

She said the town's existing infrastructure overall could handle a five-year storm, but the study identified a poorly built culvert that could only handle a two-year event.

Morton and Countryman presented two alternatives to improve the drainage on High Street: an above-ground design that would enlarge existing culverts to eliminate drainage bottlenecks at a cost of \$400,000, and an underground design that would install a mix of 30- and 36-inch pipes at a cost of \$4 million. Which design to choose would be up to the board, they said. They also mentioned the possibility of a hybrid design that would combine above- and below-ground elements at a mid-range cost.

Morton discussed funding options. He doubted the town would qualify for grants, which are only available to disadvantaged communities, because of the median income and average home value in Palmer Lake. The town could try for funds from the American Recovery Plan Act, he said. The town could borrow money, Morton said, adding that would require financial stability and a clearly defined revenue stream such as property taxes or a water department usage fee. He recommended the town set up a water enterprise fund to facilitate borrowing money.

Morton and Countryman presented the study at a workshop meeting, and the board took no votes based on their presentation.

### Appointments made to ad hoc Grants Committee

The board voted unanimously in favor of Resolution 23-2022, which appoints Nicole Currier and Cindy Powell to the town's Grants Committee. The committee researches, writes, and administers grant fund applications, and advises town staff as needed.

### Appraiser chosen

The board voted in favor of Resolution 24-2022, which authorizes Bass to sign an agreement with Opteon USA to appraise the Elephant Rock property as well as the property currently used as a motocross track. The resolution specifies Opteon USA will receive \$9,500 to appraise the two properties and must complete its work in 45 days.

### Erosion and fencing demand attention

Collins told the board that GMS was working on a plan to address erosion at the pedestrian bridge abutment adjacent to the lake and asked the board to authorize her to pay GMS \$9,500 for its work and to put the work out for bids. Collins said the erosion was considered urgent by the railroad, and, if not quickly addressed, the railroad might shut down the bridge.

The board voted unanimously to authorize Collins to move forward with the project.

Collins also spoke to another requirement of the railroad: the need to upgrade the fencing that runs parallel to the railroad tracks by the end of April. The railroad requires the fencing be 8 feet high. She said if the town does not complete the project, the railroad will do the work and send the bill to the town.

The board voted unanimously to authorize Collins to put together a bid and proceed with the project.

### Palmer Lake Wine Festival scheduled

Havenar asked the board to approve a special event permit for the third Palmer Lake Wine Festival to be held on Sept. 10 at the north end of the Palmer Lake Recreational

Area west of the lake adjacent to Highway 105. Havenar said she is now a co-owner of the event along with Matthew Hexter and Paul Murphy. The festival has commitments from 18 wineries currently and has room for seven more, according to Havenar. Wineries interested in participating should contact Havenar.

The application for the event says 1,500 attendees are expected. The festival area will be fenced in accordance with state law and will include musical performances. Parking will be on the west side of the recreational area and in private parking lots. Security will be handled by a third-party contractor.

The board voted to approve the permit with Havenar abstaining.

### Developer brings vision for Elephant Rock Property

Jeff Zearfoss used the public comment portion of the April 14 meeting to introduce himself to the community and present his vision for possible uses of the Elephant Rock Property.

Zearfoss told the board he owned the Carter Payne building in Colorado Springs, which was originally built as the city's first Black church in 1897 and is now used as a community space housing a brewery, taproom, and co-op restaurant.

Zearfoss said he envisioned the Elephant Rock property as the home of a brewery, restaurants, a community garden, art studios and galleries, hiking trails, and bike shops. He said he looked forward to continuing the discussion with the town about partnering to develop the Elephant Rock property.

### Taqueria requests liquor license

At the April 28 meeting, Norma Sandoval, co-owner of Sasquatch and Yeti Taqueria at 292 Highway 105, requested a liquor license for her business. She said the restaurant serves tacos, burritos, and tortas based on her family's traditional recipes and would like customers to be able to order a beer or a margarita to drink along with their food on the patio. Stambaugh said staff saw no issues with the request.

The board voted unanimously to approve the request and forward it on to the state for final approval.

### CORE project underway

Rob Osborne addressed the board on behalf of CORE Electrical Cooperative. He described the three-phase project which will rebuild nine miles of lines in the town, bringing them up to the latest standards. Phase 1 is complete, with phase 2 ready for construction in June; construction on phase 3 will start in 2023. Osborne said residents will see temporary use of double poles during construction, which are necessary to minimize power outages. Work will be done Monday through Friday from 8 a.m. to 4 p.m. Residents will be notified of scheduled outages and any time contractors need access to rights of way on residents' properties.

### Conditional use permit granted

The board held a public hearing at the April 28 meeting regarding Diacut owner Bruno Ferrer's request for a conditional use permit to allow his property at 773 Highway 105 to be used as a temporary storage location for storage of hay. The property was previously occupied by Elites Cranes. Ferrer said the hay would be stored for a year until the owner builds a barn to store it at another location. A chain-link fence with a screen would sur-

round the hay, Ferrer said, adding that the bales would be covered by tarps.

Bass said he was concerned with the appearance of the property and pointed out that a lot of effort had gone into removing Elite Cranes' inoperative equipment from the site. Stuth also expressed skepticism that Ferrer would abide by the schedule he had proposed. Ferrer said his request had been approved by the Planning Commission.

There were no other comments at the public hearing.

Later in the meeting, the board voted to approve the conditional permit on a six-to-one vote, with Stuth voting against.

### Vacation of right of way considered

The board held a second public hearing on a request from Gene and Maria Kalesti to vacate a platted but undeveloped town right of way on Loveland Slope between 171 and 179 Shady Lane. Gene Kalesti said the town's right of way encroached on his property due to inaccurate surveying done when the town was originally laid out in 1889. If the right of way is vacated, he intends to landscape it to prevent erosion and potential flooding, Kalesti said. He added that the Planning Commission had approved his request.

Several neighbors and other residents spoke at the hearing, some in favor of and some opposed to the request. The board also received several letters on both sides of the request.

Due to the many technical details involved in the request, the board tabled the request until its May 12 meeting to give board members time to visit the site. Town Attorney Matt Krob advised the board members to visit the site together but to avoid conversations at the site and to hold all discussion at a public meeting.

### Special event permits granted

The board granted three special event permits: for the Elephant Rock Bike Tour, scheduled for June 5; for the Tri-Lakes Lions Club Fishing Derby, also to be held on June 5; and for the town's annual Fourth of July event, the Festival on the Fourth.

The board voted unanimously to grant all three permits.

### Short-term rental regulation amended

Collins proposed some clarifying language be added to the recently passed ordinance governing short-term rentals. The amended language specifies two things: first, an owner-occupied property (one parcel) with more than one rental requires a conditional use permit, and second, a non-owner occupied property (one parcel) with more than two rental units requires a conditional use permit.

The board asked Collins to continue to refine the language in the ordinance and bring an updated version back to a future board meeting.

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The next two board meetings are scheduled for May 12 and 26. See the town's website at [www.townofpalmerlake.com](http://www.townofpalmerlake.com) to confirm times, dates and locations of board meetings and workshops. Meeting times may change. Meetings are typically held on the second and fourth Thursdays of the month. Information: 481-2953.

James Howald can be reached at [jameshowald@ocn.me](mailto:jameshowald@ocn.me).

Jackie Burhans can be reached at [jackieburhans@ocn.me](mailto:jackieburhans@ocn.me).

## NEPCO announces special speakers for May 14 meeting

By Marlene Brown

The Northern El Paso County Coalition of Community Associations (NEPCO) will hear more about three bills concerning Home Owners Associations (HOAs) in the Colorado State Legislature this year from state District 20 Rep. Terri Carver, who represents communities in northern El Paso County including the Air Force Academy and Palmer Lake.

The bills are:

- HB22-1137 HOA Board Accountability and Trans-

parency—relating to the conduct of HOAs collecting unpaid assessments, fees, and fines.

- HB22-1139 HOA Cannot Regulate Use of Public Rights-of-Way—relating to prohibiting HOAs from requiring that public rights-of-way be used in a certain manner.
- HB22-1239 Regulate Community Association Managers by the Division of Real Estate.

Joining Carver will be HOA attorney Lenard Rieth to further explain how the bills would impact local and re-

gional HOAs. Dave Betzler, NEPCO's Outreach chair, explained that NEPCO is actively engaged with county and municipal planners and keeps its members informed about local development activities. HOA members and the public are urged to attend the May 14 meeting from 10 a.m. to noon at the Woodmoor Barn, 1691 Woodmoor Dr. [www.nepco.org](http://www.nepco.org).

Marlene Brown can be contacted at [marlenebrown@ocn.me](mailto:marlenebrown@ocn.me)

### Woodmoor Improvement Association, April 27

## Board discusses subdivision, fire insurance, short-term rentals

By Jackie Burhans

The Woodmoor Improvement Association (WIA) board met on April 27 to hear from residents on subdivision, fire insurance, and short-term rental (STR) concerns. Treasurer Connie Brown was absent.

### Owner comments on subdividing and fire insurance

Resident Joann Schmitz returned to follow up on her previous concerns about the Architectural Control Committee (ACC) application process. Schmitz noted that she had received a copy of the application but that identifying information was redacted. She determined that the applicant was a corporation and suggested that

corporations do not have privacy rights. She wants to talk to the developers when they resubmit their application to the ACC as they had not reached out to nearby homeowners as promised. Schmitz offered to work with the ACC to develop guidelines for property subdivision requests.

Bush indicated the property was previously subdivided into four separate parcels, but the owner had vacated the internal lot lines. While WIA can provide input when the developer goes before the El Paso County Planning Commission, he said the county could override any such input, providing examples of the county doing so in the past. Bush also noted that very few properties left in Woodmoor could be subdivided but welcomed any in-

put from Schmitz on proposed guidance.

Schmitz also brought to the board's attention a bipartisan bill passed by the state Legislature: HB22-1111 Insurance Coverage for Loss Declared Fire Disaster. The bill still needs to be signed, but its purpose is to ensure insurance companies pay promptly, increase the upfront payment from 30% to 65% of the total property value, and extend the time to rebuild from 12 months to 36 months with two six-month extensions available.

The bill, she said, also codifies the option to rebuild or buy somewhere else without penalty. She noted that the East Troublesome and Marshall fires revealed that many homeowners were grossly underinsured. Schmitz also suggested additional tips to add to the WIA website.