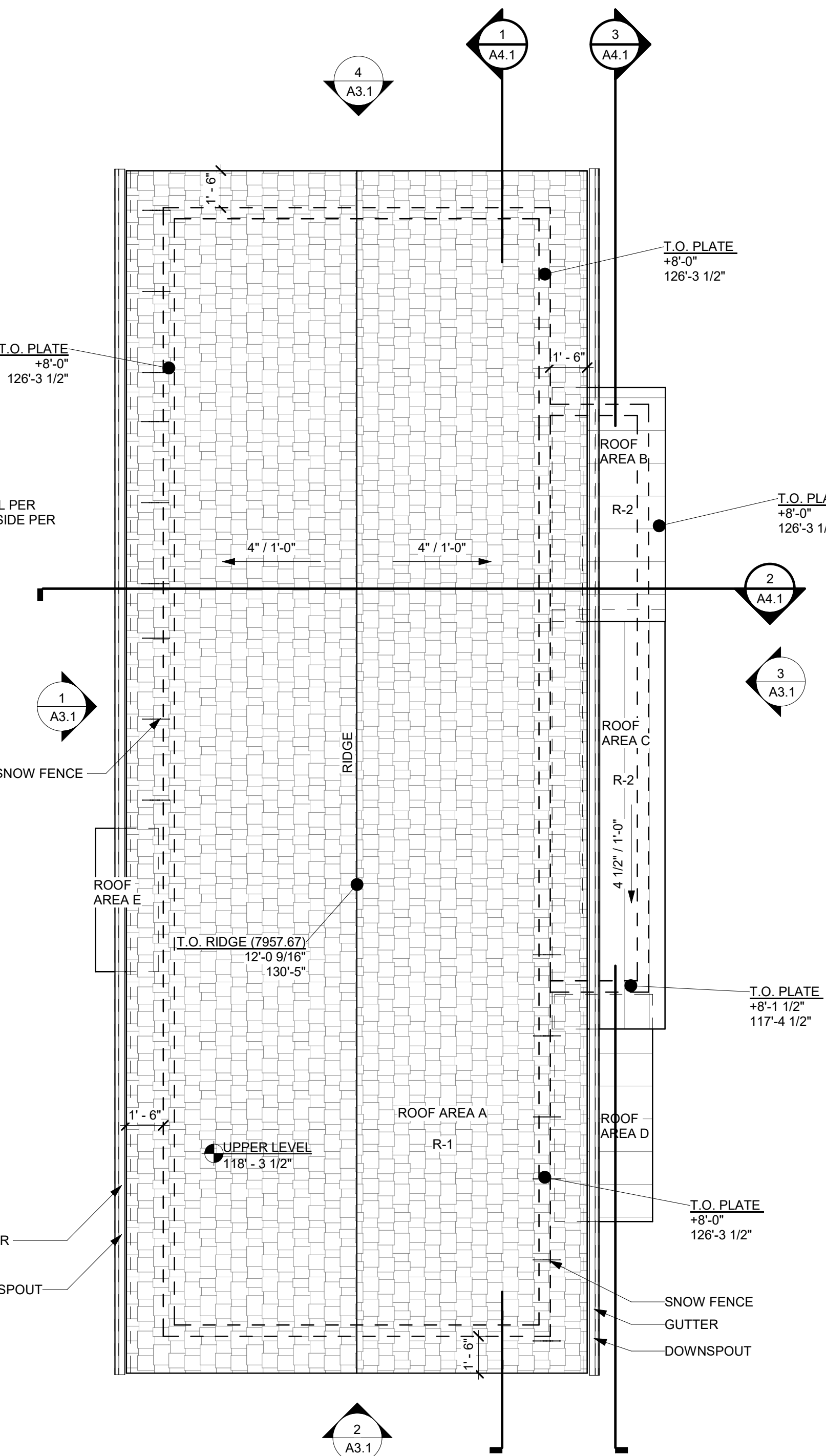
Sheet No:
A2.2



1 MAIN LEVEL
A2.2 1/4" = 1'-0"



2 UPPER LEVEL
A2.2 1/4" = 1'-0"



3 ROOF PLAN
A2.2 1/4" = 1'-0"

PROVIDE ROUGH IN FOR ROOF MOUNTED SOLAR PV

CONTRACTOR TO PROVIDE THE FOLLOWING AS DEFERRED SUBMITTALS FOR BUILDING PERMIT

MECHANICAL

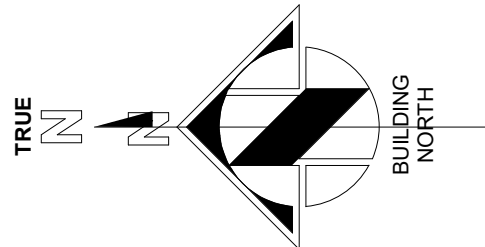
- M1. PLEASE PROVIDE THE REQUIRED MANUAL J AND S, M1401.2
- M2. PLEASE PROVIDE THE REQUIRED MANUAL D, M1601.1
- M3. PLEASE PROVIDE THE CONSTRUCTION DETAILS FOR THE PROPOSED WHOLE HOUSE VENTILATION SYSTEM, M1505.4
- M4. SHEET A2.1: IF ALL THE GAS FIRED APPLIANCES ARE NOT SEALED COMBUSTION AND THE KITCHEN EXHAUST HOOD IS GREATER THAN 400 CFM A MAKEUP AIR SYSTEM WILL BE REQUIRED. PLEASE PROVIDE THE CONSTRUCTION DETAILS FOR THE PROPOSED MAKEUP AIR SYSTEM IF NEEDED.

PLUMBING

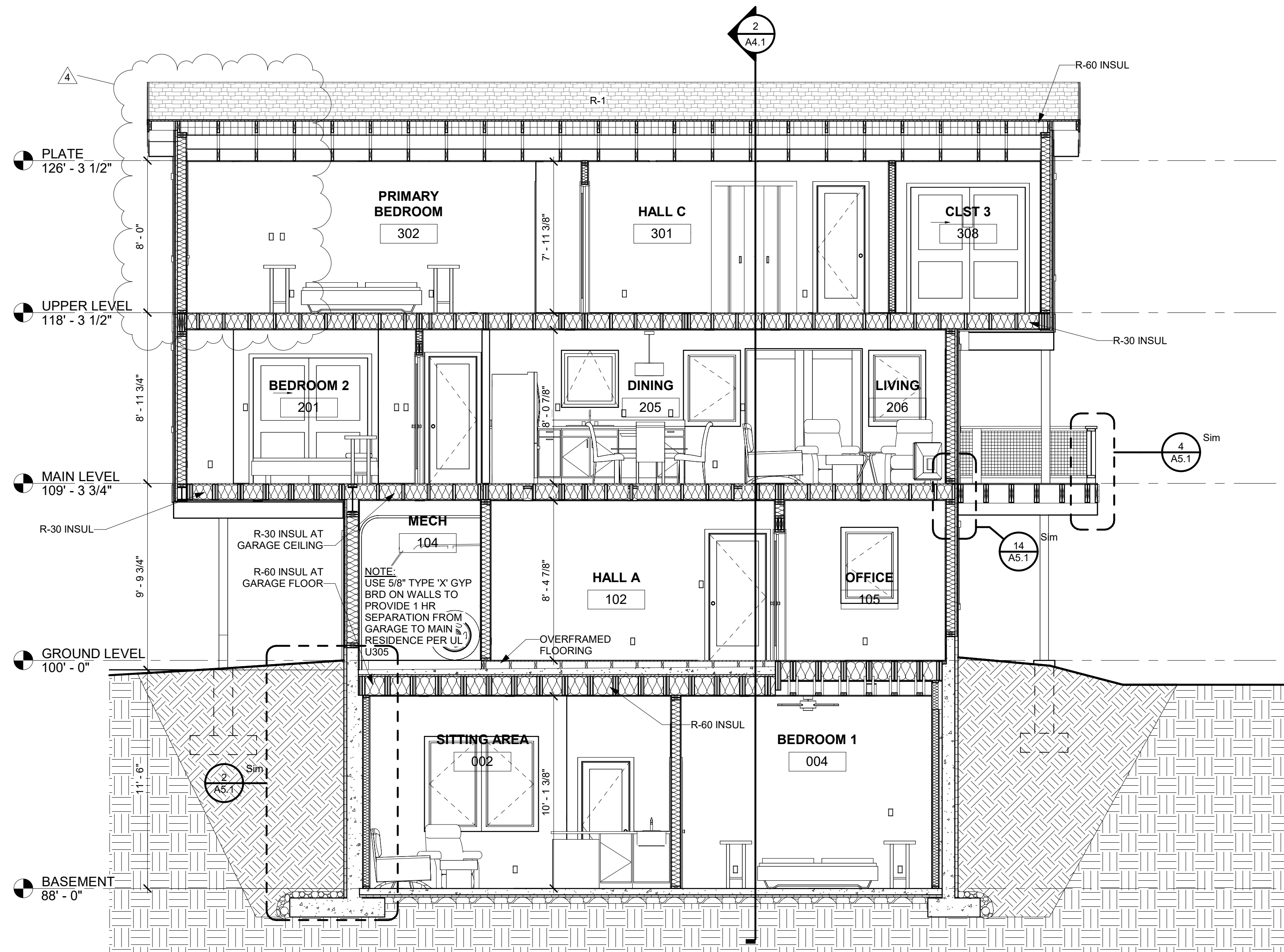
- P1. SHEET A2.1: LOWER FLOOR. PLEASE INDICATE HOW THE WATER HEATER AND ASSOCIATED PIPING WILL BE PROTECTED FROM FREEZING. P2603.5
- PLEASE INDICATE THE REQUIRED 3" X 3" X 7" HIGH CLEAR SPACE AT THE WATER HEATER. R403.5.4 AS AMENDED.
- B. INDICATE THE REQUIRED CONDENSATE DRAIN AT THE WATER HEATER THAT WILL ALLOW NATURAL DRAINAGE. R403.5.4 AS AMENDED
- PLEASE NOTE THAT THAT THESE TWO COMMENTS ARE INTENDED TO PROVIDE SPACE AND DRAINAGE FOR A HEAT PUMP WATER HEATER. WE ARE NOT AWARE THAT HEAT PUMP WATER HEATERS CAN BE INSTALLED IN AN UNCONDITIONED OR CONDITIONED GARAGE.

CONTRACTOR TO PROVIDE THE FOLLOWING FOR IECC REQUIREMENTS AND COMPLETION

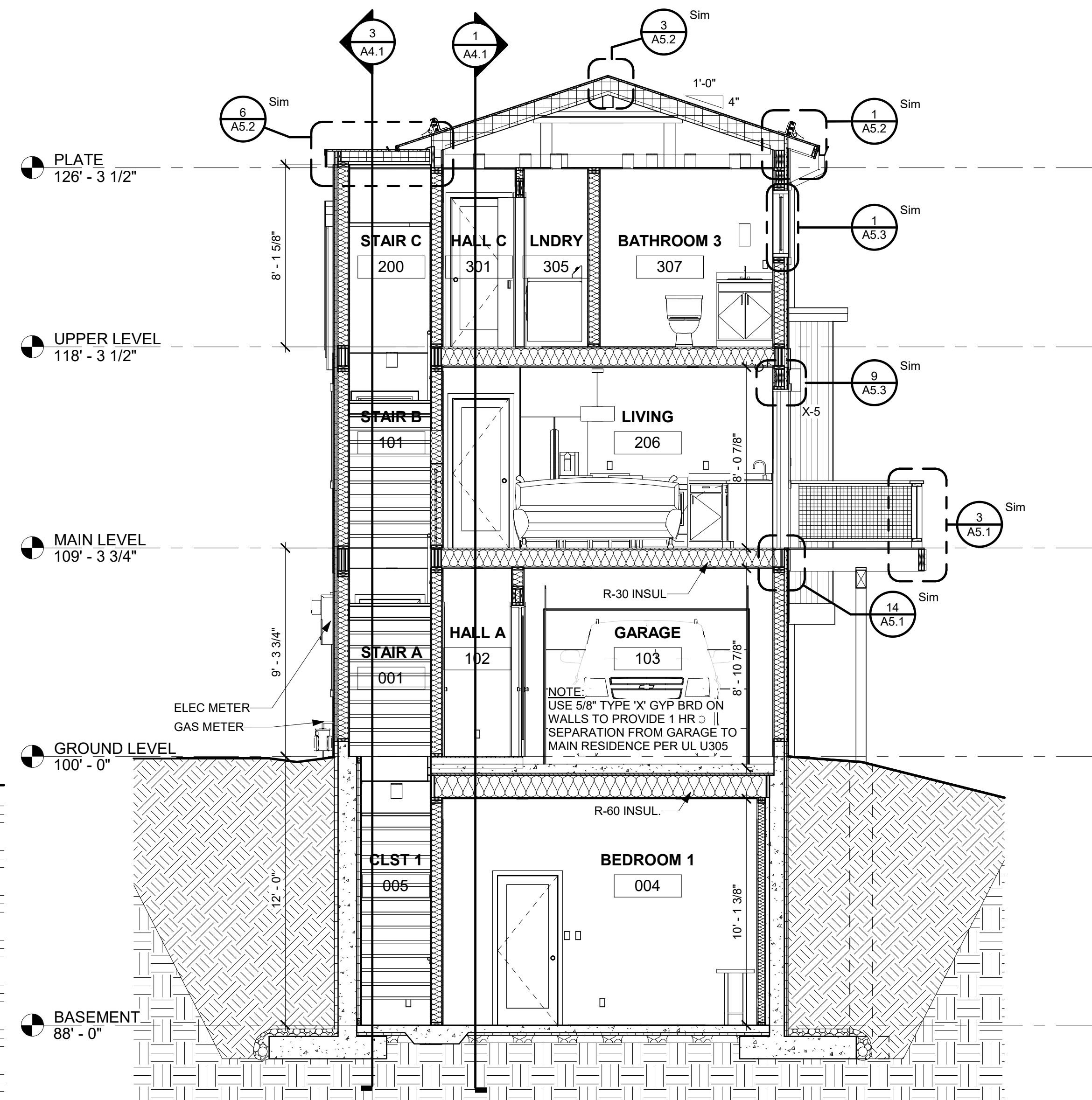
- REQUIRED BLOWER DOOR TEST AT 3-Ach50. R402.4.1.3
- REQUIRED DUCT TIGHTNESS TEST. R403.3.5
- REQUIRED DOMESTIC HOT WATER PING INSULATION. R403.5.2
- THE REQUIRED ITEMS THAT ARE TO BE LISTED ON THE COMPLIANCE CERTIFICATE. R401.3 AS AMENDED



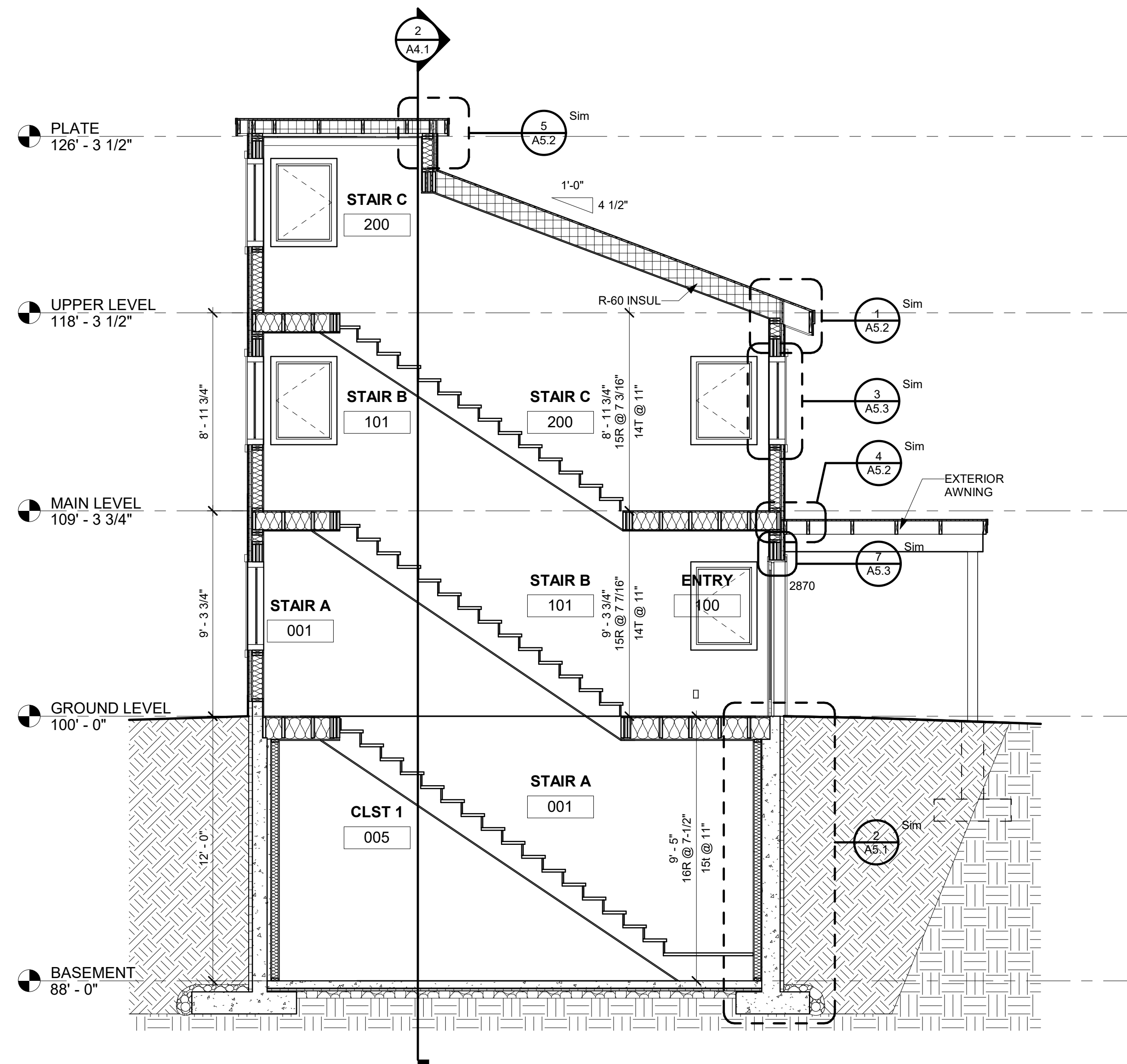
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1 LONG SECTION
A4.1 1/4" = 1'-0"



2 SHORT SECTION
A4.1 1/4" = 1'-0"



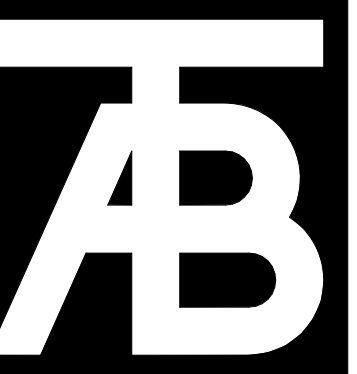
3 STAIR SECTION
A4.1 1/4" = 1'-0"

NOTES:

EXTERIOR MATERIAL LEGEND:

- X-1 DIAMOND KOTE LP SMARTSIDE VERTICAL SIDING
COLOR - GLACIAL FOG
- X-2 DIAMOND KOTE LP SMARTSIDE LAP SIDING
COLOR - GLACIAL FOG
- X-3 VERTICAL CORRUGATED METAL SIDING
COLOR - CHARCOAL GREY
- X-4 STONE VENEER

- R-1 ASPHALT SHINGLE ROOF
- R-2 STANDING SEAM METAL ROOF



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Seal

Belden Place-Single Family
Lot 01 - 0018 Abby Road
Minturn, Colorado

Revisions:

No.	Description	Date
4	Minor DRB	09/25/2025

Issue Dates:

DRB - 02/14/25
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Minor DRB - 09/25/25

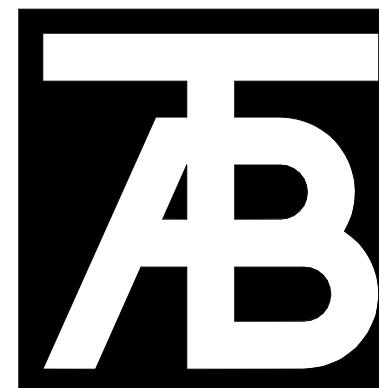
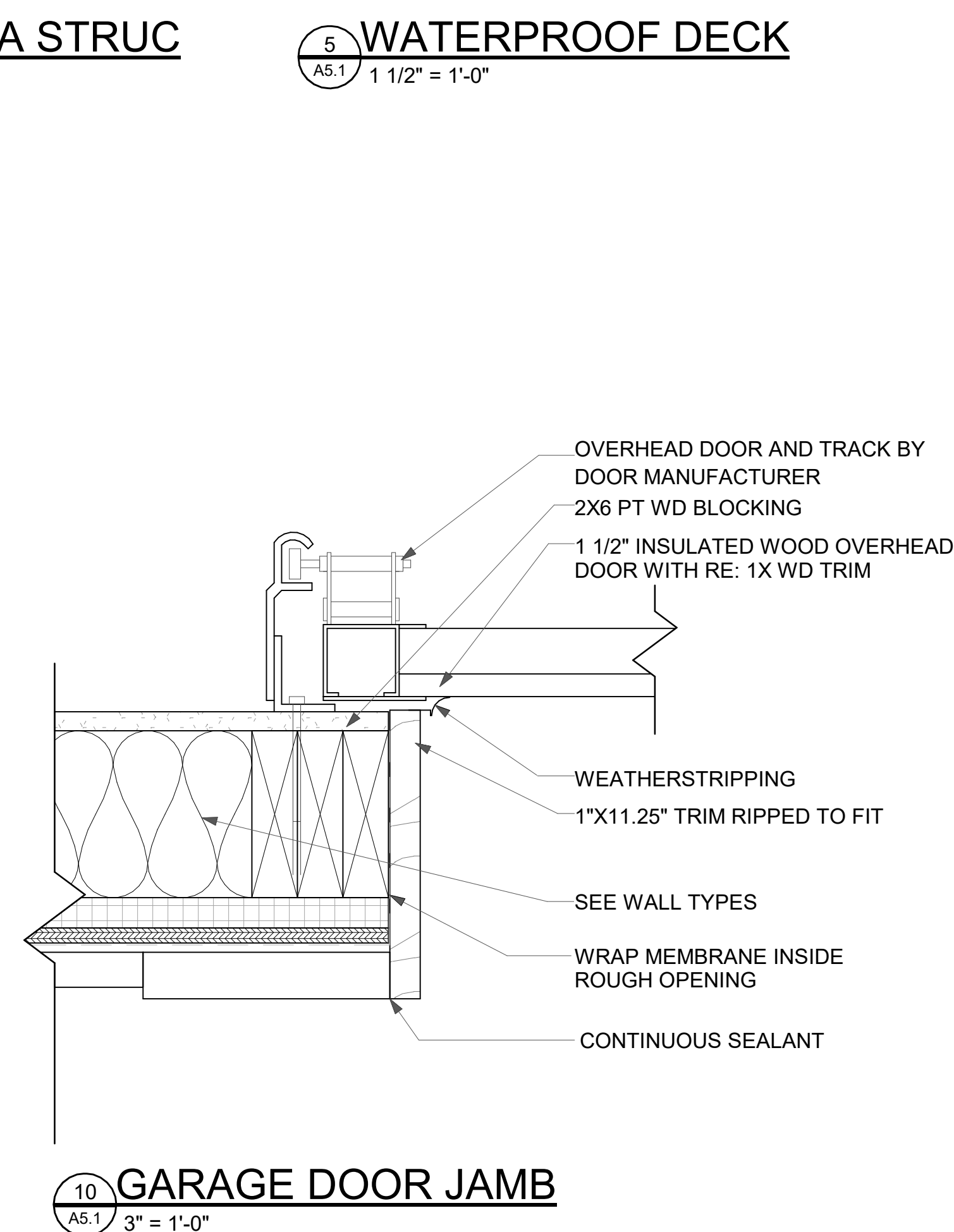
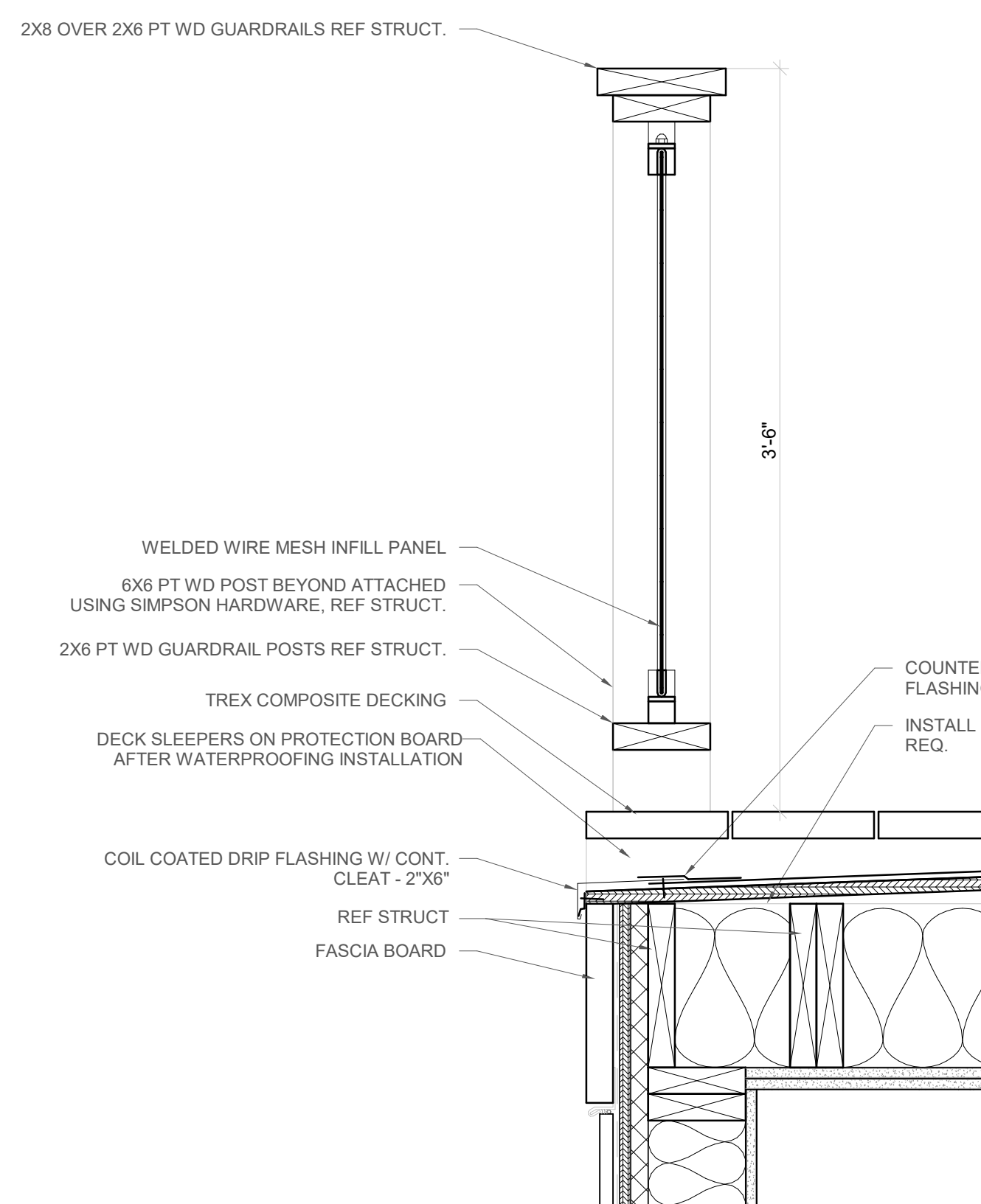
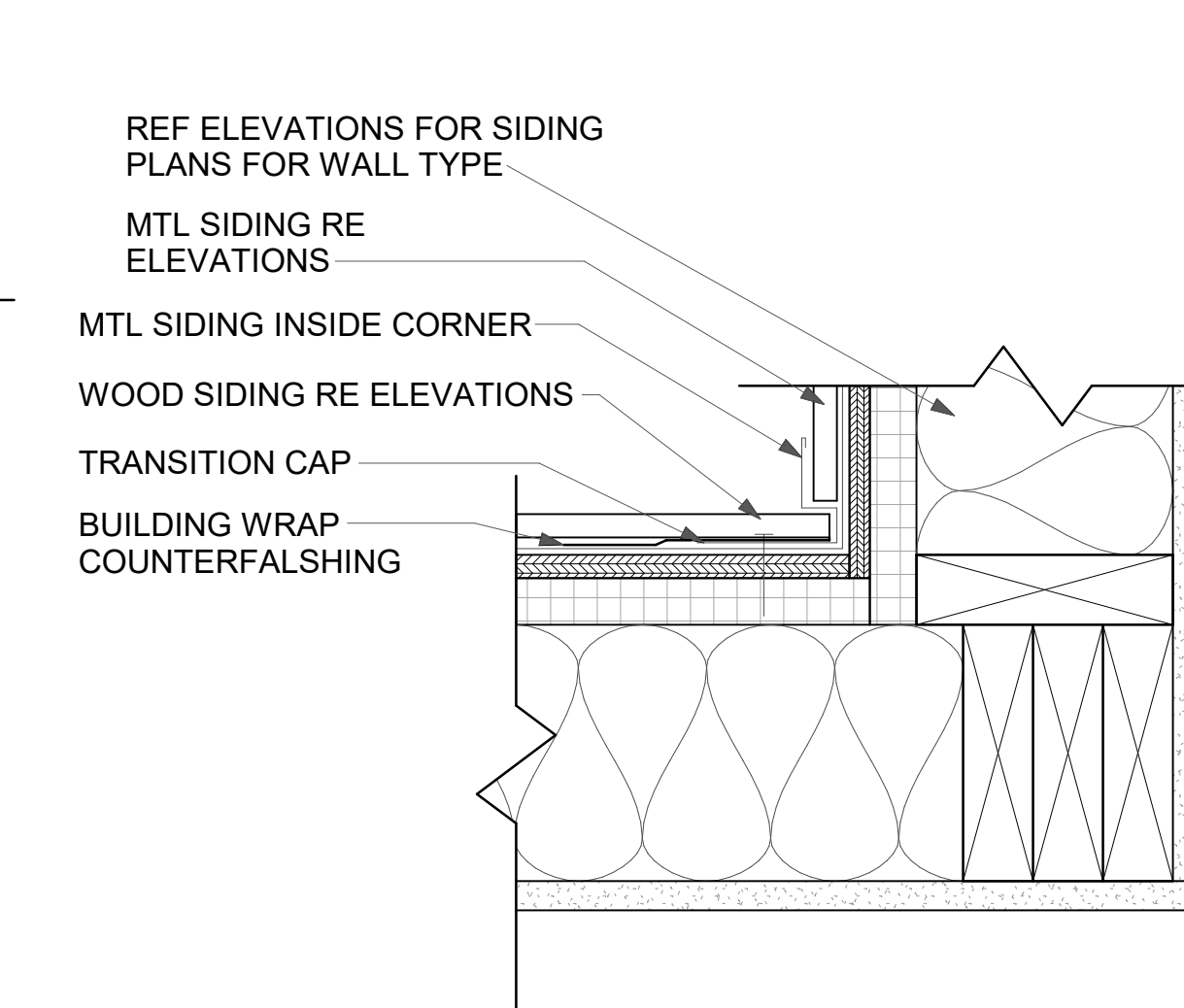
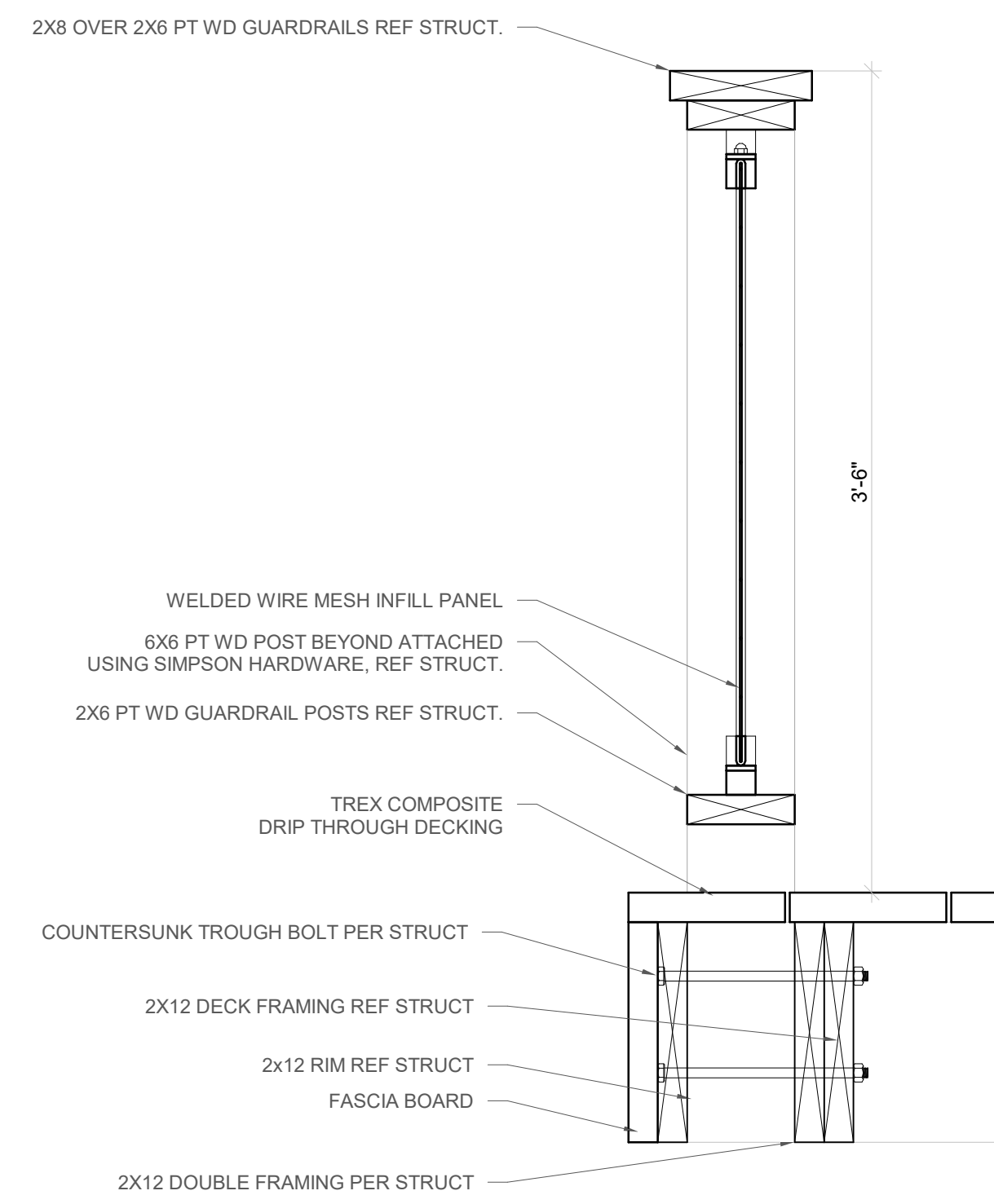
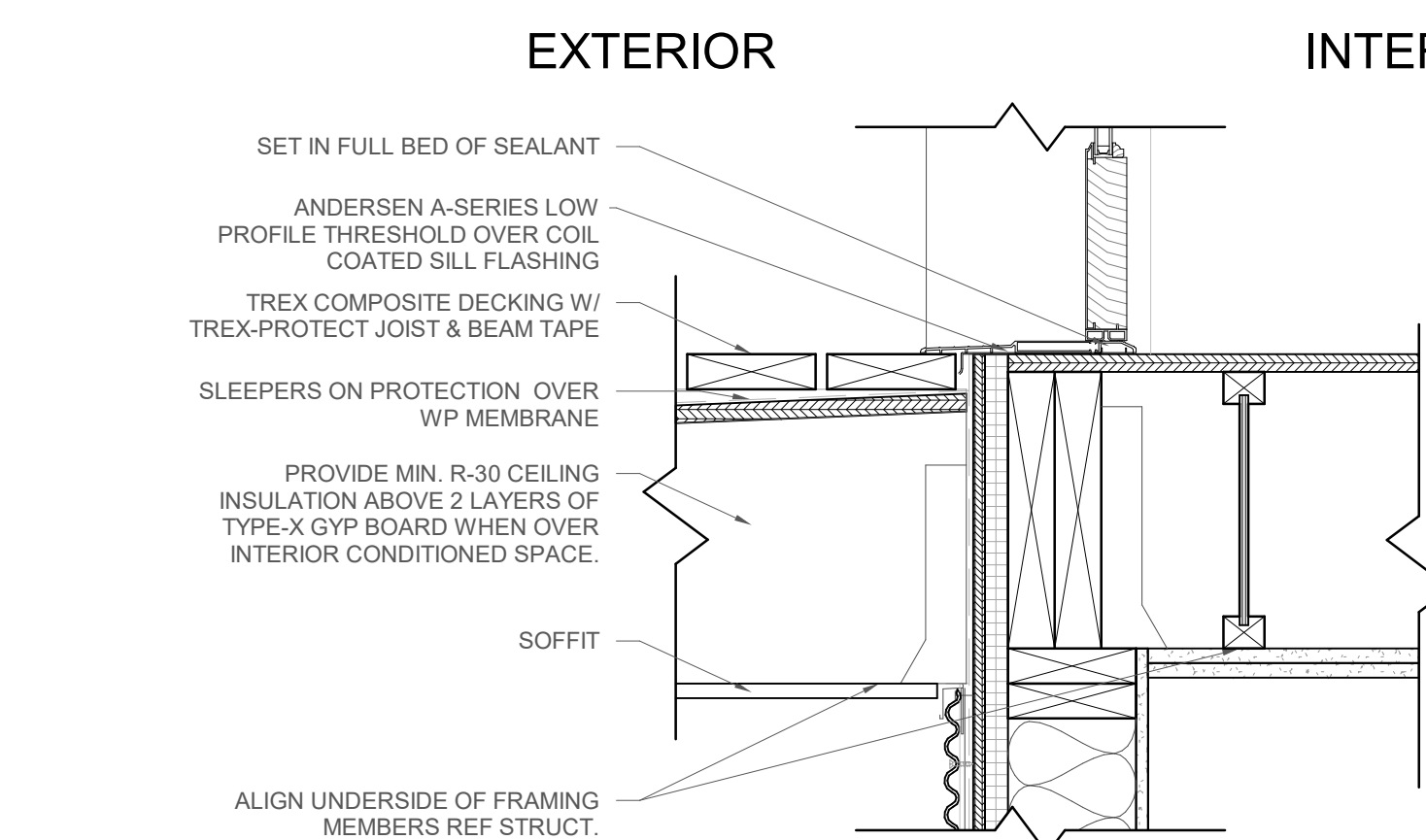
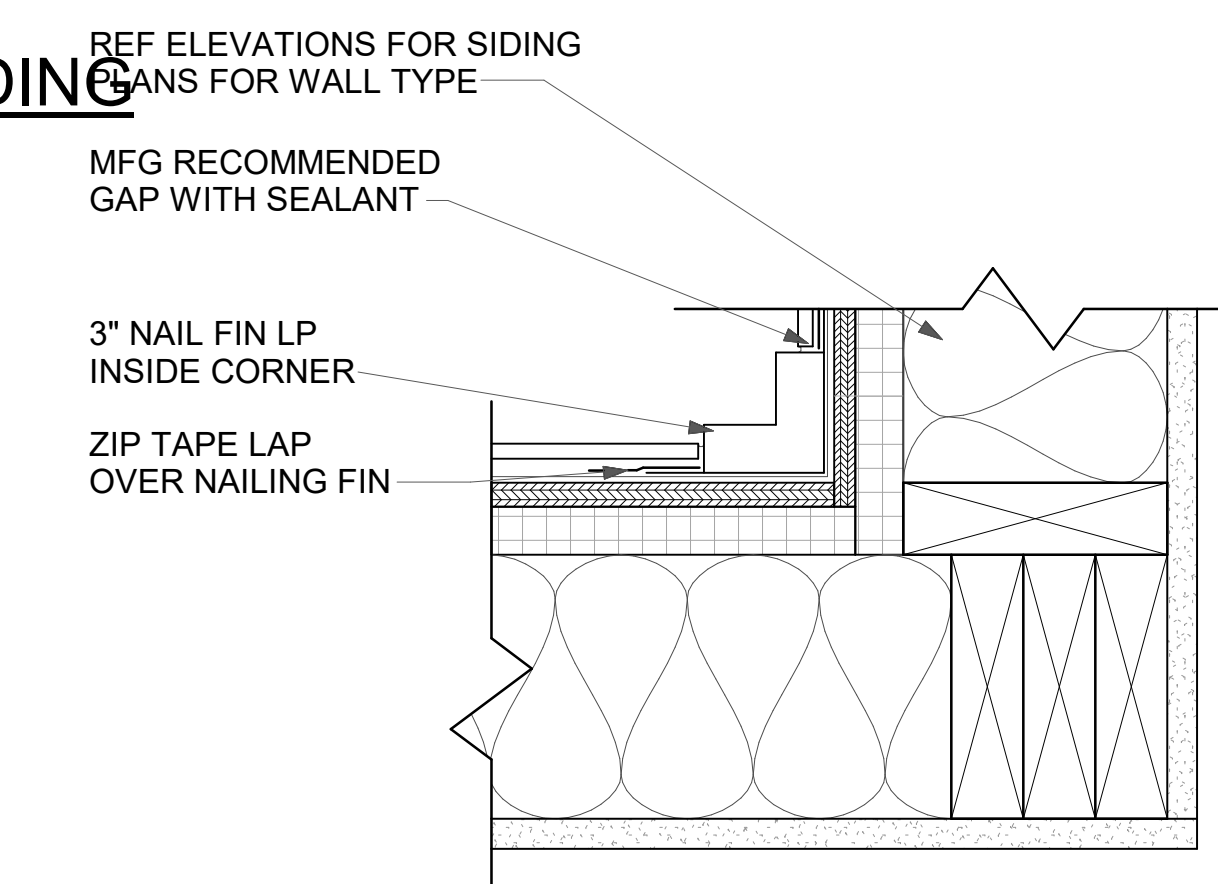
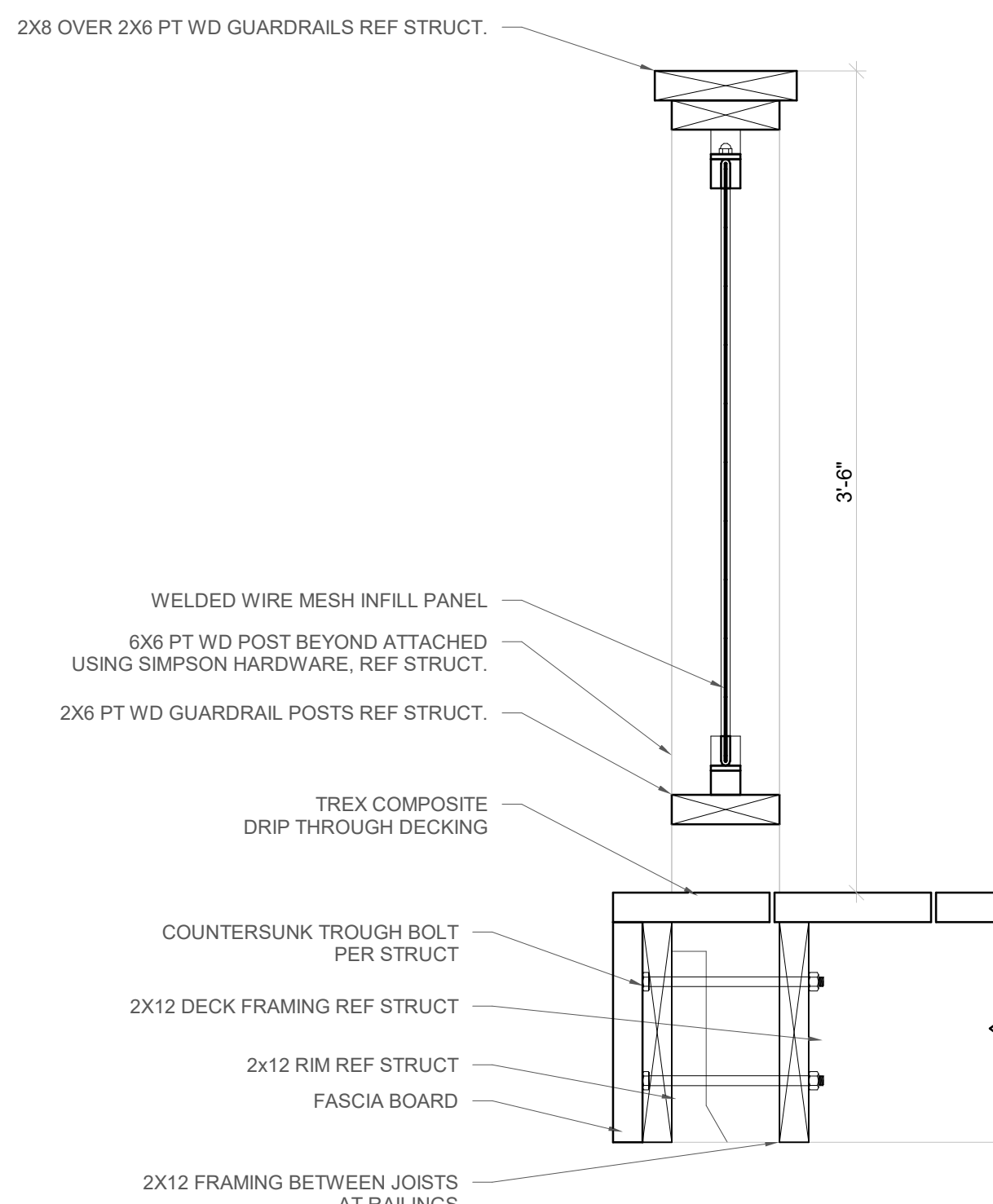
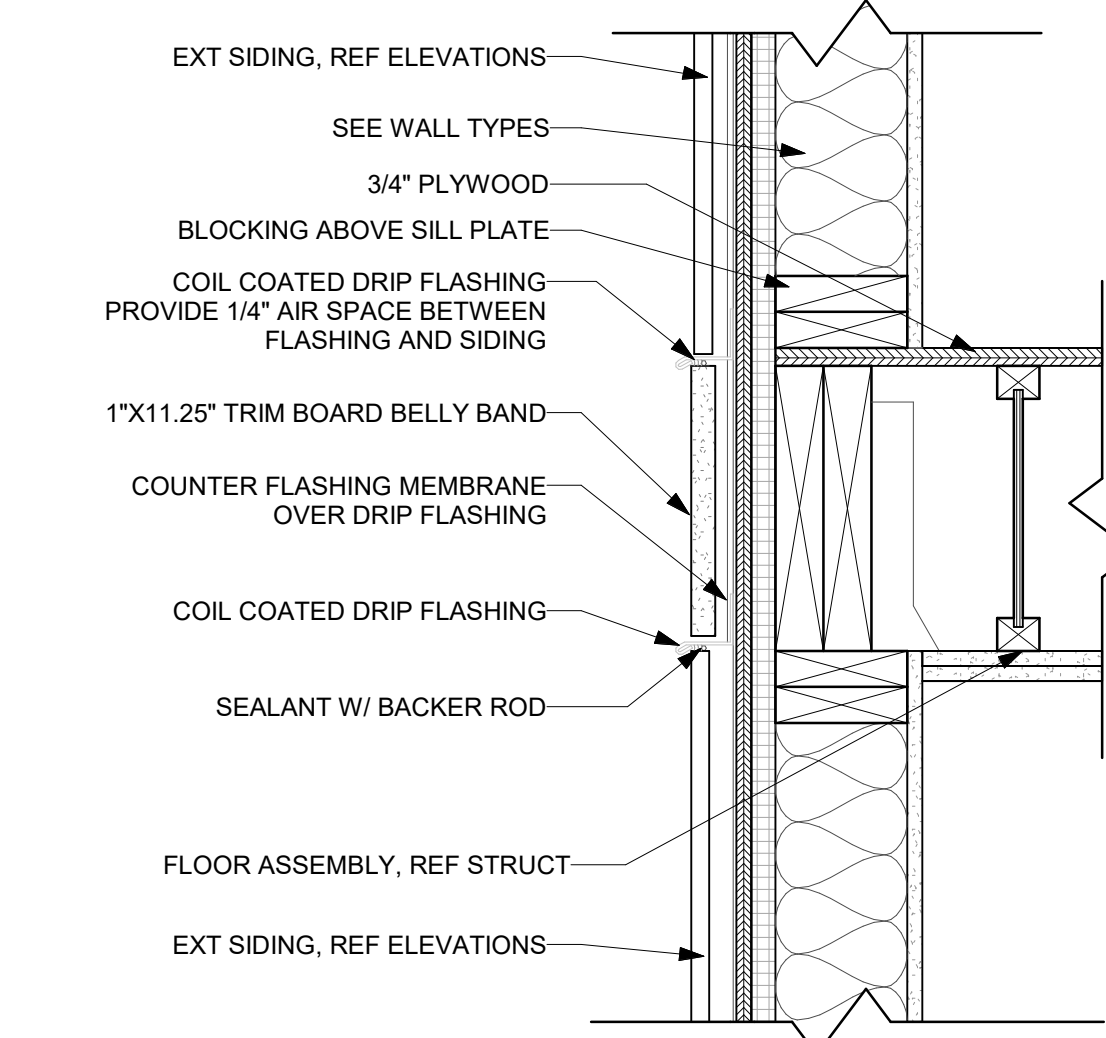
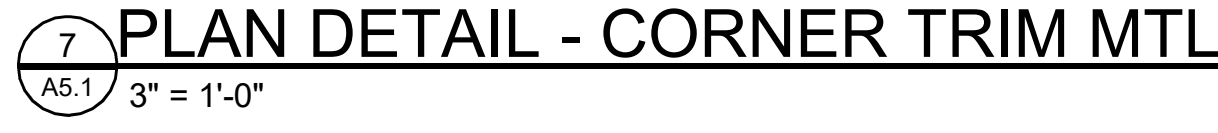
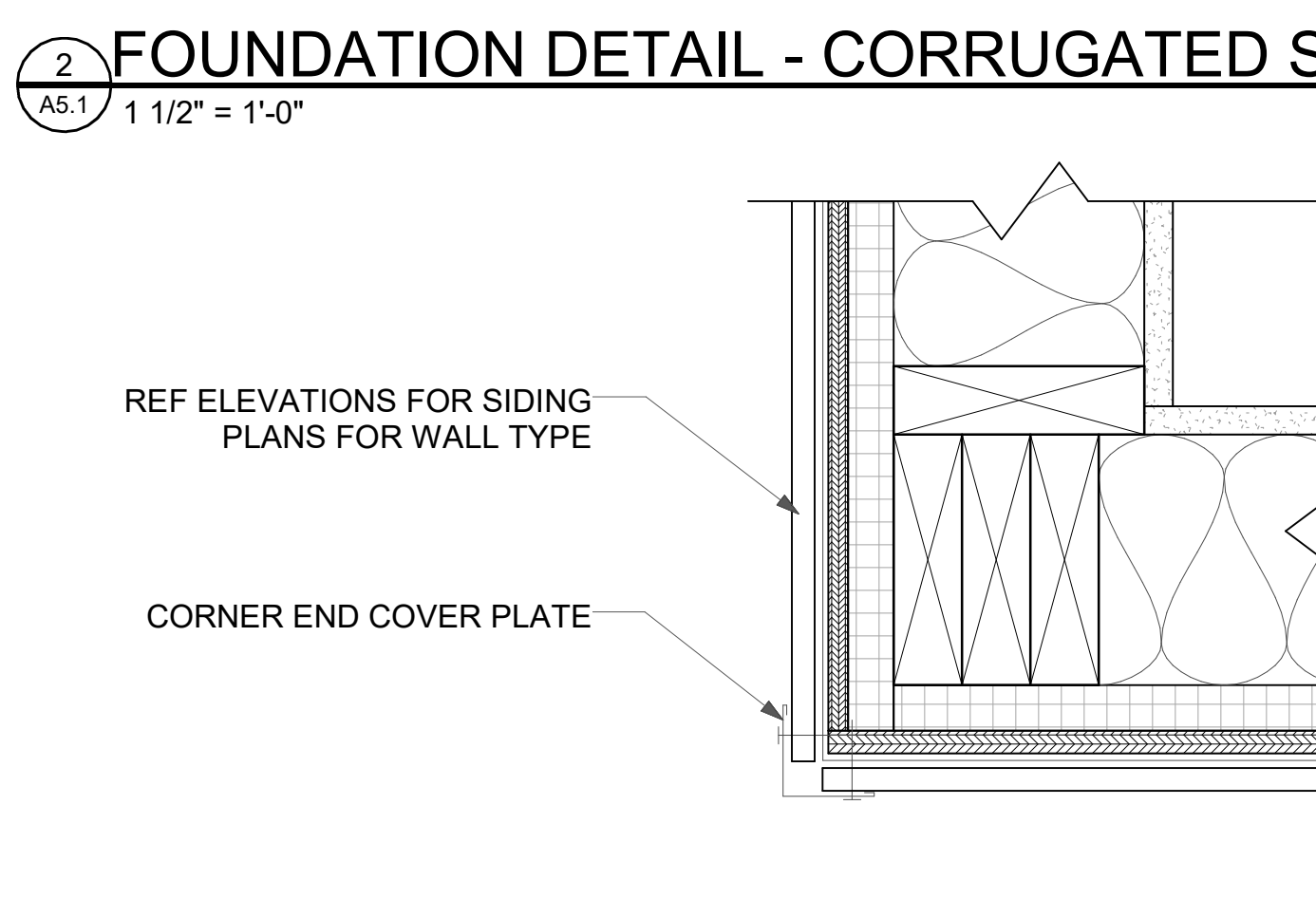
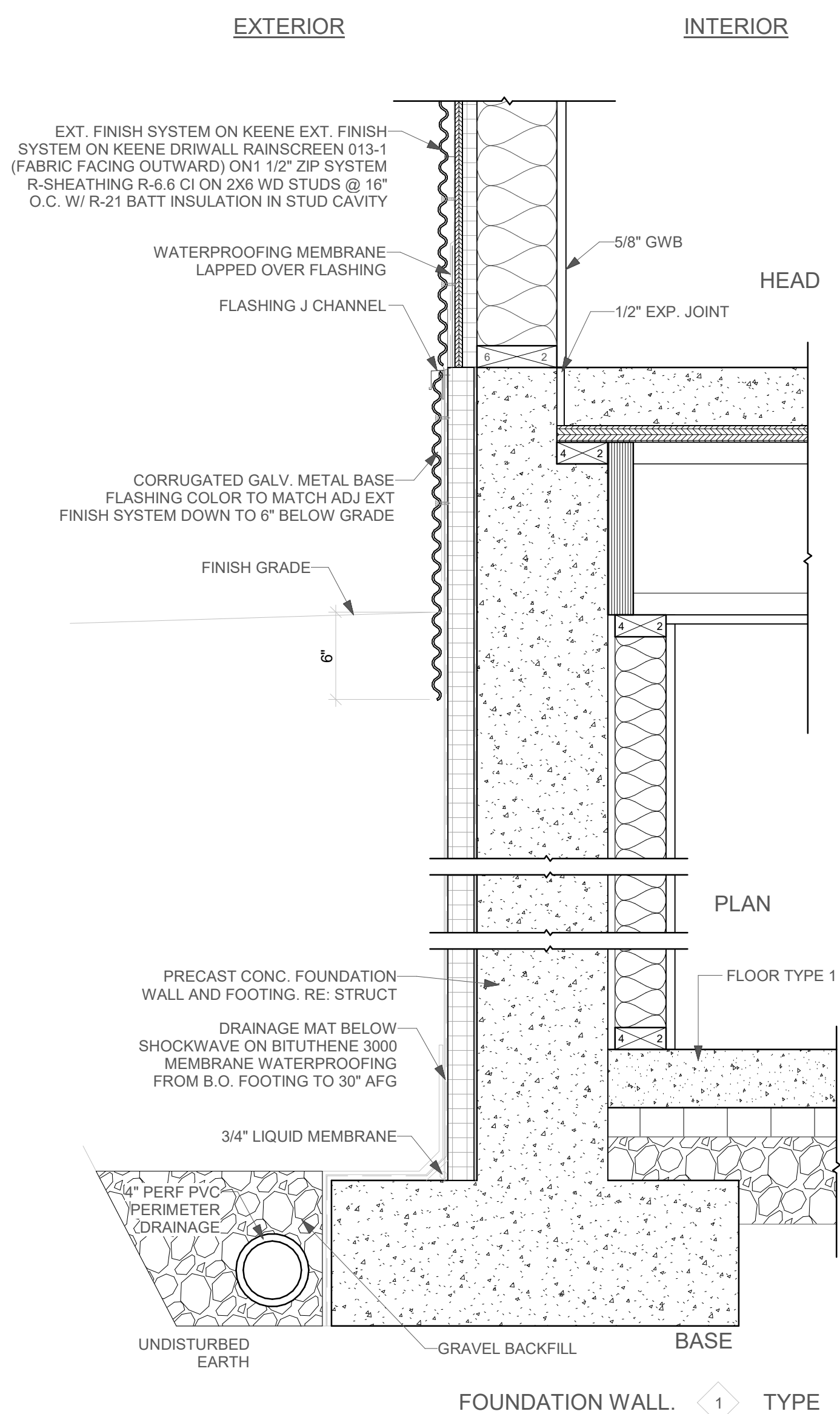
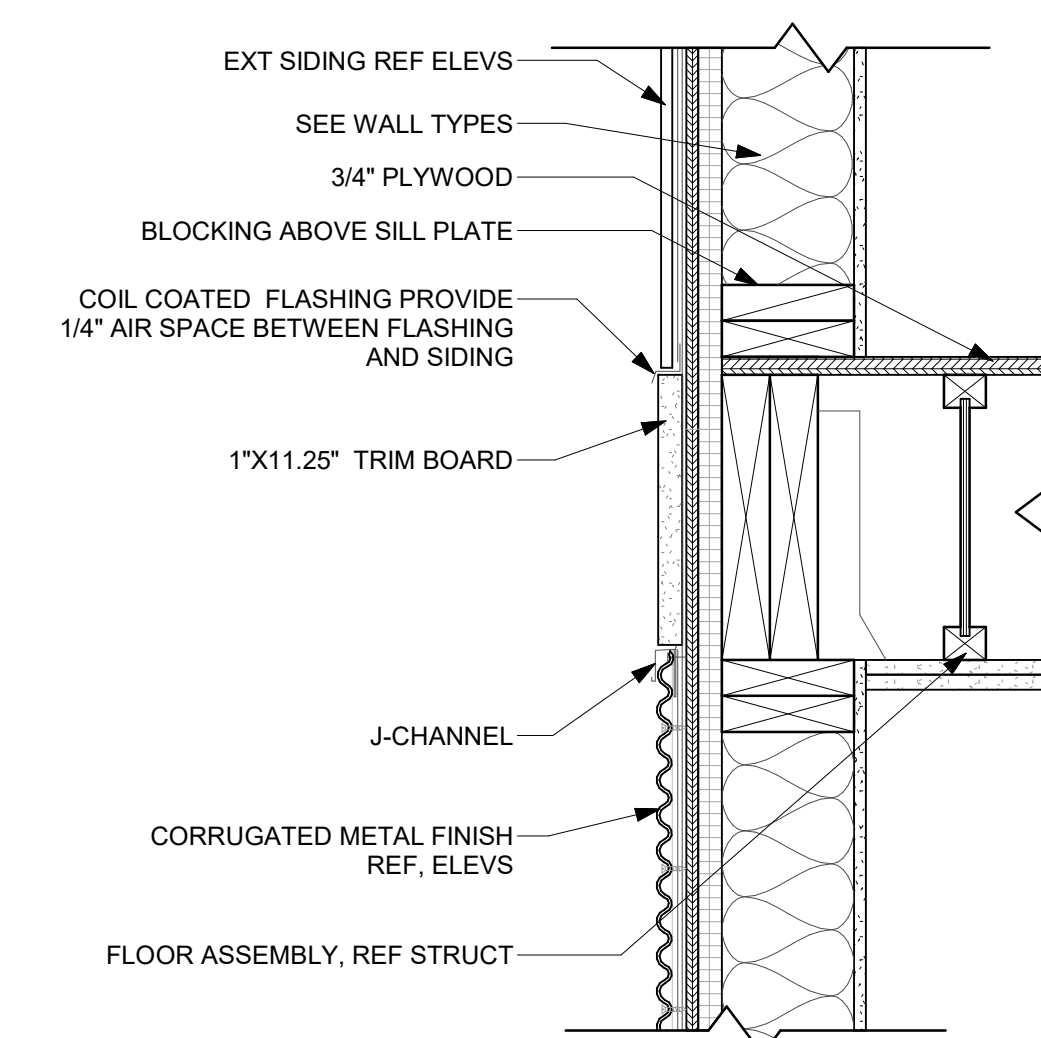
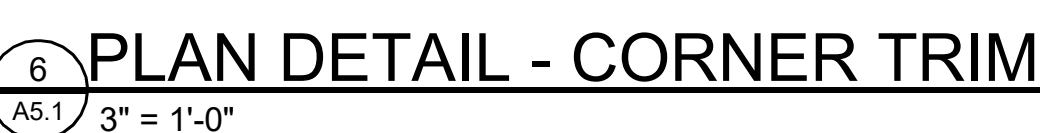
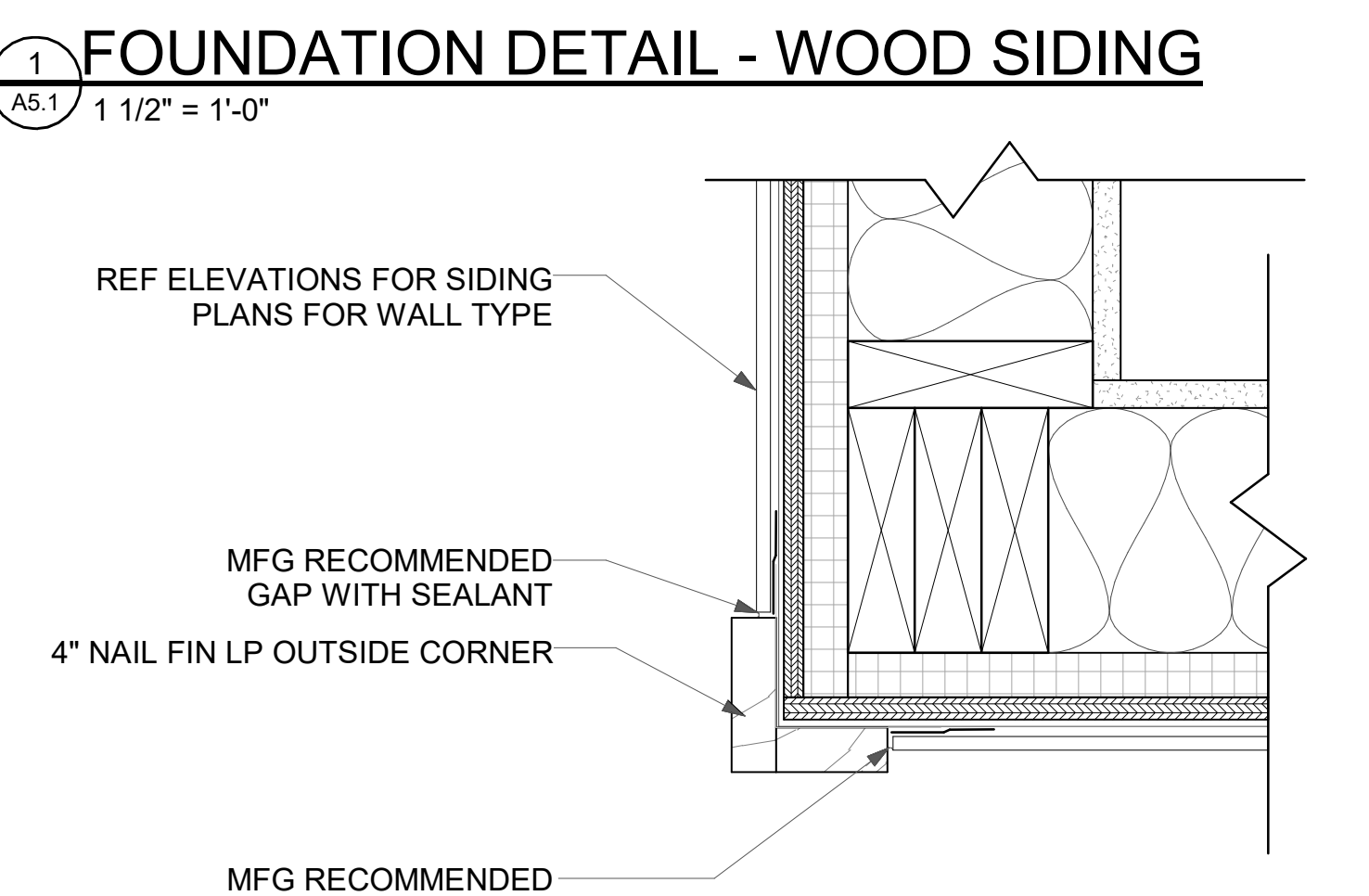
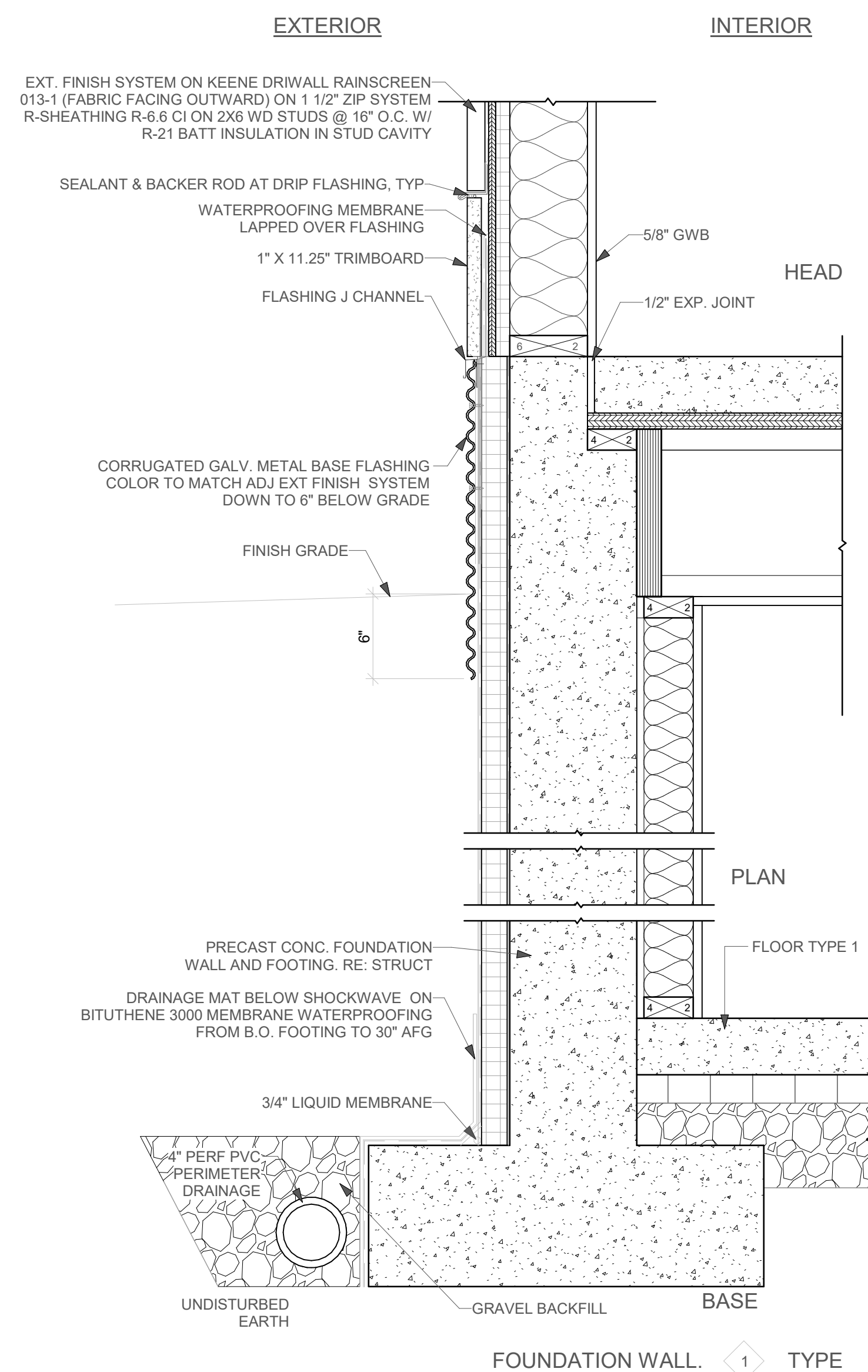
Sheet Title:

Building
Sections

Project No:
2215

Sheet No:

A4.1



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Lot 01 - 0018 Abby Road
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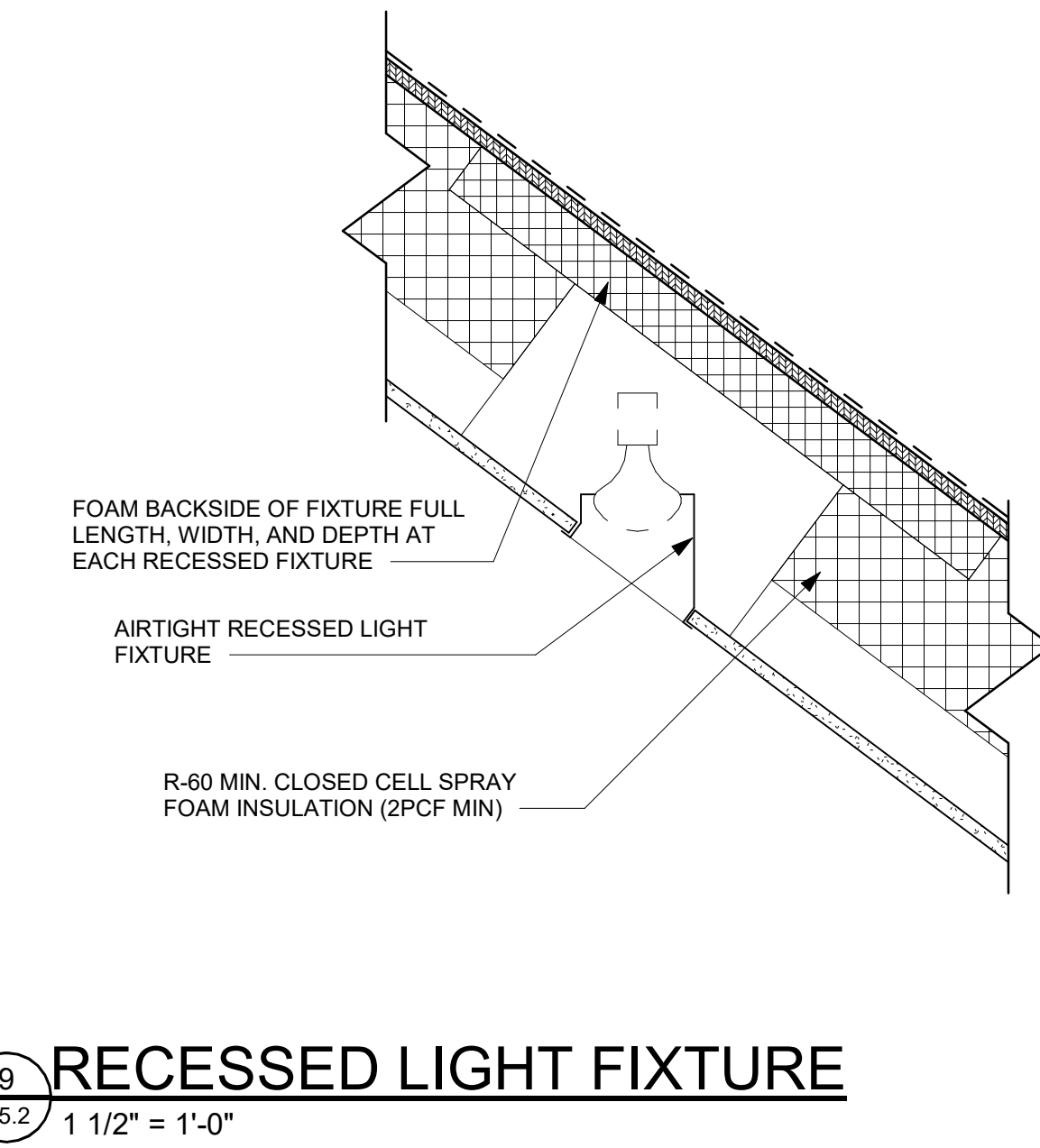
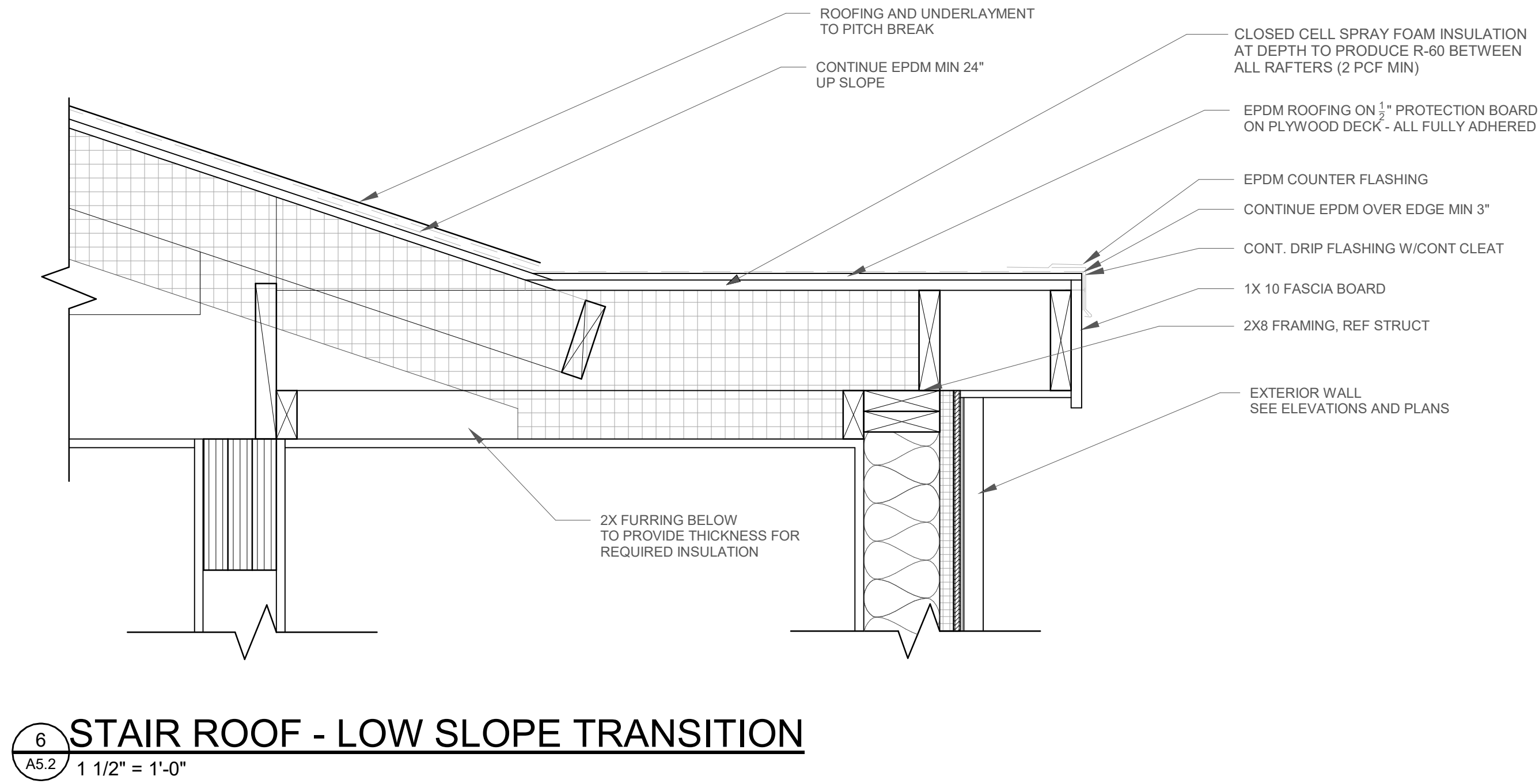
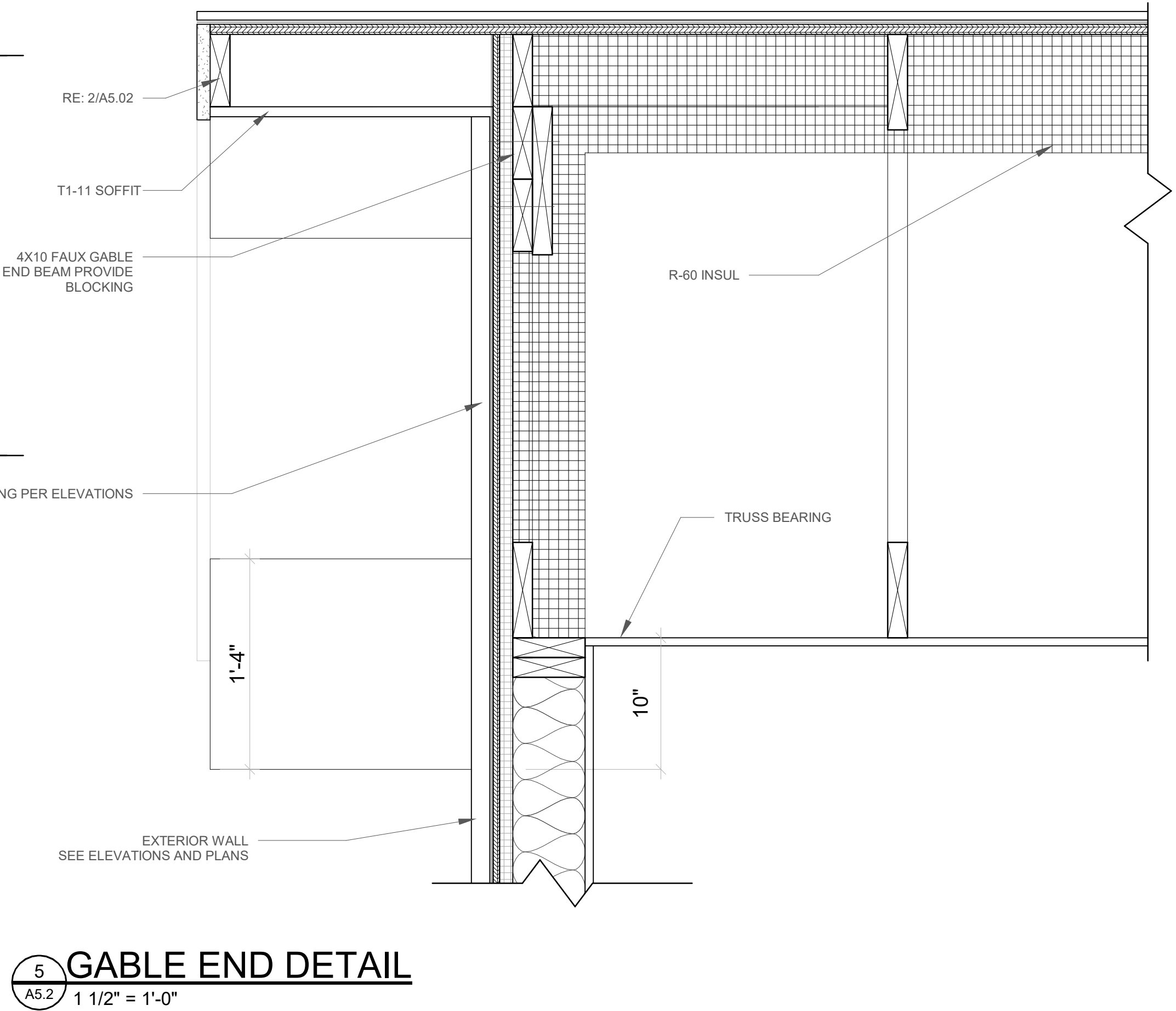
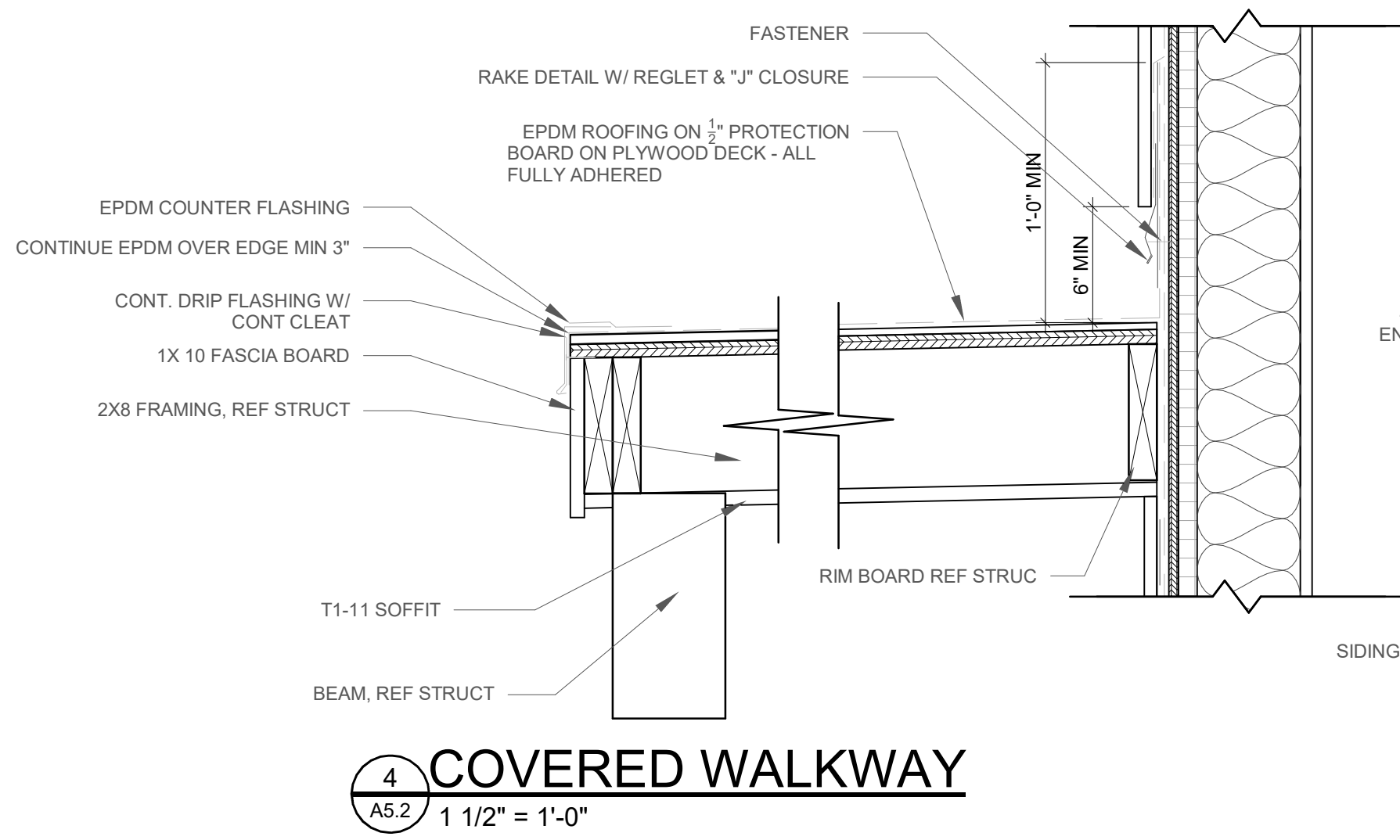
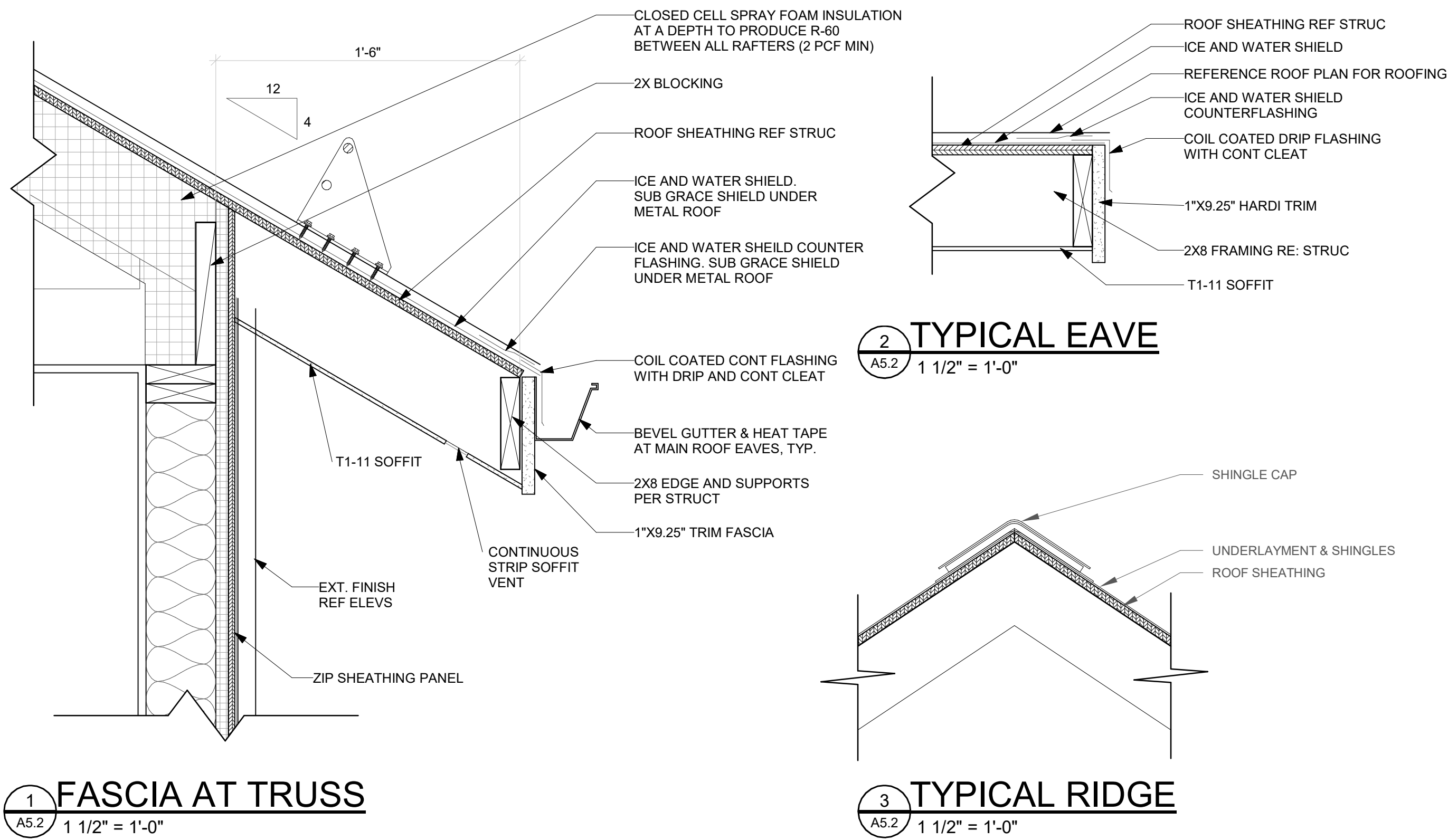
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DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title:

Details

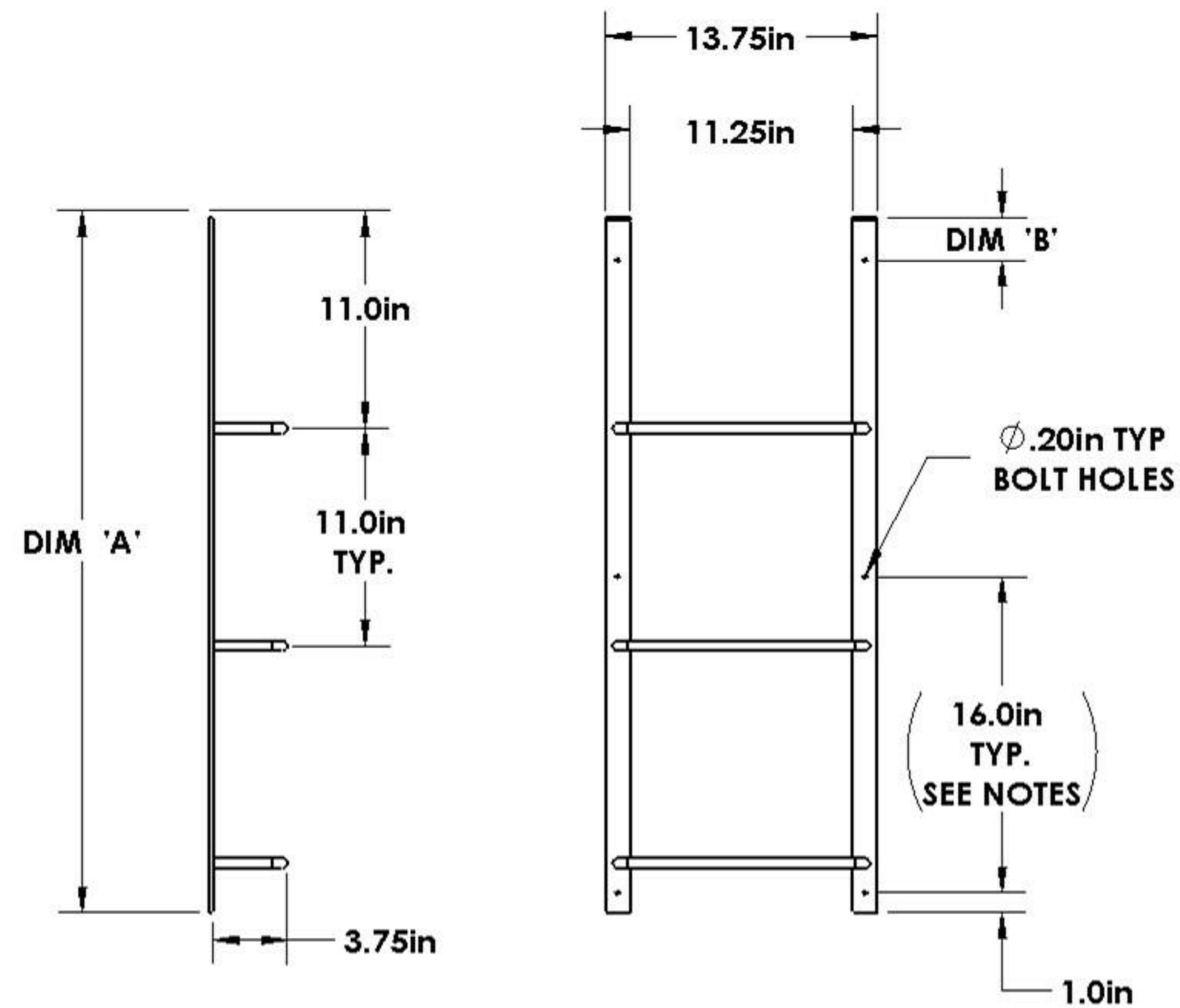
Project No:
2215

Sheet No:
A5.1



WINDOW WELL SUPPLY™

STEEL EGRESS LADDER BOLT MOUNT



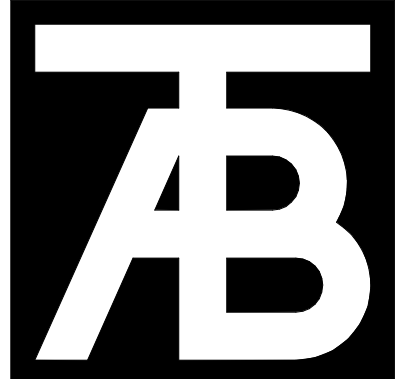
Ladder Size	Dim 'A' [in]	Dim 'B' [in]
3 Rung	35.0	2.0
4 Rung	46.0	1.0
5 Rung	57.0	8.0
6 Rung	68.0	3.0
7 Rung	79.0	1.0

Material: Powder-coated Steel
Rung Spacing: 11.0in
Hole Spacing: 16.0in, hole spacing may vary
Hole Diameter: 0.20in
Screw Size*: #10 (3/16in)

8 EGRESS LADDER
A5.2 1/4" = 1'-0"

PERMANENTLY FIXED LADDER

REV A



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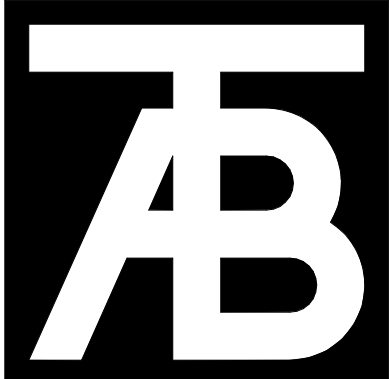
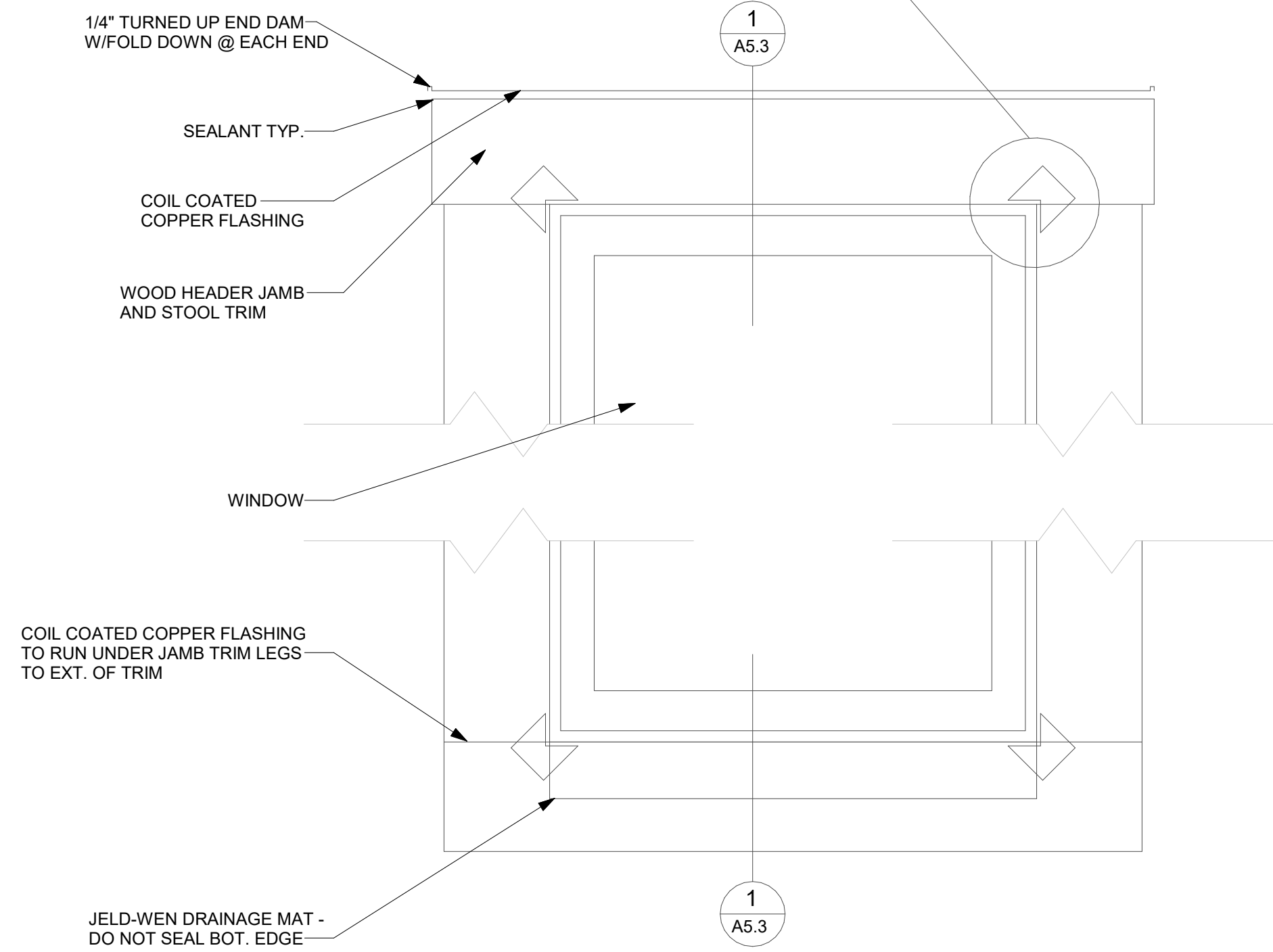
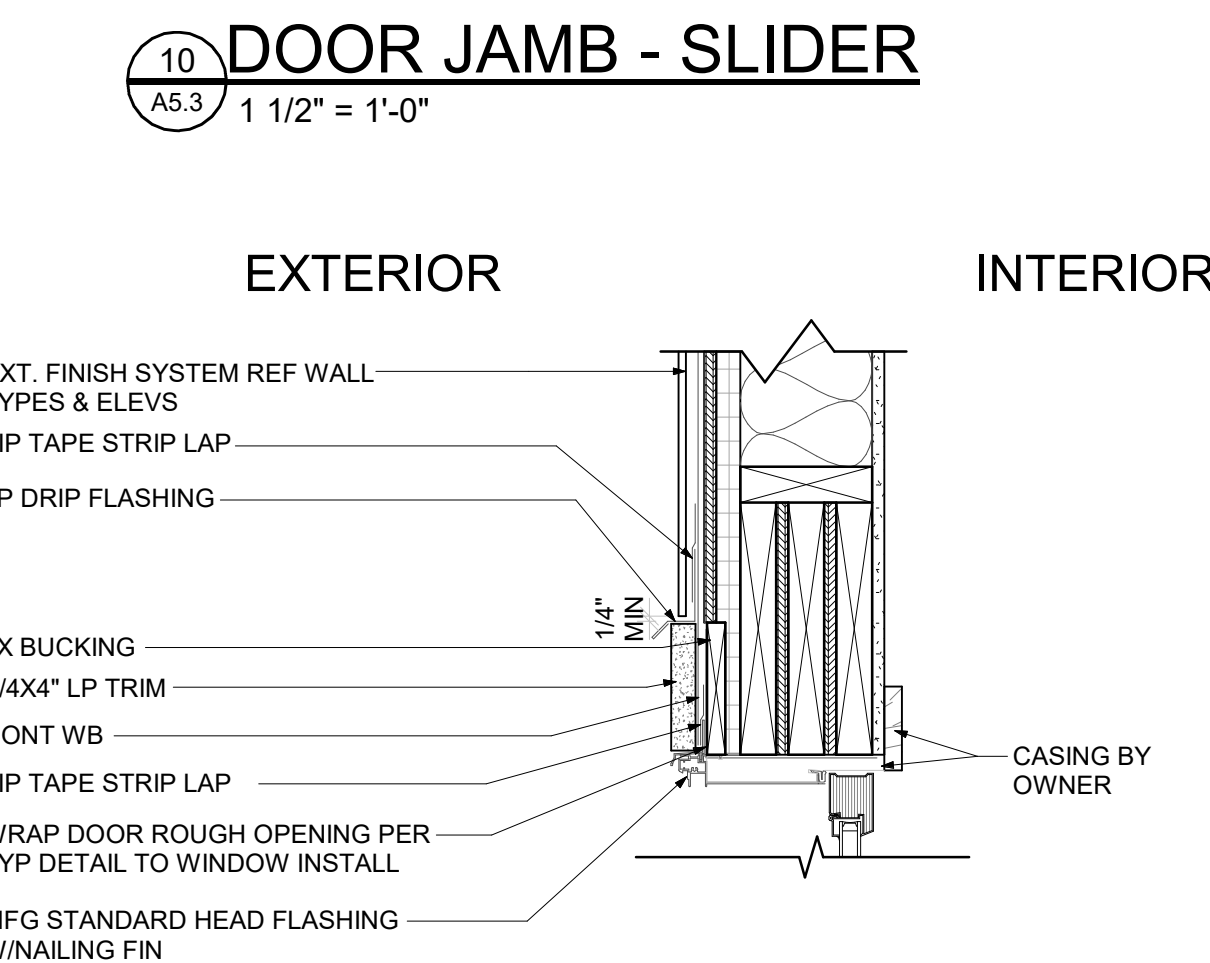
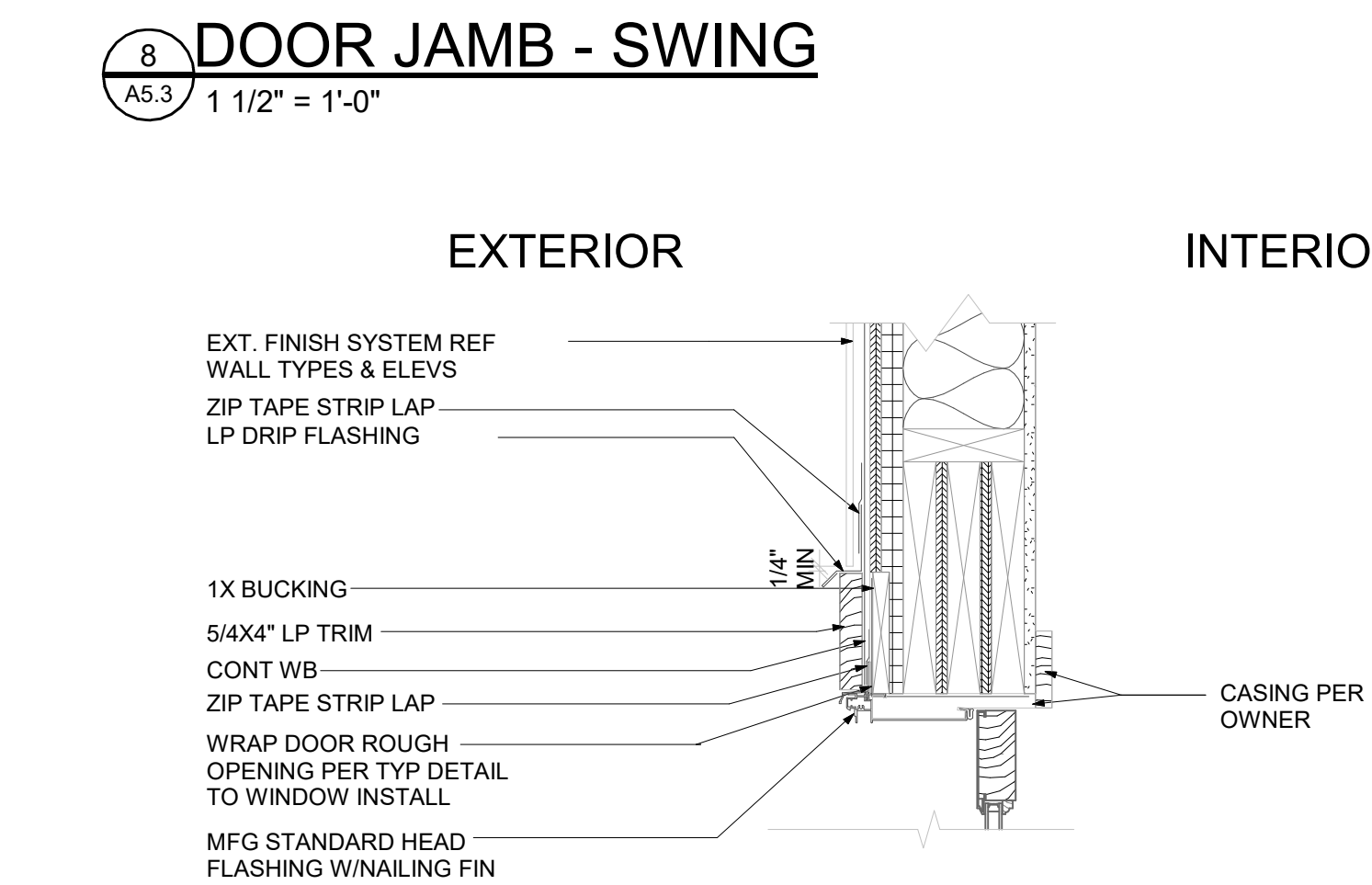
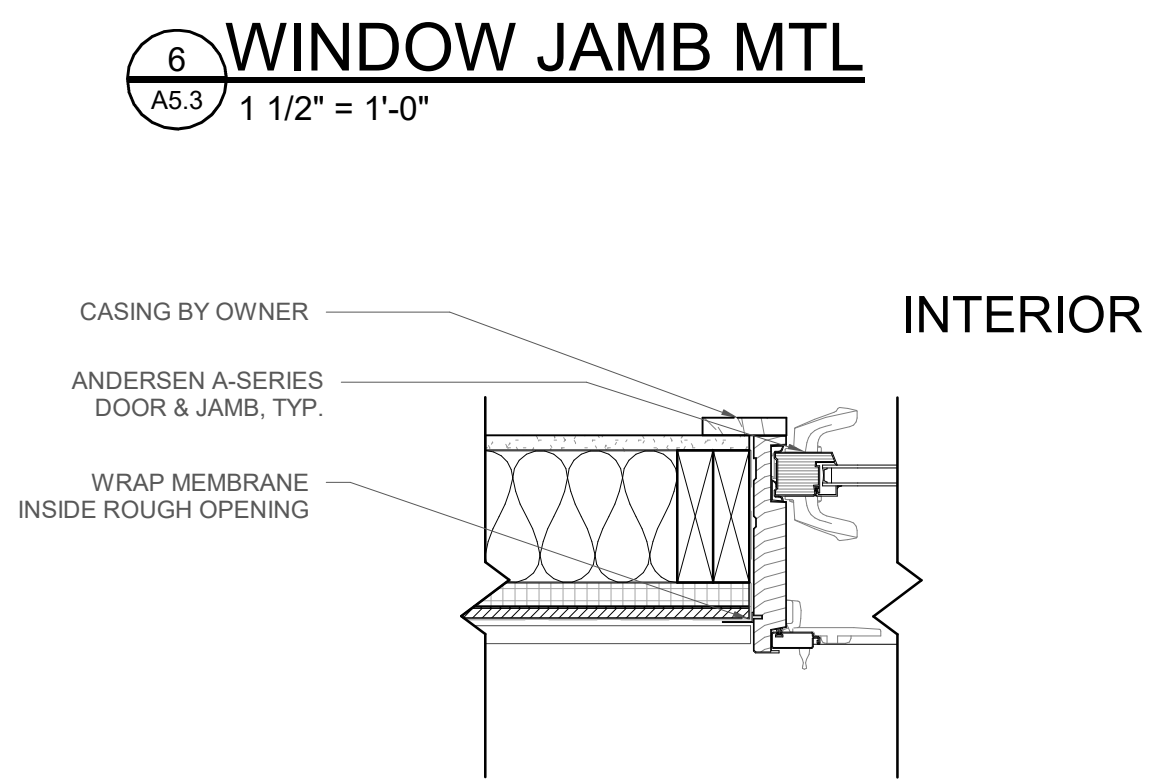
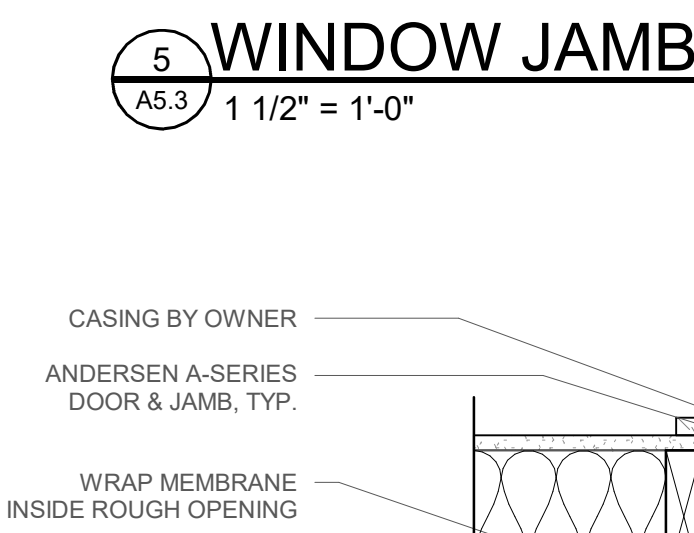
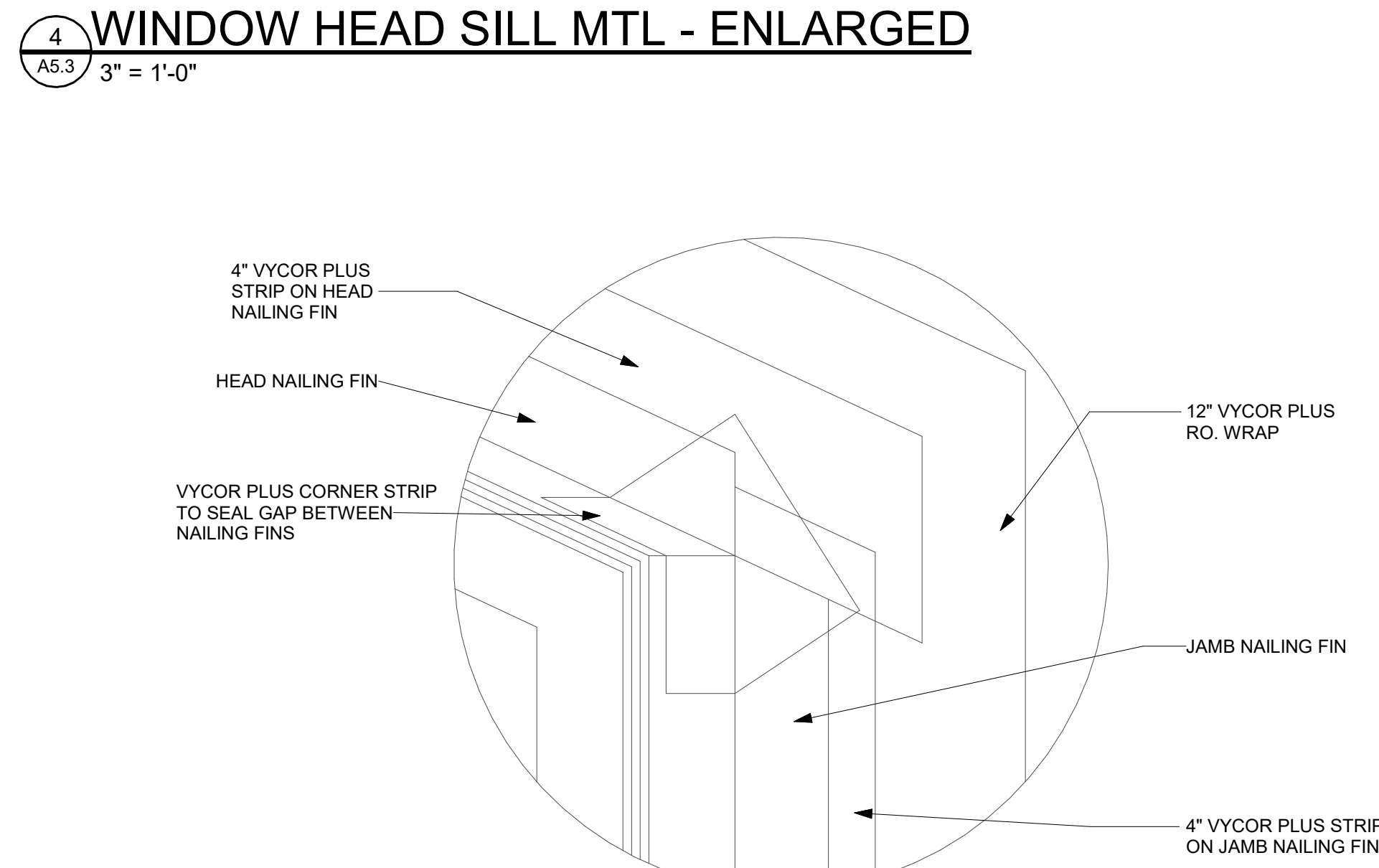
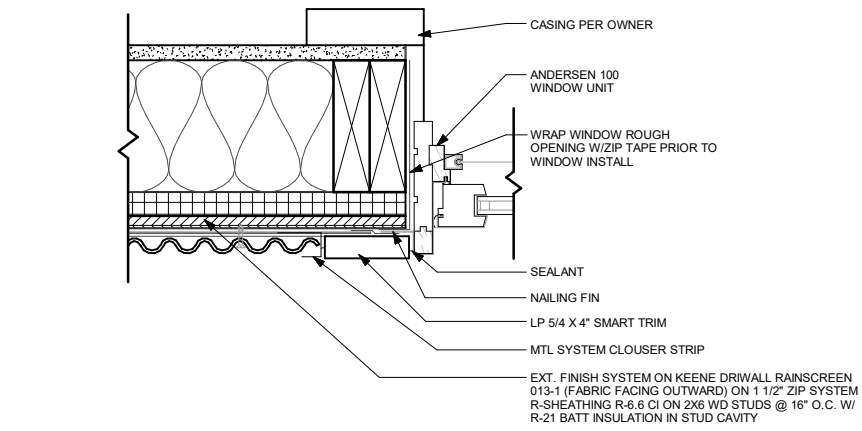
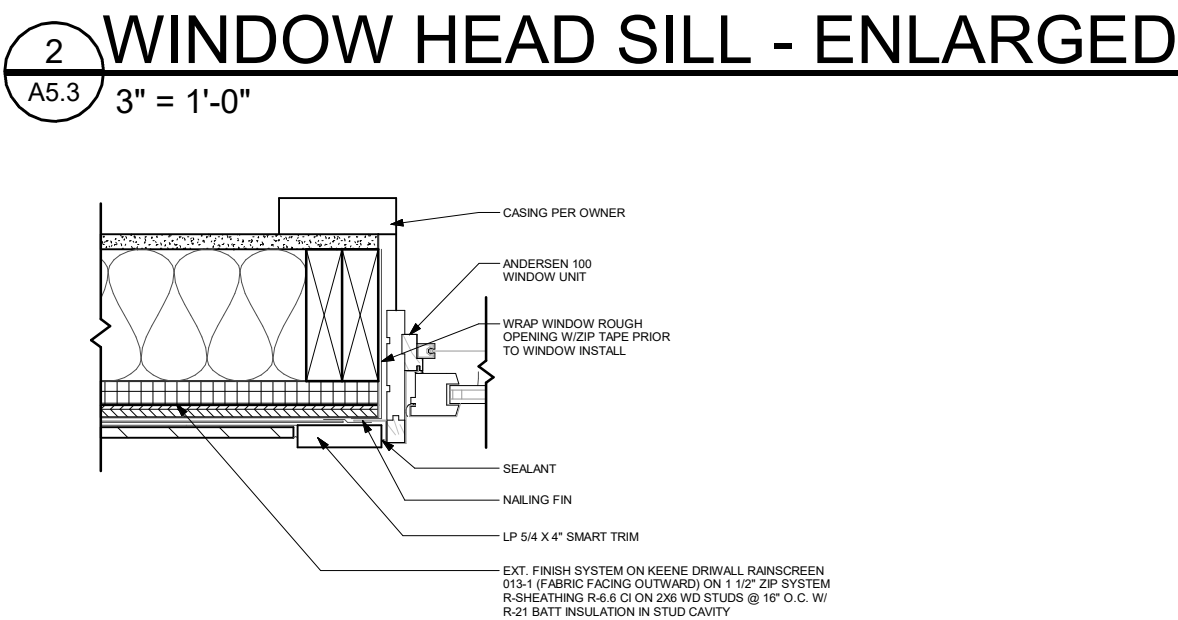
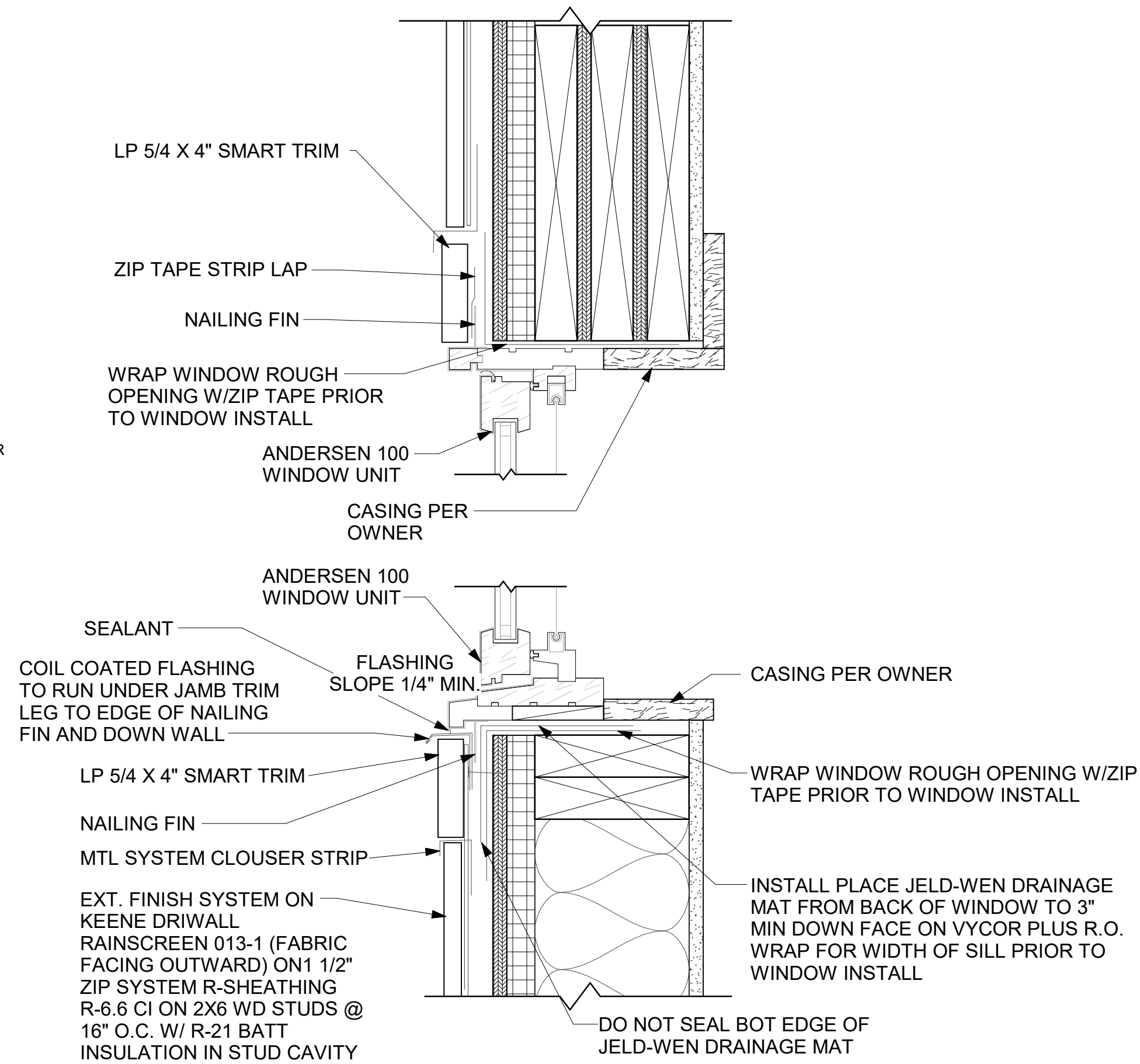
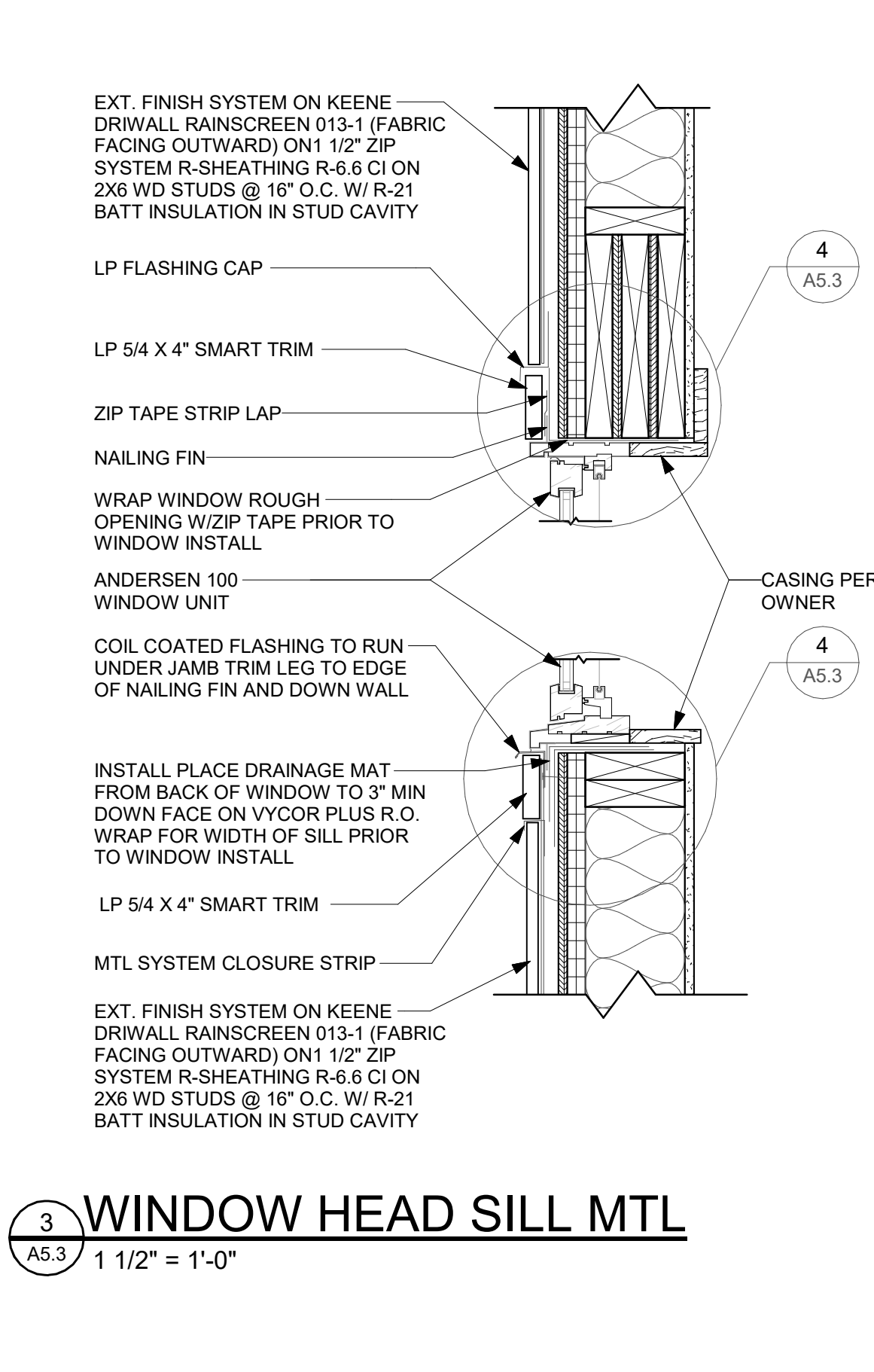
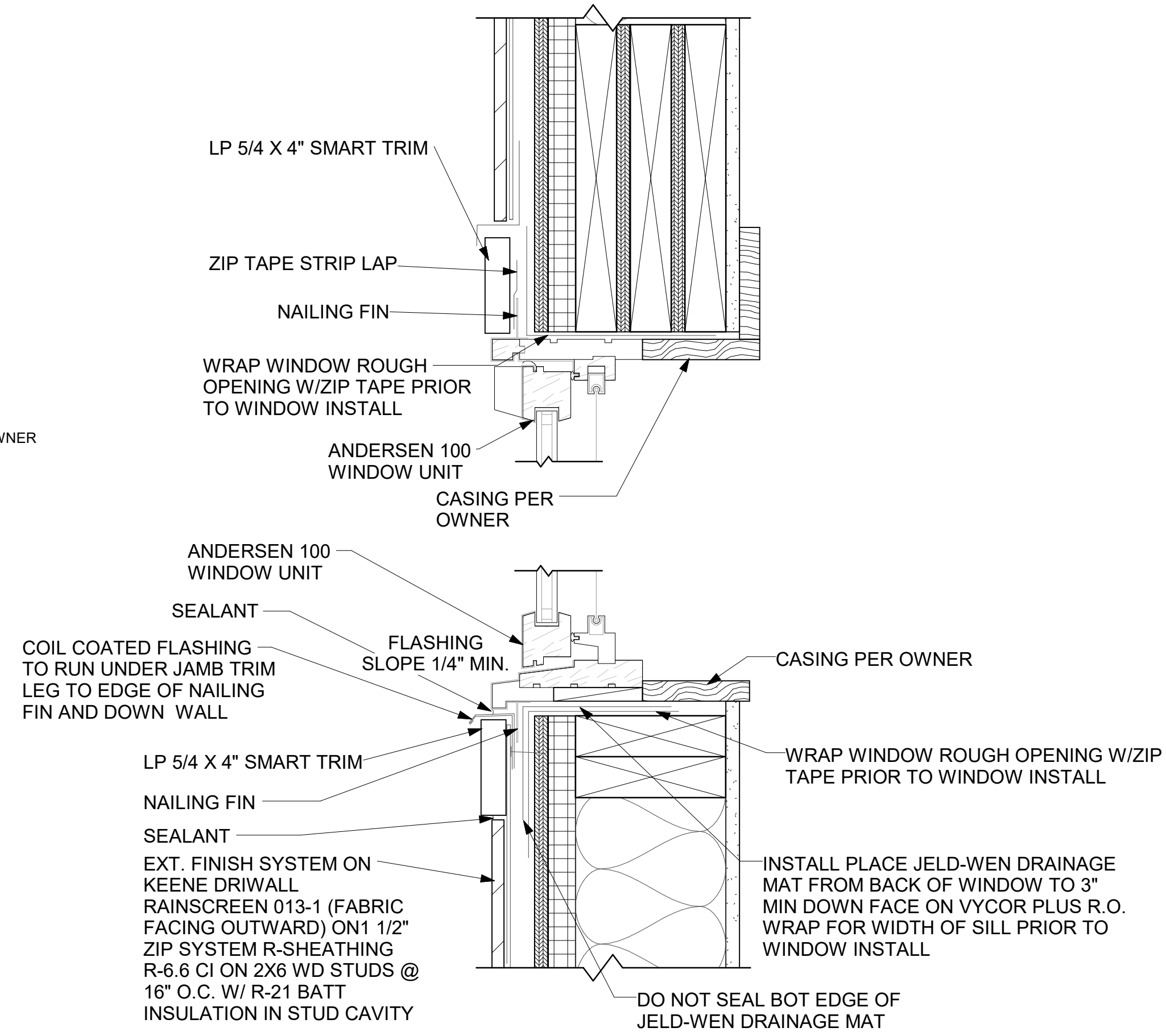
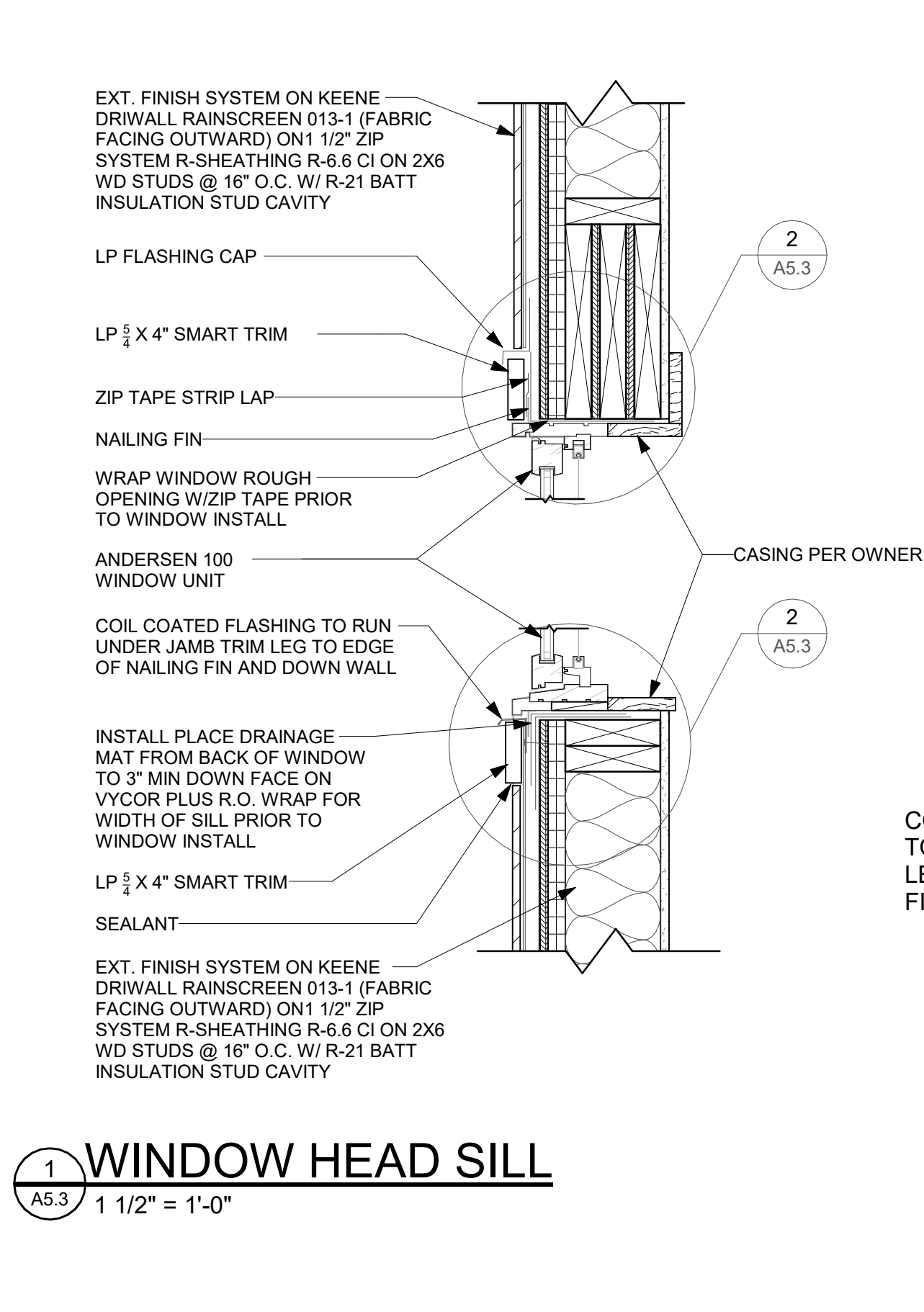
Revisions:		
No	Description	Date

Issue Dates:
DRB - 02/14/25
CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title:
Details

Project No:
2215

Sheet No:
A5.2



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Revisions:		
No	Description	Date

Issue Dates:
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CD's - 04/29/25
Minor DRB - 09/25/25

Sheet Title:
Details

Project No:
2215

Sheet No:
A5.3



To: Mayor and Council

From: Jay Brunvand

Date: October 13, 2025

Agenda Item: Annual renewal of Retail Liquor License

REQUEST:

Staff is requesting Council to review and approve the attached annual renewal of a Retail Liquor License for Minturn Mile liquors llc, DBA The Minturn Mile Liquor Store located at 341 Main St.

INTRODUCTION:

This establishment has an existing Retail License and this is the annual renewal.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The applicant has submitted the required fee of \$125.00.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn. Both as an employer and a sales tax contributor these businesses each help further Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:

This item is approved on the Consent Agenda, no separate motion is required.

ATTACHMENTS:

- Application and supporting documentation for the license renewal.

DR 8400 (02/16/24)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
PO BOX 17087
Denver CO 80217-0087
(303) 205-2300

Submit to Local Licensing Authority

Fees Due	
Annual Renewal Application Fee	\$ 250
Renewal Fee	477.50
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below. Return to city or county licensing authority by due date.

Note that the Division will not accept cash.



Paid by check

Uploaded to Movelt on Date



Paid online

Licensee Name

MINTURN MILE LIQUORS, LLC

Doing Business As Name (DBA)

MINTURN MILE LIQUORS

Liquor License Number

26-35821-0000

License Type

Retail Liquor Store

Sales Tax License Number

96847541-0000

Expiration Date

11/15/25

Due Date

10/1/25

Business Address

Street Address

341 MAIN ST

Phone Number

970-401-3041

City

MINTURN

State

CO

ZIP Code

81645

Mailing Address

Street Address

PO BOX 1603

City

VAIL

State

CO

ZIP Code

81658

Email

gmc@crowderg.com

Operating Manager

Date of Birth

JEAN CROWDER

05/26/2075

Home Address

Street Address

Phone Number

312 Mt. Traver Dr

970-401-3041

City

State

ZIP Code

Leadville

CO

80641

1. Do you have legal possession of the premises at the street address?..... ☒ Yes ☐ No

Are the premises owned or rented? ☒ Owned

*If rented, expiration date of lease

☐ Rented*

2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility?..... ☐ Yes ☒ No

If yes, please see the table in the upper right hand corner and include all fees due.

3. Are you renewing a takeout and/or delivery permit?..... ☐ Yes ☒ No

(Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges)

If selecting 'Yes', an additional \$11.00 is required to renew the permit.

If so, which are you renewing?..... ☐ Delivery ☐ Takeout ☐ Both Takeout and Delivery

4. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... ☐ Yes ☒ No

Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... ☐ Yes ☒ No

5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)?..... ☐ Yes ☒ No

If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.

6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime?..... ☐ Yes ☒ No
If yes, attach a detailed explanation.

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked?..... ☐ Yes ☒ No
If yes, attach a detailed explanation.

8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee?..... ☐ Yes ☒ No
If yes, attach a detailed explanation.

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business

GEORGE M CROWDER

Title

OWNER

Signature

Date (MM/DD/YY)

10/20/25

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For

Town of Montrose

Title

Attest

Mayor

Signature

Date (MM/DD/YY)



To: Mayor and Council
From: Jay Brunvand
Date: November 5, 2025
Agenda Item: Annual renewal of Hotel and Restaurant Liquor License

REQUEST:

Staff is requesting Council to review and approve the attached annual renewal of a Hotel and Restaurant Liquor License for the Pizza Pub LLC, dba Magustos located at 101 Main St.

INTRODUCTION:

This establishment has an existing H&R License and this is the annual renewal.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The applicant has submitted the required fee of \$125.00.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn. Both as an employer and a sales tax contributor these businesses each help further Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:

This item is approved on the Consent Agenda, no separate motion is required.

ATTACHMENTS:

- Application and supporting documentation for the license renewal.

DR 8400 (02/16/24)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
PO BOX 17087
Denver CO 80217-0087
(303) 205-2300

Submit to Local Licensing Authority

Fees Due	
Annual Renewal Application Fee	\$ 250
Renewal Fee	
Storage Permit \$100 X _____	\$
Sidewalk Service Area \$75.00	\$
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$
Related Facility - Campus Liquor Complex \$160.00 per facility	\$
Amount Due/Paid	\$ 741.00

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below. Return to city or county licensing authority by due date.

Note that the Division will not accept cash.

☒ Paid by check
☐ Paid online

Uploaded to MoveIt on Date

Licensee Name

PIZZA PUBLLC

Doing Business As Name (DBA)

MAGUSTOS

Liquor License Number

License Type

RESTAURANT

Sales Tax License Number

31343135-0000

Expiration Date

10-27-25

Due Date

10-27-25

Business Address

Street Address

101 MAIN ST.

Phone Number

970 827 5450

City

MINTURN

State

CO

ZIP Code

81645

Mailing Address

Street Address

PO BOX 1043

City

MINTURN

State

CO

ZIP Code

81645

Email

C REGON BUS@GMAIL.COM

Operating Manager

ERIC CRESON

Date of Birth

5.07.1970

Home Address

Street Address

101 MAIN ST.

Phone Number

9703900861

City

MINUTURN

State

CO

ZIP Code

81643

1. Do you have legal possession of the premises at the street address?..... ☐ Yes ☐ No

Are the premises owned or rented? ☐ Owned

*If rented, expiration date of lease

☒ Rented*

10 - 27

2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility?..... ☐ Yes ☒ No

If yes, please see the table in the upper right hand corner and include all fees due.

3. Are you renewing a takeout and/or delivery permit?..... ☒ Yes ☐ No
(Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges)

If selecting 'Yes', an additional \$11.00 is required to renew the permit

If so, which are you renewing?..... ☐ Delivery ☐ Takeout ☒ Both Takeout and Delivery

4. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... ☐ Yes ☒ No

Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... ☐ Yes ☒ No

5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)?..... ☐ Yes ☒ No

If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.

6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime?..... ☐ Yes ☒ No

If yes, attach a detailed explanation.

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked?..... ☐ Yes ☒ No

If yes, attach a detailed explanation.

8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee?..... ☐ Yes ☒ No

If yes, attach a detailed explanation.

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business

ERIC CRESON

Title

OWNER

Signature

Eric Creson

Date (MM/DD/YY)

10-22-25

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For

Town of Arvada

Title

Mayor

Signature

Attest

Date (MM/DD/YY)

To: Minturn Town Council
From: Cindy Krieg, Economic Development / Deputy Clerk
Date: 10/28/2025
Agenda Item: Staff Update Regarding the Minturn DDA
Plan of Development Progress and Next Steps



INTRODUCTION / REQUEST:

The Minturn Downtown Development Authority has entered into a service agreement with Ayres Associates for the preparation of a Plan of Development. A Plan of Development is a requirement per state statute, and will establish the goals and priorities of the DDA, and will help shape the work plan for the DDA board. The onsite workshop took place on October 21, 21 and 22 in Minturn. Thank you to those who participated.

ANALYSIS / NEXT STEPS:

A DDA Plan of Development serves as a roadmap for how the DDA will use its powers and funds to improve the downtown area. It is important that we establish a professional, well-crafted plan as this will serve as our guiding document for several years. Ayres Associates has significant experience in this space, having done this work for other Colorado municipalities. Minturn in particular has been looking at the Fraser DDA Plan of Development as a possible example of a strong template to work from. Ayres did the Fraser Plan of Development.

COMMUNITY INPUT:

Community input was gathered initially through the DDA outreach and education process that occurred prior to the DDA election. Downtown stakeholders, staff, Council and Planning Commission were also invited to participate in the recent workshop. Ayres has provided a draft plan, which is currently being reviewed by staff. The DDA Board will review next, and there will be some back and forth editing and final formatting throughout November. The final version will come before Planning Commission for review and Town Council for approval / adoption. Once approved, the final document will be submitted to both the State and the County to be registered.

STRATEGIC PLAN ALIGNMENT:

The establishment of the Minturn DDA is a specific priority laid out in the 2025 – 2027 Strategic Plan. The Plan of Development is an integral part of laying the groundwork for how the DDA will operate.

RECOMMENDED ACTION OR PROPOSED MOTION:

No motion or action needed.

IT IS EXPECTED THAT THE PLAN OF DEVELOPMENT WILL BE ON THE 12/17 TOWN COUNCIL AGENDA, THOUGH IT COULD BE EARLIER.

TOWN OF MINTURN, COLORADO

RESOLUTION NO. 44 - SERIES 2025

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO,
AUTHORIZING THE TOWN MANAGER TO SUBMIT AN APPLICATION TO THE COLORADO
DEPARTMENT OF TRANSPORTATION (CDOT) FOR FUNDING UNDER THE OFF-SYSTEM
BRIDGE GRANT PROGRAM FOR THE REPLACEMENT OF THE BELLM BRIDGE**

WHEREAS, the Town of Minturn ("Town") is a home rule municipality in Eagle County, Colorado, responsible for maintaining the safety and integrity of its transportation infrastructure, including public bridges;

WHEREAS, the Bellm Bridge crosses the Eagle River at Minturn's northern gateway between Main Street and U.S. Highway 24 and serves as a critical connector for both vehicular and pedestrian traffic, including as an alternate route during U.S. 24 closures;

WHEREAS, the Bellm Bridge was originally constructed in 1950 and reconstructed in 1986 and is currently rated as structurally deficient with a "fair" overall condition and an unstable scour rating of 3, as documented in CDOT's 2022 Structure Inspection Report;

WHEREAS, the Town previously received a CDOT Off-System Bridge Grant in the amount of \$297,823 to complete engineering design for the Bellm Bridge Replacement Project, which is being performed by Short Elliott Hendrickson, Inc. (SEH), and the design phase is now underway;

WHEREAS, the Town's Feasibility Study and Alternatives Analysis completed in January 2025 determined that full bridge replacement is the most cost-effective and environmentally responsible solution to address ongoing scour and structural deficiencies;

WHEREAS, the Town seeks additional funding from CDOT's Off-System Bridge Grant Program (Implementation Phase) to complete the replacement of the Bellm Bridge with a single-span prefabricated steel truss bridge on cast-in-place concrete abutments, including a raised sidewalk and improved scour protection;

WHEREAS, the total estimated cost of the Bellm Bridge Replacement Project is approximately \$5,849,984 million, and the Town is requesting CDOT grant funding for 80% of the total cost, with the remaining 20% (\$1,169,997) committed as a local match from the Town of Minturn;

WHEREAS, the Town of Minturn intends to pursue additional funding and grant opportunities to help offset the required local match and to close any unfunded costs not covered by the CDOT grant;

WHEREAS, the Town of Minturn is committed to working in full coordination with CDOT Region 3 and the Federal Highway Administration to ensure compliance with all state and federal requirements governing the Off-System Bridge Program.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF
MINTURN, COLORADO, THAT:**

Section 1. Authorization to Apply. The Town Council hereby authorizes the Town Manager to submit an application to the Colorado Department of Transportation for funding under the Off-System Bridge Grant Program for the Bellm Bridge Replacement Project.

Section 2. Commitment of Local Match. The Town Council commits to providing a 20% local match, estimated at \$1,169,997, which will be programmed within the Town’s capital improvement budgets for Fiscal Years 2026–2028.

Section 3. Pursuit of Supplemental Funding. The Town Council supports and authorizes the Town Manager to pursue additional funding and grant opportunities from federal, state, or other sources to reduce the Town’s direct financial obligation or cover unfunded portions of the project.

Section 4. Execution of Required Documents. The Town Manager is authorized to execute all application materials, certifications, and supporting documentation required by CDOT, and to act as the Town’s designated representative for all matters related to the grant.

Section 5. Coordination and Compliance. The Town Manager and the Town Engineer are directed to continue coordination with CDOT Region 3 Local Agency Coordinators, the CDOT Staff Bridge Office, and Short Elliott Hendrickson, Inc. (SEH), to ensure the project meets all design, environmental, and federal aid eligibility requirements.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

INTRODUCED, READ, AND ADOPTED by the Town Council of the Town of Minturn, Colorado, on this 5th day of November, 2025.

Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk

MEMORANDUM

DATE: October 23, 2025
TO: Minturn Town Council
FROM: Michael Sawyer
RE: Minturn Water Rights Counsel

As the Council is likely aware Minturn's water rights attorney Susan Ryan of Holland & Hart was recently appointed to fill a position as a District Court Judge in Ninth Judicial District. Susan assisted Minturn with several important water matters during her tenure. These include negotiating an agreement with the Colorado Water Conservation Board involving the instream flow and Cross Creek, working with Eagle River Water and Sanitation District on Bolts Lake issues and shepherding Town water right applications through the Water Court process. Susan will make a wonderful District Court Judge, but her absence will be felt in Minturn. During her tenure, Susan was often assisted by attorney Bill Caile at Holland and Hart. Bill recently represented the Town in a water court case brought by Eagle River Water and Sanitation District that was opposed by Jeff Tucker. Bill is continuing to work on one remaining active water case for Minturn. On behalf of myself as the Town attorney and on behalf of the Town of Minturn we express our gratitude to Susan and Bill for their efforts.

In speaking with Town Manager Rob Gutierrez, it seems like now maybe an advantageous point to transition Minturn's water work to my firm Karp Neu Hanlon. Over the 11 years that I have served as Town attorney, I have participated in many meetings with Susan and her predecessor discussing and strategizing over Minturn's water rights. Prior to Susan's departure from private practice, we sat down with her for an extensive briefing on the Town's water rights and issues to pay attention to in the future. Currently, approximately 1/3 of my practice involves water right matters. I and my team of lawyers and assistants can successfully represent Minturn in its water right matters going forward and would be honored to do so.

I believe that there would be some cost savings in bringing the general Town Attorney work and the water rights attorney work under one roof. I am willing to offer Minturn a discounted rate from my general water rights representation rate (see attachment). Work on water rights for the Town would be billed according to the attached rate sheet.

I believe a voice vote by Council appointing Karp Neu Hanlon as water rights counsel, and memorializing the decision in the meeting minutes is sufficient (as I have already been appointed

Town attorney by resolution). As noted, Bill Caile will continue to work on a pending water court case until it is completed.

I am happy to answer any questions at the Council meeting.

KARP NEU HANLON, P.C.			
2025 HOURLY RATE CHART			
POSITION	NAME	INITIALS	HOURLY RATE
Partner	James S. Neu	JSN	\$350.00
Partner	Karl J. Hanlon	KJH	\$350.00
Partner	Michael J. Sawyer	MJS	\$350.00
Partner	James F. Fosnaught	JFF	\$350.00
Partner	Jeffrey J. Conklin	JJC	\$350.00
Partner	Aaron T. Berne	ATB	\$350.00
Partner	Shoshana Rosenthal	SR	\$350.00
Partner	Richard Peterson-Cremer	RJP	\$350.00
Partner	Wilton E. Anderson	WEA	\$350.00
Of Counsel	Erika S. Gibson	ESG	\$300.00
Of Counsel	Matthew L. Trinidad	MLT	\$300.00
Associate	Danielle T. Skinner	DTS	\$275.00
Associate	Lawrence M. Bond	LMB	\$275.00
Associate	Jenya C. Berino	JCB	\$275.00
Associate	Harper E. Powell	HEP	\$225.00
Associate	Rachel A. Sigman	RAS	\$225.00
Associate	JJ W. Carl	JWC	\$225.00
Paralegals	Paralegals		\$175.00
Legal Assistants	Legal Assistants		\$125.00
EXPENSES			RATE
Mileage current IRS rate as it may be amended throughout the year			(current IRS rate)
Photocopies			\$0.25 per copy
Facsimile Transmissions			\$1.00 per page
Color Photocopies			\$1.25 per copy
Specialized Research			Charged at Cost
OTHER EXPENSES ARE BILLED AT ACTUAL COSTS			

*The above rates are subject to change annually.
All Accounts Due in 30 days. Overdue Accounts will be Assessed 1.5% per month (18% A.P.R.)
In the event an action is required to collect payment, client agrees to pay
reasonable attorneys' fees and costs of collection.*

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 45 – SERIES 2025**

**A RESOLUTION AMENDING THE ENGAGEMENT
AGREEMENT BETWEEN KARP NEU HANLON P.C. AND
THE TOWN OF MINTURN, COLORADO TO INCLUDE
WATER ATTORNEY SERVICES**

WHEREAS, the Minturn Town Council has resolved pending legal concerns regarding the Town's water rights; and

WHEREAS, the Minturn Town Council currently receives superior quality legal services from Karp Neu Hanlon P.C. and as the Town attorney for the Town of Minturn has provided quality legal advice on water matters; and

WHEREAS, the Town Council desires appointed Karp Neu Hanlon P.C. as the Town's Legal Council with Resolution 11 – Series 2014; and

WHEREAS, the Town Council desires to appoint amend the existing legal services to include water rights and litigation for the Town of Minturn.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO:**

1. The Minturn Town Council hereby amends by virtue of this Resolution Engagement Agreement between Karp Neu Hanlon P.C. and the Town of Minturn, Colorado.
2. The Minturn Town Council hereby appoints Karp Neu Hanlon P.C. as the Town Water Attorney firm.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of November, 2025.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: October 5, 2025
Agenda Item: Fiscal Year 2026 Annual Budget – Public Hearing

REQUEST:

Fiscal Year 2026 Proposed Town of Minturn Budget Public Hearing.

INTRODUCTION:

As required by Colorado State law, the Council must hold a public hearing on the proposed Fiscal Year 2026 budget. This Public Hearing has been published and posted for this meeting. Following the 11/5/25 meeting the next steps will be to present and consider the Ordinances with First Reading on 11/29/25 and Second Reading on 12/3/25 to formally pass the budget.

ANALYSIS:

Following is the recommended Public Hearing procedure in order to make sure everything is covered procedurally and legally.

- (a) The Mayor will introduce the agenda item and announce the Public Hearing as “I hereby by call to order the Public Hearing for the purpose of discussion and comment on the fiscal year 2026 proposed budget and to gather input, pro or con, on the proposed Minturn Town Budget for the fiscal year January 1 through December 31, 2026. Any citizen that would like to speak needs to clearly state their name and physical address for the record from the podium (even if they are known by all.)”
- (b) Staff Presentation – Brunvand and Gutierrez
- (c) Take citizen input
- (d) Close the Public Hearing
- (e) Council discussion on the budget and comment on the Public Hearing if any.
- (f) Announce this is the official Public Hearing on the Fiscal Year 2025 Preliminary Budget and citizens are encouraged to contact the Town Treasurer at the Town Hall with questions or comments during regular business hours at 827-5645 ext 1.

As required by Colorado law, the Town has set one Public Hearing for the FY2026 Budget at this November 5th meeting. Although further discussion will ensue through final adoption of the budget on December 3, 2025 and the public will be allowed to comment at each meeting, this is the one and only official Public Hearing. To date, Staff has taken your comments and suggestions and incorporated them into the FY2026 Budget as well as comments and direction given during the previous several meetings which have occurred over the past several months. In the event any material changes come forth from the Public Hearing process or further Council direction, those changes also will be included in the scheduled final passage of the budget ordinances on December 3rd. I will distribute an updated budget document thereafter as the final changes are processed.

Items discussed at the October 1, 2025 Council meeting (these will be reflected in the final budget approved on 12/3/2025:

- I have revised and updated the payroll and staffing worksheets and totals to include the most recent hires in Public Works.
 - Payroll comprises 19% of the combined General and Enterprise fund budgets
 - Wages comprise 14% of the combined and the balance is taxes, retirement, and employee insurance.
- Property Tax Revenue 01-00-4010: WHY did the property tax grow an estimated 20% over FY2025?
 - Wild housing market combined with state Legislative actions has resulted in random swings in assessment percentages and artificially deflated revenues over the last few years.
 - 2025 is an assessment year.
 - 2023 over 2022 was a negative 4% growth.
 - 2024 over 2023 was approximately 33% growth. (2023 was an assessment year)
 - 2025 over 2024 was 3% growth.
 - Over the past seven years we've grown an average of 12% annually.
 - Our mill levy is 17.934 and has not changed and over 28 years. As we have discussed when the economy is flush we have our budget grows, when the economy is reducing we tighten our belts along with the rest of the citizens.
 - In 2025 property tax revenue was \$846,000, In 2008 it was \$455,000. It took us 17 years to double our property tax, and during those ensuing years there were four years when we were actually below \$455,000. This represents a good picture of how we have changed and how we have gone up and down over the years as the economy has ebbed and flowed.
- Downtown Development Authority (DDA): As we discussed in the October 1st meeting,
 - Revenue for the DDA is based on all taxing entities within the DDA, it is not limited to just the Town's mill levy.
 - The town is budgeted to backfill up to \$15,000 for DDA projects. These projects would be determined by the town manager and/or council decision as warranted. Council requested these contributed funds be used only for projects, not for staff needs or similar.
 - It is anticipated that the DDA will receive about \$250 in tax money for the fiscal year 2026. It's important to recognize this will be a slow growth process. The district is not very big and the development in that defined area is potentially quite limited.
- In June of 2000 the town negotiated a lease with the US Post Office for space to conduct business as a post office in the town hall. In June of 2010 the USPO exercised a first option to extend the lease 10 more years. In June of 2021 the post office exercised a second option for five years extending the lease to 2026. In June of 2026 the post office has the option to extend a third time. Staff will keep council informed as needed. Rent is scheduled to increase in June from \$79,823 to \$87,805 annually or \$6,651.92 to \$7,317.08 monthly a 10% increase.

- Council and staff have discussed traffic calming measures in town. In the Public Works budget, we have streets and sidewalks as a line item with a budget of \$125,000. A portion of this can be used during the year to experiment with traffic calming measures.
- There was discussion about parking signs directing people to the Municipal Parking lot. There is a sign in front of Magustos which directs people to the municipal parking lot. A number of years ago we made an effort to standardize our directional signage throughout town. A thought would be to revisit this signage plan and make sure that it is what we want and that it is doing what we want, this can be done in 2026 with available funds.

BUDGET / STAFF IMPACT:

The annual fiscal budget sets forth projected income and expenses and sets forth a plan to achieve our stated goals. The budget will appropriate reserves, revenues and expenses and set the mill levy and fees for the ensuing year.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 to practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

No motion is required for tonight.

ATTACHMENTS: The FY2026 Budget document is provided within the packet and is available on the town website.

10/1/2025 Budget work:

It is anticipated that 2025 will be a year of rebuilding our reserves and evaluation of our capital needs. Fiscal year 2025 brought with it a large number of projects as well significant staff turnover. In 2025 We Lost our longtime town manager, And 3 of 4 public works staff members. Although this may not sound significant, it resulted In a staff turnover of 50%. In May of 2025, after a nationwide search, a new town manager was hired and the fall of 2025 brought with it filling the needed vacant positions in Public Works. These changes will require adjustment time and training, however, will provide an opportunity for the new town manager to provide direction for the town in the near and long term future.

This budget recognizes revenues and expenses for the forthcoming year in a manner responsive to Council direction. Over the coming meetings, Council will have other discussions on this budget as well as a Public Hearing before it is finalized and approved during the December 3, 2025 Council Meeting.

Please reference the Budget Schedule and Calendar included on pages 71-76. This will give you a clear vision of which meetings will include budget discussions, public hearings, and approvals. We all know the budget includes the operational items like electric bills and general day to day items. My intent during the first meeting in October is to highlight some of the items of note and allow for council and public questions. I have listed a few of the accounts below of which I feel merit highlighting.

GENERAL FUND (01):

INCOME:

- Property Tax (01-00-4010) – The amount reported in the Certification of Values represents a 22% INcrease over 2025. As a reminder, since 2019 statewide the state legislature has, either through a General Election, special session, or legislative action modified the property tax growth downward in an effort to offset the effects of increasing housing costs. Such actions have reduced the Residential and Commercial assessment values and exemption allowances within the calculations. It is noted some of these changes are long term while others are short term which will cause our Property Tax revenues to annually flux.
- Staff's continued concern with all revenues is to not spend money before we have it, yet balance the probability of projects coming to fruition.
- Lodging Tax (01-00-4039) has been growing year over year showing a slow gain. In the November 2024 election the town passed an increase to the Short-Term Rental lodging tax. This increased lodging tax on residential units, not commercial inns, from 1.5% to 6.5%. Rental owners submit sales tax to the state for distribution to Minturn and submit Lodging Taxes directly to Minturn. Changes in the state laws have made it easier for companies like AirBnB to submit their sales taxes directly to the state for distribution to Minturn.
- Sales Tax (01-00-4040 and 4050) is growing and to fairly represent realistic numbers. For budget purposes, I have used the prior two years in comparison to the year-to-date current collections and developed a reasonable number. For most of the 2025 thus far we have been over month over month estimates compared to 2024 which was over 2023. I will continue to watch this develop but at this point I am reasonably comfortable with this calculation. The state requires companies who sell online from both intra and interstate to collect and submit sales tax where the goods are received. Prior to this, on-line sales were either not taxed or taxed from the corporate home office. These payments are made to the state and distributed to the town monthly.
- The town has seen multiple PUD development applications which are coming to fruition. Although we anticipate at least a portion of these new units to contribute to our bottom line, it is difficult to predict when development will occur and when the units will actually be occupied. Although these projects could provide a large increase in the town's budget numbers, again, I try not to budget for funds until they are "in hand".
- Currently we have 8 leases on the lease lot budgeted for 2025. This includes the concrete plant, and seven others in the developed area behind the berm, plus fees received from snow dump charges. (01-00-4516 thru 4526) plus we lease land and accept single dumps of snow from outside sources. These revenue sources allow for diversification of town revenues and accounts for a budgeted \$156,400 income. This diversified income represents 15% of the estimated amount collected in property and 12% of the estimated sales tax. Overall, this income accounts for 5% of our total budgeted General Fund revenues for 2026.
- In recent years the town has earned upwards of 5.5% interest (01-00-4540) on our liquid cash investments. As a result of these higher yields in 2024 it is estimated we will earn over \$300,000 in 2025. There are recent signs interest rates will hold and probably decline. As a result, this number will be monitored and I have budgeted \$230,000 in 2025.

EXPENSE:

- Staffing changes in 2025 that will affect the 2026 budget include a new Town Manager and in Public Works we promoted a Department Director from within and replaced or will replace four positions at full staff. These changes Are reflected in the budgeted FTE and wage numbers.

- Due to unknown factors, the Council is budgeted for 24 regular meetings and 3 additional special meetings. This is in line with the needs of recent years. In April of 2025 we will hold our biannual municipal election, therefore, a Council retreat is anticipated in 2026.
- For all Employee insurance plans, I have budgeted a 10% overall increase. As with everything, insurance costs are being hit by the economy. As a result, Staff has reviewed our insurance coverage in an effort to test the market for better pricing. This review has resulted in no change in providers and in an increase of approximately 9% for medical; dental and vision appear to not expect an increase. In an industry that has seen 10-80% annual increases and wild fluctuations in the private markets in recent years, Staff has been able to maintain average annual growth of 6-8% and feels this continues to be a tremendous success in cost management.
- Some of the more beneficial community organizations have been funded in separate line items. For example, The Vail Valley Partnership will be funded at \$3,850 (01-01-5235) and the childcare is funded at \$25,000 based on a three-year commitment, Minturn Community Fund is funded at \$20,000 (01-05-5275), the Minturn Bike Park is funded at \$15,000 (01-06-5357) and the Minturn Fitness Center at \$7,500 (01-06-5354). This is in addition to substantial in-kind contributions.
- In recent years Minturn has settled several lawsuits against the town. It is noted the General Fund legal and Engineering costs are budgeted at \$200,000 each (01-00-5211 and 5220) to accommodate the increased daily needs as well as costs associated with the PUD developments and necessary reviews thereof.
- In the third quarter of 2025 staff was informed by UPRR of a pending rate increase for the municipal parking lot. This notice will result in an increase of near 50%. It is anticipated it will be offset With an increase to the leases provided to local businesses with insufficient parking as required by municipal code. These lease holders provide 50% of the annual UPRR cost to the town.
- The Planning Department budget for 2025 includes a staff planner, a Code Enforcement/Permit Technician, a contracted planner and a small bank for consultants. In addition, the Building Inspection services shows an increase in anticipation of increased need with the several developments.
- The Police and Legal Department includes the contracted police services agreement with the Eagle County Sheriff's Office and a contribution to the Wildfire Fund. The police contract with Eagle County Sheriff is due to expire in December 2026. The agreement is over 10yrs old in total and was renegotiated in late 2022 and effective in 2023 and will be renegotiated for a January 2027 effective date. This agreement has some flaws but is a substantial savings over anything we could do ourselves.
- Town Events and promotions (01-05-5275) includes one staff and is budgeted at \$150,000 in 2026 which includes \$20,000 for the summer concert series among other events.
- The Public Works Department includes funding for some contracted snow plow/removal services, \$7,500 plus in-kind for the Minturn Fitness Center, and \$15,000 plus in-kind for the Minturn Bike Park. With the increased FTE allocation and significant changes in the PW's department it is anticipated that costs will be reviewed and redefined.
- Public Building Repair and Maintenance (01-06-5290) is budgeted at \$30,000 and used to assist in maintenance and upgrades to our facilities. This line item will continue to need significant increase in the coming years as the town's infrastructure ages.
- Maintenance and improvements for streets and sidewalks has been increased to \$125,000 (01-06-5352) in an effort to better support our infrastructure needs.

ENTERPRISE FUND (02):

- Water rates will be discussed as our municipal advisor begins work and we firm up the actual water rates as well as the Debt Service fees, Tap fees, System Improvement Fees, and Cash in Lieu fees in relation to cost growth and the new water plant.

As part of this review and adoption of the CIP plan water rates, debt needs, and other sources of funding will be examined completely and will require probable rate increases, grant applications, and even the issuance of additional debt to undertake all the necessary improvements.

Recent accomplishments are the connection of Well #4 to the Clear Well for purification purposes, completion of a new water storage tank, installation and use of a water loss detection system, replacement of all but the last remaining water meters in town, and much needed repairs to the plant and distribution system.

- Annual H2O water right maintenance (02-06-5352) will increase approximately 8% on top of recent increases in 2023-25. The \$173,000 covers the Cross Creek flow gage station and water augmentation rights of 5acre ft, 20acre ft, and 50acre ft through the Colorado River District. The gage station shows expense; however, CBS/Viacom pays 1/3 of this cost.
- With the pending needs in the Enterprise Fund of water plant and distribution line work, it will be important that we save where we can and manage our reserves in the coming several years. Our water rates are admittedly steep as are the expenses and the estimated capital needs, all must be weighed as best we can given that water rates were kept artificially low for decades and maintenance was deferred in anticipation of Battle Mountain providing new infrastructure.

Conservation Trust Fund (03):

- This fund has been allowed to grow its fund balance in recent years. With this in mind, we have saved over \$100,000 in this fund that can be used for large community projects and public needs.

SPECIAL REVENUE FUND (04):

- FY2026 reflects a \$105,223 transfer to the Capital Fund. A Fund balance of approximately \$17,000 will remain in Fund 04 for fixed asset needs or to combine with other opportunities for larger projects in future years. The interfund transfer will be to accommodate non-Enterprise Fund capital and other expenses. The revenue in this fund is derived from rents paid by the USPO and the two residential units within the Town Hall. The rental rate structure was reviewed with Council and increased slightly in 2024. It is noted that As of late 2025, the three-bedroom apartment remains unrented. The intent is to provide this for affordable employee housing and for new hires in the Public Works department.

CAPITAL FUND (06):

- Fiscal year 2025 provided funding Upgrades to Little Beach Park, a portion of Sidewalk and South Mentor known as Phase two, sidewalk curb gutter on North Main Street between the railroad tracks and Bellum Bridge, And upgrades to Taylor Street and Minturn Rd in conjunction the Minturn North project. As a result of these expenses, 2026 will be a year of saving and prioritizing future projects.
- The Capital Fund recognizes revenues resulting from the implementation of the Construction Use Tax and the previously noted transfer from the Special Revenue Fund.
- Little Beach Park (06-01-5310) Is Budgeted for upgrades that include replacement of the retaining wall, realignment of the access road, and replace of the playground equipment and bathrooms. This project, in order be able to use the park during the summer months, will begin in late 2025 and complete in the spring of 2026. The intent is to keep the park open during the summer season and do the construction in the off and shoulder seasons while maintaining a safe adventure for the kids using the

playground and those attending summer events at the park. Funding for this project includes a DOLA grant, use of the little beach park funds provided years ago by Battle Mtn, and potential other grants as available.

- Budget Review during upcoming meetings (Budget page 70):
 - 10/1/25
 - Presentation, review, and acceptance of the budget. This will include time for Council to discuss the budget and question/answer. Information and direction from this meeting will be used in continued assuaging the draft budget for possible inclusion or modification at final approval.
 - 11/05/25
 - Public Hearing on FY2026 Budget (this is the ONLY public hearing)
 - Q&A
 - 11/19/25
 - First Reading of Budget approval Ordinances
 - Budget changes to date
 - Review of 2025 Supplemental Appropriations
 - Q&A
 - 12/3/25
 - Second and final reading of Budget approval Ordinances



Public Works Snowplow Plan – 2025

Loader #1

Priority 1 Routes: Start Time: 7:00 a.m. / 6:00 a.m. for **heavy accumulations**

- **Pine Street / Toledo Avenue:**
Plow Pine Street, focusing on **Fire Station access** and **bus routes**.

Downtown / Main Street Operations (Start at 9:00 a.m.):

- **Monday/Wednesday Side & Tuesday/Thursday Side:**
Follow alternating plow schedule.
- **Fridays:**
No plowing unless there is significant accumulation.
If so, plow for weekend business access, including the **100 Block**.
- **Begin plowing downtown Main Street**, pushing snow to designated storage areas as follows:

Main Street Block	Snow Storage Location
100 Block	Eagle Park Snow Storage
200 Block	Top of Norman Avenue on Meadow Lane
300 Block	Top of Harrison Avenue / Child Care Center by Boulder Street
400 Block	Top of Meek Avenue on Meadow Lane
500 Block and half of 600 Block	End of Mann Avenue
600 Block (South end of Main Street)	End of Cemetery Bridge Snow Storage; Bluffs (overflow)

Loader #2

Priority 1 Routes: Start Time: 7:00 a.m. / 6:00 a.m. for heavy accumulations

- **Boulder Street:** From 600 Block to Toledo Avenue
- **North Main Street / Railroad Avenue**
- **Taylor Street / 4th Avenue** focusing on **bus routes**.

Downtown / Main Street Operations (Start at 9:00 a.m.):

- Remove snow and **cut snowpack next to sidewalks** in downtown Main Street.
 - Work **in coordination with Loader #1**, moving snow from Main Street to the **south side of town**.
-

Pickup Truck #1 – 2022 Chevy 2500

Assigned Tasks: Start Time: 7:00 a.m. / 6:00 a.m. for heavy accumulations

- **Shovel Town Hall**
 - Plow **Norman, Harrison, Bayer, Meek, and Mann Avenues**
 - Plow **Municipal Lots, Water Plant Road** and assist in plowing where needed.
-

Pickup Truck #2 – 2012 Chevy 2500

Assigned Tasks: Start Time: 7:00 a.m. / 6:00 a.m. for heavy accumulations

- **Shovel Town Hall**
 - Proceed to **Eagle Streets** to plow snow at the **bottom of Toledo, Harrison, and Meek Avenues. Cemetery Road, Little Beach parking area, Lease Lot and Public Works Shop** area and assist in plowing where needed.
-

Pickup Truck #3 – 2004 Ford-F 350 / Cinder Machine

Description:

Pickup #3 is equipped with both a plow and a cinder machine.

Primary Function:

- Serves as a **backup plow truck**.
- Used for **cindering icy roads** as needed.

Operational Guidelines:

- Deploy **only during icy conditions** or when additional plow support is required.
 - Perform standard pre-operation equipment checks before use.
 - Returning the vehicle to standby status once conditions improve or regular plows are operational.
-

Pickup Truck #4 – Backup Plow: 2023 Chevy 2500**Primary Function:**

- Serves as a **backup plow**.
- When the department is fully staffed this vehicle may be used for **cleanup and finishing work throughout town**.

Operational Guidelines:

- Utilize for **light-duty plowing and snow cleanup**.
 - Maintain readiness for deployment as backup equipment.
-

Sidewalk Machine

Start Time: 7:00 a.m.

Assigned Routes:

- Plow sidewalks on:
 - **Main Street**
 - **Bellum Bridge**
 - **Cemetery Bridge**
-

Public Works Technician

Assigned Tasks:

- Shovel **100 Block pedestrian / crossing entrances**.
- Clear **Not-A-Park** sidewalk.
- Clean up **bridge snow** left behind by the sidewalk machine.

Weekend Snowplow Operations Plan

Overview

To open roadways with more than 3” of snow fall, to be cleaned up on Monday when Public Works Team is available to maintain full snowplow and hauling operations during the work week.

Plan Summary

- **Effective Period:** During active snow accumulations of 3” or more throughout the winter season.
- **Staffing Adjustment:** Alternating On Call Public Works Team Members will be scheduled to work weekends.

Purpose and Benefits

- Maintains **continuous plowing and hauling coverage**.
- Ensures **safe and accessible roadways** for emergency services, residents, and visitors.
- Promotes **efficiency and coordination** within the existing Public Works team.

Operational Notes

- Assigned **Public Works Team** will rotate on a **pre-determined schedule** to balance workloads and ensure adequate rest periods.
- Weekend **Staff** will coordinate directly with **Public Works Team** for **equipment readiness, fueling, and snow storage site management**.
- Supervisors will evaluate staffing needs after major snow fall and adjust coverage as necessary.

MEMORANDUM

DATE: October 9, 2025
TO: Minturn Town Council
FROM: Michael Sawyer and Harper Powell
RE: Minturn Cemetery District

In this memo, Staff presents a summary of efforts taken to have the fence at the Minturn Cemetery District made safe for wildlife.

In 2023, the Town Council held several discussions in public meetings regarding a string of wildlife deaths, including the impalement of a bull moose, that have occurred as a result of the spiked fence at the Cemetery. **Exhibit A.** The discussions included commentary from Colorado Parks and Wildlife officer Devin Duval, concerned members of the public, and Cemetery District president John Sheehan. The general consensus was that the Cemetery must modify the fence to reduce wildlife deaths and avoid nuisance violations under the Code. In September 2023, the Cemetery District issued a CORA request to the Town for Town Council meeting minutes and communications on this topic, including records relating to the alleged approval of the fence by the Planning and Zoning Commission (“P&Z”) or Town Council. Town Staff found no application in Town records for construction of the fence nor approvals of the fence by P&Z or Town Council.

In June 2024, the Town received a report from the Eagle County Sheriff that another deer had been impaled on the fence owned by the Minturn Cemetery District. **Exhibit B.** The Town code enforcement officer conducted a separate investigation which identified the spikes on the Cemetery District fence as being a nuisance that posed a threat to the safety of wildlife. **Exhibit C.**

The Town sent the Cemetery District a nuisance abatement letter in August 2024. **Exhibit D.** Under the Town’s nuisance code, a landowner must abate the nuisance within a reasonable time. Given that this issue had been occurring for some time, the Town determined abatement within about a month’s time would be reasonable. The Cemetery District’s attorney responded by primarily asserting that the Town had approved the fence and that the Town was estopped from requiring the fence to be removed. **Exhibit E.** As stated above, the Town has found no evidence that the fence was previously approved by the Town. The Town sent a follow up letter to the Cemetery District in September 2024 requesting that nuisance abatement work be done before the winter wildlife season sets in.

In July 2025, the Town code enforcement officer completed a follow up inspection related to the nuisance. **Exhibit F.** The inspection disclosed that some of the spikes on the fence had been removed by the Cemetery District but that significant portions of the fence still contained spiked ends which could pose a safety hazard to wildlife. A subsequent nuisance enforcement letter was sent to the Cemetery District together with a draft complaint in August. **Exhibit G.** The Cemetery District responded that if the Town wanted the fence nuisance abated that the Town could pay to have the spikes removed. **Exhibit H.** There are many Town residents concerned with wildlife safety and Town staff who could assist in removing the spikes. So, the Town sent a settlement offer to the Cemetery District offering to remove the spikes if the Cemetery District would have the former spike posts capped. **Exhibit I.** The Cemetery District responded again that the Town could pay to remedy the District's nuisance at a cost of approximately \$35,000.

The Town has worked in good faith to have the Cemetery District's fence nuisance abated in a collaborative manner. The Cemetery District did undertake some nuisance abatement but believes it is the Town's financial obligation to pay for the remaining fence to be brought into compliance. This is somewhat hard to understand in light of the fact that the Cemetery District has on an annual basis more in revenue than expenses and sits on a sizable reserve fund. Staff would like to discuss other options, short of nuisance prosecution, that may be attempted to resolve the nuisance at the Minturn Cemetery.



Wednesday, January 18, 2023
Executive Session – 4:00pm
Regular Session – 5:30pm

OFFICIAL MINUTES

Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/87546404421>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 875 4640 4421**

Please note: all virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

The Minturn Town Council will open the Regular Meeting at 4:00pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into Regular Session.

Mayor Earle Bidez called the meeting to order at 4:30pm.

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead (zoom), Town Council members George Brodin, Lynn Feiger, Gusty Kanakis, Kate Schifani, and Tom Sullivan (zoom).

EXHIBIT A

Please read this email at tonight's meeting

*Thanks
Frank Lorenti*

Michelle M. noted a second comment from Mr. Michael Boyd and stated this letter was included in a previous packet.

Public Comment Closed

Gabby V. noted we will have a general map of primary uses of the areas.

Discussion ensued as to Lynn F.'s concerns and were addressed with an amendment which was .

Motion by George B., second by Gusty K., to approve Resolution 05 – Series 2023 a Resolution approving the Minturn Community Plan as amended. Motion passed 6-0.

Amendment: Add recreation to the designated uses around the cemetery and Public Works Building and to allow PUD's for use as open space and recreation and to include the future land use maps in the plan.

Note: Tom Sullivan was excused absent from the Regular Meeting.

10. DISCUSSION / DIRECTION ITEMS

10.1 Riverview Cemetery Fence and Wildlife conflicts – Community Request

Michelle M. noted we have had at least three incidents where an animal has been impaled and/or killed when jumping the fence surrounding the cemetery. With this most recent incident she stated on the morning of Wednesday, January 11, 2023, Colorado Department of Wildlife District Manager Devin Duvall was called to the scene of a bull moose who had impaled himself on the Riverview Cemetery fence. The bull moose was alive at the time and in distress. With no other options available, Devin put the moose down. The Riverview Cemetery was annexed into the town of Minturn via Ordinance 06 – Series 2018. The fence was installed prior to the Ordinance/Annexation. No files have been found identifying the approval of a fence.

Minturn's fence regulations identify the following: *MMC Sec. 10-8-280 – Barbed wire fences prohibited.*

It shall be unlawful for any person to construct or maintain within the Town any fence, cellar or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

This section of code may need further clarification to ensure the town is not allowing the spearhead posts.

EXHIBIT A

Devin Duvall, Colorado Dept of Wildlife (CDW), spoke of the most recent incident where a bull moose had been impaled on the fence and was euthanized. He discussed the event and has coordinated with Michelle M. and representatives from the Cemetery. He noted this is a very disturbing issue but they desire to resolve by working with the town and the cemetery.

Discussion ensued as to the number of moose in the area; approximately 20 with 2-3 of those males.

Terry A. asked about the documentation taken by CDW when a moose is killed by hunt or other. Mr. Duval outlined the process and difference. She discussed the potential need to better publicize or document when an event of a large animal encounter that CDW could provide to the town when it is localized within the town such as this. She thanked all involved for their interest in resolving this issue so it doesn't occur again.

Michael S. stated the town has a fence code. He stated potentially this is a nuisance and could be prosecuted in Municipal Court. He stated we can look at the fence code. Terry A. asked that the town investigate how other towns address this. Michelle M. stated the fence was installed prior to the code. Michael S. stated although the fence is grandfathered it could be addressed under the nuisance law.

Mr. John Sheehan, Cemetery Board, stated they did months of work prior to install to deal with height etc. He stated he felt they were in compliance. He stated they will work with Devin, this is a sad event and will work to resolve this issue so it doesn't happen again.

Discussion ensued on the leash law and how that might be enforced. Terry A. cited examples and how an education push is made to inform the public of the leash law and wild animals

Mr. Jim Gonzalez, 472 Main, witnessed the event and called Devon. He posted pictures and asked the spikes be removed or even take the fence down. Much of this can be done with volunteers. (He showed pictures to the Council.)

Mr. Kelly Toon, 531 Main St, he stated he and many friends would be happy to help via volunteer. He stated there have been many more than three similar events and that the fence is not good for wildlife. He felt the simplest fix would be to cut the spears off the top of the fence down to the top crossbar.

Mr. Casey McKenna, 661 Main St, was upset this is a repeated event. He was in favor of adapting the fence.

Lynn Teach, 253 Main St, thanked all for getting in front of this and moving for action.

Mr. Sheehan thanked all for coming out and speaking on this. They are trying to secure the cemetery and this will be included. He felt the main gate can be closed and the man-gate used to access the cemetery. This would dissuade the animals from going into the burial area and getting trapped. He said the issue is always when the animals try to jump out of the cemetery, rarely do they jump the fence to get in.

Discussion ensued as to quick repairs that would lead to long term solutions.

10.2 Eagle County School District (ECSD) Fee in Lieu - ECSD Representatives

Michelle M. introduced Tom Braun, ECSD Planner, and Jon Lengel, ECSD Land Appraiser.

Many local governments require dedication of land to the local school district or a fee in lieu in order to offset impacts of additional density on school facilities. This ordinance adds such a requirement to the Town's subdivision code, Chapter 17, that the applicant for a subdivision either dedicate a certain amount of land to the school district or pay a fee in lieu thereof. The amount of land to be dedicated is determined by an equation in the ordinance based on the number of residential units being constructed on the subdivided lots. If the Town decides to collect a fee in lieu of land, that amount is determined by valuing the amount of land that would otherwise be dedicated based on an average land value set by the Town Council. That amount will be set at the next Council meeting by resolution. Minturn and Red Cliff are the only remaining Eagle County communities without a School District Land Dedication Policy.

The proposed Ordinance would apply to any residential subdivision (not individual single-family homes or ADU's) – this is consistent with other Ordinances in the County.

Ms. Sandra Farrell, Chief Operations Officer of the Eagle County School District, spoke. Mr. Tom Braun reviewed a PowerPoint of what the fee would be used for and how much could realistically be garnered, stating this would be a relatively minor fee for a PUD. He associated the PowerPoint as to how it would look in ordinance form and noted the communities that have adopted a similar ordinance as to what is proposed for Minturn.

Lynn F. asked that this was for development to pay for the school impact and asked about reported declining student enrollment trends. Ms. Farrell stated they do have a declining population, however, the units being developed would generate student populations. Her concern expressed was applying school fees to affordable or lower income housing for locals because it would add to the expense.

George B. spoke that this would not affect Minturn directly, Mr. Braun stated Minturn kids would benefit even though they attend outside of the town because most of the in-town students attend schools out of the town limits.

Terry A. felt this was valuable for the community even though she felt it would be adding to building costs.

Michael S. stated that most of his represented municipalities have a similar ordinance(s) in place. He noted it is normal for school districts to cover multiple jurisdictions. He supported a single land valuation over other alternatives. He stated the cost estimates discussed last year were wildly false. He noted the fee would be evaluated at least annually when all town fees are reviewed.

Terry A. asked if our staff has the bandwidth to work on this at this time but was otherwise in general support.



Wednesday, February 1, 2023

Executive Session – 4:30pm

Work Session – 5:30pm

Regular Session – 6:30pm

OFFICIAL MINUTES

**Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/85795998650>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 857 9599 8650**

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PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

The Minturn Town Council will open the Regular Meeting at 4:30pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into a Work Session.

Mayor Earle Bidez Mayor called the meeting to order at 4:30pm.

Those present included: Mayor Earle Bidez (zoom), Mayor Pro Tem Terry Armistead, Town Council members George Brodin (zoom), Lynn Feiger, Gusty Kanakis, Kate Schifani (zoom), and Tom Sullivan.

Christmas Tree Bonfire

Special thanks to Gusty and Jill Kanakis for volunteering to help with the Christmas Tree Bonfire this year, it was a success!

Business License Renewal – Date Extension Reminder

Online business license management software is being incorporated into the www.minturn.org website. We anticipate this online service to be operable by March, 2023. For all business holders in Minturn the deadline for business license renewals is being extended to May 1, 2023, for use of the new system.

Snow Removal – Free Snow Dump Available to Residents

It's been a great year for snow, but things are getting a little crowded. So where should everyone put all that snow? As a reminder, the town of Minturn offers a **free snow dump to residents** (not to plow companies). All residents are welcome to haul any additional snow to the upper parking lot at Little Beach Park for legal snow dumping. Give it a try! It's far better than shoving all that snow onto Main Street!

Maloit Park Road

Maloit Park Road is maintained by the Eagle County School District (ECSD). For questions or concerns regarding road maintenance please contact ECSD at: 970-328-1324 between 6am and 2:30pm.

Michelle M. discussed the previous meeting and asked if the cemetery fence should be addressed as a nuisance. It was also noted that both Michelle M. and Terry A would be attending the February 14 Cemetery District Board meeting. Direction was to proceed as a nuisance.

Michelle M. noted the heavy snow year and encouraged patients for the citizens and that citizens NOT push snow into the right of way it should be put in the on-site snow storage.

13.2 2022 Q3 Update

George B. noted all the work being accomplished by Michelle M. and town staff.

13.3 January 2023 Newsletter

14. COUNCIL COMMENTS & COMMITTEE REPORTS

Kate S. updated on the recent meeting of the Eagle County Housing Authority.

Terry A. updated on the Minturn Fitness Center Board Meeting. The MFC is seeing a profit this year, the MFC is looking at a maintenance plan, a maintenance plan for equipment, membership and attendance is up, all good news.

15. FUTURE AGENDA ITEMS



Wednesday, February 15, 2023

Executive Session – 4:30pm

Regular Session – 5:30pm

OFFICIAL MINUTES

**Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

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Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 829 9239 3906**

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PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

The Minturn Town Council will open the Regular Meeting at 4:30pm for the purpose of convening into Executive Session. At (approximately) 5:30pm the Council will convene into a Regular Session.

2. EXECUTIVE SESSION

- 2.1 An Executive Session for the purposes of receiving legal advice on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to C.R.S. 24-6-402(4)(e)

EXHIBIT A

- 3.2 Resolution 06 – Series 2023 a Resolution in support of the RAISE Grant application – Metteer
- 3.3 Revised Conflict Waiver – Holland and Hart

Motion by Gusty K., second by Lynn F., to approve the Consent Agenda of February 15, 2023 as presented. Motion passed 5-0. Note Terry A. recused herself from the vote due to a conflict of interest and George B. was excused absent.

- 4. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.

Add 13.1 to receive direction to post for and appoint the vacant council seat

Motion by Gusty K., second by Lynn F., to approve the Agenda of February 15, 2023 as presented. Motion passed 6-0.

Note: George B. was excused absent

- 5. **DECLARATION OF CONFLICTS OF INTEREST**

Terry A. noted a conflict of interest will recuse from 12.3 due to conflict

- 6. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

Mr. John Sheehan, Cemetery District Board President updated on the fencing issue. The main large vehicle gates have been closed as well as the man gates. People can enter but the wildlife are not able to work the electronic keypad. He stated they are working to modify the fence to alleviate any further animal concerns and expressed this is at the top of their to-do list. Council thanked the Cemetery District for their quick action on this matter.

Earle B. asked when the work would be done. It was stated it would be in the spring but reiterated that the gates are closed for animals, visitors can still enter. This should alleviate animals from entering and then not being able to get out without trying to jump the fence.

- 7. **COUNCIL COMMENTS & COMMITTEE REPORTS**

Gusty K. thanked all on the water repair in the railyard.

Terry A. updated on the community dinner and said the next one is on March 13 at 5:30pm. She updated on the summer concert series which will start after the 4th of July. This is the 13th year!

Earle B. announced that George B. has resigned from the Council for personal reasons. He was thanked for his years of work.



**Wednesday, May 3, 2023
Regular Session – 5:30pm**

OFFICIAL MINUTES

**Town Council Meeting Minturn Town Hall / Council Chambers
302 Pine St Minturn, CO**

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MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/81201397045>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 812 0139 7045**

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PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on the agenda can be submitted to Jay Brunvand, Town Clerk, prior to the meeting and will be included as part of the record.

1. CALL TO ORDER

Mayor Earle B. called the meeting to order at 5:30pm.

2. ROLL CALL & PLEDGE OF ALLEGIANCE

Those present included: Mayor Earle Bidez, Mayor Pro Tem Terry Armistead, Town Council members, Lynn Feiger, Gusti Kanakis, Brian Rodine, Kate Schifani (zoom), and Tom Sullivan.

Staff present: Attorney Michael Sawyer, Town Manager Michelle Metteer, and Town Clerk/Treasurer Jay Brunvand (zoom).

EXHIBIT A

3. **APPROVAL OF CONSENT AGENDA** Consent agenda items are routine Town business, items that have received clear direction previously from the council, final land-use file documents after the public hearing has been closed, or which do not require council deliberation.

- 3.1 April 19, 2023, Meeting Minutes
- 3.2 Authorization for Mayor to Sign – Letter to USFS RE: Eco Trails
- 3.3 Liquor License: 131 Main St – The Minturn Country Club annual renewal of a Hotel and Restaurant Liquor License, Tom Ricci, owner/manager
- 3.4 Eagle River Distilling LLC, 23698 US-24, Unit E1 Minturn, CO 81645, Spence Neubauer, Member – application for a Colorado Liquor Distillery Sales Room
- 3.5 Wild Mountain Cellars, Wild Mountain Cellars, LLC Tasting Room, Matt Deem, owner, 152 Main St

Earle B. noted a conflict and did not vote. Terry A. assumed the meeting for this item.

Motion by Tom S., second by Gusty K., to approve the Consent Agenda of May 3, 2023 as presented. Motion passed 6-0.

4. **APPROVAL OF REGULAR AGENDA** Opportunity for amendment or deletions to the agenda.

Motion by Terry A., second by Tom S., to approve the Agenda of May 3, 2023 as presented. Motion passed 7-0.

5. **DECLARATION OF CONFLICTS OF INTEREST**

6. **PUBLIC COMMENT** Citizens are invited to comment on any item on the Consent Agenda, or not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Clerk. Those who are speaking are requested to state their name and address for the record.

7. **COUNCIL COMMENTS & COMMITTEE REPORTS**

Terry A. noted she met with Cemetery Manager Sidney Harrington that the Cemetery is reviewing options to modify the fence as discussed at a previous Council meeting and direction. Lynn F. expressed a time limit to complete the project should be discussed, however, at this time they cannot conduct work due to the elk caving season. It was noted the gates to the cemetery have been closed to prevent animal access.

Earle B. noted the snow run off and that we have sand and bags available to citizens if needed. He noted the bears are up and out as well.

8. **STAFF REPORTS**

- 8.1 Manager Report

EXHIBIT B

SO24172082 - ANI - WILD - ANIMAL COMPLAINT - WILDLIFE ANIMALS
806 CEMETERY RD MINT: @MINTURN CEMETERY

EVENT INFORMATION - SO24172082

06/20/24

Event Type : ANI; **Event ID :** SO24172082; **Priority :** 4; **Status :** A; **Source :** PHONE; **DGroup :** ECSO;
Disposition Code : HBO; **Terminal :** comm-dispatch6; **Dup No. :** 1; **Calltaker ID:** 885

AGENCY INFORMATION

Agency : ECSO; **Priority :** 4; **DGroup :** ECSO; **ESZ :** 14109; **Area :** MINT; **Added :** 06/20/24 16:05:26;
Dispatched : 06/20/24 16:06:02; **Arrived :** 06/20/24 16:26:39; **Closed :** 06/20/24 16:35:41; **Close ID :** 859;
Close Terminal : \$1221; **Event ID :** SO24172082; **Primary Unit :** 1221;

REMARKS

06/20/24 16:05:26 (comm-dispatch6) : DEER TRIED TO JUMP OVER THE FENCE
06/20/24 16:05:26 (comm-dispatch6) : NEEDS TO BE DISPATCHED
06/20/24 16:05:26 (comm-dispatch6) : AT THE ENTRANCE, LOOKERS LEFT HEADING TOWARD TOOL SHED
06/20/24 16:05:26 (comm-dispatch6) : RP WILL BE ON SCENE
06/20/24 16:05:46 (comm-dispatch6) : Duplicate Event:Location = 806 CEMETERY RD MINT : @MINTURN CEMETERY, Cross Street 1 = S MAIN ST, Type = ANI ANIMAL COMPLAINT, Subtype = WILD WILDLIFE ANIMALS, Caller Name = VILLALBA, LUIS, Caller Ph Number = (720)831-8641, Caller Address = S15 TSS R81W VAIL, Call Source = ANI/ALL, Alarm Level = 0 TSS R81W S35 WPH2 171
06/20/24 16:05:46 (comm-dispatch6) : -106.420934 +39.580489
06/20/24 16:05:46 (comm-dispatch6) : DEER IS STUCK IN THE FENCE CANNOT GET OUT
06/20/24 16:05:46 (comm-dispatch6) : THE WIRE IS CUTTING THE DEER
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06/20/24 16:05:46 (comm-dispatch6) : End of Duplicate Event data
06/20/24 16:09:26 (comm-dispatch6) : CPW ADV
06/20/24 16:25:21 (comm-dispatch8) : ANOTHER CALLER 720 831 8641
06/20/24 16:26:47 (comm-dispatch6) : 1221 - DISPATCHING SMALL DOE
06/20/24 16:32:10 (comm-dispatch6) : 1221 - ON SHOT FIRED @1632
06/20/24 16:35:11 (\$1221) : DEER IS DECEASED NOW, INSIDE CEMETERY FENCE

CROSS REFERENCED EVENTS

Event	Agency	DGroup	Event Type	Event Subtype	Date Cross Referenced	Location
SO24172093	ECSO	ECSO	FOLU	default	06/20/24 17:10:53	806 CEMETERY RD MINT: @CEMETERY MINTURN

CALLER INFORMATION

Name: GOLDBERG, NATE
Phone: (970)331-7913
Address:

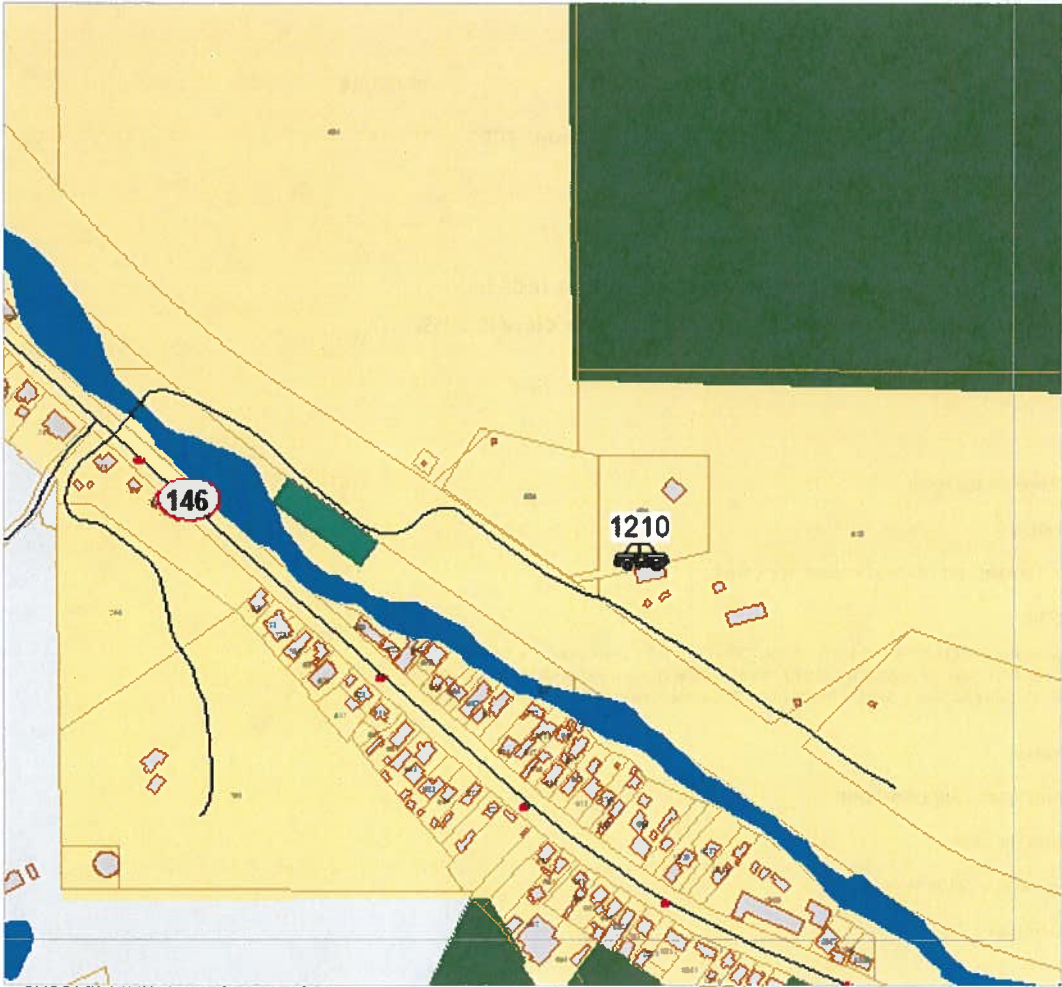
LOCATION INFORMATION

806 CEMETERY RD MINT @MINTURN CEMETERY

X-STREET 1: S MAIN ST
X-STREET 2:

EXHIBIT B

Location Choices



SUPPLEMENTAL INFORMATION

Person 0
Vehicle 0
Property 0
Contact Name 0
Incident Times 0

Kevin Rindy
301 Boulder St #309
302 Pine St
Minturn, CO 81645
970-445-2434
www.minturn.org
code@minturn.org



Town Council
Mayor – Earle Bidez
Mayor Pro Tem – Eric Gotthelf
Council Members:
Lynn Feiger
Gusty Kanakis
Tom Priest
Brian Rodine
Kate Schifani

Minturn Cemetery Fence Report

Date of Incident: June 20, 2024

Minturn Code Compliance

Report by: Kevin Rindy

Incident Violation Address: 806 Cemetery Road Minturn, CO 81645

Violating Section of MMC: 7-2-10, and 7-2-20; 10-8-280,

Sec. 7-2-10. - Definitions; Nuisance

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property;
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; or
- d. Create a hazard to health or safety of the public or wildlife, including, but not limited to, a demonstrable risk of injury to or fatalities of wildlife.

Sec. 7-2-20. - Nuisances prohibited.

No person being the owner, agent, renter, lessee, tenant, occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.

Sec. 10-8-280 – Hazardous fencing and improvements

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

(Prior code 10-188; Ord. 4-2007 §1; Ord. [7-2024](#) §2)

EXHIBIT C

Editor's note— Ord. [7-2024](#) §2, adopted May 1, 2024, amended the title of § 10-8-280 to read as herein set out. The former § 10-8-280 title pertained to barbed wire fences prohibited.

Overview of Issue:

The metal fence surrounding the Riverview Cemetery property is built of welded metal posts about 6' tall. Each post is adorned with a metal spike at the end/top. Wildlife attempting to jump the fence do not always clear the height of the fence post and become impaled by the spikes. This is similar to the incident that occurred on June 20, 2024, resulting in the death of a deer. The fence spikes conflict with the above-referenced sections of the Minturn Municipal Code.

Documentation Included:

- Eagle County Sheriff Deputy Incident Report
- Eagle County Sheriff Sergeant Comroe Witness Report
- Town of Minturn Notice of Violation Letter
- Ordinance 06 – Series 2024 Amendment of Nuisance Ordinance
- Ordinance 07- Series 2024 Amendment of Fence Ordinance

EXHIBIT C

SO24172082 - ANI - WILD - ANIMAL COMPLAINT - WILDLIFE ANIMALS
806 CEMETERY RD MINT: @MINTURN CEMETERY

EVENT INFORMATION - SO24172082

06/20/24

Event Type : ANI; **Event ID** : SO24172082; **Priority** : 4; **Status** : A; **Source** : PHONE; **DGroup** : ECSO;
Disposition Code : HBO; **Terminal** : comm-dispatch6; **Dup No.** : 1; **Calltaker ID**: 885

AGENCY INFORMATION

Agency : ECSO; **Priority** : 4; **DGroup** : ECSO; **ESZ** : 14109; **Area** : MINT; **Added** : 06/20/24 16:05:26;
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Close Terminal : \$1221; **Event ID** : SO24172082; **Primary Unit** : 1221;

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06/20/24 16:05:26 (comm-dispatch6) : NEEDS TO BE DISPATCHED
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CROSS REFERENCED EVENTS

Event	Agency	DGroup	Event Type	Event Subtype	Date Cross Referenced	Location
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CALLER INFORMATION

Name: GOLDBERG, NATE
Phone: (970)331-7913
Address:

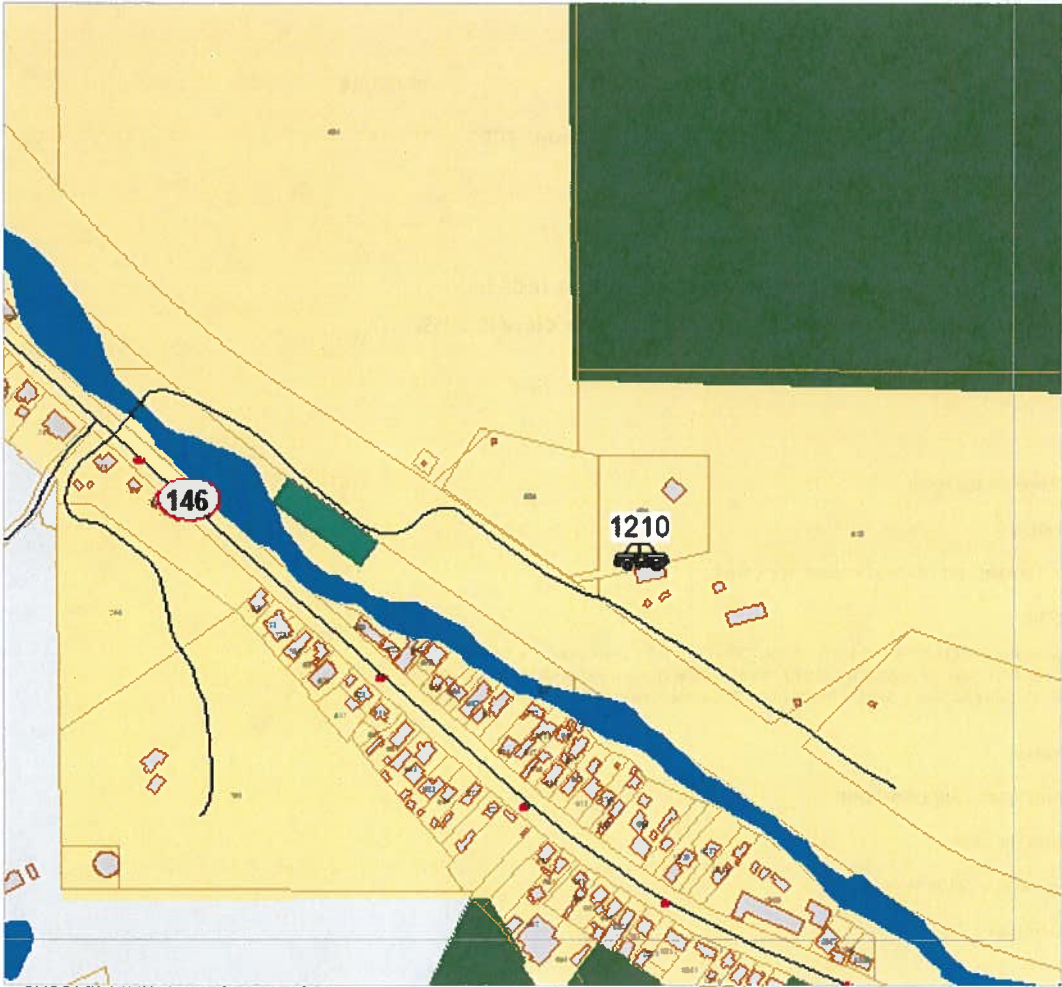
LOCATION INFORMATION

806 CEMETERY RD MINT: @MINTURN CEMETERY

X-STREET 1: S MAIN ST
X-STREET 2:

EXHIBIT C

Location Choices



SUPPLEMENTAL INFORMATION

Person 0

Vehicle 0

Property 0

Contact Name 0

Incident Times 0

EXHIBIT C

From: [Tim Comroe](#)
To: [Michelle Metteer](#)
Subject: Minturn cemetery
Date: Wednesday, July 17, 2024 1:03:52 PM

Good afternoon, Michelle

I spoke with Nate Goldberg, who called Vail Communication on June 20, 2024, to report the deer trapped between the fence pickets. Per my conversation with Mr. Goldbert, he believed the deer attempted to jump over the metal fence when the deer propelled itself onto the pointed picket under the belly of the deer. Mr. Goldberg stated the deer struggled to remove itself from the picket. After working for several minutes, the deer freed itself and fell into the cemetery, losing a large amount of blood and struggling to move as it lay on the ground. I told you that I was starting to look at BWC. However, I misspoken, and there is no video of the incident. Mr. Goldberg said he is pleased that the Town of Minturn is attempting to address the fence surrounding the cemetery property so this doesn't happen again to the wildlife.

If you have further questions, Mr. Goldberg can be reached at (970) 331-7913.

Tim Comroe

Administration Sergeant



885 E. Chambers Ave

Po Box 359

Eagle, CO, 81631

Office: (970) 328-8500

Detention: (970) 328-8564

Fax: (970) 328-1448

Cell: (970) 376-7019

<https://www.eaglesheriff.com>

"Our mission is to serve the people of Eagle County by promoting and maintaining a sense of peace and cooperation throughout our community and improving the quality of life through excellence."

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF
THE MINTURN MUNICIPAL CODE TO PROHIBIT
NUISANCES WHICH HARM WILDLIFE.**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, Chapter 7 of the Town’s Municipal Code governs the administration and abatement of nuisances generally; and

WHEREAS, the Town has seen an increase in nuisances that harm or kill wildlife; and

WHEREAS, wildlife injuries and fatalities present a variety of risks to the health, safety and welfare of the Town’s visitors and residents; and

WHEREAS, Minturn Municipal Code Sec. 7-2-10 defines nuisance in part as any substance, act occupation, condition, or use of property that substantially annoys, injures, or damages the comfort, health, repose or safety of the public; and

WHEREAS, Colorado Parks and Wildlife recommends fencing that allows wildlife to jump over or crawl under the fence without risk of injury and that provides wildlife access to important habitats and travel corridors, like their accustomed fawning/calving ground; and

WHEREAS, Colorado Parks and Wildlife discourages fencing that includes spikes or other sharpened points which could injure or impale wildlife; and

WHEREAS, Minturn Municipal Code Sec. 10-8-280 makes it unlawful for any person to construct or maintain any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails, or any other pointed or sharpened thing or metallic substance; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Municipal Code to prohibit nuisances against the public and wildlife and that the following amendments to the Minturn Municipal Code are necessary for the preservation of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

EXHIBIT C

SECTION 2. Section 7-2-10 of the Minturn Municipal Code is hereby amended as set forth below, with new text double underlined and deleted text in ~~strikethrough~~. The Town's codifier is authorized to renumber and format the code in conformance with these amendments.

ARTICLE 2 – Administration and Abatement of Nuisances

...

Sec. 7-2-10. - Definitions.

...

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by ~~the Town's Municipal Code this Article~~, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction ~~or agency thereof~~, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property; ~~or~~
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; ~~or~~
- d. Create a hazard to health or safety of the public or wildlife, including but not limited to a demonstrable risk of injury to or fatalities of wildlife.

SECTION 3. The amendment of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceedings as commenced under or by virtue of the provisions of the Municipal Code as it existed prior to the effective date of these amendments.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

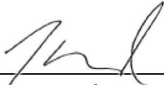
TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

EXHIBIT C

ATTEST:

By: 
Jay Brunvand, Town Clerk

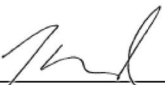


THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO


Earle Bidez, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk



TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 19, ARTICLE 9 OF THE MINTURN MUNICIPAL CODE THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 17th DAY OF APRIL, 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024

AN ORDINANCE APPROVING THE DEVELOPMENT AND VESTED PROPERTY RIGHTS AGREEMENT IMPLEMENTING THE BOLTS LAKE SETTLEMENT AGREEMENT INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 17TH DAY OF APRIL 2024 AT 5:30PM. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Bidez, Mayor Earle

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF THE MINTURN MUNICIPAL CODE TO PROHIBIT NUISANCES WHICH HARM WILDLIFE INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF THE MINTURN MUNICIPAL CODE TO REVISE THE SECTION PROHIBITING CERTAIN FENCING IN THE TOWN. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2024

EXHIBIT C

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO CLARIFYING THAT VIOLATIONS OF ITS MUNICIPAL CODE ARE CIVIL INFRACTIONS. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SATURDAY, APRIL 20, 2024.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024**

**AN ORDINANCE APPROVING THE
DEVELOPMENT AND VESTED PROPERTY
RIGHTS AGREEMENT IMPLEMENTING THE
BOLTS LAKE SETTLEMENT AGREEMENT**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEBSITE THIS 1ST DAY OF MAY 2024.

THIS ORDINANCE WILL BE LEGALLY EFFECTIVE
THIRTY (30) DAYS AFTER PUBLICATION
FOLLOWING THE DATE ON WHICH TOWN
COUNCIL APPROVED THIS ORDINANCE ON
SECOND READING; PROVIDED, HOWEVER, AND
NOTWITHSTANDING SUCH EARLIER EFFECTIVE
DATE OF THIS ORDINANCE, THE DEVELOPMENT
AGREEMENT APPROVED BY THIS ORDINANCE
WILL NOT BE RECORDED WITH THE EAGLE
COUNTY CLERK AND RECORDER OR LEGALLY
EFFECTIVE OR BINDING ON ANY PARTY PRIOR
TO IMPLEMENTATION OF THE SETTLEMENT AS
DEFINED IN AND IN ACCORDANCE WITH THE
TERMS AND CONDITIONS OF THE SETTLEMENT
AGREEMENT (AS SUCH TERMS ARE DEFINED
IN THE DEVELOPMENT AGREEMENT).

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 7, ARTICLE 2 OF THE MINTURN
MUNICIPAL CODE TO PROHIBIT NUISANCES
WHICH HARM WILDLIFE.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 10, ARTICLE 8 OF THE MINTURN
MUNICIPAL CODE TO REVISE THE SECTION
PROHIBITING CERTAIN FENCING IN THE
TOWN.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO CLARIFYING THAT
VIOLATIONS OF ITS MUNICIPAL CODE ARE
CIVIL INFRACTIONS.**

EXHIBIT C

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
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TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 09 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 18 OF THE MINTURN MUNICIPAL
CODE TO CREATE THE CEMETERY ZONE
DISTRICT AND ASSOCIATED USE AND
DEVELOPMENT STANDARDS WITHIN THE
LIONSHEAD CHARACTER AREA**

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 1st
DAY OF MAY 2024. A PUBLIC HEARING ON THIS
ORDINANCE SHALL BE HELD AT THE REGULAR
MEETING OF THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO ON THE 15th
DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN
TOWN HALL 302 PINE STREET, MINTURN
COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON TUESDAY,
MAY 7, 2024.**

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF
THE MINTURN MUNICIPAL CODE TO REVISE THE
SECTION PROHIBITING CERTAIN FENCING IN THE
TOWN.**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, Chapter 10, Article 8 of the Minturn Municipal Code governs the prohibition of dangerous fencing, among other things; and

WHEREAS, Colorado Parks and Wildlife recommends fencing that allows wildlife to jump over or crawl under the fence without risk of injury and that provides wildlife access to important habitats and travel corridors, like their accustomed fawning/calving ground; and

WHEREAS, Colorado Parks and Wildlife discourages fencing that includes spikes or other sharpened points which could injure or impale wildlife;

WHEREAS, the Town has experienced wildlife deaths caused by sharpened materials affixed to the top of fencing; and

WHEREAS, wildlife injuries and fatalities present a variety of risks to the health, safety and welfare of the Town’s visitors and residents; and

WHEREAS, Minturn Municipal Code Sec. 10-8-280 makes it unlawful for any person to construct or maintain any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails, or any other pointed or sharpened thing or metallic substance; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Municipal Code to clarify the extent of Minturn Municipal Code Sec. 10-8-280 and that the following amendments to the Minturn Municipal Code are necessary for the preservation of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Section 10-8-280 of the Minturn Municipal Code is hereby amended as set forth below, with new text double underlined and deleted text in ~~striketrough~~. The Town’s codifier is authorized to renumber and format the code in conformance with these amendments.

ARTICLE 8 – Public Peace, Order and Safety

...

Sec. 10-8-280. – Hazardous Fencing and Improvements.

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

SECTION 3. The amendment of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceedings as commenced under or by virtue of the provisions of the Municipal Code as it existed prior to the effective date of these amendments.

INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

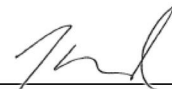
By: _____
Jay Brunvand, Town Clerk



EXHIBIT C

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk



TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 19, ARTICLE 9 OF THE MINTURN MUNICIPAL CODE THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 17th DAY OF APRIL, 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024

AN ORDINANCE APPROVING THE DEVELOPMENT AND VESTED PROPERTY RIGHTS AGREEMENT IMPLEMENTING THE BOLTS LAKE SETTLEMENT AGREEMENT INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 17TH DAY OF APRIL 2024 AT 5:30PM. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Bidez, Mayor Earle

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF THE MINTURN MUNICIPAL CODE TO PROHIBIT NUISANCES WHICH HARM WILDLIFE INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF THE MINTURN MUNICIPAL CODE TO REVISE THE SECTION PROHIBITING CERTAIN FENCING IN THE TOWN. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2024

EXHIBIT C

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO CLARIFYING THAT VIOLATIONS OF ITS MUNICIPAL CODE ARE CIVIL INFRACTIONS. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

PUBLISHED IN THE VAIL DAILY ON SATURDAY, APRIL 20, 2024.

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024**

**AN ORDINANCE APPROVING THE
DEVELOPMENT AND VESTED PROPERTY
RIGHTS AGREEMENT IMPLEMENTING THE
BOLTS LAKE SETTLEMENT AGREEMENT**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEBSITE THIS 1ST DAY OF MAY 2024.

THIS ORDINANCE WILL BE LEGALLY EFFECTIVE
THIRTY (30) DAYS AFTER PUBLICATION
FOLLOWING THE DATE ON WHICH TOWN
COUNCIL APPROVED THIS ORDINANCE ON
SECOND READING; PROVIDED, HOWEVER, AND
NOTWITHSTANDING SUCH EARLIER EFFECTIVE
DATE OF THIS ORDINANCE, THE DEVELOPMENT
AGREEMENT APPROVED BY THIS ORDINANCE
WILL NOT BE RECORDED WITH THE EAGLE
COUNTY CLERK AND RECORDER OR LEGALLY
EFFECTIVE OR BINDING ON ANY PARTY PRIOR
TO IMPLEMENTATION OF THE SETTLEMENT AS
DEFINED IN AND IN ACCORDANCE WITH THE
TERMS AND CONDITIONS OF THE SETTLEMENT
AGREEMENT (AS SUCH TERMS ARE DEFINED
IN THE DEVELOPMENT AGREEMENT).

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 7, ARTICLE 2 OF THE MINTURN
MUNICIPAL CODE TO PROHIBIT NUISANCES
WHICH HARM WILDLIFE.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 10, ARTICLE 8 OF THE MINTURN
MUNICIPAL CODE TO REVISE THE SECTION
PROHIBITING CERTAIN FENCING IN THE
TOWN.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO CLARIFYING THAT
VIOLATIONS OF ITS MUNICIPAL CODE ARE
CIVIL INFRACTIONS.**

EXHIBIT C

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 09 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 18 OF THE MINTURN MUNICIPAL
CODE TO CREATE THE CEMETERY ZONE
DISTRICT AND ASSOCIATED USE AND
DEVELOPMENT STANDARDS WITHIN THE
LIONSHEAD CHARACTER AREA**

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 1st
DAY OF MAY 2024. A PUBLIC HEARING ON THIS
ORDINANCE SHALL BE HELD AT THE REGULAR
MEETING OF THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO ON THE 15th
DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN
TOWN HALL 302 PINE STREET, MINTURN
COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON TUESDAY,
MAY 7, 2024.**

EXHIBIT D



Michael J. Sawyer
Partner/Shareholder

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

mjs@mountainlawfirm.com
Direct: 970.928.2118
Office: 970.945.2261
Fax: 970.945.7336
**Direct Mail to Glenwood Springs*

August 7, 2024

Via USPS and Email

Minturn Cemetery District
c/o John Sheehan, President
806 Cemetery Road
PO Box 297
Minturn, CO 81645
office@minturncemetary.org

CC:
Kendra Carberry, Esq.
Hoffman, Parker, Wilson, Carberry, P.C.
511 16th Street
Denver, CO 80202
klc@hpwclaw.com; klc@minturncemetary.org

Re: River View Cemetery Fence

Dear Mr. Sheehan:

As you know, this law firm represents the Town of Minturn. The purpose of this correspondence is to address ongoing issues with the River View Cemetery Fence.

The River View Cemetery located at 806 Cemetery Road, is owned by the Minturn Cemetery District. Continually, there have been animal deaths due to the spiked wrought iron fence that surrounds the River View Cemetery. Most recently, a deer was impaled on the fence and had to be killed due to injuries sustained (Sherriff's Report attached). In the recent past, there have been many wildlife deaths, including a bull moose, all of which are directly related to the spiked nature of the fence.



1 River View Cemetery Fence

Page 2

The Town of Minturn Municipal Code (“Code”) contains municipal ordinances enacted and must be enforced by the Town of Minturn. Of note, Article 2 defines nuisances and the abatement thereof. Section 7-2-10 of the Town of Minturn Municipal Code, as amended May 2024 in Ordinance No. 06 – Series 2024 states:

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town’s Municipal Code this Article, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction or agency thereof, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property; or
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; or
- d. Create a hazard to health or safety of the public or wildlife, including but not limited to a demonstrable risk of injury to or fatalities of wildlife.

Nuisances are prohibited by Section 7-2-20 which provides that “no person being the owner, agent, renter, lessee, tenant, occupant, or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.”

Further, Code section 10-8-280 prohibits the use of barbed wire and other dangerous fences. The Code states “it shall be unlawful for any person to construct or maintain within the Town, or allow to remain on property within the town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails, *or any other pointed or sharpened thing* or metallic substance.” The spiked points of the fence are pointed or sharpened and are prohibited by the Code.

Here, the spiked fence, which has resulted in multiple animal deaths, has been declared a nuisance by the Town Administrator. The Town of Minturn is hereby requesting abatement of the spiked fence no later than September 13, 2024. In the event the River View Cemetery fence is not properly abated, the Town of Minturn will move forward with prosecuting the Minturn Cemetery District for violations of the Code. Alternatively, the Town will abate the nuisance itself as allowed under Section 7-2-70. This letter is sent pursuant to Section 7-2-30 of the Municipal Code.

Page 3

Please consider the matters discussed in this letter and advise how you will proceed to abate the pointed fence by September 13, 2024. You may contact me with any questions or concerns.

Very truly yours,

KARP NEU HANLON, P.C.



Michael J. Sawyer

EXHIBIT E

From: [Michael J. Sawyer](#)
To: [Harper E. Powell](#)
Subject: FW: Minturn Cemetery District - Declaration of Nuisance and Notice of Need to Abate
Date: Thursday, October 9, 2025 12:22:15 AM

Michael J. Sawyer | Partner/Shareholder

Karp Neu Hanlon, P.C.

Phone: 970.945.2261 x 117

Direct: 970.928.2118

Office: 201 14th Street, Suite 200, Glenwood Springs, CO 81601

Mailing: P.O. Drawer 2030, Glenwood Springs, CO 81601

Glenwood Springs | Basalt | Aspen | Ridgway

mjs@mountainlawfirm.com | www.mountainlawfirm.com

This transmission may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Kendra Carberry <klc@hpwclaw.com>
Sent: Thursday, August 8, 2024 4:15 PM
To: Michael J. Sawyer <mjs@mountainlawfirm.com>
Cc: Michelle Metteer <mmetteer@minturn.org>; Minturn Cemetery <office@minturncemetery.org>; Matt Mire <jmm@hpwclaw.com>
Subject: RE: Minturn Cemetery District - Declaration of Nuisance and Notice of Need to Abate

Michael,

Please be aware that the District finds your client's declaration of nuisance to be unlawful and a violation of the District's right to due process. To be clear, the Town of Minturn does not have permission to enter the District's property for any purpose, including abatement. Any entry onto District property by Town staff without a valid court order will be deemed a willful and wanton trespass, and the District will seek all available remedies for such trespass.

EXHIBIT E

As you know, the Town expressly approved the installation of this fence, so the Town is estopped from now claiming that the fence is a nuisance. If the Town now wants the fence removed, the Town would need to pay for such removal.

Kendra L. Carberry, Esq.

she, her, hers

Hoffmann, Parker, Wilson & Carberry, P.C.

511 16th Street, Suite 610

Denver, CO 80202

(303) 951-2095

From: Michael J. Sawyer <mjs@mountainlawfirm.com>

Sent: Wednesday, August 7, 2024 6:24 PM

To: Minturn Cemetery <office@minturncemetery.org>; Kendra Carberry <klc@hpwclaw.com>

Cc: Michelle Metteer <mmetteer@minturn.org>

Subject: Minturn Cemetery District - Declaration of Nuisance and Notice of Need to Abate

Mr. Sheehan and Ms. Carberry,

Please see the attached documents pertaining to a nuisance maintained by the Minturn Cemetery District.

If you would like to discuss this matter, please let me know and we will set up a meeting.

Michael

Karp Neu Hanlon^{PC}
ATTORNEYS AT LAW

Michael J. Sawyer

201 14th Street, Suite 200, P.O. Drawer 2030, Glenwood Springs, CO 81602

T: 970.945.2261 x117 / D: 970-928-2118 / F: 970.945.7336

www.mountainlawfirm.com

This transmission may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Minturn Cemetery Fence Report

Date of Incident: June 20, 2024, *Supplement July 8, 2025*

Minturn Code Compliance

Report by: Kevin Rindy

Incident Violation Address: 806 Cemetery Road Minturn, CO 81645

Violating Section of MMC: 7-2-10, and 7-2-20; 10-8-280,

Sec. 7-2-10. - Definitions; Nuisance

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property;
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; or
- d. Create a hazard to health or safety of the public or wildlife, including, but not limited to, a demonstrable risk of injury to or fatalities of wildlife.

Sec. 7-2-20. - Nuisances prohibited.

No person being the owner, agent, renter, lessee, tenant, occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.

Sec. 10-8-280. - Hazardous fencing and improvements.

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

(Prior code 10-188; Ord. 4-2007 §1; Ord. [7-2024](#) §2)

Editor's note— Ord. [7-2024](#) §2, adopted May 1, 2024, amended the title of § 10-8-280 to read as herein set out. The former § 10-8-280 title pertained to barbed wire fences prohibited.

Overview of Issue:

The metal fence surrounding the Riverview Cemetery property is built of welded metal posts about 6' tall. Each post is adorned with a metal spike at the end/top. Wildlife attempting to jump the fence do not always clear the height of the fence post and become impaled by the spikes. This is similar to the incident that occurred on June 20, 2024, resulting in the death of a deer. The fence spikes conflict with the above-referenced sections of the Minturn Municipal Code. *A site visit was conducted on July 3, 2025 and the following observations were noted: West Side / Main Entrance of property fence still has spikes attached to fence. Portions of the North and South fence sections have spikes removed. The rest of the perimeter fence has spikes in place.*

Site Photos



EXHIBIT D



North Side of Fence Section with no Spikes



South Side of Fence Section with no Spikes



North Side of Fence Section with no Spikes



West Side / Main Entrance of Fence with Spikes



Michael J. Sawyer, Esq.
Partner

Email: mjs@mountainlawfirm.com
Direct: 970.928.2118
Office: 970.945.2261 x 117

July 17, 2025

Sent via Email

Kendra Carberry, Esq.
Hoffman, Parker, Wilson, Carberry, P.C.
511 16th Street
Denver, CO 80202
klc@hpcwclaw.com;
klc@minturncemetery.org

Re: River View Cemetery Fence

Dear Ms. Carberry:

We are reaching out once again on behalf of our client Town of Minturn regarding the ongoing nuisance present on the property of your client River View Cemetery.

Our last correspondence, dated September 27, 2024, addressed the dangerous nature of the spiked fence that constitutes a nuisance under the Minturn Municipal Code (the "Code"). The letter cited several documented incidents resulting in deaths of a bull moose and several elk and deer, including one on June 20, 2024 that required the Eagle County Sheriff's Office to euthanize a deer stuck on the fence. *See* September 27, 2024 letter, attached as **Exhibit A**; June 20, 2024 Minturn Cemetery Fence Report, attached as **Exhibit B**; and Draft Complaint, attached as **Exhibit C**. The letter also required the Cemetery to provide confirmation and a graphic plan for abatement of the nuisance by October 4, 2024. Failure to do so would result in the Town initiating prosecution proceedings in Minturn Municipal Court. The Town received no response from the Cemetery.

On July 3, 2025, Town Code Enforcement conducted a site visit at the Cemetery, which showed that portions of the north and south sections of the fence have spikes removed. *See* July 8, 2025 Minturn Cemetery Fence Report, attached as **Exhibit D**. However, spikes remain on the west side of the fence and the other portions of the fence along the perimeter.

The Town appreciates the Cemetery's efforts to reduce the dangerous condition along portions of the fence; however, compliance with the Code requires removal of all spikes on the fence. Given that our last communication with you was nearly ten months ago and the Cemetery has had ample time to abate the nuisance, we are once again requiring the Cemetery to remove all spikes along the fence. No later than Friday, August 8th, please submit to the Town a plan for abatement that includes details for abatement measures and a timeline for completion. If the Cemetery fails to do

Mail to:
Glenwood Springs
201 14th Street, Suite 200
P.O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road
Suite 4102-J
Aspen, CO 81611

Basalt
200 Basalt Center
Suite 200
Basalt, CO 81621

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432



Page 2 of 2

so, the Town will file a complaint in Minturn Municipal Court seeking the court to order abatement of the nuisance.

Please reach out if you have questions. The Town would be happy to arrange a meeting between the Minturn Cemetery District and the Town Manager, Rob Gutierrez, to review abatement measures. We look forward to hearing from you by August 8, 2025.

Sincerely,

KARP NEU HANLON, P.C.

A handwritten signature in blue ink that reads "Michael".

Michael J. Sawyer, Esq.

MJS:hep

cc: Rob Gutierrez
Kevin Rindy

Enclosures



Michael J. Sawyer
Partner/Shareholder

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

mjs@mountainlawfirm.com
Direct: 970.928.2118
Office: 970.945.2261
Fax: 970.945.7336
**Direct Mail to Glenwood Springs*

September 27, 2024

Via Email

Kendra Carberry, Esq.
Hoffman, Parker, Wilson,
Carberry, P.C.
511 16th Street
Denver, CO 80202
klc@hpcwclaw.com;
klc@minturncemetary.org

Re: River View Cemetery Fence

Dear Ms. Carberry:

The purpose of this letter is to follow up from our recent correspondence, dated August 7, 2024, in which our client, the Town of Minturn, requested abatement of the nuisance caused by the spiked fence at the River View Cemetery.

As you are aware, there have been numerous wildlife deaths resulting from the spiked design of the fence. The Town has declared the fence a nuisance, as described in the above-referenced letter, and has requested abatement by September 13, 2024. The date to comply has passed and we have not received acknowledgment of our request, nor have we seen efforts to abate the nuisance.

The Town is especially concerned about the time sensitive nature of this matter. Wildlife is increasingly active and will be crossing the wildlife corridor in which the cemetery sits much more frequently during their fall migrations before the winter months. Additionally, the ability to remove the spikes from the fence or change the fence design will be impaired by winter snow and conditions. Therefore, time is of the essence to resolve this issue.

The Town needs confirmation that your client will take measures to comply with the Town code and abate the nuisance by a certain date. This includes a graphic plan of the abatement measures. Please confirm by October 4 that the Cemetery will undertake abatement and by what date. If your client is unwilling to fully abate the nuisance, the Town will cite the Cemetery for violation of the municipal code and prosecute the matter in municipal court.

It is the Town's preference to use a collaborative approach for solving this issue. The Town wishes to have the nuisance resolved for the health and safety of our Colorado wildlife.

Page 2

Thank you for your attention to this matter. We look forward to hearing from you by October 4, 2024.

Very truly yours,

KARP NEU HANLON, P.C.



Michael J. Sawyer

Kevin Rindy
301 Boulder St #309
302 Pine St
Minturn, CO 81645
970-445-2434
www.minturn.org
code@minturn.org



Town Council
Mayor – Earle Bidez
Mayor Pro Tem – Eric Gotthelf
Council Members:
Lynn Feiger
Gusty Kanakis
Tom Priest
Brian Rodine
Kate Schifani

Minturn Cemetery Fence Report

Date of Incident: June 20, 2024

Minturn Code Compliance

Report by: Kevin Rindy

Incident Violation Address: 806 Cemetery Road Minturn, CO 81645

Violating Section of MMC: 7-2-10, and 7-2-20; 10-8-280,

Sec. 7-2-10. - Definitions; Nuisance

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property;
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; or
- d. Create a hazard to health or safety of the public or wildlife, including, but not limited to, a demonstrable risk of injury to or fatalities of wildlife.

Sec. 7-2-20. - Nuisances prohibited.

No person being the owner, agent, renter, lessee, tenant, occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.

Sec. 10-8-280 – Hazardous fencing and improvements

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

(Prior code 10-188; Ord. 4-2007 §1; Ord. [7-2024](#) §2)

Editor's note— Ord. [7-2024](#) §2, adopted May 1, 2024, amended the title of § 10-8-280 to read as herein set out. The former § 10-8-280 title pertained to barbed wire fences prohibited.

Overview of Issue:

The metal fence surrounding the Riverview Cemetery property is built of welded metal posts about 6' tall. Each post is adorned with a metal spike at the end/top. Wildlife attempting to jump the fence do not always clear the height of the fence post and become impaled by the spikes. This is similar to the incident that occurred on June 20, 2024, resulting in the death of a deer. The fence spikes conflict with the above-referenced sections of the Minturn Municipal Code.

Documentation Included:

- Eagle County Sheriff Deputy Incident Report
- Eagle County Sheriff Sergeant Comroe Witness Report
- Town of Minturn Notice of Violation Letter
- Ordinance 06 – Series 2024 Amendment of Nuisance Ordinance
- Ordinance 07- Series 2024 Amendment of Fence Ordinance

EXHIBIT G
EXHIBIT B

SO24172082 - ANI - WILD - ANIMAL COMPLAINT - WILDLIFE ANIMALS
806 CEMETERY RD MINT: @MINTURN CEMETERY

EVENT INFORMATION - SO24172082

06/20/24

Event Type : ANI; Event ID : SO24172082; Priority : 4; Status : A; Source : PHONE; DGroup : ECSO;
Disposition Code : HBO; Terminal : comm-dispatch6; Dup No. : 1; Calltaker ID: 885

AGENCY INFORMATION

Agency : ECSO; Priority : 4; DGroup : ECSO; ESZ : 14109; Area : MINT; Added : 06/20/24 16:05:26;
Dispatched : 06/20/24 16:06:02; Arrived : 06/20/24 16:26:39; Closed : 06/20/24 16:35:41; Close ID : 859;
Close Terminal : \$1221; Event ID : SO24172082; Primary Unit : 1221;

REMARKS

06/20/24 16:05:26 (comm-dispatch6) : DEER TRIED TO JUMP OVER THE FENCE
06/20/24 16:05:26 (comm-dispatch6) : NEEDS TO BE DISPATCHED
06/20/24 16:05:26 (comm-dispatch6) : AT THE ENTRANCE, LOOKERS LEFT HEADING TOWARD TOOL SHED
06/20/24 16:05:26 (comm-dispatch6) : RP WILL BE ON SCENE
06/20/24 16:05:46 (comm-dispatch6) : Duplicate Event:Location = 806 CEMETERY RD MINT : @MINTURN CEMETERY, Cross Street 1 = S MAIN ST, Type = ANI ANIMAL COMPLAINT, Subtype = WILD WILDLIFE ANIMALS, Caller Name = VILLALBA, LUIS, Caller Ph Number = (720)831-8641, Caller Address = S15 T55 R81W VAIL, Call Source = ANI/ALI, Alarm Level = 0 T55 R81W S35 WPH2 171
06/20/24 16:05:46 (comm-dispatch6) : -106.420934 +39.580489
06/20/24 16:05:46 (comm-dispatch6) : DEER IS STUCK IN THE FENCE CANNOT GET OUT
06/20/24 16:05:46 (comm-dispatch6) : THE WIRE IS CUTTING THE DEER
06/20/24 16:05:46 (comm-dispatch6) : ** LOI search completed at 06/20/24 16:04:29
06/20/24 16:05:46 (comm-dispatch6) : End of Duplicate Event data
06/20/24 16:09:26 (comm-dispatch6) : CPW ADV
06/20/24 16:25:21 (comm-dispatch8) : ANOTHER CALLER 720 831 8641
06/20/24 16:26:47 (comm-dispatch6) : 1221 - DISPATCHING SMALL DOE
06/20/24 16:32:10 (comm-dispatch6) : 1221 - ON SHOT FIRED @1632
06/20/24 16:35:11 (\$1221) : DEER IS DECEASED NOW, INSIDE CEMETERY FENCE

CROSS REFERENCED EVENTS

Event	Agency	DGroup	Event Type	Event Subtype	Date Cross Referenced	Location
SO24172093	ECSO	ECSO	FOLU	default	06/20/24 17:10:53	806 CEMETERY RD MINT: @CEMETERY MINTURN

CALLER INFORMATION

Name: GOLDBERG, NATE
Phone: (970)331-7913
Address:

LOCATION INFORMATION

806 CEMETERY RD MINT: @MINTURN CEMETERY

X-STREET 1: S MAIN ST
X-STREET 2:

Location Choices



SUPPLEMENTAL INFORMATION

Person 0

Vehicle 0

Property 0

Contact Name 0

Incident Times 0

From: [Tim Comroe](#)
To: [Michelle Metteer](#)
Subject: Minturn cemetery
Date: Wednesday, July 17, 2024 1:03:52 PM

Good afternoon, Michelle

I spoke with Nate Goldberg, who called Vail Communication on June 20, 2024, to report the deer trapped between the fence pickets. Per my conversation with Mr. Goldbert, he believed the deer attempted to jump over the metal fence when the deer propelled itself onto the pointed picket under the belly of the deer. Mr. Goldberg stated the deer struggled to remove itself from the picket. After working for several minutes, the deer freed itself and fell into the cemetery, losing a large amount of blood and struggling to move as it lay on the ground. I told you that I was starting to look at BWC. However, I misspoken, and there is no video of the incident. Mr. Goldberg said he is pleased that the Town of Minturn is attempting to address the fence surrounding the cemetery property so this doesn't happen again to the wildlife.

If you have further questions, Mr. Goldberg can be reached at (970) 331-7913.

Tim Comroe

Administration Sergeant



885 E. Chambers Ave

Po Box 359

Eagle, CO, 81631

Office: (970) 328-8500

Detention: (970) 328-8564

Fax: (970) 328-1448

Cell: (970) 376-7019

<https://www.eaglesheriff.com>

"Our mission is to serve the people of Eagle County by promoting and maintaining a sense of peace and cooperation throughout our community and improving the quality of life through excellence."

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF
THE MINTURN MUNICIPAL CODE TO PROHIBIT
NUISANCES WHICH HARM WILDLIFE.**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, Chapter 7 of the Town’s Municipal Code governs the administration and abatement of nuisances generally; and

WHEREAS, the Town has seen an increase in nuisances that harm or kill wildlife; and

WHEREAS, wildlife injuries and fatalities present a variety of risks to the health, safety and welfare of the Town’s visitors and residents; and

WHEREAS, Minturn Municipal Code Sec. 7-2-10 defines nuisance in part as any substance, act occupation, condition, or use of property that substantially annoys, injures, or damages the comfort, health, repose or safety of the public; and

WHEREAS, Colorado Parks and Wildlife recommends fencing that allows wildlife to jump over or crawl under the fence without risk of injury and that provides wildlife access to important habitats and travel corridors, like their accustomed fawning/calving ground; and

WHEREAS, Colorado Parks and Wildlife discourages fencing that includes spikes or other sharpened points which could injure or impale wildlife; and

WHEREAS, Minturn Municipal Code Sec. 10-8-280 makes it unlawful for any person to construct or maintain any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails, or any other pointed or sharpened thing or metallic substance; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Municipal Code to prohibit nuisances against the public and wildlife and that the following amendments to the Minturn Municipal Code are necessary for the preservation of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Section 7-2-10 of the Minturn Municipal Code is hereby amended as set forth below, with new text double underlined and deleted text in ~~strikethrough~~. The Town's codifier is authorized to renumber and format the code in conformance with these amendments.

ARTICLE 2 – Administration and Abatement of Nuisances

...

Sec. 7-2-10. - Definitions.

...

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code ~~this Article~~, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction ~~or agency thereof~~, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property; ~~or~~
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; ~~or~~
- d. Create a hazard to health or safety of the public or wildlife, including but not limited to a demonstrable risk of injury to or fatalities of wildlife.

SECTION 3. The amendment of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceedings as commenced under or by virtue of the provisions of the Municipal Code as it existed prior to the effective date of these amendments.

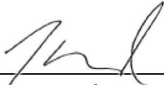
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk

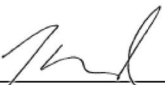


THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO


Earle Bidez, Mayor

ATTEST:

By: 
Jay Brunvand, Town Clerk



TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 19, ARTICLE 9 OF THE MINTURN MUNICIPAL CODE THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 17th DAY OF APRIL, 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024

AN ORDINANCE APPROVING THE DEVELOPMENT AND VESTED PROPERTY RIGHTS AGREEMENT IMPLEMENTING THE BOLTS LAKE SETTLEMENT AGREEMENT INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 17TH DAY OF APRIL 2024 AT 5:30PM. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Bidez, Mayor Earle

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF THE MINTURN MUNICIPAL CODE TO PROHIBIT NUISANCES WHICH HARM WILDLIFE INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF THE MINTURN MUNICIPAL CODE TO REVISE THE SECTION PROHIBITING CERTAIN FENCING IN THE TOWN. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2024

EXHIBIT G EXHIBIT B

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO CLARIFYING THAT VIOLATIONS OF ITS MUNICIPAL CODE ARE CIVIL INFRACTIONS. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON SATURDAY,
APRIL 20, 2024.**

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024**

**AN ORDINANCE APPROVING THE
DEVELOPMENT AND VESTED PROPERTY
RIGHTS AGREEMENT IMPLEMENTING THE
BOLTS LAKE SETTLEMENT AGREEMENT**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEBSITE THIS 1ST DAY OF MAY 2024.

THIS ORDINANCE WILL BE LEGALLY EFFECTIVE
THIRTY (30) DAYS AFTER PUBLICATION
FOLLOWING THE DATE ON WHICH TOWN
COUNCIL APPROVED THIS ORDINANCE ON
SECOND READING; PROVIDED, HOWEVER, AND
NOTWITHSTANDING SUCH EARLIER EFFECTIVE
DATE OF THIS ORDINANCE, THE DEVELOPMENT
AGREEMENT APPROVED BY THIS ORDINANCE
WILL NOT BE RECORDED WITH THE EAGLE
COUNTY CLERK AND RECORDER OR LEGALLY
EFFECTIVE OR BINDING ON ANY PARTY PRIOR
TO IMPLEMENTATION OF THE SETTLEMENT AS
DEFINED IN AND IN ACCORDANCE WITH THE
TERMS AND CONDITIONS OF THE SETTLEMENT
AGREEMENT (AS SUCH TERMS ARE DEFINED
IN THE DEVELOPMENT AGREEMENT).

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 7, ARTICLE 2 OF THE MINTURN
MUNICIPAL CODE TO PROHIBIT NUISANCES
WHICH HARM WILDLIFE.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 10, ARTICLE 8 OF THE MINTURN
MUNICIPAL CODE TO REVISE THE SECTION
PROHIBITING CERTAIN FENCING IN THE
TOWN.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO CLARIFYING THAT
VIOLATIONS OF ITS MUNICIPAL CODE ARE
CIVIL INFRACTIONS.**

**EXHIBIT G
EXHIBIT B**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 09 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 18 OF THE MINTURN MUNICIPAL
CODE TO CREATE THE CEMETERY ZONE
DISTRICT AND ASSOCIATED USE AND
DEVELOPMENT STANDARDS WITHIN THE
LIONSHEAD CHARACTER AREA**

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 1st
DAY OF MAY 2024. A PUBLIC HEARING ON THIS
ORDINANCE SHALL BE HELD AT THE REGULAR
MEETING OF THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO ON THE 15th
DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN
TOWN HALL 302 PINE STREET, MINTURN
COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON TUESDAY,
MAY 7, 2024.**

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024**

**AN ORDINANCE OF THE TOWN OF MINTURN,
COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF
THE MINTURN MUNICIPAL CODE TO REVISE THE
SECTION PROHIBITING CERTAIN FENCING IN THE
TOWN.**

WHEREAS, the Town of Minturn (“Town”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Town of Minturn Home Rule Charter for which the Minturn Town Council (“Town Council”) is authorized to act; and

WHEREAS, Chapter 10, Article 8 of the Minturn Municipal Code governs the prohibition of dangerous fencing, among other things; and

WHEREAS, Colorado Parks and Wildlife recommends fencing that allows wildlife to jump over or crawl under the fence without risk of injury and that provides wildlife access to important habitats and travel corridors, like their accustomed fawning/calving ground; and

WHEREAS, Colorado Parks and Wildlife discourages fencing that includes spikes or other sharpened points which could injure or impale wildlife;

WHEREAS, the Town has experienced wildlife deaths caused by sharpened materials affixed to the top of fencing; and

WHEREAS, wildlife injuries and fatalities present a variety of risks to the health, safety and welfare of the Town’s visitors and residents; and

WHEREAS, Minturn Municipal Code Sec. 10-8-280 makes it unlawful for any person to construct or maintain any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails, or any other pointed or sharpened thing or metallic substance; and

WHEREAS, the Minturn Town Council finds and believes that it is necessary and proper to amend the Minturn Municipal Code to clarify the extent of Minturn Municipal Code Sec. 10-8-280 and that the following amendments to the Minturn Municipal Code are necessary for the preservation of the health, safety, and welfare of the public.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO:

SECTION 1. The foregoing recitals are incorporated herein as if set forth in full.

SECTION 2. Section 10-8-280 of the Minturn Municipal Code is hereby amended as set forth below, with new text double underlined and deleted text in ~~strikethrough~~. The Town’s codifier is authorized to renumber and format the code in conformance with these amendments.

ARTICLE 8 – Public Peace, Order and Safety

...

Sec. 10-8-280. – Hazardous Fencing and Improvements.

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

SECTION 3. The amendment of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceedings as commenced under or by virtue of the provisions of the Municipal Code as it existed prior to the effective date of these amendments.

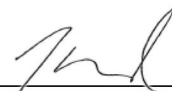
INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO



Earle Bidez, Mayor

ATTEST:

By: _____
Jay Brunvand, Town Clerk



TOWN OF MINTURN, COLORADO
ORDINANCE NO. 04 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 19, ARTICLE 9 OF THE MINTURN MUNICIPAL CODE THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE ENACTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THIS 17th DAY OF APRIL, 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024

AN ORDINANCE APPROVING THE DEVELOPMENT AND VESTED PROPERTY RIGHTS AGREEMENT IMPLEMENTING THE BOLTS LAKE SETTLEMENT AGREEMENT INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 17TH DAY OF APRIL 2024 AT 5:30PM. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Bidez, Mayor Earle

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 7, ARTICLE 2 OF THE MINTURN MUNICIPAL CODE TO PROHIBIT NUISANCES WHICH HARM WILDLIFE INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 – SERIES 2024

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO AMENDING CHAPTER 10, ARTICLE 8 OF THE MINTURN MUNICIPAL CODE TO REVISE THE SECTION PROHIBITING CERTAIN FENCING IN THE TOWN. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 – SERIES 2024

EXHIBIT G EXHIBIT B

AN ORDINANCE OF THE TOWN OF MINTURN, COLORADO CLARIFYING THAT VIOLATIONS OF ITS MUNICIPAL CODE ARE CIVIL INFRACTIONS. INTRODUCED, READ BY TITLE, APPROVED ON THE FIRST READING AND ORDERED PUBLISHED BY TITLE ONLY AND POSTED IN FULL ON THE OFFICIAL TOWN WEBSITE THE 17TH DAY OF APRIL 2024. A PUBLIC HEARING ON THIS ORDINANCE SHALL BE HELD AT THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO ON THE 1ST DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN TOWN HALL 302 PINE STREET, MINTURN COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:

By: Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON SATURDAY,
APRIL 20, 2024.**

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 05 - SERIES 2024**

**AN ORDINANCE APPROVING THE
DEVELOPMENT AND VESTED PROPERTY
RIGHTS AGREEMENT IMPLEMENTING THE
BOLTS LAKE SETTLEMENT AGREEMENT**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEBSITE THIS 1ST DAY OF MAY 2024.

THIS ORDINANCE WILL BE LEGALLY EFFECTIVE
THIRTY (30) DAYS AFTER PUBLICATION
FOLLOWING THE DATE ON WHICH TOWN
COUNCIL APPROVED THIS ORDINANCE ON
SECOND READING; PROVIDED, HOWEVER, AND
NOTWITHSTANDING SUCH EARLIER EFFECTIVE
DATE OF THIS ORDINANCE, THE DEVELOPMENT
AGREEMENT APPROVED BY THIS ORDINANCE
WILL NOT BE RECORDED WITH THE EAGLE
COUNTY CLERK AND RECORDER OR LEGALLY
EFFECTIVE OR BINDING ON ANY PARTY PRIOR
TO IMPLEMENTATION OF THE SETTLEMENT AS
DEFINED IN AND IN ACCORDANCE WITH THE
TERMS AND CONDITIONS OF THE SETTLEMENT
AGREEMENT (AS SUCH TERMS ARE DEFINED
IN THE DEVELOPMENT AGREEMENT).

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 06 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 7, ARTICLE 2 OF THE MINTURN
MUNICIPAL CODE TO PROHIBIT NUISANCES
WHICH HARM WILDLIFE.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 07 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 10, ARTICLE 8 OF THE MINTURN
MUNICIPAL CODE TO REVISE THE SECTION
PROHIBITING CERTAIN FENCING IN THE
TOWN.**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 08 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO CLARIFYING THAT
VIOLATIONS OF ITS MUNICIPAL CODE ARE
CIVIL INFRACTIONS.**

**EXHIBIT G
EXHIBIT B**

THE TOWN OF MINTURN, COLORADO, ORDAINS
THIS ORDINANCE ENACTED ON SECOND
READING AND ORDERED PUBLISHED BY TITLE
ONLY AND POSTED IN FULL ON THE OFFICIAL
TOWN WEB SITE THIS 1ST DAY OF MAY 2024.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**TOWN OF MINTURN, COLORADO
ORDINANCE NO. 09 - SERIES 2024**

**AN ORDINANCE OF THE TOWN OF
MINTURN, COLORADO AMENDING
CHAPTER 18 OF THE MINTURN MUNICIPAL
CODE TO CREATE THE CEMETERY ZONE
DISTRICT AND ASSOCIATED USE AND
DEVELOPMENT STANDARDS WITHIN THE
LIONSHEAD CHARACTER AREA**

INTRODUCED, READ BY TITLE, APPROVED
ON THE FIRST READING AND ORDERED
PUBLISHED BY TITLE ONLY AND POSTED IN
FULL ON THE OFFICIAL TOWN WEBSITE THE 1st
DAY OF MAY 2024. A PUBLIC HEARING ON THIS
ORDINANCE SHALL BE HELD AT THE REGULAR
MEETING OF THE TOWN COUNCIL OF THE
TOWN OF MINTURN, COLORADO ON THE 15th
DAY OF MAY 2024 AT 5:30 p.m. AT THE MINTURN
TOWN HALL 302 PINE STREET, MINTURN
COLORADO 81645.

TOWN OF MINTURN, COLORADO

Earle Bidez, Mayor

ATTEST:
By: _____
Jay Brunvand, Town Clerk

**PUBLISHED IN THE VAIL DAILY ON TUESDAY,
MAY 7, 2024.**

EXHIBIT G
EXHIBIT C

Minturn Municipal Court Eagle County, State of Colorado 302 Pine Street Minturn, Colorado 81645	▲ COURT USE ONLY ▲
Plaintiff: TOWN OF MINTURN, COLORADO, by and through the PEOPLE OF THE STATE OF COLORADO v. Defendant: MINTURN CEMETERY DISTRICT, a Colorado special district	Case Number: 25CE_____
Michael J. Sawyer, #32313 Harper Powell, #60742 Karp Neu Hanlon, P.C. 201 14th Street, Suite 200 P. O. Drawer 2030 Glenwood Springs, CO 81602 Tel.: (970) 945-2261 Fax: (970) 945-7336 mjs@mountainlawfirm.com	
VERIFIED COMPLAINT	

Plaintiff Town of Minturn, Colorado (“Town”), by and through its attorneys, Karp Neu Hanlon, P.C., hereby brings this Verified Complaint and states the following:

PARTIES

1. The Town of Minturn, Colorado (the “Town”) is a Colorado home-rule municipal corporation located in Eagle County, State of Colorado.
2. Defendant Minturn Cemetery District, also known as Minturn Cemetery Association, (the “District”) is a special district and owner of the River View Cemetery (the “Property”) located in the Town of Minturn, Colorado.

JURISDICTION

3. Minturn Municipal Court has original jurisdiction over this action pursuant to Section 2-5-20 of the Minturn Municipal Code (the “Code”), which provides that “[t]he Municipal

Minturn Municipal Court

Case No. 25CE_____

Town of Minturn v. Minturn Cemetery District

Verified Complaint

Court shall enjoy all necessary powers available at law and equity, including, but not limited to, injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, enjoin, abate or remove violations under this Code.”

GENERAL ALLEGATIONS

4. The Property at issue in this action is located at 806 Cemetery Road in Minturn, Colorado, also identified as Eagle County Parcel No. 210335110002.
5. Defendant is the record title-owner of the Property.
6. The Property is situated in a wildlife migration corridor.
7. Multiple animal fatalities, including the deaths of a bull moose, elk, and several deer, have occurred in recent years due to the Fence surrounding the Property.
8. On June 20, 2024 at approximately 4:00 PM, a deer was impaled on the spiked wrought iron fence (the “Fence”). The Town conducted an investigation, which revealed that the Eagle County sheriff’s deputy dispatched to the scene was required to euthanize the animal.
9. The Town sent separate letters to the District dated August 7, 2024 and September 27, 2024 requiring the District to abate the nuisance.
10. The District has failed to remove the dangerous condition of the Fence, nor in any way abate the nuisance or remedy the Code violations.
11. Defendant’s failure to remedy the Code violations threatens the safety and well-being of the wildlife utilizing the migration corridor.
12. Chapter 7, Article 2 of the Code includes the following relevant sections:

Section 7-2-10. – Definitions.

...

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property;
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render

Minturn Municipal Court

Case No. 25CE_____

Town of Minturn v. Minturn Cemetery District

Verified Complaint

dangerous for passage any street, alley, highway or other public way; or

- d. Create a hazard to health or safety of the public or wildlife, including, but not limited to, a demonstrable risk of injury to or fatalities of wildlife.

Section 7-2-20. – Nuisances prohibited.

No person being the owner, agent, renter, lessee, tenant, occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.

13. Section 10-8-280 of the Code states:

Section 10-8-280. – Hazardous fencing and improvements.

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

14. With respect to nuisance violations, “Each day any person is in violation of any provision of [Chapter 7] shall constitute a separate offense.” *See* § 7-2-50 of the Code.

FIRST CLAIM FOR RELIEF

Violation of Sections 7-2-10, 7-2-20, and 7-2-50 of the Code

15. Plaintiff re-alleges and incorporates the foregoing allegations as though fully set forth herein.
16. Section 7-2-10 of the Code establishes a nuisance violation for any condition on one’s property that threatens the safety or well-being of wildlife.
17. Section 7-2-20 of the Code prohibits the continued existence of a nuisance on one’s property.
18. The spiked nature of the Fence poses a continuous risk of safety for wildlife traversing the Property and remains a nuisance in violation of Sections 7-2-10 and 7-2-20 of the Code.
19. Section 7-2-50 of the Code states that each day a nuisance exists constitutes a separate offense under the Code.
20. Defendant has failed to abate the nuisance.
21. Accordingly, Plaintiff is entitled to an Order from the Court requiring Defendant to abate and correct the unsafe condition of the Fence in violation of Sections 7-2-10, 7-2-20, and 7-

Minturn Municipal Court

Case No. 25CE_____

Town of Minturn v. Minturn Cemetery District

Verified Complaint

2-50 of the Code, as well as such other relief as the Court deems just and proper.

SECOND CLAIM FOR RELIEF

Violation of Section 10-8-280 of the Code

22. Plaintiff re-alleges and incorporates the foregoing allegations as though fully set forth herein.
23. Section 10-2-280 of the Code prohibits the construction or maintenance of fencing that poses a risk of injury or death to wildlife.
24. Defendant continues to keep and maintain the Fence on the Property despite the numerous wildlife fatalities that have occurred as a result of the Fence's dangerous conditions.
25. Defendant has failed to remove the Fence or remedy the dangerous conditions of the Fence, thereby remaining in violation of Section 10-2-280 of the Code.
26. Accordingly, Plaintiff is entitled to an Order from the Court requiring Defendant to abate and correct the unsafe conditions of the Fence that currently exist at the Property in violation of Section 10-2-280 of the Code, as well as such other relief as the Court deems just and proper.

WHEREFORE, the Town requests the Court to grant the following relief:

- A. Find Defendant to be in violation of the Minturn Municipal Code Sections 7-2-10, 7-2-20, and 7-2-50 for failing to abate the nuisance described in the Town's first claim for relief, which constitutes a separate violation for each and every day during which a violation is committed;
- B. Find Defendant to be in violation of Section 10-8-280 of the Minturn Municipal Code for maintaining the existence of the Fence that constitutes a dangerous condition which poses a risk of injury and death to wildlife;
- C. Mandatory order of the Court requiring Defendant to prevent the continual presence of the nuisance on the Property by removing the Fence and any dangerous conditions of the Fence that exist on the Property;
- D. Imposition of an order against Defendant allowing the Town to abate and prevent the continual presence of the nuisance on the Property if Defendant fails or refuses to comply with the orders of the Court;
- E. Imposition of an order against Defendant to pay the Town for its costs and expenses for abating such nuisance;

Minturn Municipal Court

Case No. 25CE_____

Town of Minturn v. Minturn Cemetery District

Verified Complaint

- F. Imposition of a fine against Defendant in an amount up to the jurisdictional limit for each violation alleged in the Complaint and for each 48-hour period, from the date of judgment, conditioned upon failure or refusal of compliance with the orders of the Court within any time limits therein fixed;
- G. Monetary relief for any and all fines, fees, and costs permitted under the Minturn Municipal Code, including but not limited to attorney fees and costs; and
- H. Any and all other relief the Court may deem appropriate.

EXHIBIT G
EXHIBIT C

Minturn Municipal Court
Case No. 25CE_____
Town of Minturn v. Minturn Cemetery District
Verified Complaint

Respectfully submitted this ____th day of _____ 2025.

KARP NEU HANLON, P.C.
Attorneys for Plaintiff



By: _____
Michael J. Sawyer, #32313



By: _____
Harper E. Powell, #60742

Plaintiff's Address:
302 Pine Street
Minturn, CO 81645

EXHIBIT G
EXHIBIT C

Minturn Municipal Court
Case No. 25CE_____
Town of Minturn v. Minturn Cemetery District
Verified Complaint

VERIFICATION

STATE OF COLORADO)
) SS.
COUNTY OF EAGLE)

I, Rob Gutierrez, Town Manager for the Town of Minturn, state under oath that I have read this Verified Complaint and verify its contents to the best of my knowledge and belief.

Rob Gutierrez

Subscribed and sworn to before me this _____ day of _____, 2025 by Rob Gutierrez, Town Manager for the Town of Minturn.

WITNESS my hand and official seal.

Notary Public

Minturn Cemetery Fence Report

Date of Incident: June 20, 2024, *Supplement July 8, 2025*

Minturn Code Compliance

Report by: Kevin Rindy

Incident Violation Address: 806 Cemetery Road Minturn, CO 81645

Violating Section of MMC: 7-2-10, and 7-2-20; 10-8-280,

Sec. 7-2-10. - Definitions; Nuisance

Nuisance means any substance, act, occupation, condition or use of property declared a nuisance by the Town's Municipal Code, declared a nuisance by the State, or any agency thereof, or by any court of competent jurisdiction, known as a nuisance at common law, or of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, welfare, morals, repose or safety of the public or wildlife;
- b. In any way render the public or wildlife insecure in life or in the use of property;
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way; or
- d. Create a hazard to health or safety of the public or wildlife, including, but not limited to, a demonstrable risk of injury to or fatalities of wildlife.

Sec. 7-2-20. - Nuisances prohibited.

No person being the owner, agent, renter, lessee, tenant, occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain thereon.

Sec. 10-8-280. - Hazardous fencing and improvements.

The construction or maintenance of fencing or other improvements to property that create a demonstrable risk of injury to or fatalities of wildlife and/or a hazard to health or safety of the public are hereby declared to be nuisances. It shall be unlawful for any person to construct or maintain within the Town, or to allow to remain on property within the Town, any fence, cellar, or window guard containing barbs, barbed wire, sharpened nails or any other pointed or sharpened thing or metallic substance.

(Prior code 10-188; Ord. 4-2007 §1; Ord. [7-2024](#) §2)

EXHIBIT G
EXHIBIT D

Editor's note— Ord. [7-2024](#) §2, adopted May 1, 2024, amended the title of § 10-8-280 to read as herein set out. The former § 10-8-280 title pertained to barbed wire fences prohibited.

Overview of Issue:

The metal fence surrounding the Riverview Cemetery property is built of welded metal posts about 6' tall. Each post is adorned with a metal spike at the end/top. Wildlife attempting to jump the fence do not always clear the height of the fence post and become impaled by the spikes. This is similar to the incident that occurred on June 20, 2024, resulting in the death of a deer. The fence spikes conflict with the above-referenced sections of the Minturn Municipal Code. *A site visit was conducted on July 3, 2025 and the following observations were noted: West Side / Main Entrance of property fence still has spikes attached to fence. Portions of the North and South fence sections have spikes removed. The rest of the perimeter fence has spikes in place.*

Site Photos



EXHIBIT G
EXHIBIT D



North Side of Fence Section with no Spikes



South Side of Fence Section with no Spikes

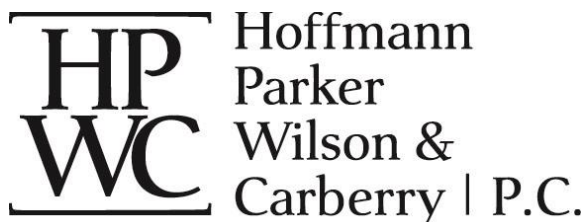
EXHIBIT G
EXHIBIT D



North Side of Fence Section with no Spikes



West Side / Main Entrance of Fence with Spikes



Corey Y. Hoffmann
Kendra L. Carberry
Jefferson H. Parker
M. Patrick Wilson
Hilary M. Graham
Kathryn M. Sellars

511 16th Street, Suite 610
Denver, CO 80202-4260
(303) 825-6444

Daniel P. Harvey
Katharine J. Vera
Elizabeth G. LeBuhn
Austin P. Flanagan
Kunal A. Parikh
Bria I. May
Nicholas A. Hartman
Nathan T. Cash

Of Counsel
J. Matthew Mire

August 5, 2025

Michael J. Sawyer, Esq.
Karp Neu Hanlon, P.C.
via email to: mjs@mountainlawfirm.com

Re: River View Cemetery Fence

Dear Michael:

I write on behalf of the Minturn Cemetery District (the "District") in response to your letter of July 17, 2025 regarding the River View Cemetery Fence.

As you know, the Town of Minturn approved the design of the fence, including the spikes. As you also know, at the time of approval, the Minturn Town Attorney also represented the District. As such, there was clearly no dispute about the spikes, or the attorney would have been required to provide alternate counsel to both entities. Regardless, the Town is clearly estopped from alleging that the Town-approved design is a violation of the Minturn Municipal Code.

Despite the fact that the Town has no right to require spike removal, the District has worked diligently to address the Town's concerns. In the summer and fall of 2023 and prior to the August 7, 2024 abatement notice from the Town, the District spent \$12,900 removing spikes from a total of 15 sections of fence. This work was performed by two metal workers at a cost of \$350/hour, and the work included cutting blades, grinding and buffing wheels, capping, and painting of materials. The strategy for this spike removal was to target historically sensitive wildlife areas where impalement has occurred, while preserving the aesthetic design and utility of the fence.

It is our estimate that the cost to professionally remove all the remaining spikes would be at least \$50,000. If the Town would like to discuss its plan to pay for the removal of the remaining spikes, the District is open to such a discussion.

Very truly yours,

Kendra L. Carberry
klc@hpwcclaw.com

c: Sidney Harrington, Administrator (via email)

EXHIBIT I



Michael J. Sawyer, Esq.
Partner

Email: mjs@mountainlawfirm.com
Direct: 970.928.2118
Office: 970.945.2261 x 117

September 9, 2025

Sent via Email

Kendra Carberry, Esq.
Hoffman, Parker, Wilson, Carberry, P.C.
511 16th Street
Denver, CO 80202
klc@hpwclaw.com;
klc@minturncemetery.org

Re: River View Cemetery Fence

Ms. Carberry:

This letter is in response to your correspondence dated August 5, 2025 and is provided as a settlement offer pursuant to C.R.E. 408. The Town is willing to cooperate with the District on removal of the remaining fence spikes at the River View Cemetery. The Town agrees to be responsible for the cutting and removal of the remaining spikes, provided that the District has the posts capped and painted at its own expense. The Town requests that the Cemetery respond to this proposal by September 23 so that work can be completed before winter sets in and potential animal deaths occur.

Your letter also asserted that the Town approved the fence prior to its construction. As previously discussed with you, the Town has no evidence of approving the fence. This was clearly demonstrated through the District's CORA request to the Town that did not reveal any documents proving this claim. If you have evidence to the contrary, please provide it to the Town.

Thank you for your time and attention. We look forward to working with the District to resolve this matter.

Sincerely,

KARP NEU HANLON, P.C.

A handwritten signature in blue ink that reads "Michael".

Michael J. Sawyer, Esq.

MJS:hep

Mail to:
Glenwood Springs
201 14th Street, Suite 200
P.O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road
Suite 4102-J
Aspen, CO 81611

Basalt
200 Basalt Center
Suite 200
Basalt, CO 81621

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432



Page 2 of 2

cc: Rob Gutierrez
Kevin Rindy



Town of Minturn
301 Boulder St #309
Minturn, CO 81645
970-827-5645
council@minturn.org
www.minturn.org

FUTURE MEETING AGENDA ITEMS

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

November 19, 2025:

- Eagle County Gives – CO Gives Day Proclamation
- Presentation – VVMTA – Minturn Bike Park Improvements Update
- Presentation – Flavored Tobacco Products Ban Ballot Item
- FY 2026 1st Reading of Budget Ordinances
- Resolution 2-Bedroom Apartment Construction Contract Approval
- Discussion Item: Minturn Shooting Range
- Res XX – Series 2025 Administrative Policy administering town owned employee housing units
- Res XX – Series 2025 CDL/CDOT Drug Testing Policy

December 3, 2025:

- FY 2026 2nd Reading of Budget Ordinances
- Resolution Minturn Impact Fee Contract Approval

December 17, 2025:

- DDA Plan of Development Adoption
- Golf Cart Discussion (Discussion / Direction)

Dates to be Determined / Long Term Scheduling:

- Motion to approve the posting of an RFP for the Highlands Parcels
- Adoption of the updated Regional Housing Authority Action Plan
- Taylor Street Repaving (Resolution Approving a Contract for the Repaving of Taylor Street
- Traffic Calming
- Ordinance __ (First Reading) - An Ordinance Adopting the 2024 Model Traffic Code (with Amendments) – Legal/Krieg