

**TOWN OF OAK CREEK  
TOWN BOARD MEETING  
APRIL 25, 2024  
MINUTES**

**CALL TO ORDER:**

Mayor Dobbins called the regular meeting of the Oak Creek Board of Trustees to order at 6:01 p.m., Thursday, April 15, 2024.

Town Officials present at roll call were: Mayor Dobbins and Trustees: Sascha Stanger, Christopher Hedberg and Julie D. Gregory.

Others present: David Torgler, Town Administrator/Clerk; Kelsi Edwards, Utility Billing/Deputy Clerk; Sheila Cummins, Chris Cummins, Dillon Gotshall, Robert Gotshall, Kelli Marks and Jacob Beck.

Those present recited the Pledge of Allegiance.

Trustee Bernie Gagne arrived at 6:13 p.m.

**AUDIENCE PARTICIPATION:**

None

**EN RE: ROBERT AND DILLON GOTSHALL – LAND USE CHANGE OF MINOR IMPACT, 709 LILLIAN LANE**

Public Hearing, review and consideration of the Planning Commission's recommendation concerning an application for a Land Use Change of Minor Impact for a conditional use change to allow conversion of an existing garage to an accessory residential dwelling unit.

Trustee Stanger made a motion to approve to approve the application for a Land Use Change of Minor Impact for a conditional use change to allow conversion of an existing garage to an accessory residential dwelling unit at 709 Lillian Lane subject to the following findings of fact and conditions of approval.

**FINDINGS OF FACT:**

The Town Board finds that the proposed land use change is in:

A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;

B. Conformance with the requirements and performance standards established in the Municipal Code;

C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

**CONDITIONS OF APPROVAL:** the following are conditions to be included as part of the approved Land Use Changes of Minor Impact for the land use change:

1. The approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
2. The accessory dwelling will include a bed, bath and kitchen meeting currently adopted building codes, utility connections per approval of the Town's Public Works Director, and payment of any additional utility tap fees for this accessory dwelling as required by the Town's Public Works Director.
3. Petitioner is required to reclaim disturbed land not used for structures or parking with new vegetation.
4. Petitioner is required to build and maintain three parking spaces of 20'x10', totaling 20'x30', to be located where the existing driveways are shown on the Vicinity Map and said driveways expanded if necessary to meet this minimum requirement of Section 17.10.09 of the Municipal Code.
5. Inasmuch as this is a conversion of an existing structure the application of Section 17.10.09 J is waived.
6. All exterior lighting on the site will meet the requirements of Section 17.10.10 of the Municipal Code.
7. Snow storage area shall be identified on this site plan per Section 17.10.013 of the Municipal Code.
8. Petitioner shall provide a lot coverage calculation for consideration of this application by the Town Board.

Trustee Gregory seconded the motion. Motion passed unanimously.

**EN RE: KELLI MARKS AND JACOB BECK – LAND USE CHANGE OF MINOR IMPACT, LOTS 1 & 2, BLOCK 15, FIRST ADDITION TO TOWN OF OAK CREEK**

Public Hearing, review and consideration of the Planning Commission's recommendation concerning an application for a Land Use Change of Minor Impact for a conditional use change to allow construction of a single family home on Lots 1 & 2, Block 15, First Addition to Town of Oak Creek.

Trustee Hedberg made a motion to approve to approve the application for a Land Use Change of Minor Impact for a conditional use change to allow construction of a single family home on Lots 1 & 2, Block 15, First Addition to Town of Oak Creek subject to the following findings of fact and conditions of approval.

## **FINDINGS OF FACT:**

The Town Board finds that the proposed land use change is in:

- A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
- B. Conformance with the requirements and performance standards established in the Municipal Code;
- C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

**CONDITIONS OF APPROVAL:** the following conditions are included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

1. Construction and use of Lots 1 & 2, Block 15, First Addition to Oak Creek for residential use is approved subject to the conditions of approval stated herein and subject to the petitioners Proposed Site Map for LOTS 1 & 2, BLK 15, petitioners application for a Land Use Change – Minor Impact, and petitioners March 24, 2024 written narrative to the Planning Commission.
2. Per 17.03.014 the approval expires three (3) years from approval by the Town Board of this application unless application for renewal is obtained pursuant to the Oak Creek Land Use Code.
3. Petitioner is required to reclaim disturbed land not used for structures or parking with new vegetation.
4. A condition of approval is to provide on-site parking for the residential use proposed with access to the on-site parking to be from the alley as shown on the petitioner's Proposed Site Map for LOTS 1 & 2, BLK 15.
5. All exterior lighting on the site will meet the requirements of Section 17.10.10 of the Municipal Code.
6. Snow storage area shall be identified on this site plan per Section 17.10.013 of the Municipal Code.
7. The setbacks proposed on the Proposed Site Map for LOTS 1 & 2, BLK 15 shall be considered as a required minimum condition of approval for the residential use proposed, e.g. the proposed setbacks shall not be less than shown on the Proposed Site Map for LOTS 1 & 2, BLK 15.
8. The upper story setback requirement per Section 17.11.02 3.b of the Municipal Code shall be waived per Section 17-03-02 of the Municipal Code.
9. A condition of approval is to include a 35-foot height limit for the proposed development.
10. Require full reimbursement to the Town of Oak Creek for the installation of protective bollards to be purchased or built by the Town and installed at the base of the public utility pole located near the intersection of Lincoln Avenue and the alley south of this lot.

Trustee Stanger seconded the motion. Motion passed unanimously.

**EN RE: ROLLER COASTER VENTURES, LLC THROUGH ITS MEMBERS, CHRIS & SHEILA CUMMINS – 211 E. MAIN STREET, UNIT 1**

Public Hearing, review and consideration of the Planning Commission's recommendation concerning an application for a Land Use Change of Minor Impact proposing to allow for mixed office/residential uses.

Trustee Gregory made a motion to approve an application for a Land Use Change of Minor Impact to allow for mixed office/residential uses at 211 E. Main Street, Unit 1 subject to the following findings of fact and conditions of approval.

**FINDINGS OF FACT:**

The Town Board finds that the proposed land use change is in:

- A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
- B. Conformance with the requirements and performance standards established in the Municipal Code;
- C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

**CONDITIONS OF APPROVAL:** the following conditions are included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

- 1. Applicant shall identify and provide written verification to the Town Administrator/Clerk where one (1) parking space within a reasonable walking distance to the property will meet the requirement for residential use.
- 2. All exterior lighting on the site will be down cast, use the lowest wattage possible to sufficiently light the intended area and only provide illumination within the site in accordance with Section 17.10.010 of the Municipal Code.
- 3. All signs shall meet the sign standards in accordance with Section 17.10.011 of the Municipal Code.
- 4. Upon abandonment of the land use change, if such abandonment occurs at least three years following the effective date of the land use change permit. Abandonment shall be defined as the date one year after the last significant progress toward the construction of the development occurred. Abandonment shall be determined at the sole discretion of the Routt County Building Official and such determination may be appealed pursuant to Section 17.09.06.

Trustee Stanger seconded the motion. Motion passed unanimously.

**EN RE: ROLLER COASTER VENTURES, LLC THROUGH ITS MEMBERS, CHRIS & SHEILA CUMMINS – 211 E. MAIN STREET, UNIT 2**

Public Hearing, review and consideration of the Planning Commission's recommendation concerning an application for a Land Use Change of Minor Impact proposing to allow for mixed office/residential uses.

Trustee Hedberg made a motion to approve an application for a Land Use Change of Minor Impact to allow for mixed office/residential uses at 211 E. Main Street, Unit 2 subject to the following findings of fact and conditions of approval.

**FINDINGS OF FACT:**

The Town Board finds that the proposed land use change is in:

- A. Conformance of the proposed land use change with the policies and principles in the Oak Creek Comprehensive Plan Update, pursuant to C.R.S., 1973, Section 31-23-206;
- B. Conformance with the requirements and performance standards established in the Municipal Code;
- C. Preservation of the health, safety and welfare of the citizens of the Town of Oak Creek, Colorado.

**CONDITIONS OF APPROVAL:** the following conditions are included as part of the proposed Land Use Changes of Minor Impact for the variance and land use change subject to the following requirements:

- 1. Applicant shall identify and provide written verification to the Town Administrator/Clerk where one (1) parking space within a reasonable walking distance to the property will meet the requirement for residential use.
- 2. All exterior lighting on the site will be down cast, use the lowest wattage possible to sufficiently light the intended area and only provide illumination within the site in accordance with Section 17.10.010 of the Municipal Code.
- 3. All signs shall meet the sign standards in accordance with Section 17.10.011 of the Municipal Code.
- 4. Upon abandonment of the land use change, if such abandonment occurs at least three years following the effective date of the land use change permit. Abandonment shall be defined as the date one year after the last significant progress toward the construction of the development occurred. Abandonment shall be determined at the sole discretion of the Routt County Building Official and such determination may be appealed pursuant to Section 17.09.06.

Trustee Gagne seconded the motion. Motion passed unanimously.

### **EN RE: RESOLUTION 2024-006 APPOINTING MUNICIPAL OFFICERS**

Discussion, review and consideration for approval and authorization to sign Resolution 2024-005, A Resolution Appointing the Town Administrator/Clerk, Treasurer, and Town Attorney in accordance with C.R.S. § 31-4-304; and the Municipal Judge and Court Clerk in accordance with C.R.S. § 13-10-105, subsequent to the Regular Municipal Election.

Trustee Gagne made a motion to approve Resolution 2024-066 appointing David Torgler as Town Administrator/Clerk, Jennifer Hewes as Treasurer, Robert Weiss as Town Attorney in accordance with C.R.S. § 31-4-304; and Jessica Ryan as Municipal Judge in accordance with C.R.S. § 13-10-105.

Trustee Hedberg seconded the motion. Motion passed unanimously.

### **EN RE: DISCUSSION REGARDING CHAPTER 2.30 BOARD OF TRUSTEES-COMPENSATION**

Information was provided to Town Board members regarding Municipal Code, Chapter 2.30 and pay for their services and the option to decline payment.

No action required.

### **EN RE: RESOLUTION 2024-007 MODIFYING TOWN GENERAL POLICIES, PART 1 – BOARD OF TRUSTEES – MEETINGS**

Discussion, review and consideration for approval modifying *Town General Policies, Part 1 – Board of Trustees – Meetings, Section 8.5 Order of Business*, by moving the Consent Agenda to earlier on the regular meeting agendas. Trustee Gagne made a motion to approve Resolution 2024-007 modifying the Town General Policies, Part 1 – Board of Trustees – Meetings, moving the Consent Agenda to 5<sup>th</sup> in the Order of Business.

Trustee Stanger seconded the motion. Motion passed unanimously.

### **EN RE: THE CONSENT AGENDA**

Trustee Stanger made a motion to approve the consent agenda, specifically: Approval of April 11, 2024 meeting minutes; and, approval of March 2024 financial reports.

Trustee Gagne seconded the motion; passed unanimously.

### **EN RE: STAFF & BOARD MEMBER REPORTS**

Mayor Dobbins made a Motion to appoint Trustee Gagne as Mayor Pro-tem. Trustee Hedberg seconded the motion. Motion approved unanimously with Trustee Gagne abstaining.

David Torgler introduced staff attending the meeting to the new Town Board members. David updated the Board on the canvas of the April 2, 2024 Town Board election stating the process was completed and will be published in the newspaper.

Darin Christenson, Police Officer, introduced himself.

Jennifer Hewes, Treasurer, introduced herself and invited the Board members to contact her regarding anything they need, including Town finances and financial reports.

Kelsi Edwards introduced herself and reviewed what she does as the Utility Billing/Deputy Clerk's for the Town.

Trustee Gagne welcomed the new Town Board and said he looks forward to working with everyone.

Trustee Stanger said that he looks forward to applying his business skills to his position and he looks forward to working with the Board.

Trustee Hedberg said is looking forward to working with the community and excited to participate with the new Board.

Trustee Gregory said that she is excited and looking forward to giving back to the community.

Mayor Dobbins thanked everyone for participating and she appreciates the opportunity to work with everyone. Melissa asks that people please get their dogs under control. She sees Mom's out walking with their children being approached by dogs not on leads, dogs leaving their waste all over, stray dogs approaching dogs on a lead, dogs going into private yards and that these encounters are mostly, but not always friendly. Melissa asked that public works check the trees in Decker Park, concerned about their health and dropping of branches onto park visitors. She also asked when the Decker Park bathrooms might be open for the season.

### **EN RE: ADJOURNMENT**

Trustee Gagne made a motion to adjourn the meeting. Trustee Gregory seconded the motion; passed unanimously.

No further business coming before the Board, same adjourned sine die at 7:38 p.m.

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David Torgler  
Town Administrator/Clerk

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Melissa Dobbins, Mayor

Date: \_\_\_\_\_, 2024