

Town of Marble
Meeting of the Board of Trustees
May 4 2017
7:00 P.M.

Marble Community Church, 121 W. State St. Marble, Colorado
Agenda

7:00 P.M.

- A. Call to order & roll call for the Meeting of the Board of Trustees
- B. Approve previous minutes
- C. Mayor's Comments
- D. Clerk Report, Ron Leach
 - a. Bills payable May 4, 2017, Ron
 - b. Consider issuance of 2017 Town of Marble business licenses, Will
 - i. Vince Savage business license application
 - ii. Cyndi Fowler business license application
 - c. Other
- E. Current Land Use Issues
 - a. Discussion of Taylor Lot Line Adjustment application, Jodi Taylor
 - b. Gallo Hill affordable housing project presentation, Ryan & Andrea Korber
 - c. Petrocco alley access request, Will
 - d. Other
- F. Old Business
 - a. Court system status, Will
 - b. Up-date on Marble Water Company communications, Will
 - c. Up-date report regarding fuel leak, Richard
 - d. Discussion of upcoming summer projects and update on cleanup day for the town, Tim
 - e. Review livestock ordinance, Tim
 - f. Discussion of hiring a part time maintenance position for town parks, Richard
 - g. Discussion of campground opening status, Will
 - h. Other
- G. New Business
 - a. Other
- H. Adjourn

Town of Marble
Special Meeting of the Board of Trustees
April 19, 2017
7:00 P.M.
Marble Community Church, 121 W. State St. Marble, Colorado
Minutes

A. Call to order & roll call for the Special Meeting of the Board of Trustees – The meeting was called to order at 7:03 p.m. Present: Will Handville, Tim Hunter, Larry Good, Mike Yellico. Absent: Richard Wells. Also present: Ron Leach, Town Clerk and Terry Langley, minutes.

B. Approve previous minutes –Mike Yellico moved that the minutes be approved. Larry Good seconded and the motion passed.

C. Mayor’s Comments – Mayor Will Handville reminded everyone that the meeting is to be conducted with respect and that there will be no outbursts or arguments.

D. Tabled issues from April 6th meeting

a. Consider approval of Beaver Lake Lodge utility easement, Karen Good – The easement has been reviewed and approved by the town’s attorney. Mike Yellico made the motion to approve the easement. Tim Hunter seconded. Larry Good recused himself. The motion passed.

b. Consider approval of a driveway application, Lou Eller – Will reported that he could not find anything showing that Marble requires a driveway permit. He contacted Gunnison County to see what their requirements are and their specifications include width and grade requirements. He would like to see these included in the Marble Land Use requirements in the future. In the meantime, he feels Lou should be able to build his driveway as the plans meet Gunnison County specifications. He suggested a permit fee of \$50 for Mr. Eller. Mike Yellico made the motion to approve the application pending receipt of the fee. Larry Good seconded. The motion passed.

c. SUP business license application, Cyndi Fowler – Cyndi introduced her daughter and business partner, Jamie Fowler. They would like to be a cottage industry renting paddle boards out of Cyndi’s home. Will explained that John Groves of the Colorado Parks and Wildlife (CPW) had a problem with renting boards on Beaver Lake. Cyndi said she had spoken to him yesterday and he said that he had a problem with renting them at the lake but that he felt she has a right to a business license. Discussion regarding the overuse of the lake, further discussion with John Groves, care of the lake, number of boards and recreation vs wildlife. Will proposed putting this on the May agenda and asked that a report of further communication with the CPW be presented at that time. The council gave verbal support to the idea as long as the CPW supports it.

d. Further discussion with Slow Groovin regarding music at restaurant, Ryan – Because there was not a representative from Slow Groovin’ in attendance, the issue was tabled.

e. Further discussion with Joe Brown regarding property clean up - Because Mr. Brown was not in attendance, the issue was tabled..

f. Consider approval of ordinance amending zoning code re: lot consolidations/splits, Ron – Ron Leach reported that he had reviewed the ordinance written by the attorney. Mike Yellico moved that the ordinance be approved, Tim Hunter seconded and the motion passed, effective immediately. Mike, Tim, approved. Effective immediately.

g. Consider approval of ordinance amending zoning code fees & expenses, Ron – Ron Leach reported that he had reviewed the fees suggested by Kendall and he would like to suggest one change. He would like to change the hourly fee for salaried staff to be \$30 to agree with other hourly the hourly rates on other ordinances. Mike Yellico made the motion to approve the ordinance with the change in hourly rates. Larry Good seconded and the motion passed.

h. Mill Site Report, Richard – Richard Wells was absent. Mike Yellico reported that he had cleaned out brush and downed trees from below the document house and has started building the pile for New Year's. He has purchased two disc golf baskets. Tree and brush clean up will continue on Sundays if anyone would like to help.

New Business – Tim Hunter asked that the council address the issue of livestock within the city limits. This is to be placed on the May 4 agenda.

E. Adjourn - Mike Yellico moved that meeting be adjourned. Tim Hunter seconded and the motion passed. The meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Terry Langley

Town of Marble
Balance Sheet
As of April 30, 2017

	<u>Apr 30, 17</u>
ASSETS	
Current Assets	
Checking/Savings	
*General Fund -0240	53,143.90
Money Market -1084	214,367.88
Water Fees -0873	14,756.28
Total Checking/Savings	<u>282,268.06</u>
Total Current Assets	<u>282,268.06</u>
TOTAL ASSETS	<u><u>282,268.06</u></u>
LIABILITIES & EQUITY	0.00

APRIL 2017
TOTAL REVENUES 5,031.04
TOTAL EXPENDITURES 10,288.99

Town of Marble
Deposit Detail
 April 2017

Date	Name	Memo	Account	Amount
04/26/2017		Deposit	*General Fund -0240	3,395.82
	Colorado Stone Quarry CSQ	April	Colorado Stone Use Agreement	-2,199.42
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Maintenance Reim	-300.00
		CAP, Parker, Savage, Hu...	Business Licenses	-300.00
		Good	Building Permits	-89.25
		Easement Fee - Good	Licenses & Permits	-200.00
	Gunnison County	February 17	Sales Tax	-155.95
	Holy Cross Electric	1stq 2017	Holy Cross Electric Rebates	-151.20
TOTAL				-3,395.82

5

Town of Marble
Deposit Detail-Money Market Fund
 April 2017

Date	Name	Memo	Account	Amount
04/10/2017		Deposit	Money Market -1084	1,635.22
	Gunnison County	Deposit	Additional License Tax	-49.50
	Gunnison County	Deposit	Property Tax	-1,509.21
	Gunnison County	Deposit	Specific Ownership Tax	-106.64
	Gunnison County	Deposit	Treasurers Fees	30.71
	Gunnison County	Deposit	Property Tax Interest	-0.58
TOTAL				-1,635.22

Town of Marble
Check Register
May 4, 2017

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Amount</u>
Daly Property Services, Inc.			
05/04/2017	10249	Snow & Ice Removal	-906.25
Total Daly Property Services, Inc.			-906.25
Holy Cross Electric			
05/04/2017	10245	Campground/Store Expenses	-19.69
05/04/2017	10245	Campground/Store Expenses	-19.91
05/04/2017	10245	Utilities	-22.94
05/04/2017	10245	Utilities	-22.82
Total Holy Cross Electric			-85.36
Jenny Cutright			
05/04/2017	10247	Accounting and Audit	-247.50
05/04/2017	10247	Office Expense	-22.00
05/04/2017	10247	Office Expense	-36.23
Total Jenny Cutright			-305.73
Law of the Rockies			
05/04/2017	10246	Legal Expense	-2,155.00
Total Law of the Rockies			-2,155.00
Marble Community Church			
05/04/2017	10243	Rent	-50.00
Total Marble Community Church			-50.00
Marble Water Company			
05/04/2017	10248	Utilities	-50.00
05/04/2017	10248	Campground/Store Expenses	-50.00
05/04/2017	10250	Utilities	-5,000.00
Total Marble Water Company			-5,100.00
Valley Garbage Solution, LLC			
05/04/2017	10244	Playground & Park Improvements	-110.00
Total Valley Garbage Solution, LLC			-110.00
TOTAL			-8,712.34

04/28/17

Town of Marble Payroll Report May 2017

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
Charles R Manus 05/01/2017	10240	Charles R Manus	Paycheck	<u>-323.23</u>
Total Charles R Manus				-323.23
Jennifer Cutright 05/01/2017	10241	Jennifer Cutright	Paycheck	<u>-230.87</u>
Total Jennifer Cutright				-230.87
Ronald S Leach 05/01/2017	10242	Ronald S Leach	Paycheck	<u>-1,022.55</u>
Total Ronald S Leach				<u>-1,022.55</u>
TOTAL				<u><u>-1,576.65</u></u>

Town of Marble
322 West Park St.
Marble, CO 81623
970-963-1938

2017 Business License Application

Date of Application: 3/27/17

Applicant Information:

Name: VINCE SAVAGE

Mailing Address: 105 EAST MARBLE ST

City: MARBLE State: CO Zip: 81623

Daytime Phone: (970) 366-2180 Evening Phone: (970) 366-2180

Fax: (none) Email: beaver@rof.net

Business Information:

Name: BEAVER LAKE RETREAT

Address: 105 EAST MARBLE ST

Property Zoning: COMMERCIAL

Phone Number: _____ Fax Number: NONE

Days and Hours of Operation: 24/7/365 BUT LARGELY JUNE-SEPT

State Sales Tax Number: ON FILE SAME AS 1987-2016

Please describe your business as fully as possible. Please include the following (as applicable): parking provisions for customers, signage, health department certification if selling prepared or ready-to-eat foods, uses of neighboring properties, anticipated total number of daily trips by employees, customers and vendors. Note: If your business uses water that impacts your septic system, you must include the size of your existing leach-field and holding tank. Use the back of this form if you need more room.

EXACTLY THE SAME AS LAST AND RECENT PREVIOUS YEARS.
LARGER NEW SEPTIC IN PROGRESS INSTALLATION AS PERMITTED
AND AS SCHEDULED COMPLETION FOR END OF SUMMER SEASON
2017 WITH WILL HANDVILLE - MAYOR. RECENT (OCT)
SEPTIC PUMP AND SYSTEM INSPECTION NO PROBLEMS/
OPERATING NORMALLY. PREVIOUS DESCRIPTION ON FILE WITH
TOWN. WILL PROVIDE AFOREMENTIONED DOCUMENTS IN
APRIL WHEN RETURN.

By signing this business license application you are verifying the information you have provided is complete and accurate. If your business changes in any way, you will need to re-apply for a business license.

Applicant Signature:  Date: 3/27/17

Town of Marble
322 West Park St.
Marble, CO 81623
970-963-1938

2017 Business License Application

Date of Application: March 13, 2017

Applicant Information:

Name: Cynthia S Fowler and Jaime L Fowler

Mailing Address: 110 Slate Drive

City: Marble State: CO Zip: 81623

Daytime Phone: 970-309-6430 Evening Phone: 303-564-9321

Fax: 970-963-4855 Email: cynthiefow@gmail.com
jaimesai@gmail.com

Business Information:

Name: SUP Marble

Address: 110 Slate Drive

Property Zoning: Residential

Phone Number: 970-963-4855 Fax Number: 970-963-4855

Days and Hours of Operation: 9am to 7pm Monday through Sunday

State Sales Tax Number: 02652137-0000

Please describe your business as fully as possible. Please include the following (as applicable): parking provisions for customers, signage, health department certification if selling prepared or ready-to-eat foods, uses of neighboring properties, anticipated total number of daily trips by employees, customers and vendors. Note: If your business uses water that impacts your septic system, you must include the size of your existing leach-field and holding tank. Use the back of this form if you need more room.

We have always wanted to find a way to float on the lakes around Marble. Last year we discovered stand up paddle boarding as a way to experience the lakes in a fun and relaxing way.

We are a stand up paddle board rental company based out of our "SUP Marble" shed on our property (10 by 10 shed that has been on our property since 2004).

Short term parking provided for customers in the driveway of 110 Slate Dr. in order for the customer to pick up the rental stand up paddle board.

The customer is responsible for finding their own parking while following the rules and regulations as posted in the town of Marble.

We have 5 boards in our fleet, so the daily trip usage depends on if the boards are rented daily or hourly.

By signing this business license application you are verifying the information you have provided is complete and accurate. If your business changes in any way, you will need to re-apply for a business license.

Applicant Signature: Cynthia S Fowler Date: 3.13.17

↩ Reply | ▾  Delete Junk | ▾ ...




FW: Town council math tonight

RL

Ron Leach <leach@carbondalefire.org>

Today, 4:15 PM

Ron Leach Town of Marble ▾

 ↩ Reply | ▾

Inbox

From: Jodi Taylor [mailto:joditaylor2929@gmail.com]
Sent: Thursday, February 02, 2017 9:59 AM
To: Ron Leach <leach@carbondalefire.org>
Subject: Town council math tonight

Hi Ron

I'm writing from my back up email as my other email is not working right now
I thought I'd send a summary of what we are trying to do with our lots to make it easier to tell the town council

So here goes

We would like to replat. Lots 7,8,9,10 and 1 in alpine village woods
Part but not all of this total subdivision is inside the marble town limits

All 5 of our lots are in the town limits

Our goals are twofold:

We'd like to reduce the density

Along the river w lots 7,8,9

We would like to divide lot 8 so that .4 of an acre is added to lot 7 and .3 of an acre is added to lot 9 (the lot our house is on). Then lot 8 would disappear. We just feel this is a better distribution of space for those lots along the river .

Second goal is to tidy up so that the plating of lots 1 and 10 more clearly reflect the actuality .

Lot 10 has 12 ft from the eastern platted boundary of lot 10 to the shoulder of 8th that was quit claimed deeded to the property.

It just seems better that in the replatting we include that 12 feet inside the plating of lot 10.

Also on lot 10 there is an easement allowing for a septic system for lot 9. When we built the house, we were in the county and Richard Stinson actually put the septic and most of the leach field on lot 9. We would like to move the boundary of lot 10 slightly to the east to clear up that unneeded easement.

Also we would like to change the boundary between lot 1 and 9 so that the storage shed that is on lot 1 becomes part of lot 9. That is changing the boundary on the southwest corner of lot 1.

Ron, as we talked, if this is of concern to the town or if there is not a procedure to do this we can accomplish part of our goals in other ways .

Thanks so much for your help,



April 3, 2017

MEMO

TO: Marble Town Council
FROM: Andrea Korber
Land + Shelter
PO Box 550
Carbondale, CO 81623
CC: Ryan Vinciguerra

Project: Gallo Hill Housing
Subject: Use By Review

Dear Councilmembers and Neighbors:

Please consider, the attached site plan, cabin drawings, and the following letter addressing the topics that have been raised so far in this application.

Multi-Family is a use that the Marble residential zoning considered. It is allowed "by review." The Town council provided a list of review submission requirements to the applicant which we are responding to with this application. The project must meet the 2003 IBC codes and must meet the Marble OWTS regulations dated June 9, 2015.

1. Drawings – Architectural submission requirement drawings are attached.
2. Screening – Screening plantings are proposed to separate the structures from neighbors and these plantings are shown on the east and south of the site plan, where neighbors exist.
3. Use – The proposed use is long term rental dwellings. These are proposed as free-market rental units. Each unit will be offered for rent for long term lease and is designed to be a 2 bedroom unit. There will be one owner for all 5 units, and the facility is intended to stay that way and to be sold that way in the future. The owner believes this will be a valuable asset for resale, and that subdividing the property would not be desirable for the Town of Marble or the future owners. One owner creates one point of contact with the Town and uniform maintenance and communication with the Town.
4. Parking - No commercial vehicle parking, no commercial storage is proposed. – The property is being developed exclusively for residential use. The property will be used by the renters of the units and is not



April 3, 2017

proposed for commercial parking or commercial storage. 2 parking spaces per dwelling unit is shown on the site plan.

5. OWTS regulation compliance – The 5 cabins include 2 bedrooms per cabin. A total of 10 bedrooms. Marble OWTS regulations concerning multi-family apply to this parcel.
According to Paul Rutledge - OWTS reviewer for the Town - the Marble OWTS regulations a 10 bedroom multi-family system can be one system, no matter how many separate structures exist. The system is sized according to the bedrooms. The OWTS system compliance is designed by Carla Ostberg who is supplying drawings for review separately. Slate Creek is the western property border and the system has been located to the south east of the site to provide distance from the creek. Please see the OWTS documents for additional detail.
6. Restrictions on occupants (employee or income) – The owner intends for this rental housing to meet a need in Marble for modestly sized rental housing. It is not intended as a deed-restricted property that limits the type of renter by income or type of renter by place of work. Employees of Marble School, Slow Groovin' Barbecue, or any other establishment would be able to rent a unit at the discretion of the owner now and in the future.
7. Low visibility, low impact – The cabins are modest in size (1028sf per cabin) and set into a wooded site. They are single story cabins. The materials are natural and blend into the existing building fabric of Marble – predominantly stained wood siding – see elevations. There was considerable effort to screen as much as possible to preserve everyone's privacy – both the renters and the existing homes.
8. Resale concerns – Needs to be able to sell – The property is intended as a 5 unit multi-family property. It should be modestly income generating for the current owner and potential future buyers. It is not intended for subdivision or sale in pieces. All five cabins should be maintained in similar and good quality working order. Dividing it might jeopardize that. Dividing it could create disharmony or differentiation in the upkeep that may not make sense for a group of 5 similar cabins. Any future buyer would likely wish for control of all 5, not take a risk on buying 2 or 3 and not knowing the fate of the other cabins.
9. Subdivisability – This parcel is intended to stay as one parcel. If the Town Council wishes to make a restriction on subdivision (no future subdivision) a condition of approval for a multi-dwelling unit plan, that could be a condition of approval and is the discretion of the council. The applicant does not intend to subdivide.
10. Year round occupancy – The proposed use is rental units, which are intended to be available for lease year round.
11. Lighting – Modest exterior lighting is proposed for front porch safety as shown on the plans and elevations. It is downward facing, located under porch roofs, and will not shine on any neighboring parcels.

Thank you for considering this use by review. I will be present at the April Council meeting for continued discussion and questions.



Land+Shelter
Architecture • Planning • Development

April 3, 2017

Warm regards,

Andrea Korber AIA
Land+Shelter



NOTICE AND DISCLOSURE
This is a preliminary site plan. It is not intended to be used for construction. It is subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The designer is not responsible for any errors or omissions. The client is responsible for providing accurate information. The designer is not responsible for any delays or costs incurred by the client. The client is responsible for obtaining all necessary permits and approvals. The designer is not responsible for any errors or omissions. The client is responsible for providing accurate information. The designer is not responsible for any delays or costs incurred by the client.

TOWN APPROVAL
March 31 2017
Res. 00000
Res. 00000
Res. 00000

CABINS
GALLO HILL
SCHEMATIC DESIGN

NOT FOR CONSTRUCTION

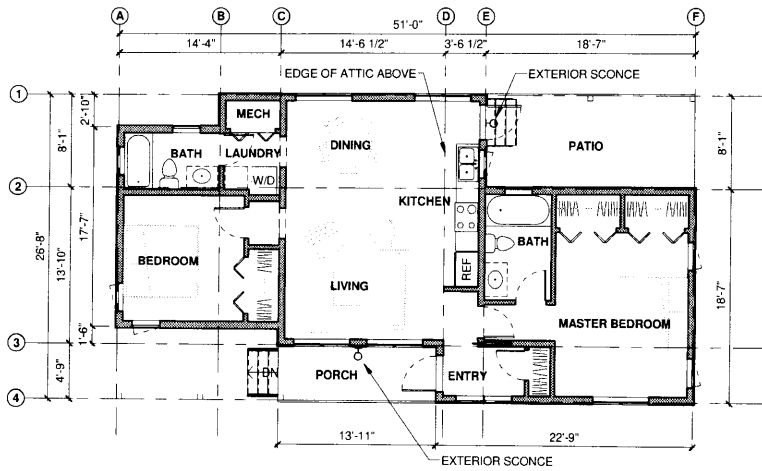
Job Site:
GALLO HILL
TBD Address Gallo Hill
Maple CO 80523

SITE PLAN

Sheet Number:

A2.0





AREA: 1028 SQFT
SINGLE STORY CABIN ON CRAWL SPACE



MAIN LEVEL PLAN

1

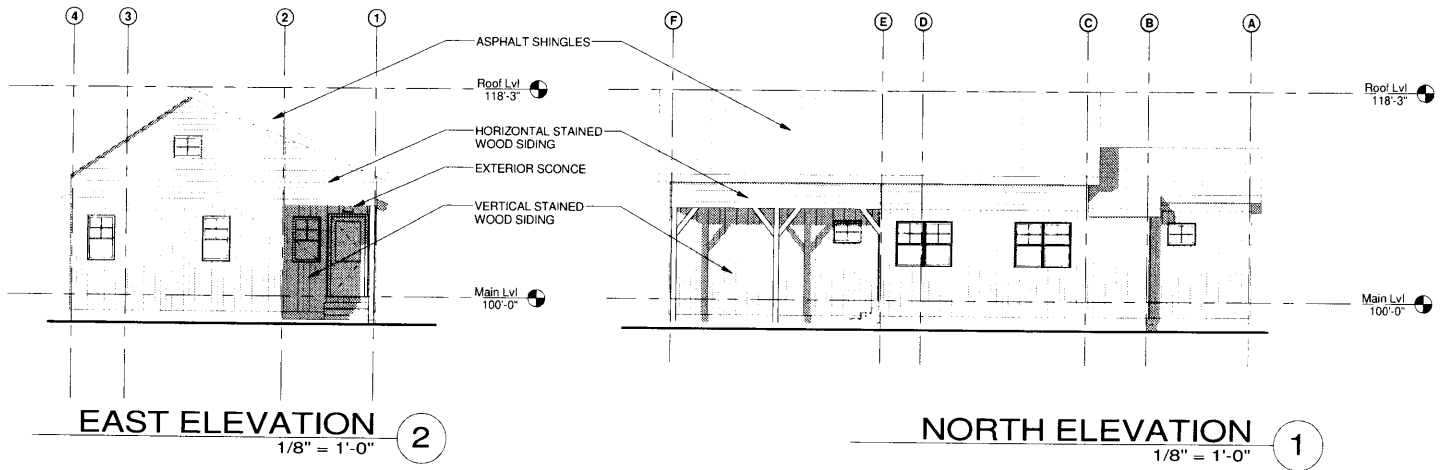
1/8" = 1'-0"

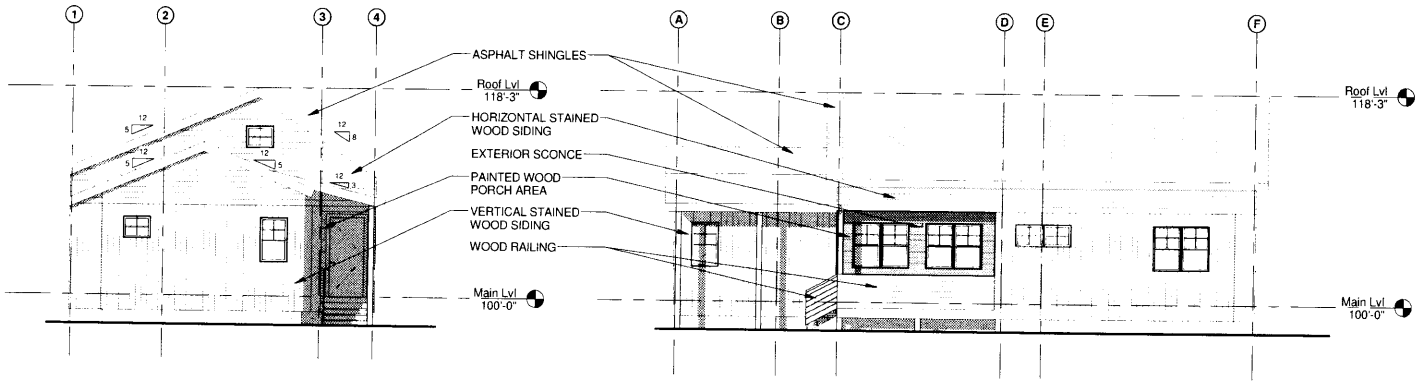


180 Address Gate Hill
Marion, CO 81653

09/20/17

A3.2

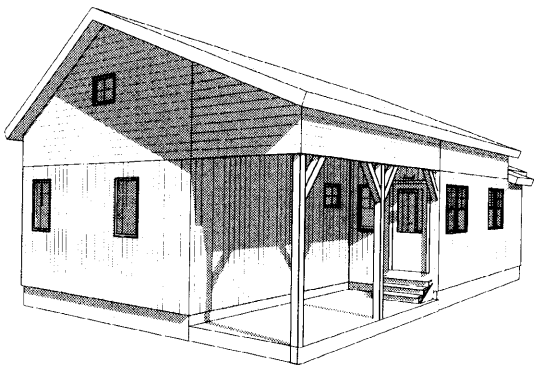




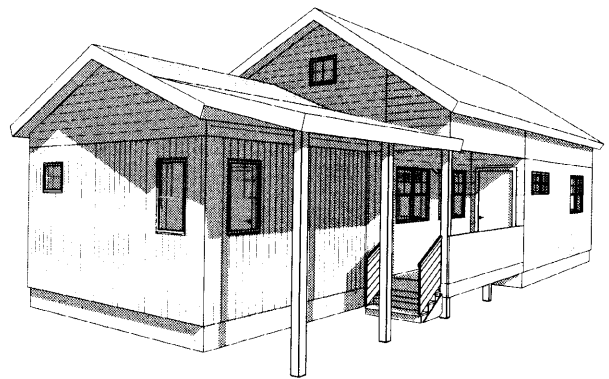
WEST ELEVATION
 1/8" = 1'-0" (2)

SOUTH ELEVATION
 1/8" = 1'-0" (1)


LandShaper
 CABINS
 180 Address Gate Rd
 Maine, CO 81601
 03-30-17
A4.2



BACK VIEW 2



FRONT VIEW 1

April 29, 2017

Dear Marble Town Council,

This letter is to express our concerns about the proposed multi-family, high-density housing project on Gallo Hill Drive.

The lot in question is zoned for one single-family home, with one accessory living building, with a total of 5000 SF FAR, per lot. The Marble Ski Area, Filing One was annexed into the Town of Marble in the mid 1990's. The intention of the Town of Marble was to maintain the "one-acre to build" code, that Gunnison County established to maintain low-density in the entire Marble valley. The Marble Ski Area, Filing One zoning has remained low-density, with at least one-acre to build, with one acre plus building lots, at 5000 SF FAR per building lot. This project is beyond the scope of a simple variance. It constitutes a zoning change, from single-family residential to multi-family residential. The Town of Marble Land Use Codes do not address multi-family residential development, nor is an area zoned for high-density. As policymakers, if high-density housing is an issue you would like to entertain, then creating a zoning policy, with appropriate procedures would be the appropriate first steps to take. I do not believe it is legal to "spot zone" in the State of Colorado, so you would have to identify and designate the most appropriate area of Town to rezone for high density, in consideration of many variables, including infrastructure, environmental impacts, fire mitigation and the health and safety of the citizens.

If you happen to pass this project with just a variance, you will open the entire Town up to possible high-density housing. You would also change the lowest density area in the Town into the highest density area of the Town. Just on Gallo Hill Drive, there exists 7 building lots. Four have existing single-family dwellings, but are not built out to their total FAR. With the existing zoning, only 4 more single-family dwellings may be built on Gallo Hill Drive. If this project is approved with a variance, and everyone followed suit, more than 20 units could be built on Gallo Hill Drive.

Everyone who has purchased in the Marble Ski Area, Filing One, did so because it was low-density. We wanted more land and more space between our neighbors, thus more privacy. These are desirable factors, when considering a purchase of a home for most people. We all live on one or more acres and have built modest homes. Our properties are worth more, because people are willing to spend more for privacy and more land. Placing the highest density project ever proposed in the Town of Marble in the middle of the lowest density area in the Town will lower our property values. For most of us, our home is our biggest, if not our only investment. This project threatens our financial asset.

Infrastructure is a major issue to discuss in considering a project of this magnitude. The road is a one-lane, undeveloped, dirt road. Even with 3 very considerate neighbors, who currently own homes on Gallo Hill Drive, the dust created by making the sharp turn onto Gallo Hill Drive and immediately accelerating up the very steep hill, that is Gallo Hill Drive, creates a 20+ foot wall of dust, that washes over our property. This same wall of dust happens, as they travel down the road. Our property is bordered on two sides by Gallo Hill Drive and one side by West Main Street. We cannot have our windows open in the warm months of the year. My house and decks get covered in road dirt. We are breathing particulate pollution every day in the warm months of the year. We cannot sit outside and enjoy our home at times, because the dirt is in the air. Adding around 20 possible vehicles, going up and

down several times a day, just on Gallo Hill Drive, is a major concern to us. The Town does not have the money to fund the infrastructure improvement necessary to mitigate this problem. In the winter months, our snowplowing is barely adequate for the traffic we now have. Most months deliveries of propane or parcels and trash pick-up cannot be made on Gallo Hill Drive. A firetruck would not be able make it back West Main Street, Gallo Hill Drive or Slate Drive on many winter days due to the road narrowing of the road, because of the snow build-up. Narrow roads, dust mitigation, and snow issues need to be addressed properly and mitigated by the Town Council, if this project moves forward.

High-density was never considered in creating the Land Use Codes for the Town of Marble, because for according to the Colorado Geological Survey, done by the Department of National Resources, in Denver, CO, completed in 1972, the geological hazards of our valley, especially at the base of Gallo Bluff and Carbonate Creek are tremendously high. To quote the survey, page 28, second paragraph, "On the strength of the above geologic evidence, we strongly suggest that if this area is to be developed, a wide setback should be observed from the base of Gallo Bluff, and that any construction in the area of the old landslide terrain should proceed only after thorough engineering geology and soils engineering studies." Marble Ski Area, Filing One sits on this old landslide terrain, at the base of Gallo Bluff. Ryan's lot borders Slate Creek. When the mud flows, we have personally witnessed the 25 FT gully of Slate Creek fill up to the top with mud and boulders and rock. It comes down the drainage like a runaway freight train. This observations were during a normal rain events, not the catastrophic events the survey predicts will happen at any time. Our whole valley is a geological hazard area and this is one of many reasons why the valley and the Town of Marble are zoned low-density. This is also reflected in The Marble Master Plan completed in May of 2000. It is complete with the geological survey maps showing the hazards we face. These two documents, the Marble Master Plan and the Colorado Geological Survey, should be included in your discussions of entertaining any high-density project in the Town of Marble.

The last issue of concern to us is that this high-density project is being considered in the Wildland Urban Interface. We live in a box canyon, in a dense forest with lots of dead and highly flammable fuels. We have one way out of this valley in the case of a fire emergency. Is high-density development really appropriate in this situation?

Please take the time needed to consider all of the variables surrounding a project of this magnitude and scope, with the consequences and impacts that it will create.

Respectfully submitted,

Christine and Hal Sidelinger

15 Gallo Hill Drive

Marble, Colorado 81623

April 30, 2017

Dear Marble Town Council,

In my letter dated February 25, 2017 I stated the town should not consider a variance to Ryan Vinciguerra for his housing project on Gallo Hill Drive until the existing septic and water issue is resolved related to Slow Groovin'. Since the water issue is dramatically important and can affect each home owner in town, it seems it needs to be solved first and foremost. The town needs to solve these major issues before adding more problem solving issues.

The current law requires one house per each one acre lot and should remain so. We purchased in this area knowing it was to be low density. We considered the space and privacy from our neighbors to be an amenity we could enjoy as well as a good investment. The same law is why we also purchased the small lots across the road from us with the intention to join them together to be one acre plus in size adhering to the low density requirements. In our research prior to purchasing, history showed that Marble had a larger population and the density of the structures in addition to less vegetation were part of the problems pertaining to some of the natural disasters. We felt this law addressed this problem with the low density solution and gave us the comfort to invest and move to Marble. We recommend not repeating the past mistakes and learn from history. This law should not be changed at this point and time in the planning stages of Marble.

The current road on this side of town is terrible and the city has not made any improvements such as repairing the roads, installing the much needed culverts or widening the road to accommodate the added traffic. We understand that is to be done this year, and would be one more project to complete prior to adding more problems for our town.

Each person living in the complex will have their own car. It can be assumed they would have to commute to work down valley for work when Slow Groovin' closes for the winter. Additional traffic will occur as the population increases in the low density area as well as more visitors, deliveries and needed servicing.

Will this complex be available to anyone wishing to rent or will it be only for Slow Groovin' employees? If this is a profit generating business, then it appears to qualify as commercial property. Should that be the case, we were informed by the town council there would be no commercial business in this section of town.

It is also quite prudent for Mike Yellico and Richard Wells to excuse themselves from voting on this project. They have publically expressed approval before any concerns of citizens have been made. This request for them to excuse themselves is only asking them to be professional regarding the town council since their minds are already made up.

A successful restaurant such as Slow Groovin' is a nice amenity for Marble to have but laws are here for a reason. We hope that the town of marble and Ryan will work even more diligently regarding the septic and the water issues that already exist and need to be resolved before any considerations are made.

I oppose any variance that does not support the proper planning that is already in place for a very good reason and affects the surrounding neighbors. It is understood there will be growth but it needs to be thoughtfully handled and move slowly and carefully.

I have talked to many people and all have the same opinion.

Thank you for your consideration. It is greatly appreciated.

Sincerely,

Charlie Manus

April 10, 2017

Town of Marble
322 West Park
Marble, CO 81623

This letter provides 60 (sixty) days' notice to access the North portion of Block 23 lot 22, using the sole access thru the alley. The purpose is to allow lawn and garden equipment that cannot fit thru my front door.

Please remove all obstructions in the alley.

Thank you,

John Anthony Petrocco
118 East State Street
Marble, CO 81623

April 18, 2017

Mr. Will Handville, Mayor
Mr. Ron Leach, Town Clerk
Town of Marble
322 West Park Street
Marble, CO 81623

Dear Will and Ron:

Will, we appreciated your call to Kathy Zentmyer following the Marble Town Council meeting on March 2, 2017. We were encouraged by your expressed desire to establish more open communications between the Town and the Marble Water Company and build a better working relationship going forward based on mutual respect and trust. We especially appreciated the Town's willingness to reconsider contributing to the costs of the monitoring wells in order to reduce the financial burden on the Marble Water Company tap holders due to the special assessment.

During our only subsequent communication from you – a brief conference call involving the four of us (Will, Ron, John, and Tom) on March 11 – you expressed a strong desire to meet face-to-face to discuss these issues and not to discuss them over the telephone, and a preference for holding the meeting in Tucson, which we appreciated. Since we've heard nothing from you since that call, we can only assume that the dates we provided were not convenient for the two of you.

Since that telephone call, however, we received a copy of the minutes of a special meeting of the Marble Town Council held on March 16 from which we learned that the Town intended to make the following offer of financial support for the monitoring wells subject to the following terms and conditions:

1. Offer \$18,000 toward the cost of the monitoring wells, which includes the original offer made last October of \$8,000 plus an additional \$10,000. We assume that the Town would expect the Marble Water Company to rebate this \$18,000 to its tap holders in order to reduce the impact of the special assessment.
2. In return, the Town would ask the Marble Water Company to:
 - Forgive the remaining balance of \$10,000 (\$5,000 due June 1, 2017 and \$5,000 due June 1, 2018) for water tap fees for the campground – money that is already owed by the Town and which is designated by the Marble Water Company to help replenish its depleted cash reserves. The special assessment is being used to repay the MWC's bank line of credit and will not contribute to our cash reserve.

- Provide free water to the campground and the general store building by waiving all future monthly water fees, representing an annual loss of operating revenue to the MWC of \$1,300.
- Share in the cost of the Town's water rights – an expense born by the Town alone since 1983 and never by the Marble Water Company. The lease agreement between the Town and the MWC established in 1983 entitles the Water Company to one-tenth of one cubic foot of the Town's three cubic feet of water. This represents one-thirtieth of the Town's water rights. The Town's attorney informed our attorney that the Town wanted the MWC to pay one-third of the cost of renewing the Town's water rights.

On a side note and for your information, when the Town instructed its attorney to communicate directly with the MWC's attorney without first talking to any member of our Board regarding its desire to cost-share the Town's water rights, the Water Company incurred \$570 in unnecessary legal expenses. This would hardly be an example of more open communication based on mutual respect and trust.

- Add a Town representative or liaison to the Marble Water Company Board of Directors, and
- Provide the Town with the results of the water quality tests from the monitoring wells and grant the Town the right to re-test or get a second opinion. As a tap holder, the Town will receive the test results along with all the tap holders. We would be willing to allow the Town to re-test or seek a second opinion if it so desired. In any event, this is hardly an example of mutual trust and respect.

It is the unanimous decision of the Marble Water Company Board of Directors to decline the Town's offer of \$18,000 subject to this list of terms and conditions. The MWC would gladly accept the original \$8,000 contribution proposed by the Town and agree to rebate that full amount to the tap holders in order to reduce the special assessment of \$300 per active tap and \$100 per inactive tap.

Under normal circumstances, we might be open to adding a Town representative or liaison to our Board of Directors, but it hardly makes sense in view of the obvious conflict in goals between our two organizations.

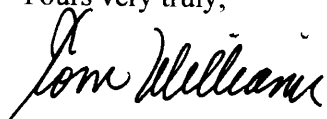
The MWC is committed to just two things: providing high quality water at an affordable price to both current and future tap holders as the Town grows, and supplying sufficient water for the Marble Fire Department to provide adequate fire protection to the Town of Marble. We don't pretend to understand the Town's goals, but we frankly don't see how the Town's list of conditions above are in any way consistent with our goal of ensuring high quality water at an affordable price.

Finally, we would just like to point out that this is the second time the Town of Marble has followed up an offer to help with the costs of the monitoring wells by changing the offer or attaching a list of unacceptable conditions with no prior conversation with us. Last October after agreeing to provide up to half of the cost of the monitoring wells not to exceed \$8,000, the Town's attorney submitted a draft of a written agreement that changed the locations of two of the monitoring wells, making them irrelevant for the purpose of monitoring for nitrates and excluded the engineering costs from the agreement, which ultimately comprised nearly two-thirds of the total costs of the project. Essentially, the Town's draft agreement left the MWC responsible for the installation cost and the recurring annual cost of testing the three wells designed to protect our two main wells, the annual cost of testing the two relocated and irrelevant wells intended apparently to monitor the flow of underground water from northwest Marble, and all of the engineering costs totaling nearly \$20,000.

If in the future the Town is willing to discuss a no-strings-attached contribution toward the costs of this project, the Marble Water Company would use those funds to provide relief to the tap holders by rebating a portion of the special assessment.

While we welcome the possibility of developing a better working relationship with the Town of Marble, doing so will be difficult, if not impossible, as long as the Town fails to see the Marble Water Company for what it is: a collection of 72 members of the Marble community – friends, neighbors, tax payers, and voters whose water fees pay to operate the company. When the Town seeks one-sided deals that attempt to shift expenses from the Town to the Water Company or get free water for the Town while depriving the Water Company of needed operating income, it is our tap holders who end up bearing the cost. It will be difficult to change our working relationship as long as it is based on winning or losing.

Yours very truly,



Tom Williams
President



John Williams
Executive Director

April 26, 2017

Dear Marble Water Company Tap Holder:

This letter serves as an update to all our tap holders on the special assessment we announced on February 1 and on our recent communications with the Town of Marble following the March 2 Town Council meeting.

First, we'd like to thank all of you who have paid the special assessment either in full or in part. We have received \$16,445, all of which has been applied to the bank line of credit. The remaining balance of the line of credit is \$3,555.

We recognize that this assessment is a source of concern and frustration for many of you. While we deeply regret any hardship this assessment has caused, we continue to believe that the action we took was absolutely necessary and in the best interest of the tap holders, the Marble Water Company, and the Town of Marble.

We accept the criticism we received from some of you regarding our failure to communicate adequately about the circumstances leading up to the special assessment. In this letter, we will provide more of that important background information.

Recent Communication with the Town of Marble

A number of you attended the March 2, 2017 meeting of the Marble Town Council to express your unhappiness with the special assessment and with the Town's lack of assistance. On March 3 as a direct result of that meeting, Mayor Will Handville called Kathy Zentmyer, MWC Board member and secretary who attended the Town meeting, and expressed the Town's desire to improve communication between the Town and the Water Company, reduce the tension between the two organizations, and build a better working relationship going forward based on mutual trust and respect. Will also said that the Town of Marble was willing to reconsider its offer to contribute to the costs of the monitoring wells in order to relieve some of the burden on the tap holders of the special assessment.

We followed up promptly with emails and voice mails offering times when we would be available to meet and explaining that the MWC did not have money to pay our expenses to travel to Marble from Tucson, Arizona, where both John Williams and Tom Williams reside during the winter. Will and Ron Leach initiated a conference call with John and Tom on March 11, 2017 lasting about five minutes. Will said that they would not discuss this matter on the telephone, that a face-to-face meeting would be necessary, and that Will and Ron would be willing to travel to Tucson for the meeting. In follow-up emails and voice mail messages, we provided possible dates for a meeting in Tucson, but have received no response.

However, we recently received a copy of the minutes of the Town's special meeting held on March 16 which included the details of an intended offer to the Marble Water Company with their terms and conditions for providing financial support for the monitoring wells project. At no time before or since that special meeting has the Town discussed these conditions with us. We find their conditions to be unacceptable. On April 18, we sent the enclosed letter to Will and Ron declining the Town's offer. Please read this letter to learn of their offer and our full response. While we hope the Town will consider making a no-strings-attached offer of financial support, we have no reason to believe that they will do so. If they do, we will apply the Town's contribution toward the special assessment and offer tap holders refunds or credits, as appropriate.

Why Were the Monitoring Wells Necessary?

Some of you continue to wonder about the necessity of the monitoring wells. In our letter to you dated February 1, we explained the circumstances leading up to the decision to install the test wells, but we realize that we didn't start at the beginning.

The process actually began in the summer of 2015 when the Marble Water Company received a grant of \$5,000 from the Colorado Department of Public Health and Environment to develop a Source Water Protection Plan for the Marble Water Company. The MWC, in cooperation with the Town of Marble, formed a steering committee comprised of Richard Wells, Ron Leach, Lou Eller, Charley Parker, Josh Stapelfeldt, Kathy Zentmyer, John Williams, and Tom Williams. Mr. Paul Hempel, Source Water Specialist with the Colorado Rural Water Association, served as convener of the steering committee and facilitator of the Source Water Protection Plan.

The committee met periodically from August 2015 through February 2016. Using a planning template provided by Paul Hempel, we developed a source water protection plan that approached 50 pages in length. The plan included a matrix that identified and rated a list of 11 potential contamination threats to the town's wells. We prioritized the threats according to their potential impact to the water system (from insignificant to catastrophic), their probability of occurrence (from rare to certain), and their risk (from very low to very high) which was a measure of the water source's potential exposure to contamination.

As you can see from the table below, the steering committee identified Residential Septic Systems and Commercial Septic Systems as the top two potential threats to the town's wells. Because of their close proximity to the town's wells, the commercial septic systems of greatest concern included the Slow Groovin' BBQ Restaurant, Duane Piffer's new shop, and a possible convenience/general store that Duane was considering on his property south of the new shop. Residential and commercial septic systems were the only potential threats rated Priority 1. The committee rated their probability of occurrence as Possible and their potential impact on the water system as Significant. However, since the contaminant resulting from the failure of a septic system – commercial or residential – includes nitrates, the potential impact on the town's wells would more accurately be rated Catastrophic. Wells contaminated by nitrates would no longer be usable.

Note that the list of threats included the County Shop Fuel Storage Tank, which we considered a Priority 5 and rated its probability of occurrence as Unlikely and its potential impact on the water system as Major – a higher impact rating than the septic systems. We didn't consider the fuel storage tank at the Fire Station to be a threat because of its location a considerable distance due west of the wells. In fact, the Fire Station's storage tank failed last year and damage assessment and clean-up are still underway. These things do happen.

Potential Sources of Contamination and Issues of Concern Prioritization Table

Potential Source of Contamination or Issue of Concern	Proximity (SWPA Zone)	Controllable (Direct, Indirect, No)	Impact to Water System (Insignificant, Minor, Significant, Major, Catastrophic)	Probability of Impact (Rare, Unlikely, Possible, Likely, Certain)	Risk (Very Low, Low, Moderate, High, Very High)	Priority Ranking
Residential Septic Systems	1 & 2	Indirect	Significant	Possible	Moderate	1
Commercial Septic Systems: Restaurant, Convenience Store, Excavation Shop	1	Indirect	Significant	Possible	Moderate	1
Flooding	1 & 2	Indirect	Significant	Possible	Moderate	2
Excavation Shop Maintenance	1	Direct	Major	Unlikely	Moderate	2
Storm Water Runoff	1 & 2	Direct	Significant	Certain	High	3
Pooling of Water around Well #2	1	Direct	Significant	Certain	High	4
County Shop Storage Tank	1	Direct	Major	Unlikely	Moderate	5
Private Wells	1 & 2	Indirect	Insignificant	Unlikely	Very Low	6
Abandoned Wells	1 & 2	Indirect	Insignificant	Unlikely	Very Low	7
Security	1	Direct	Minor	Unlikely	Low	8
Residential Practices	1 & 2	No	Insignificant	Rare	Very Low	9

Following is a quote from the Marble Water Company Source Water Protection Plan content supplied by Paul Hempel:

“Septic systems are the second most frequently cited source of groundwater contamination in our country. Unapproved, aging, and failing septic systems have a large impact on the quality and safety of the water supply.”

We developed the Source Water Protection Plan between August 2015 and February 2016. In our letter dated February 1, we described the evolution of the restaurant. When Slow Groovin' BBQ opened for business for the 2016 season, the restaurant had added six picnic tables capable of accommodating up to six people each and opened a parking lot across the street for 30 vehicles. Daily, the restaurant packed in the customers, filled the parking lot, and still had overflow parking up and down the street throughout the summer of 2016. By late June, we were concerned enough to ask Wright Water Engineering to update its 2007 study of the potential impact of the restaurant's septic system on our two water wells. As we reported in our February 1 letter, WWE's report recommended for the second time the installation of test wells between the restaurant's septic system and the two water wells in order to monitor for nitrates. We had no choice. Failure to follow their recommendations would have been gross negligence.

Since the installation of the monitoring wells in early December, both the Colorado Department of Public Health and Environment (December 29, 2016) and the Town of Marble (February 23, 2017) have written letters to Ryan Vinciguerra requiring compliance with six very specific actions that must be undertaken before the restaurant opens for business in 2017, including the installation of flow meters and data loggers that will continuously monitor influent flow to the septic system. The restaurant will be expected to record the number of meals served daily or develop some other method for accurately determining the use of the OWTS and to report customer counts and flow data quarterly to the Town and to the Water Quality Control Division.

The CDPHE further stipulated that the restaurant and/or the catering business must not divert wastewater through the sewer drain connections or other means to the OWTS that serves the one-bedroom apartment located above the restaurant or use the apartment restroom for employees or customers not residing in the apartment. This is important because, while the water for the restaurant is metered, the apartment's private well is not. The CDPHE requires a completely different septic system for commercial enterprises using 2,000 or more gallons of water per day. This requirement is intended to ensure that the restaurant is accurately reporting influent flow and not diverting water or effluent to a separate and unmetered, unmonitored septic system in order to stay below the 2,000 GPD limit.

We believe that the new monitoring wells in combination with the restaurant's compliance with the actions required by the CDPHE and the Town of Marble will provide adequate protection for the town's two wells – for now.

If we hear anything further from the Town of Marble regarding their willingness to contribute to the special assessment fund, we will notify you. We also plan to keep you better informed in the future regarding the issues facing the Marble Water Company.

Thank you once again for your understanding of and support for the special assessment. We remain committed to supplying our tap holders and the Town of Marble with water of the highest quality at an affordable price.

Tom Williams, President

John Williams, Executive Director

Reply | Delete | Junk | ...



Park employee

CATTLE CREEK WAGON REPAIR <ccvubs@msn.com>

Sun 4/30, 7:31 AM

Will Handville <whandville@carbondaire.org>; Ron Leach Town of Marble; +4 more

Reply |

Inbox

Gentleman, Please consider putting out ad and hiring for a park employee asap. Times a wasting and the grass is a growing. Here's is a job description....

- 1/Maintain the 3 dog waste stations including trash pickup
 - 2/Maintain appearance of Mill site entrance and Thompson park including maintenance of paths and parking lots
 - 3/Backup Bathroom cleaner when needed
 - 4/Maintain flyers and marble donations at mill site
 - 5/Mowing and coordination of volunteers/extra help
 - 6/Maintenance of tools and mower
 - 7/Basketball court and stage area cleanup
 - 8/Extra Cleaning of Thompson park porta potty when needed.
- This is the majority of the summer work.

Thanks RW

PS Thompson park will need mowed soon!
Sent from my iPhone

33