

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
May 8th, 2025

A. 6:00 P.M. Call to order & roll call of the regular May meeting of the Board of Trustees of the Town of Marble – Mayor Ryan Vinciguerra called the meeting to order at 6:13 p.m. Present: Amy Rusby, Dustin Wilkey, Larry Good, Amber McMahill and Ryan Vinciguerra. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Mayor Comments

a. Mill Site Safety Grant update, Ron & Mark Beckler – Ron introduced Mark Beckler from Sopris Engineering. The town was awarded a \$5000 grant from the State of Colorado and matched it for a total of \$10,000 to look at the Mill Site Park columns and walls. This is a safety issue and Mark and Ron walked through the park to inspect the columns. Mark is an engineer and local resident (Hermit's Hideaway) and is excited to volunteer his time and to be part of the project. He spoke to the historical and cultural significance of the site. Safety and preservation are both issues. Mark has experience working with structural engineers, historical stone masons and ground application experts and has conversations with same. He recommends getting a base site map. Larry asked if Mark saw any immediate safety red flags on the site visit. Mark said that the columns are in better shape than he expected. The deterioration issues are mostly from freeze/thaw and vegetation/root growth. He is concerned about the walls and suggests fencing them off. Ron explained that the grant is simply for an assessment, not for the actual work. Mark said his company does not do structural engineering and he recommends a structural assessment. Ryan thanked Mark and said the town is willing to help facilitate the next steps. Dustin asked Ron if he had contacted the quarry to see if they are willing to help. Ron said he had but it was about a year ago and he will reach out again in the future. Mark suggested material rather than in kind donations. Amber asked if Mark would be willing to help manage any additional grants. He said that he has worked with and has contacts with other groups (Forest Service, Historical Societies) as well and may be the place to start.

b. (6:30 pm) Town Attorney, Kendall Burgemeister (by phone)

i. Discussion of commercial corridor plan, Ryan – Ryan explained that the town is trying to be proactive in identifying an area along the paved road that could be considered for mixed use or business zoning but not to change everyone's zoning and to avoid spot zoning. He asked Kendall if this is legal and what the process would be. Kendall said the process would be similar to the application the Wilkeys submitted to rezone their lot. The town could suggest an amendment to the zoning code and map with a public hearing. He said that any challenge would include determining if the

rezoning is incorporated into the Master Plan. Marble's current regulations have residential, business and public zones. One option is to rezone a certain area to be part of the existing business zone along with amending what is and is not allowed within that zone. Another option is to create a new zone such as mixed use. The other concept in the existing code is Use by Right and Use by Review. Ryan said the idea is not for a new zone but if there was an applicant they could take advantage of locating along the corridor and avoid spot zoning. He asked if there would be tax ramifications for property owners. Kendall explained that any change would mean grandfathering in anything existing under the current zoning. A new zone could include any allowed uses, including residential. There is no way to have a use by review for a business in the residential zone. The residential zone Use by Right includes single family residences, manufactured homes and churches with a use by review for multifamily. Mixed use would not mean any changes to residences but could allow for certain types of commercial or businesses and would signal that there is a possibility for these. Ryan asked Kendall if this was logical or is the town just creating work for themselves. Kendall said that it does make sense. If the town is going to have zoning, it makes sense to have zoning that accommodates all the potential uses of property that you want to have in the community. It is logical to steer commercial business to the main corridor. This makes more sense than the current zoning map which locks in whatever existed on the day the map was adopted. Ryan asked if there are tax implications and Kendall explained that property taxes are based on the actual use not the zoning. Dustin addressed the properties that are off the paved road (for example, The Hub) and asked if there is a way to streamline a mixed-use process. Kendall said certain types of businesses could be identified and could come under use by right (with regulations such as decibel standards, amount of traffic, square footage, nuisance, etc.) Resort towns throughout the mountains have various versions of regulations to control the type of businesses allowed. The town would need to determine what is acceptable and what is not. Dustin said listing "must haves" like bathrooms and parking and then asking for a business model might help streamline. Kendall said the town's current regulations are already streamlined for use by review. Amber would like to see some developed guidelines that might be added to the current zoning code that can be brought to the public. Ryan asked about the process and Kendall explained that he and Ron would need to be directed to draft an ordinance that would amend the zoning regulations and zoning map. Once it is a form that the board feels good with, then the town would notice and hold a public hearing. Ryan feels the town needs to have some more discussion before directing Ron and Kendall. Richard Wells feels there needs to be input from residents on what they want to see and how they will be affected. Ryan agreed and stated that he doesn't want to surprise anyone with this. Dustin spoke to the need

for citizens to voice their opinions now and not wait until the last minute. Meeting minutes are posted on the bulletin board (they were taken down by someone this month) and are available at each meeting. Angus Barber would like to see some recourse for residents who live along the corridor and have someone who wants to start a business next door. Ryan explained that there is currently a process in the zoning code that outlines businesses that come into Marble and includes public hearing and that should help both the applicants and the neighbors. Amber said that, in a business zone, use by right includes a wholesale/retail sales, professional offices including but not limited to real estate, doctors, dentists or public utility services, hotels, motels, lodges and inns, manufacturing operations having less than 2,000 square feet under one roof and operating less than 50 hours a week. Ryan explained that there does not need a public hearing for use by right but they need to follow the zoning code. Ryan said the county assesses each property based on the use, not for future possibilities. Dustin explained that all the properties are not automatically zoned as mixed use. It would require changing the zoning, then coming to the town for what is needed to have a business. Amber feels that the only use by right should be for retail and professional services. Ryan explained that the town needs to talk about this more before going to Kendall. He explained that a Use by Right still has to follow the town codes. With Use by Review would require a public hearing. Angus stated that someone could find themselves living next to a business regardless of what they want. Mariah Villalobos feels there should be a time line and asked if there should be a deadline for making the decision. Ryan said communicating the concept might be best done in the summer but that there are not multiple public hearings currently going on. Amber said her sense of urgency is to get ahead of the message and misinformation. Dustin proposes getting this done by Nov. 1. Ryan suggested step one is getting a fact sheet together by the June town meeting for public outreach. He and Amber will work on that. Larry suggested a special meeting to work on this if needed.

ii. Discussion of paid parking plan, Ryan – Ryan explained that the town is looking at moving forward on charging for truck/trailer parking and has moved forward with developing a plan. Dustin asked if there has been any word from the SBA and Kendall has not heard anything. Amber McMahill made a motion to move forward with the paid parking plan at \$35 per day beginning May 30. Larry Good seconded. Angus asked if there would be any differences in pricing between parking in town and the new lot at the bottom of Daniel's Hill. Ryan explained that the parking at the base of Daniel's Hill does not allow truck/trailing parking. It is a turn-around spot for trucks/trailers but parking for passenger vehicles only. Mariah asked if there was a way to prohibit parking in other parts of the town. Ryan explained that there is signage, natural barriers and word-of-mouth. Dustin said that, with proper signage, sheriff's deputies will be able to

provide some enforcement. Richard spoke to fact that there will be spillage into town. Amber spoke to the steady improvement the current program has seen and she thanked Ron for that. Richard spoke to future need. After discussion, the motion passed with three yeas and Dustin Wilkey abstaining. The date to begin has been moved to May 30. Kendall was asked if there needs to be an ordinance and he said it would be preferable. Any enforcement would require an ordinance. Ryan said they would put together some parameter bullets for Kendall and there would be very soft enforcement. Ron will send Kendall the details for an ordinance and there will be a special meeting to approve it if it is ready before the regular June meeting. Amber McMahill made a motion to authorize Ron to spend up to \$5000 for dirt work, legal fees and signage. Larry Good seconded and the motion passed with three yeas and Dustin Wilkey abstaining. Dustin got quotes for a shed: a basic 8x10: \$6000, an elaborate 16x40 with doors, windows, etc: \$35,000. He discussed Ryan's offer a shed and Dustin feels it is a perfect size and is artistic. Ryan suggested trading a shed for the right of way that Slow Groovin' pays for use for 2025. Dustin discussed right-of-ways for the town. Slow Groovin' has been paying for use of the right of way it is the only business doing that. He would like to see other businesses paying their fair share. Larry clarified that Slow Groovin's use of the right of way is not for parking. Ryan recused himself from directing the conversation. Larry Good stepped in as Mayor Pro-Tem. Dustin made a motion to accept the shed from Slow Groovin' in return for waiving the fees for usage of town right of way for 2025. Larry Good seconded. Ron advised buying the shed for an amount equal to the lease and that Ryan continues to pay for the right of way. Dustin amended his motion to buy the shed from Slow Groovin for an amount equal to the lease of town right of way. Amy Rusby seconded. The motion passed with four yeas with Ryan Vinciguerra recused. Ryan stepped back in as mayor.

C. Treasurer Report

- a. Account balances, 5/1/25 – Amy reported combined balances of \$449,148.38.
- b. Year to date, budget vs actual – through April (33% of the year). Revenue is at 14.5% and expenses at 29.7% (5 months of expenditures). Angus asked how much of that was due to a low snow year and Amy pointed out that there could still be snow removal expenses at the end of 2025.

D. Consent Agenda – Amber McMahill made a motion to approve the consent agenda. Larry Good seconded and the motion passed unanimously

- a. Approval of April 3rd, 2025 Minutes
- b. Approval of April 17th, 2025 Minutes
- c. Approval of Current Bills, May 1st, 2025

E. Administrator Report

a. Evacuation Planning, Ron & Terry – Ron and Terry attended an evacuation planning table top exercise on April 23 and 24. The emergency manager for Gunnison County, Scott Morell, learned about a grant from the United States Fire Administration through the National Fire Academy (NFA) to help communities facilitate evacuation plans. The NFA funded 33 communities and Crested Butte and Marble were two of those. This was a table top scenario with one day spent on a Crested Butte exercise and one for Marble. Crested Butte was a fire scenario encompassing three days. Marble was a one-day scenario with immediate evacuation needed. Fire departments, sheriff, town managers and more participated. This has long been a concern for residents and responders and was included in the recent master plan. Past fires in the country illustrated the need for planning. This was not designed to solve the problem, but to talk it through and get ideas and perspectives. The hard work is to follow through and to come up with a plan that will work for residents, the school, tourists, etc. It includes traffic flows, where to go and more. We need to develop an evacuation plan for all risks including fire, floods and other natural disasters. Vince agreed that this has been a concern for years and that there were once some additional bridges that provided additional evacuation possibilities. Ron added that there is a community wildfire protection meeting scheduled for May 10, 10 a.m. at the fire station.

F. Committee Reports

a. Parks Committee report, Amy - The Mill Site Master Plan committee has met and has a draft plan (included at the end of these minutes). The committee used the park survey from a few years ago. The next meeting is May 29. Ron suggested inviting Mark Beckler to a future meeting.

G. Land Use

a. Discussion of parking on town right of way for businesses, Dustin – Dustin asked if there is an ordinance regarding right of way. There is not, but Ryan explained that the only current limitations no truck/trailer parking as well as areas set so that one side of the road stays clear. When businesses apply for a business license, they are required to have off street parking but there are no restrictions to prevent on street parking unless there is signage. Dustin asked if there was any interest in asking businesses to lease right of way. Larry does not feel that this is something the town needs to get ahead of. He feels that requiring off street parking is sufficient. Dustin asked if businesses that use town right of way are required to maintain it. Amber said that it would be hard to determine what businesses someone parked along the road is visiting. Dustin explained that he brought this up due to a misunderstanding regarding the use of Slow Groovin's lease of town right of way.

b. Hill Street survey request, Angus – Angus Barber explained that he and Vince Savage live on opposite sides of East Hill Street. Angus' property is in town limits; Vince's is in the county. Vince has been involved in excavation and building work that has resulted in complaints. In November of 2024 the assistant director of public services in Gunnison County, Martin Schmidt, toured East Hill Street and Vince has been issued with a stop work order and notice of violation. Angus said that Vince has the impression that the road is his property. They have discussed getting a survey. Angus is not sure if East Hill Street is a town or a county road. Savage, Gunnison County, Angus, and the Town of Marble are all parties involved. Angus would like some guidance from the board in how to go about this as well as the uncertainty around right of ways. He asked if there is a need for a survey and who would pay for it. He would like to extend and fortify his fence and asked if he would need for a permit for that. Ryan commended Angus and Vince them for talking. He feels that some of this would be solved by a simple lot line identification and that there should be markers from previous surveys. Larry asked if the drop off on the road Angus reported was part of the road right-of-way. Angus said that Vince had put some concrete blocks to reinforce it. He is trying to find a way for each of them to proceed on their projects in a cordial way. Vince said that mistakes get made in Marble resulting in encroaching on property. He said that there is a misconception about East Hill – it is not 65' wide all the way up but narrows as it progresses east to the Schofield Placer deed line. He does not feel that there is a need for another survey as there have been previous surveys and mapping documents done including town boundaries, Forest Service land, recorded deed of the Schofield Placer parcel, survey for a new septic system, Town of Marble generated maps for the previous master plan, the May 4, 2006 intergovernmental agreement for snow removal as well as Town of Marble grid surveys for identification of Hill Street south right of way. Angus' property is on block 2, Vince's is on block 3 and all the properties are on the same surveyed line. The width of the road in front of Angus' is only 18-20' wide. They could not widen the road due to private ownership. Vince had driven a post in at the pin location because the pin was buried in a low spot. Vince said that his driveway is not Hill Street as many people think, but runs through Schofield Placer. Vince suggests having a work session that includes a site visit, looking at the surveys and having a workshop for instruction in how to read a survey. Ryan suggested that Angus make sure of his property line for putting up a fence. He said that Ron can act as the town representative in looking at the property. Dustin suggests calling Sopris Engineering for a survey and that it would be the owner's responsibility. He said a building permit is required for building a fence. Larry spoke to using the existing surveys.

H. Old Business – Larry asked about the request for addressing the downed tree debris up Daniel's Hill. Ron has not asked, but will.

I. New Business

a. Daniels Hill Parking Plan, Amber – Amber had had a request but said the commissioners will probably take care of it.

b. Master Plan Meeting, Amber – June 20, 6-8. Amber has created a poster and she asked if Mark Chain would take care of slide show and set up. Ron said Mark would do whatever the town requests, including the slide show. Ryan asked if Mark would be leading the meeting and providing information. Dustin asked if they would be attending as a council. Ryan said they will and the meeting will be posted. He suggests the Mayor facilitate. Ryan is willing to facilitate but feels that Mark or a committee member should be the one to present the plan. Amber suggests an open house format with tables for different topics for hands-on and one-on-one discussion. Ryan suggests the committee members and board team up to staff the stations. Amber also suggested groups such as the chamber and parks committee also having tables. Mariah said they have the professional drafts for the Mill Site master plan and can bring those. Ryan suggested asking what plan committee members would attend and then work on the tables at the June 5 meeting. Parking, dark sky and wild fire mitigation were also suggested as possible tables/topics.

c. Wildfire Mitigation Program, Mariah – Mariah reported that she and Rebecca Loudon attended a wildfire mitigation course in March. They were directed to refer to the Community Wildfire Protection Plan developed in 2009. Community participation is key. The fire department will be here Saturday for a Ready, Set, Go meeting. Rebecca has become a community ambassador and got a grant for \$500. It requires 3 or more households to agree to harden their homes with before and after pictures. Carbondale Fire Department will come to properties, inspect and give a report of what needs to be done to help harden homes. Mariah spoke to having a go bag readiness program and the need for volunteer firefighter recruitment.

d. Other – Richard asked about the dumpster date for town clean up. Ron reported that that will be May 31 and June 1. There will be a chipper later in the summer but brush can be brought and piled up awaiting that date.

J. Adjourn – Dustin Wilke made a motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,
Terry Langley

Millsite Master Plan DRAFT

April 10, 2025

In attendance: Mariah, Lise, Brent, and Amy

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(Note: Need to work on rewording)

Maintain the park's historic preservation while offering recreation for all. Keep it natural by maintaining the ecosystem/habitat with safety in mind

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A. Inventory

a. Developed Parks

b. Future Parks

c. Nature Preserves and Wetlands

V. Financials

A. General Fund

B. Beautification Fund

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D. Grant Funds

E. Additional Alternative Funds

VI. Community Survey- Completed Survey Results

VII. Operations, Maintenance, and Capital Improvement Priorities

(Note: We agreed that these can be our "Goals" and will include the Parks Committee Recommendations; We also agreed to take the top percentage items that have not already been completed from the survey results)

A. Short Term: 1-2 years

a. Find more funding- Approach Extreme Sports, GoCo, etc.

b. Put existing signs up

c. Install a Water Filling Station

d. Install fencing around the tower at the basketball court area

e. Garbage/Recycle bins

B. Medium Term: 3-9 years

a. Sculpture/Garden Walk

b. Playground/Basketball Court area

c. Nature walk with signs teaching about the ecosystem

d. Picnic Tables throughout parks

Historic preservation

e. Spruce up the old ice rink area- take down electrical poles, shade panels

f.

C. Long Term: 10+ years

a. Canopy Park

b. Any items not completed from previous years

VIII. Community Programs

A. X-ski trails

B. Disc golf

IX. Conclusion