



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.



Town of Grand Lake

Planning Department

• P.O. Box 99 • 1026 Park Avenue • Grand Lake, CO 80447

• Phone: 970-627-3435 • Fax: 970-627-9290

• Email: planner@townofgrandlake.com • Website: townofgrandlake.com

PUBLIC PROPERTY ENCROACHMENT APPLICATION FORM

*APPLICATION DEADLINE IS NOON, 14 DAYS PRIOR TO THE NEXT REGULARLY SCHEDULED MEETING

PROPERTY INFORMATION

- Name of Applicant: Jadla Alyssa Helms Email: _____
- Address: 329 Mountain Ave Phone: _____
- City: Grand Lake State: CO Zip: 80447 Fax: _____
- Street Address: 329 Mountain Avenue
- Legal Description: Lot 102 Block 32 Subdivision unk

TYPE OF REQUEST • Major Encroachment * (structures, driveways, fences, retaining walls, utilities, etc.) \$100
 (circle one): Minor Encroachment (at-grade natural drainage, landscaping, gardens, trees, hedges, etc.) \$50
 Other (explain below)

DESCRIPTION OF REQUEST:

Please allow us to keep the installation of turf + decorative rock border within the town right-of-way adjacent to 329 Mountain Ave

Utility locate scheduled or completed? YES ___ NO X Date scheduled: n/a

Utility locate identification number: _____

REQUIRED ATTACHMENTS:

- A site plan showing existing features and proposed features including: structures, utilities, driveways, fences, etc.
- An Agreement for Services
- Deposit

STAFF USE ONLY

Application Received By: _____

Date / Time: _____

Deposit Amount: _____

Application Complete? _____

Contacted all utility companies?

Completed Indemnification Agreement by property owner holding the Town of Grand Lake harmless?

A copy of the property owner's general liability insurance naming the Town of Grand Lake as an additional insured?

**Alyssa and Jadd Helma
329 Mountain Avenue
Grand Lake, CO 80447**

Date: 1/14/2026

**Town of Grand Lake
P.O. Box 99
Grand Lake, CO 80447**

Re: Public Property Encroachment Application form – Town Right-of-Way Improvements (Minor Encroachment)

Property Address: 329 Mountain Avenue, Grand Lake, Colorado

Dear Members of the Board,

We respectfully submit this letter in support of a **public property encroachment** to allow us to keep the installation of **turf and decorative rock** within the Town of Grand Lake right-of-way adjacent to our property at **329 Mountain Avenue**.

History of Maintenance and Existing Conditions

Since purchasing our home in **2019**, we have consistently **maintained the adjacent right-of-way at our own expense**, including mowing, weed control, dead tree removal, and general upkeep. This area was similarly maintained by the **previous property owners** prior to our purchase. The right-of-way has functioned as a maintained landscape extension of the property for many years, rather than an unimproved or natural area.

Despite ongoing maintenance efforts, the area has proven **difficult and costly to sustain** in its current condition due to environmental and site-specific challenges.

Unique Hardship Conditions

The hardship prompting this request is not self-imposed and stems from **unique physical and environmental conditions** of the site:

- **Aspen Root Infestation:**

Aspen trees in the immediate vicinity continually send root suckers into the right-of-way, resulting in aggressive regrowth, uneven ground, and repeated damage to the

landscape surface. This requires constant removal and has proven unsustainable over time. Please see enclosed pictures.

- **Vole Infestation:**

The area has experienced recurring **vole activity**, causing tunneling and ground instability. This creates safety concerns, damages turf and soil, and raises concern for **potential impacts to underground utility lines and the home's foundation** if left unaddressed. Please see enclosed pictures.

- **Soil Disruption and Erosion:**

The combined effects of root intrusion and burrowing animals make it extremely difficult to maintain traditional landscaping without continual disturbance of the soil.

- **Winter Safety and Snowplow Damage Hardship Due to Undefined Right-of-Way Boundaries**

The property experiences recurring winter hardship due to heavy snowfall and unclear roadway boundaries, which causes snowplows to encroach into the right-of-way, resulting in erosion, surface damage, and unsafe conditions for pedestrians and vehicles. The lack of a stabilized edge leads to repeated freeze-thaw damage, inefficient plowing, and increased maintenance burdens for both the property owner and the municipality. Installing a rock-lined edge provides a visible, durable boundary that improves plowing accuracy, enhances public safety in snow-covered conditions, and reduces ongoing damage and maintenance.

Proposed Solution

We propose keeping the existing landscape treatment with a **professionally installed turf and rock system**, which will:

- Provide a **stable, durable surface** resistant to burrowing and root intrusion
- Improve the **visual appearance** of the right-of-way
- Reduce erosion and uneven ground conditions
- Help maintain the right of way boundary

Public Benefit and Town Impact

Approval of this variance will provide several benefits to the Town of Grand Lake:

- **Reduced municipal maintenance costs**, as mowing, watering, and weed control will no longer be required
- **Water conservation**, eliminating irrigation in the right-of-way
- **Environmental benefits**, including reduced use of fertilizers, herbicides, and fuel-powered equipment
- **Safety benefits**, helping maintain a proper boundary of the right of way
- **Consistent aesthetic improvement**, supported by neighboring property owners through a signed petition

The installation will be **fully maintained by us**, will not impede public access, and will not interfere with utilities or drainage.

Consistency with Community Character

The proposed materials are consistent with the mountain character of Grand Lake, are visually unobtrusive, and represent a long-term, low-impact improvement that aligns with responsible land stewardship.

Conclusion

Due to the **unique environmental hardships**, long-standing private maintenance of the right-of-way, and the clear **public and environmental benefits**, we respectfully request approval of this variance. We believe the proposal represents a practical, sustainable solution that benefits both the Town and surrounding neighborhood.

We have enclosed signed support by many of our neighbors off Mountain Ave and Perry Street who support the installed turf and rock.

Thank you for your time and consideration. We appreciate the opportunity to work collaboratively with the Town of Grand Lake on this matter.

Respectfully submitted,

Jadd Helms Alyssa Helms

[Your Name(s)]


Signature

1/14/26



1/14/26

SITE PLAN

BLOCK 32
0.26 ACRES +/-

PE
80'
REC. I









Petition of Neighborhood Support (1 of 3)

Installation of Turf and Rock on Town of Grand Lake Right-of-Way

We, the undersigned residents and property owners in the Town of Grand Lake, Colorado, respectfully submit this petition in support of the installation of **turf and decorative rock** on the Town of Grand Lake right-of-way adjacent to the property located at: 329 Mountain Ave, Grand Lake, Colorado 80447, specifically at the corner of Mountain Ave and Perry Street.

This petition is intended to demonstrate neighborhood support for the installed improvement and to affirm that the installation is beneficial to both the community and the Town of Grand Lake.

Statement of Support

We support the proposed turf and rock installation for the following reasons:

1. Aesthetic Improvement

The proposed design is visually appealing, well-maintained in appearance, and consistent with the surrounding neighborhood. It enhances the overall look of the area and contributes positively to property values and community pride.

2. Reduced Maintenance Costs for the Town

The turf and rock installation will significantly reduce or eliminate the need for ongoing municipal maintenance such as mowing, irrigation, weed control, and erosion repair. This represents a long-term cost savings and reduced labor burden for the Town of Grand Lake.

3. Eco-Friendly and Sustainable Solution

The proposed installation supports environmentally responsible land management by:

- o Reducing water usage
- o Minimizing soil erosion and runoff
- o Eliminating the need for fertilizers, pesticides, and fuel-powered equipment
- o Providing a durable, low-impact surface appropriate for the site
- o Prevents the spread of voles and aspens into neighboring plots that interfere with utility lines and foundation.

4. Responsible Stewardship of the Right-of-Way

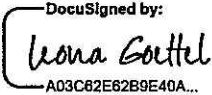
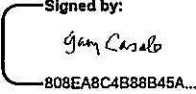

The installation will be professionally maintained by the property owner at 329 Mountain Ave, ensuring it remains safe, clean, and visually appropriate without creating liability or inconvenience for neighboring residents or the Town.

Community Endorsement

By signing below, we confirm that we:

- Have reviewed the proposed improvement
 - Believe it is appropriate for the right-of-way
 - Support the Town granting approval to keep the installation of turf and rock at this location
-

Signatures of Support

Name (Printed)	Address	Signature	Date
Leona Goettel	325 mountain ave	 A03C62E62B9E40A...	1/12/2026
Gary Casalo	Gary Casalo	 808E8AC4B88B45A...	1/12/2026
Jim and Jan Findlater	Jan and Jim Findlater	 9EA9B41DF17842F...	1/12/2026

Closing Statement

This petition reflects the collective support of nearby residents for a solution that is **aesthetically pleasing, environmentally responsible, and financially beneficial** to the Town of Grand Lake. We respectfully request that the Town consider this community endorsement

Petition of Neighborhood Support (2 of 3)

Installation of Turf and Rock on Town of Grand Lake Right-of-Way

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4. Responsible Stewardship of the Right-of-Way

The installation will be professionally maintained by the property owner at 329 Mountain Ave, ensuring it remains safe, clean, and visually appropriate without creating liability or inconvenience for neighboring residents or the Town.

Community Endorsement

By signing below, we confirm that we:

- Have reviewed the proposed improvement
 - Believe it is appropriate for the right-of-way
 - Support the Town granting approval to keep the installation of turf and rock at this location
-

Signatures of Support

Name (Printed)	Address	Signature	Date
BAXTER STRACHAN	321 mountain ave	 3CFD0206F9D4472...	1/12/2026
Kyle Masterson	220 Park Ave	 40648D67014E433...	1/11/2026
Edna Stoddard	405 Mountain Ave	 AA2574EE0429468...	1/11/2026

Closing Statement

This petition reflects the collective support of nearby residents for a solution that is **aesthetically pleasing, environmentally responsible, and financially beneficial** to the Town of Grand Lake. We respectfully request that the Town consider this community endorsement

Petition of Neighborhood Support (3 of 3)

Installation of Turf and Rock on Town of Grand Lake Right-of-Way

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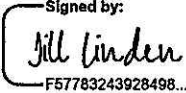
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Community Endorsement

By signing below, we confirm that we:

- Have reviewed the proposed improvement
 - Believe it is appropriate for the right-of-way
 - Support the Town granting approval to keep the installation of turf and rock at this location
-

Signatures of Support

Name (Printed)	Address	Signature	Date
Jill Linden	Jill Linden	 Signed by: <i>Jill Linden</i> F57783243928498...	1/12/2026

Closing Statement

This petition reflects the collective support of nearby residents for a solution that is **aesthetically pleasing, environmentally responsible, and financially beneficial** to the Town of Grand Lake. We respectfully request that the Town consider this community endorsement



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