

Town Of Nederland
NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY
NEDERLAND COMMUNITY CENTER 750 Hwy 72 Nederland, CO 80466
Multi-Purpose Room
November 20, 2013 at 5:30
Minutes

A. CALL TO ORDER

Meeting was called to order by Chairperson Pat Everson at 5:30 pm.

B. ROLL CALL

Members Present: Pat Everson, Jeffrey Green, Katrina Harms, Karina Luscher, Amanda Kneer, Susan Schneider

Chris Perret arrived at 5:40, after Roll Call.

Also present: Town Treasurer Eva Forberger, Town Administrator Alisha Reis, and Deputy Clerk Cynthia Bakke, who is taking the minutes of this meeting.

C. PUBLIC COMMENT ON NON-AGENDA ITEMS (Speakers limited to 3 minutes)

The public present included 1 member of the public who signed up to speak during General Public Comment. Donna Kirkpatrick requested that the Board consider allowing approval for the Design Advisory Team (DAT) members to include a final input upon the project, as members have been involved throughout the process. She asked for DDA permission to allow inclusion of a final written assessment to be forwarded with the Board of Trustees packet. Pat inquired who would be responsible to coordinate the comment, and said they would take this request under advisement. Donna Sue responded that the DAT, as well as residents along 2nd Street desire to submit written assessments, to be compiled and drafted, pending DDA approval. Katrina Harms queried whether comments would be from those who participated on the tour of the project area, or anyone who wanted to submit comment, as some residents and interested parties were unable to attend the walk-through. She also asked if the comments would be considered a representation of the DAT, which Donna Sue confirmed.

D. CONSENT AGENDA

1. Approval of minutes from Regular Meeting held on October 16, 2013

2. Approval of minutes from Special Meeting on October 30, 2013

A combined motion to approve the minutes from the Regular Meeting, as well as approval of minutes from the Special Meeting on October 30, 2013, was made by Jeffrey Greene, seconded Katrina, unanimously approved.

3. Approval of Warrants

Eva explained that the warrant for C2 Sustainability is for NedPeds Project for \$1440. A Motion was made by Chris Perret, seconded by Jeffrey Greene, with unanimous approval of the Board.

E. INFORMATIONAL ITEMS

1. **Karina Luscher and Katrina Harms gave an update on the Christmas Lights, as well as the First Friday Art Tour, which kicks off on December 6, 2013.** Karina reported that 90 reels of string lights were purchased to decorate around town, as well as some specialty lights, some requiring anchors due to their size. Donna Sue inquired about the 10 large star-shaped lights, and where they are intended to be placed. Karina responded that locations such as the Town Hall, the wooden Bridge, Ace Hardware, and Dandelion will feature the stars. Pat suggested that the Clock Tower at Salto's would be a great addition upon 2nd Street. Karina said they would like to create some areas with corridors of lights, and Ken from Indian Peaks Electric will install outlets at the Bridge. Karina and Katrina thanked My Therapy of Nederland for the kind donation of lights and to the First Friday Art Tour as well. Katrina reported enthusiasm from many businesses about the town-wide effort, which have committed to participating with lights. She said the First Friday Art Tour is also gearing up, with participation from new businesses as well. Katrina reminded everyone that the first lighting ceremony in 20 years is also December 6, and welcomed assistance from volunteers. Public Works along with volunteers will begin to hang lights on November 25, 2013 in preparation for the official lighting ceremony.

2. **Update on the Department of Local Affairs (DOLA) Best and Brightest two-year Intern.**

Town Administrator Alisha Reis reported that the chosen intern, Alexander Armani-Munn is finishing his dual degree in Political Science and English from UNC, and will be assisting in compiling the Strategic Master Plan, as indicated in the ballot proposal in 2012. Alex will be entering the Political-Science graduate program at CU-Denver, which Alisha spoke highly of as a fellow alumna. She said that Alex has a great background in community outreach, student journalism, and varying levels of public service. With regard to the Strategic Master Plan, he will be contributing to aspects of economic development and sustainability, as well as learning about grant writing, tax increment financing and interaction within the business community. He is expected to start in early January 2014.

3. **Report on Biomimicry Workshop conducted by the Environmental Protection Agency (EPA) on November 2, 2013.**

NedPeds Project Manager and Sustainability Consultant, Conor Merrigan, summed up the information provided in the packet about the recent Backyard Stewardship and Biomimicry workshop held at the Library. This workshop featured two EPA representatives who explained the science and principles of biomimicry, highlighting the NedPeds project to discuss restoration of "Life Principal" natural functions. Conor acknowledged that the project got no credit for habitat restoration, though it achieves requisite elements of connectivity, dealing with rainwater, and water movement, flow, and filtration. He noted the proposed meander of the 2nd Street roadway, which presents a more natural movement pattern, as well as aesthetic enhancement. Though attended by a few residents, he lamented that more property owners were not present

for the education as regards restoration upon private property, and correlating information on the NedPeds design.

Pat said the EPA representatives were complimentary of the design, underscoring the innovative use of pervious pavers on slopes. Conor reported that the EPA was impressed with ability to think outside the box by the Town and DDA. Alisha Reis agreed that the EPA expressed that this is a tremendous step in the right direction. As the new Comprehensive Master Plan has been adopted, the NedPeds project provides a key opportunity in moving the needle towards sustainability.

4. Report on the Final Office Review (FOR) meeting with CDOT for final approval of the NedPeds Project by Conor Merrigan and Brian MacLaren.

Conor reported that the meeting with CDOT was productive, however he noted his frustration that the soonest the project could get through the Historic Clearance process to be able to go out to bid would be mid-February. Originally, the plan was to go out to bid pending approval by the Board of Trustees, as of December 3, 2013. As contractors are unable to ensure material prices for more than 45 days, it would compel them to bid these costs conservatively or submit higher bids. He noted that there were concerns on behalf of Town advisory board members about flood recovery efforts bumping this project. Conor reported that CDOT expressed that this is a nonissue, due to the size of the project, as well as affected municipalities have been focusing funding toward flood restoration instead of other projects. He said he and Brian will compile a list of potential contractors from which Town may make preliminary price inquiries.

As regards the project area, Conor indicated that CDOT expressed no objections to leaving the spurs in as alternates. He said that as alternates, they would have to go through a multiple bid schedule, advertising the lowest acceptable bid, against which contractors would submit their bids, which is the protocol for federally funded jobs.

Conor said that at the time of the FOR meeting with CDOT, it had not been reviewed by all specialty groups. The Project Manager had a few comments, which have not yet been received, as well as the expected delay regarding historical clearance. He said that CDOT has requested several modifications showing cross-sections of how pervious pavers and the drainage pipe paralleling the Library will function, especially as the pipe is located in the CDOT right-of-way. There will need to be a maintenance agreement with Town if they will be maintaining this perforated pipe. Susan Schneider asked about snowplowing/shoveling obligations within the right of way from the Library to the round-about. Conor responded that snowplowing could cause there to be snow upon the sidewalk, which would then be the responsibility of the Library, businesses and Mining Museum to clear the sidewalk. Susan noted that as the Mining Museum is property of Boulder County, it could get interesting. Conor answered that it would then fall upon Boulder County to ensure these areas of the sidewalk are maintained.

5. Treasurer's Report - Eva Forberger - NDDA Treasurer

Eva gave a summary of the budget year-to-date. She clarified line items, explaining that the Treasurer's Fee is Boulder County's charge to the DDA to collect property taxes, which differs from the Accounting fee, which is the Town's charge to the DDA for

the accounting and reporting as an allocation. She noted that the NedPeds project budget is year-to-date. Susan inquired about the flower planter project, as they were \$4000 under-budget. Eva stated that the funds remaining will be allocated to cover the cost of Christmas lights.

F. ACTION ITEMS

1. Consideration of two options to replace the duties of Sue Churches the NDDA Board Secretary.

2. Consideration of revisions to the 2014 budget for the remuneration for the NDDA Board Secretary

3. Consideration of forming a hiring committee to search for a new Secretary

Alisha clarified that these three action items could be combined in discussion and vote. Pat said this had been discussed at last meeting, though no decision was finalized. She summarized the DDA's ability to hire the Secretary as a part-time employee or as an independent contractor. She pointed out the lack of office space presently, though there is a computer, however no printer, internet, or phone. Pat said as that providing these necessities is not usually asked of an employee, it must be a consideration with regard to compensation. Pat stated that per the IRS determination memo, as these provisions are lacking, nor are they requesting specific work hours--beyond any deadlines and attending meetings--it could be an independent contractor position. Currently, there is \$10,100 available in the budget for a secretary. Eva reported that only \$120 of the \$1000 allocated within the budget to update the website was needed, therefore, the remainder could be included in the compensation package.

Katrina pointed out they already voted for the Secretary to be an independent contract position at \$16 an hour, which they approved at the last meeting. Jeffrey inquired if internet and telephone service would be included in the \$16 hourly rate. Pat said they have a PC available with Microsoft Office software; however Katrina noted that these costs can be claimed as professional deductions by the Secretary. Eva stated that the Town would reclaim the computer and reimburse the DDA for the software investment, if they didn't want the computer.

Discussion ensued as to whether the pay was suitable for the expectations of the position. Amanda Kneer pointed out that it would be about 630 hours a year, or roughly 52-60 hours per month, averaging about 15 hours per week. These hours include updating the website and social media, attending meetings, writing minutes, as well as working with the Board to prepare Agendas and AIMs. Pat solicited discussion from the Board regarding duties, hours required, as well as if they feel that the proposed wage is suitable.

Karina reported that at the April 2013 meeting, Katrina had suggested changing the title from Secretary to Clerk to encompass a larger role. She expressed that the Board needs someone who can help them in their process, to possibly include aspects of an Executive Director, a Clerk, and Secretary. Pat explained that though duties can be

expanded, the position is called a Secretary, per the State Statutes. Katrina proposed using last year's time sheets as a measure of understanding the time necessary for job completion, and to consider possible expansion of duties. Susan noted that extending duties should increase the compensation offered. Katrina suggested they determine areas for enhanced efficiency, to save billable hours. Pat inquired if the Board would like to revise the budget; however Susan remarked that the duties must first be confirmed. Katrina suggested that they form a hiring committee to review desired duties and establish the job description. The Board noted that the budget has some flexibility depending on the determinations of the hiring committee.

Katrina moved to form a hiring committee whose duties would be to review the timesheets, job description, and appropriate compensation, seconded by Jeffrey, approved unanimously. The volunteers for hiring committee include Jeffrey, Katrina, and Karina.

Karina inquired about the Loris and Associates documents that Ken Adler referenced from a meeting in October, which are from the sidewalk Phase 1 plan, circa 2004. Katrina clarified that the Town paid to have this plan produced—pre-DDA—which included the sidewalks. Alisha responded that she will ask Ken Adler.

G. DISCUSSION ITEMS

Karina reported that Kayla Evans, of the Nederland Area Historical Society (NAHS) has approached the DDA regarding the prospective sale of NAHS property. Pat responded that Kayla would confer with the NAHS Board, and create a committee to decide on a price for this property, located behind the Mining Museum. She clarified that the property in question are three lots to the rear of the Mining museum. She said Kayla has inquired if the DDA would be interested in purchasing this area to augment parking. Pat is awaiting the committee's response.

Chris made inquiries about budget, as accounting fees increased from \$1250 in 2012 to \$3000 in 2013. Eva clarified that as the DDA was dormant for first 5 months in 2012, there were only seven billable months. Chris said he was referring to the Actuals in 2013, however Eva noted that they comprise the year-to-date to October, with two months yet remaining.

H. OTHER BUSINESS

There is no other business.

I. RECESS AT 6:30

Chris made a motion to recess, seconded by Jeffrey, All in Favor. The November 20th Nederland DDA Regular Meeting was adjourned, to reconvene as the Joint DDA/ Planning Commission Meeting for review of the NedPeds 90% plans.

J. RECONVENE AT 7:00 pm - Joint DDA and Planning Commission Meeting

DISCUSSION ITEM FOR BOTH BOARDS:

1. Presentation to both boards of the Nederland Pedestrian Enhancement and Storm Water Management Project

Presenters - Conor Merrigan - Project Manager and Sustainability Consultant and Brian McClaren - Representing Huitt-Zollars, Inc Design Engineers for the Project.

ACTION ITEMS:

- 1. Public Hearing: Consideration by the NDDA of approval of the NedPeds Project, and forwarding of recommendation to the Nederland Planning Commission for consideration.**
- 2. Public Hearing: Consideration by the Planning Commission of approval of the NedPeds Project and forwarding of recommendation to the Board of Trustees for consideration.**

1) Information Items

Chairman Larsen informed members of the public that those who have signed up will have three minutes to speak, and one minute for anyone who did not previously sign up to speak.

The Public Hearing was preceded by a presentation by Project Engineer Brian MacLaren and Sustainability Coordinator Conor Merrigan. The overview offered the latest information about the NedPeds Project as presented to the Colorado Department of Transportation (CDOT), who administers the grant funds, and is still reviewing elements of plan. Merrigan explained that they are seeking approval on the plan as submitted in the Final Office Review (FOR) to CDOT. Merrigan clarified that at this stage, minor changes are allowable, though he said he believes any significant changes would need to come back before the DDA and Planning Commission. They presented the highlights of what has changed within the project plans, doing a virtual, verbal walk-through of the project from end to end. The alternates--no longer included within the project primarily due to necessary cost reductions--are the spurs connecting to the highway from Snyder, as well as the spur from the Post Office edge up to highway.

Merrigan explained that the grant funds require the creation a multi-modal eight-foot pathway, which is ADA-accessible from the Library to the Post Office. He said they also attempted to leverage the grant dollars for improvements along 2nd street, to additionally address stormwater, improving water quality and enhancing the project's sustainability; in contrast to the original plan along the highway.

Merrigan said that the plan as currently proposed will include extensive, green-infrastructure drainage improvements, with maintenance on system pipes, new ditches, and a high degree of permeability throughout the entire project to include under-drainage elements. He explained that the water will filter through the under-drainage which consists of ten inches of $\frac{3}{4}$ -inch gravel, as well as an overflow pipe to channel excess water more rapidly to the creek. Every effort has been made to enhance sustainability, and despite the removal of some elements due to cost, Merrigan said he feels it still retains the integrity of the project. He summed up the project as a very effective, low-maintenance system, that will enhance safety and multi-modal access, with beautiful aspects to slow traffic, and provide drainage to increase water quality, removing as much flooding burden along 2nd Street as possible.

MacLaren showed the cross section of road as viewed down centerline of the project area, discussing elements of the project from west to east. Between the RTD Park-n-Ride and the Mining Museum, the shoulders will be increased in width from four-feet to a paved width of five-feet, meeting the standard bike-lane criteria. Along the north side of the road a five-foot concrete paved walkway is proposed and the additions in both directions will accomplish the goal of the requisite eight-foot multimodal pathway. He explained that the special design of the pathways will allow for added infiltration. To achieve this, the joints will be fully sawed-through, allowing a path for infiltration into the gravel layer. The area between the pathway and road edge will contain gravel to provide a longitudinal conveyance for increased permeability, with a pipe below acting as backup system in case of freezing. The idea is for these improvements to pull as much water off the street to be expedited into the creek, which will tie it into drainage under the Library parking lot. He noted that ditches will be re-graded off Jefferson Street and Snyder Streets, allowing drainage to be pulled off at various locations. There will be a new sidewalk from Jackson Street to Jefferson Street, past part of the Mining Museum.

Continuing east, MacLaren noted that from the round-about to Snyder Street the multimodal pathway will run the full width along the south side of the road, tucked up as close to the right-of-way as possible. There will be a gravel drainage layer between the sidewalk and the asphalt.

Speaking to the final section of the project from Snyder to East Street, MacLaren noted that as 2nd Street is unpaved, there is considerable dirt, dust, and flooding concentration, which is high-maintenance as it essentially carries the roadbase from the upper end to lower end of the

street. In this area, permeable pavement is proposed for the driving surface of roadway which will be fourteen-feet in width from Snyder to East Street, to include a meander. The road will be composed of interlocking concrete pavers that allow infiltration to the joints, with a gravel layer below, and filter material underneath the gravel. He explained that the gravel and filter material provide both conveyance of water and enhancement of water quality by removing pollutants prior to entering the creek. MacLaren said that along the north side of the road there will be a combination of gravel areas, which may feature native seeding or be designated for parking.

At this time, MacLaren redirected attention to the west side of the project, noting the improvements on north side of road. He said there will be a walkway connection down Jackson Street to access the Park-n-ride, with a crosswalk for connection to the Library. MacLaren noted there will be raised 'safety islands' to the south of the round-about on Highway 72 and on Bridge Street, upon the upstream side of the crosswalk for an additional safety buffer. Along the south side of the road is an eight-foot pathway tying into the existing sidewalk, with a gravel drainage area between roadway, which continues all the way down to the last property on block. The sidewalk will be adjacent to Salto's with permeable interlocking pavers continuing down the full right-of-way in this section. MacLaren continued discussing the proposed meander which is intended to slow traffic and provide more interest. In this section the sidewalk hugs the south side of the roadway, with areas not proposed as sidewalk, driveway or roadway will either have a gravel surface or feature native seeding.

MacLaren noted the unforeseen cost savings due to post-September Flood 2013 pipe replacements, which increase overall capacity and if adequate, could negate the proposed box culverts.

Merrigan discussed the relocation of a fence upon Susane Thomas's property closer to the house which could negate the need to remove some mature aspen trees. He noted that some parking space would be lost, but the compromise would reduce the impact to the property owner.

Merrigan said that some fire hydrants would have to be relocated, however most of the utility poles have already been moved, though old poles closer to centerline of street will be taken out at a later time. He said that the old large spruce trees along roadway would require a realignment of the road to be saved, and as they also go over power lines are currently scheduled to be removed. Merrigan said the town has indicated a willingness to plant new trees in their stead.

MacLaren continued to elaborate upon aspects of the base project, which continues up the west side of East Street to tie into the sidewalk on the south side of the Post Office. This does not include the alternate spurs.

Larsen opened the meeting to Public Comment.

Donna Sue Kirkpatrick, 115 East 2nd Street, said was on walkthrough, and appreciated everyone who attended. She said those who attended were happy to learn there is room for compromise, and they felt their concerns were heard. As there were noted cost savings, she suggested that the bioswales be returned without tree and garden removal from the right-of-way. She noted that as houses and roads were constructed prior to GPS precision, and now residents will be affected. She disagrees with the project as it is proposed now, as nothing mimics nature better than nature. She said as connectivity was the original concept she would like the spurs to be included. She said she also has researched aspects of maintenance, which she feels may be significant.

Teresa Bradley, a twenty-year resident from 140 East 2nd Street, said she wanted to go on recorded with her support of the project. She said she attended many of the meetings throughout the process, and made personal contact with absentee landlords to help facilitate communication. She said she wanted to acknowledge it is very difficult for everyone to get what they want, however compromises were made in the section between Snyder to East Street, as well as upon the walk-through to appease resident concerns. She noted that zoning may not reflect the use, asking that the DDA and Planning Commission consider that residents originally bought property with zoning, easements, and right-of-way being the way they were. She said she wanted to support modifications that were discussed in the walk-through such as minimizing the curb at Nicholas Brodsky's property, and saving trees at Susane's house. She also observed the importance of taking the curve of the road into consideration due to the differences in the driveways.

Megan Blohm, of 140 E 2nd Street said she also supports the project. She acknowledged that after eighteen years at this address, they have seen many changes, however change is perceived as weird and scary at first. She noted that they are living in "urban Nederland", which includes aspects that other areas beyond the town limits do not have to consider as they do. She said that she is used to bringing her dirt back to her driveway after a storm, which varies from six-inches to a foot higher than the roadway. She said she'd feel safer with sidewalks in this area, and lauded the opportunity to use grant money to fix the drainage issues in this area.

David Sites, who resides at 101 East 2nd Street, said he felt it was a great walkthrough, allowing attendees to see how close the road will be to houses on the north side of 2nd Street. As it stands, he said he feels there is a danger in bringing a paved road to within two-feet of his gas meter, in addition to other residents' concerns about tree removal and fence replacement. He said he would like the historic easements to remain for now to increase the happiness of residents on the north side of the street.

Arden Buck, 38 Navajo, also commended the walkthrough, which he said he wished would have been announced to the whole town. He said he has two main concerns, which was originally about a sustainable walking path, and has now morphed into a much larger project. He said that as unresolved issues have arisen, he would suggest they slow down to make sure all residents are fully informed with informational easels provided at the B&F and Library. He is concerned about the proximity of the street to residents' houses as well as removing trees, which reduces residents' quality of life and property values. He inquired if meander could be rearranged or the possibility of a variance from CDOT with regard to the right-of-way.

Susane Thomas of 171 E 2nd Street, asked that more time be allowed to consider resident concerns. She noted that gravel ditches will be very close to her window, decreasing her privacy as well as the impact of flooding. She lamented that seven mature aspens are slated to be removed, along with the two century-old spruce trees that are scheduled to be cut, when the project could be altered to avoid this.

Paul Turnburke, 3259 Ridge Road, thanked Merrigan and MacLaren for the presentation. He noted that he is concerned that the project is incomplete, as it will not connect to the two bus stops, forcing people to walk in the mud, snow or ice to get to these areas. He said that he wants to ensure that crosswalk and bike striping is included within the project. Turnburke said he feels that elimination of the proposed bioswales is a huge problem, and is not the same as gravel. He said that maintenance and monitoring must be defined, stating that it is necessary to measure the success or failure of water infiltration, which requires a clear understanding of maintenance requirements. Now that there is a bit more time before the project goes before the Board of Trustees, he'd like to see these concerns addressed. As well he noted that the pipes to handle flow of water in wintertime need to be deeper to prevent freezing. Lastly, he suggested replacement of trees for those slated to be removed.

Nancy Buck, 38 Navajo, said that she was worried that the sidewalks won't get plowed thus, leaving forcing those in wheelchairs to use the road. She urged consideration for this movement within town.

Paul Turnburke added that he was asked to convey Ken Adler's concern that DDA taxfunds are being spent outside the district and this may create legal concerns.

2) Action Items

1. Public Hearing: Consideration by the NDDA of approval for the NedPeds Project, and forwarding their recommendation to the Planning Commission for consideration.

Chairman Everson reconvened the DDA meeting at 8pm. DDA Trustee-Liaison Chris Perret said that he questions CDOT's delay of the project due to the FOR meeting and historical clearance, which have not been completed yet. He inquired if they can trim the project down to make it less obtrusive to residents. He suggested they make road straight instead of creating a meander. He asked if they can narrow the multi-modal pathway to include both of the spurs, and said that there would be less maintenance with fewer cars going down the road. He suggested that the wide porous pavement and concrete for driveways be narrowed in some areas, with new pipes already saving project money. He stated that this project is intended for the people, not just a select few. As a 31-year resident he said it's important to take time to make compromises to satisfy CDOT, the town, the DDA, and residents.

Chairman Everson asked if it was possible to revise the plans, although MacLaren cautioned that alignment changes would require additional work and compensation.

Merrigan reported that the eight-foot requirement from DRCoG can't be changed, and said he would echo Brian's caution as far as realigning the road. He noted that removing the proposed meander which was designed to match the driveways to straighten the road, would encourage faster speeds, which he would not recommend. He noted that if the road is straight, the spruces in front of Prime Haven would have to be removed. He said that a number of trees in front of Susane Thomas's property can be saved. He said ultimately if they would like the road straightened, then they will change the design, however there will have to be additional compensation for these changes. He also noted that with the elimination of the box culverts,

there is potential to include the spur up to Snyder Street, if the installation of the new pipes proves adequate.

Jeffrey Greene said his main concern is where resident privacy is affected with money well spent to incorporate compromises. He noted that savings on repairs might be placed towards including bioswales. He said that privacy is very important, but as it is also urban Nederland, the commercial aspect of those properties need to be respected as well. He said he feels that the project needs to go forward, and suggested that speed-bumps may be more effective than a meander to slow traffic.

Katrina Harms said that she hopes we can continue to work and adjust as we move forward, and make every attempt to ease impacts going forward.

Susan Schneider said she was happy to hear about compromises coming up in walkthrough, such as keeping the aspens. She inquired how close to Susane Thomas's house the fence will be if relocated. MacLaren reported that the existing fence is approximately eight-feet from house, which would need to be relocated about four-feet, allowing a four-foot buffer. There would be native seeding of that area and trees, but no parking there. Schneider inquired if minor scaling back in areas would necessitate a significant change to the project. She said regardless of whether they remove the old spruce trees, the road would be within two-feet of the building. MacLaren clarified that the edge of the road is actually located underneath the tree canopy, however this is not intended as an area to park. Merrigan noted that removal of the trees would allow sun, however they have also taken into consideration the abundance of birds using those trees in the summer. He noted that as spruce trees have lateral shallow roots any digging in this area would potentially harm them. She said she thinks that the pavers will collect debris, and wants town to be prepared for the maintenance involved to maintain an optimum system. MacLaren said that Public Works has supported the proposal, as discussed in a Technical Review Committee. He spoke about a trial by the City of Denver using permeable pavers upon half a lot, with porous asphalt, with neither being maintained. He said the performance of the permeable pavers has not degraded, however the porous asphalt is now near impervious. He noted that replacement pavers for maintenance are already factored into the project costs.

Reis added that this project is setting the pilot example for how the town is addressing pathways and roadways on the local level. The

town will also be working on the Master Infrastructure Plan, which will detail how roadways are maintained throughout town, along with construction specifications and design standards. This will be part of the programming for roadway and utilities, looking at specific costs of labor, machinery and maintenance and making these aspects more of a strategic action. She noted that some areas have not been maintained, but the town is now moving toward much more progressive action on infrastructure projects. Schneider concurred with Reis's statements and said that the improved infrastructure will add property value, but she underscored the importance of keeping improvements from encroaching on existing buildings. She inquired who would be responsible for shoveling new pathways. Reis responded that Public Works can include maintenance to the pathways; however the DDA would have to respond to the question with regard to sidewalk maintenance in front of private properties.

Kneer said that she found the walkthrough very informational, and would like to see compromises to reduce resident impact. She said that she cannot see what the town would gain at the expense of residents' quality of life.

Merrigan said that the ideal scenario would be to include the compromises now as part of the approval.

Luscher said that she felt like the maintenance concerns were addressed, though asked if it was up to the DDA to decide how to manage the sidewalk portions. Reis responded that the decision is the DDA's in part, however, noted that on the west side, the street has been designed with Public Works maintenance considerations in mind. Reis noted that 2nd Street rises and falls as a roadway with storms, with the most severe drainage issues concentrated upon this street from the most recent flood event. As such, she said they'd like to make progress on this classic flooding area. Reis reported that Public Works and the Geotechnical Engineer are on board with the drainage concepts presented within the plan.

Luscher underscored the concerns presented as to the removal of bioswales. Merrigan responded that cost was the main driver to remove the bioswales from the project. In their absence, he said they sought to find a similar functionality from a stormwater treatment perspective, though this would be without the habitat creation, which is a highlight of the bioswales. Merrigan noted that the porous landscape areas are smaller, but as these are composed of gravel with porous pavers, they have a 'future flexibility' that can be later

converted to bioswales. Merrigan said that the fisherman's wharf area would be his suggestion for the most effective and functional for a large bioswale. He cited the most complicated aspect of a bioswale is maintenance, and queried who the responsibility would fall upon, especially if it was within the public right-of-way, as previously proposed. He said this could be addressed within the Master infrastructure Plan, to include dedicated maintenance arrangements. Luscher wanted to sum up that she has followed the project from the beginning, is proud of everyone involved, and that the project has her support.

Chairman Everson extended her thanks to MacLaren representing Huitt-Zollars Engineering firm, Merrigan, the Town of Nederland, the Technical Review Committee, the Design Advisory Team, and everyone who has been involved. She noted that it is wonderful to have so much public turnout at this meeting in an open and friendly forum. She said that this is a grass-roots stakeholder project, in which compromises can hopefully be struck to improve the project. She said that the DDA, under former Chairman Ronald Mitchell and herself currently has tried to make the process as public as possible, and said she felt they achieved 80-90% of what was asked of them. She said she'd like to discuss the motion to be considered, and asked Merrigan to sum up the recent compromises afforded to fully consider the project and recommendations as a Board.

Merrigan summed up the five compromises to be included within the project scope and associated costs. The first compromise is to relocate the fence at Susane Thomas's property about four-feet on the other side of the aspen trees, to line up with the existing jog of the road, passing by the fire hydrant. This would then allow approximately four-feet from the house to the fence, and the same distance from the fence to the edge of the road. The second compromise is to allow the fence upon Nicholas Brodsky's property to remain where it is now. The third compromise is to replace the spruce trees which are scheduled to be removed. The fourth compromise will be to allow the hardscape in the Central Business District to only extend as far as the edge of David Site's rock garden, which is about the same to allow inclusion of Donna Sue Kirkpatrick's garden, approximately a two-to-three foot change to leave these areas as is, and shortening pavement to accommodate. The fifth compromise is to eliminate the proposed box culvert, contingent upon the engineer's calculations that the newly installed pipes can manage the flow

without the need of the box culvert. This is also contingent upon CDOT's approval of these changes.

Harms suggested that they watch for any opportunity to make changes as she doesn't want to be limited, should an issue arise. Schneider inquired if they could include a sixth consideration to allow for minor modifications to accommodate residents, if needed.

Merrigan reported that minor change orders are allowed within the process, especially if they have a good construction manager on board. Everson asked Reis if they could include language to say "included, but not limited to". Reis said they can always review the project as it progresses, and as she will serve as oversight to construction manager, she will bring things forward, should they arise.

Everson entertained the motion that DDA forward this project to the Planning Commission with the modifications noted above as compromises to be included within the project. Luscher moved to forward the project with the five modifications derived from the walkthrough, seconded by Greene, with six members in favor, opposed by Perret. The motion to forward the NedPeds Project to the Planning Commission, along with resident compromises passes.

Perret made a motion to adjourn the DDA meeting, seconded by Luscher, all in favor.

NEXT REGULAR MEETING: TBA

The NDDA Board encourages citizen participation. Public hearings and the "unscheduled citizens" agenda item allow an opportunity to address the Board. Discussion is limited to 3 minutes and please address your comments to the Board. Thank you for your cooperation. The NDDA Board may take action on any item included on this agenda, regardless of the heading under which such item appears. Discussion items may become action items if the Board determines that deferring final action on an item to a subsequent meeting is unnecessary or unwarranted and that taking immediate action does not compromise any third-party's rights.

The NDDA Board of Trustees meeting packets and agendas are prepared on Friday before the Wednesday meetings and are available on the NDDA website, www.neddda.org.

Copies of the agendas and meeting packet are available at no cost via email from patricia.everson@gmail.com. The information is reviewed and studied by the Board members, eliminating lengthy discussions to gain basic understanding. Short discussion on agenda items does not reflect lack of thought or analysis.