



**To:** Madom Mayor and Board of Trustees

**From:** Brian Kracke – Code Enforcement Officer/Permit Technician

**Date:** February 23, 2026

**RE:** Administrative Appeal for 329 Mountain Ave./Jadd & Alyssa Helma

**Background:** This memorandum serves to brief the Board of Trustees on an appeal filed by the applicants regarding the denial of their Minor Encroachment. Staff has reviewed the case history and the applicable sections of the Grand Lake Municipal Code. The following summary outlines the administrative findings and the options available to the Board for final determination.

Per the **Town of Grand Lake Municipal Code**, a homeowner may submit an Encroachment application to encroach the Town Right-of-Way.

#### **11-6-1 - Public Property Encroachments**

##### ***Review and Approval Process.***

1. **Major Encroachments** shall be reviewed by the Town Board of Trustees. The item will be placed on the Town Board of Trustees agenda. The Board shall approve, approve with conditions, or deny the application at a public meeting. No later than fourteen (14) days prior to the meeting, Town staff shall cause certified mailings to be sent, return receipt requested, to all utility companies. (sent out 02/03 & 02/04) The Board may continue the application review to a later date (not to exceed forty-five (45) days) in order to obtain more information about the request or to conduct site inspections. If approved, an Encroachment License will be issued.
2. **Minor Encroachments** will be reviewed by Town staff Requests for Encroachment Agreements that do not have staff support shall be directed to Town Board of Trustees and shall follow the procedures set forth for Major Encroachments. If approved by Town Staff, an Encroachment Agreement will be executed.

(D) ***When Encroachments May Not Be Granted.*** The following encroachment license of agreement requests may not be granted, as determined by the Town Board of Trustees:

1. The proposed encroachment is in conflict with applicable Town Departments and/or applicable utility companies, or



**2. When construction has commenced prior to the issuance of a required permit from the Town.**

On 01/14/2026 The applicants applied for a Minor Encroachment:

On 1/28/2026 The applicants were denied the Minor Encroachment by the Town Staff.

On 01/28/2026 The applicants submitted to pursue a Major Encroachment.

Today the applicants are here to petition the BOT for a Major Encroachment.



### **Findings into the applicants request:**

Artificial turf ([astroturf](#)) in Colorado is considered hazardous to wildlife and the environment due to [PFAS chemicals](#), [microplastics](#), [heat island effects](#), and potential for [animal waste buildup](#), prompting Colorado's 2024 law ([SB24-005](#)) to restrict its use in new developments starting in 2025-2026. The state recognizes turf's negative impacts, including releasing harmful substances into soil and water, contributing to urban heat, and harming local ecosystems by replacing natural habitats, with significant concerns around "forever chemicals" used in manufacturing.

### **Why Astroturf is Hazardous in Colorado:**

- Chemical Leaching: Turf releases plastics [microplastics](#), and [PFAS \(per- and polyfluoroalkyl substances\)](#), known as "forever chemicals," into soil and water, impacting ecosystems.
- Habitat Loss: Replacing natural grass removes food, shelter, and resources for local insects, birds, and mammals, disrupting ecosystems.
- Waste Buildup: Artificial turf can harbor mold, bacteria, and animal waste, require disinfection and posing health risks.

### **Wildlife Impact:**

- Birds and small mammals can mistake plastic pieces for food, leading to internal injuries.
- Contaminants from turf can enter the food web, affecting various species.

In summary, Colorado's legislation reflects growing awareness and action against the significant wildlife and environmental hazards posed by artificial turf.



**Conclusion:**

In addition to the construction commencing prior to the issuance of a required permit from the Town, the proposed astro turf is not eco-friendly, not consistent with the mountain character of Grand Lake nor proper land stewardship.

Furthermore, Public Right-of-ways should not be privately maintained, especially mowing, weed control, tree removal, and general upkeep. In this case, had the Public Right-of-way been left in its natural state, landscaping and maintenance would not be necessary.

At this time, the Staff requests that the Board approve, approve with conditions, or deny the application