

From: Vista Pointe President <vistapointepres@gmail.com>
Sent: Thursday, June 20, 2024 6:22 PM
To: Harry Brennan; Chris LaRue
Cc: Irosales@terracinadesign.com
Subject: Redtail Ranch Development

Follow Up Flag: Flag for follow up
Flag Status: Flagged

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To the Town of Erie,

As President of the Vista Pointe HOA, I am writing to express my support of the proposed Redtail Ranch development. As our future neighbor to the east, we understand that it will affect our community. However, I believe the impact will be manageable, and we have found Stratus Companies and its partners to be very responsive to our concerns.

I do understand that there will be an increase in traffic volumes, but recognize that Vista Parkway is a primary route into Erie and is designed for higher volumes. At the same time we realize that additional access via Redtail Parkway will provide a benefit to our residents.

I know there have been some concerns expressed regarding both the historical hazardous waste dump, and current oil and gas development. Given that Stratus has completed all required cleanup per CDPHE guidance, and that almost every community in Erie has been safely developed around oil and gas production facilities, I don't see why the Town would have any ongoing concerns.

In summary, I see no reason to reject the proposed Redtail Ranch development up for consideration.

Thank you for your time.

Michael Pierce
President, Vista Pointe HOA

Vista Pointe Home Owners Association, Erie, CO
Managed by: MSI, LLC, 11002 Benton St.
Westminster, CO 80020-3200
303-420-4433

From: [dutchy 25ttm](#)
To: [Planning Application](#)
Subject: Re: 1/17 comments Redtail ranch
Date: Wednesday, January 17, 2024 7:34:49 PM
Attachments: [CDPHERM HAZ SW - Permitting - Response to Post Closure Monitoring and Maintenance Report - Third and Fourth Quarter 2021 - December 2021.pdf](#)

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am also forwarding to support the claim of the request to CDPHE to remove water wells and soil monitoring which was denied to the developer.

Arnold

On Wed, Jan 17, 2024 at 7:23 PM dutchy 25ttm <arnold@slabbekoorn.com> wrote:

Thank you for speaking. Below is my comments from tonight. I also have attached my original presentation of sketch plan from January 15th 2015 as reference. It will give a good insights of historical issues with this portion of land.

It is also ridiculous to say the neighborhood meeting of 2021 counts towards this proposal as this proposal is significantly different then what was presented in 2021. So neighborhood has not have had any time to provide developer feedback till now.

My name is Arnold Slabbekoorn, 1721 Crestview Ln, Erie, CO. resident of Vista ridge, my backyard is directly bordered to the proposed development. 9 years ago I presented to the board of trustees my objections to this proposed development after finding out in archives of CDPHE the contamination reports within this parcel and its toxic drum contents which were disposed and visible on the surface in a then unknown marked landfill.

Despite the fact informing Mr. Dean of Stratus at the time he continued in procuring this property from the Pratt family to pursue the Redtail ranch development. After further discovery of contaminated soil the CDPHE stepped in to force the owner in cleanup of set area and designate it as a landfill with no option for future resident buildings. This reduced the plan to 587 units cramped on much smaller space with limited open space then a few small pocket parks. Although staff stated this # of DU is within town regulations for zoning, calculations included areas of open space wetland, O&G facilities and forementioned landfill in its totals, I think this skews the calculations for allowed DUs on this property and should not have met regulations

With four oil and gas facilities within or bordering this proposed property of which 10 out of 14 are still active wells, 30% of houses viewing those oil & gas wells or neighboring landfills, I don't see how this development is going to add any value to future Erie residents.

Last week I discovered that the developer had asked CDPHE last year to reduce/remove soil and water well monitoring on its landfill portion, I assume to reduce expenses which

fortunately was denied by CDPHE. This does not seem to me a partner the town wants to allow developing a property if they do not want to guarantee safety for its future resident owners.

As well as the fact it seems cost of such landfill monitoring is moved into Metro District oversight, pushing the tax burden too such new residents, who are going to be without fault and unknown to past events.

The Neuhauser landfill has still not been capped or fenced properly by the developer and prior boards of trustees have demanded that this work needed to be finished before any proposed development would come back to the town for review. Developer cannot guarantee 100% that existing development soil would not contain other contaminated garbage or portions of the still 300+ missing IBM drums.

Finally, the WCR5 widening and connection to WCR4 corner is stated to be left open to other parties by Town staff report. Further clarity on this too my opinion is needed of who pays and what is proposed to create a safe pass through by high school students and other traffic.

I highly recommend for the planning commission to reconsider and deny this resolution preventing future legal and health risk exposure to its residents which would damage the reputation of our town.

REDTAIL RANCH – SKETCH REVIEW

I oppose against the development of this sub-division and have outlined my arguments in the following presentation.

Arnold Slabbekoorn

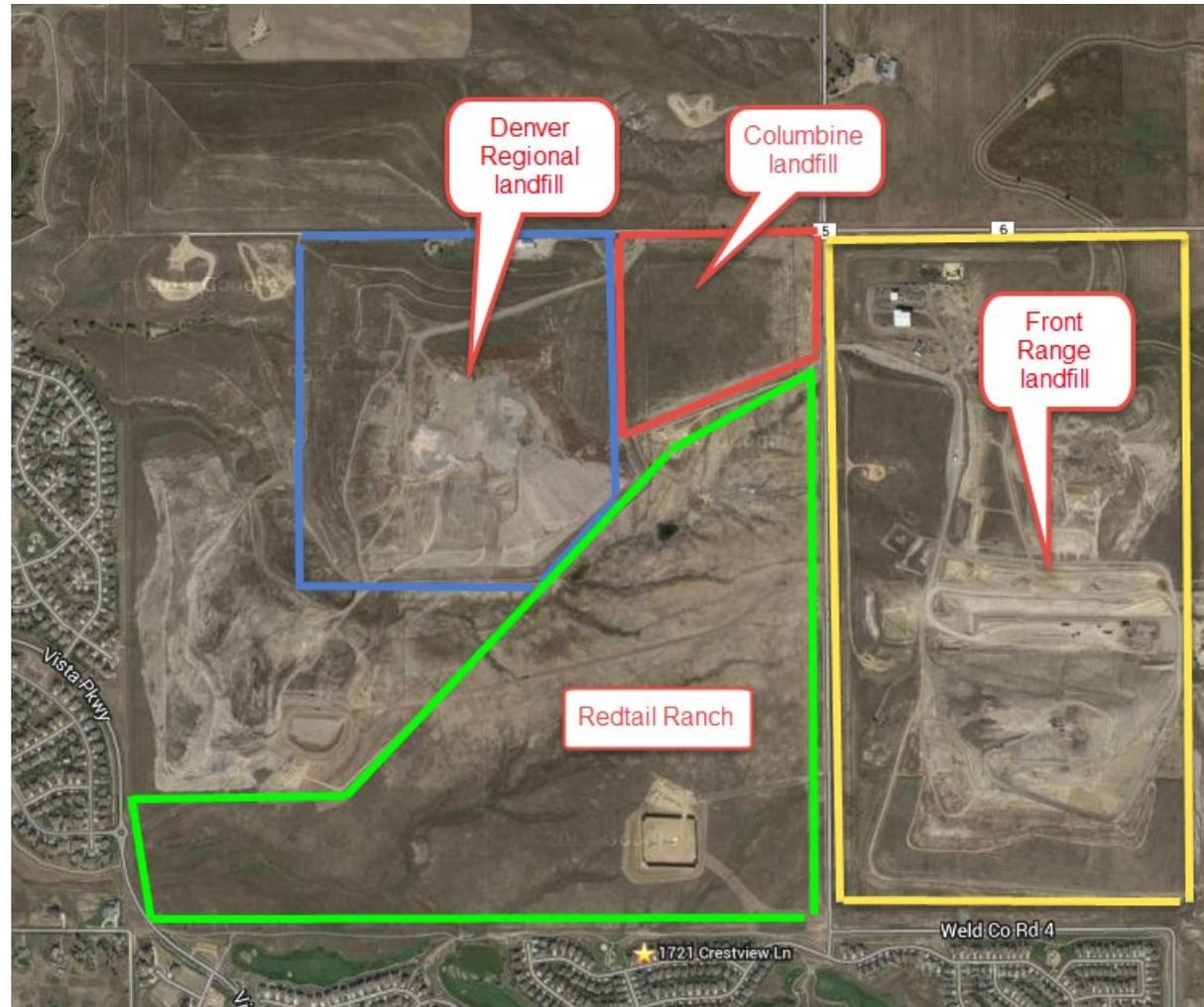
Why Prevent Redtail Ranch?

- Location is between 3 landfills, of which the Front Range Landfill is still active for another 30+ years.
- Adjacent to Columbine landfill, which had proven contamination of ground and surface water in small amounts by EPA 1990/1992. Pond 1 in the Redtail Ranch development shows distress of vegetation.
- The entire plan is surrounded by around 30 O&G wells (17 existing and 13 planned by Encana)
- The entire area has one of highest rankings in subsidence risk due to former Columbine mining activities.
- Traffic impact
 - The traffic from daily Front range landfill trucks on WCR5 as well as the traffic true Vista Parkway, is already very extensive.
 - Three entrance/exit way's on WCR5 with high waste management truck traffic, is asking for trouble.

Is This Location High Quality?

The sub-division is primarily enclosed by three landfills as you can see on the map below.

- Most units are located on the east side of the sketch plan
- FRLF will remain open for 30+ years with continues traffic on WCR5 as well as high wind causing garbage flowing into the neighborhood like we have in Vista Ridge.
- Developer states this will be a high quality community.
From the location perspective I don't see that I want to spend 400k plus on a house surrounded by landfills?



Open Space Claims True?

- Developer claims 40% is open space but...
- Pratt site is in the middle of development located with 12 wells (6 Synergy, 6 Encana)
- Another 6 well pads are in the NE section located
- Another 12 wells in the western section, so setback of 150 feet was required.
- Public open space (SW corner) is for pond and drainage of the entire VR community required.
- No neighborhood / Community park is part of the plan only small pocket parks surrounded mostly by streets on three sides of a pocket park which is not very safe for kids.



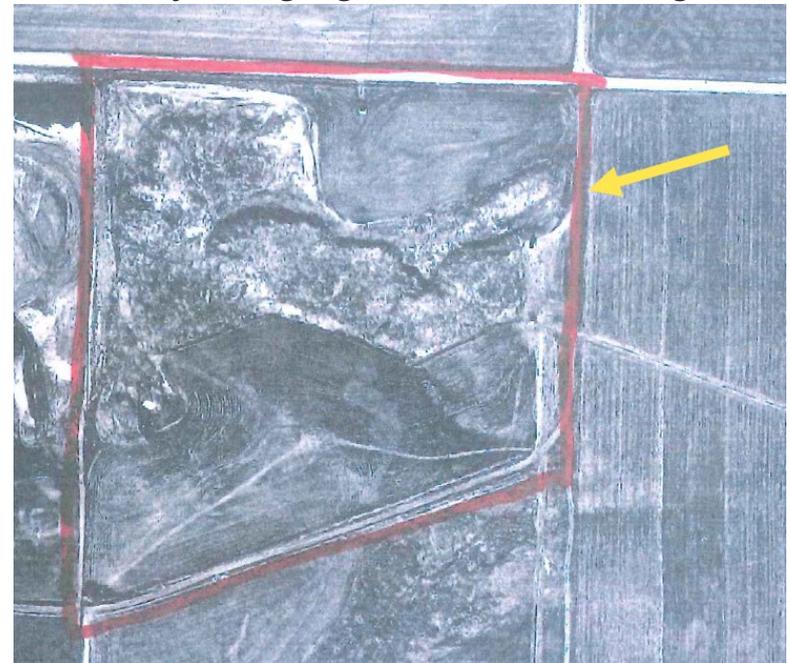
I wouldn't be proud to call all the oil and gas wells Open Space in my plan!

Columbine Landfill

- Encana dug up trash out of this location November 2014 and CDPHE send a letter Compliance Advisory which indicated they did indeed dig up trash out of this landfill.
- LAI design group wrote in an email to me “this is just liter not part of the landfill..”
- From the picture below I would not call this liter and who knows what the exact boundaries are of this landfill and what they disturbed by bringing this stuff above grade level?



Trash dig-up and cover up by Encana, fence is the so called boundary of columbine landfill



1981 aerial photo of Columbine landfill send by Pratt property to CDPHE. Clearly boundary in NE section ran all the way to WCR 5 road.

Columbine Landfill Facts

- Operated from 1964 to 1989 (no operations between '69 and '79)
- Under continuous investigations by EPA and CDPHE up to 1992 to add to Superfunds National Priority List (NPL) for complete cleanup.
- EPA finally decided in 1992 due to low residence and small size of contamination the site would be flagged as NFA in the CERCLIS Superfund database. Quote from EPA memo to Erie resident in 1992, memo is embedded in this slide:
“Only about 3.5% of all sites in CERCLIS are placed on the National Priority List. A release to ground water is not sufficient by itself to make a candidate for the National Priority List”



Adobe Acrobat
Document

- Small overview of Hazard Contents (source: final inspection report EPA 1992):
 - 1500 barrels (88,000 gallons) of IBM solvents
 - Torpedo propellant
 - Large amounts of oil, grease and sludge
 - Car wash and grease trap waste
 - Asbestos and cyanide contamination
 - Many more materials are listed and can be found in URS- EPA Site Inspection report of 1992
- Confirmed release to surface and groundwater in the area can be found in both 1990 PA and 1992 inspection reports.

Columbine Landfill Safety Concerns?

Pond 1 seems to show distress of vegetation on current 2015 google maps imagery, when was this surface water last tested?

As the Town requested to incorporate the three ponds in the plans open space I would not let my children play there knowing what was dumped in the Columbine landfill between 1964 and 1989 based on EPA inspection reports.



Regardless of Redtail Ranch development, I would like the Town of Erie to further follow up with EPA to inspect current status of this landfill and the ground and surface water drainage, incl Coal Creek, as well as soil samples. As the last inspection reports seem to be from 1992, we are almost 25 years later, who knows with soil movements what has happened to the liquids inside that landfill and the 1500 barrels (see next page pictures!!)

Columbine Landfill Safety Concerns?



Source: PRELIMINARY ASSESSMENT 1990,
COLUMBINE LANDFILL ERIE, COLORADO
COD 980951735



Pictures from EPA 1990 PA report, drums are surfaced, bulging, leaking with holes and contents are visibly contaminating surface water at that time?

How can we be sure that **25 years later** some of these contents have not migrated further in our ground/surface water?

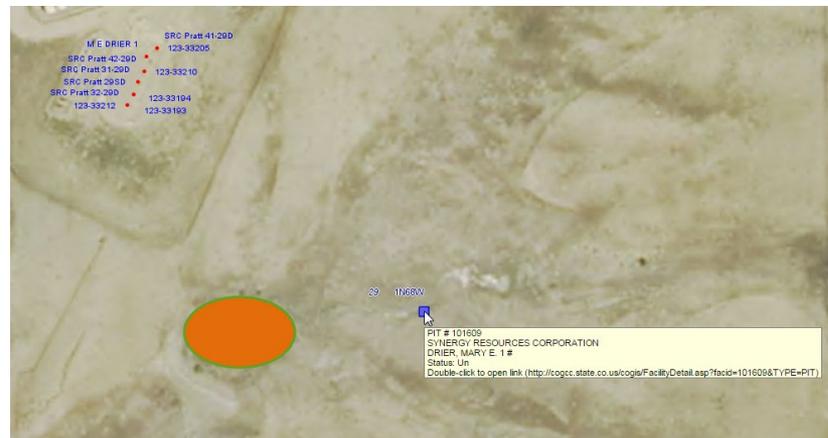
Clearly visible 4 drums in this picture, imagine there are 1500 or more of those still buried as of today...

Oil and Gas Wells Close Proximity

- There are 30+ oil and gas wells around the entire sub-division located of which 12 right in the middle of it, which the developer calls Open Space?
- There are several unknown pits showing up on the COGCC wells mapping website.

One pit from Synergy is right next to pond 1 on the property, nothing is noted in the sketch plan of those unknown pits?

- Are those pits being inspected or monitored for any leakage?



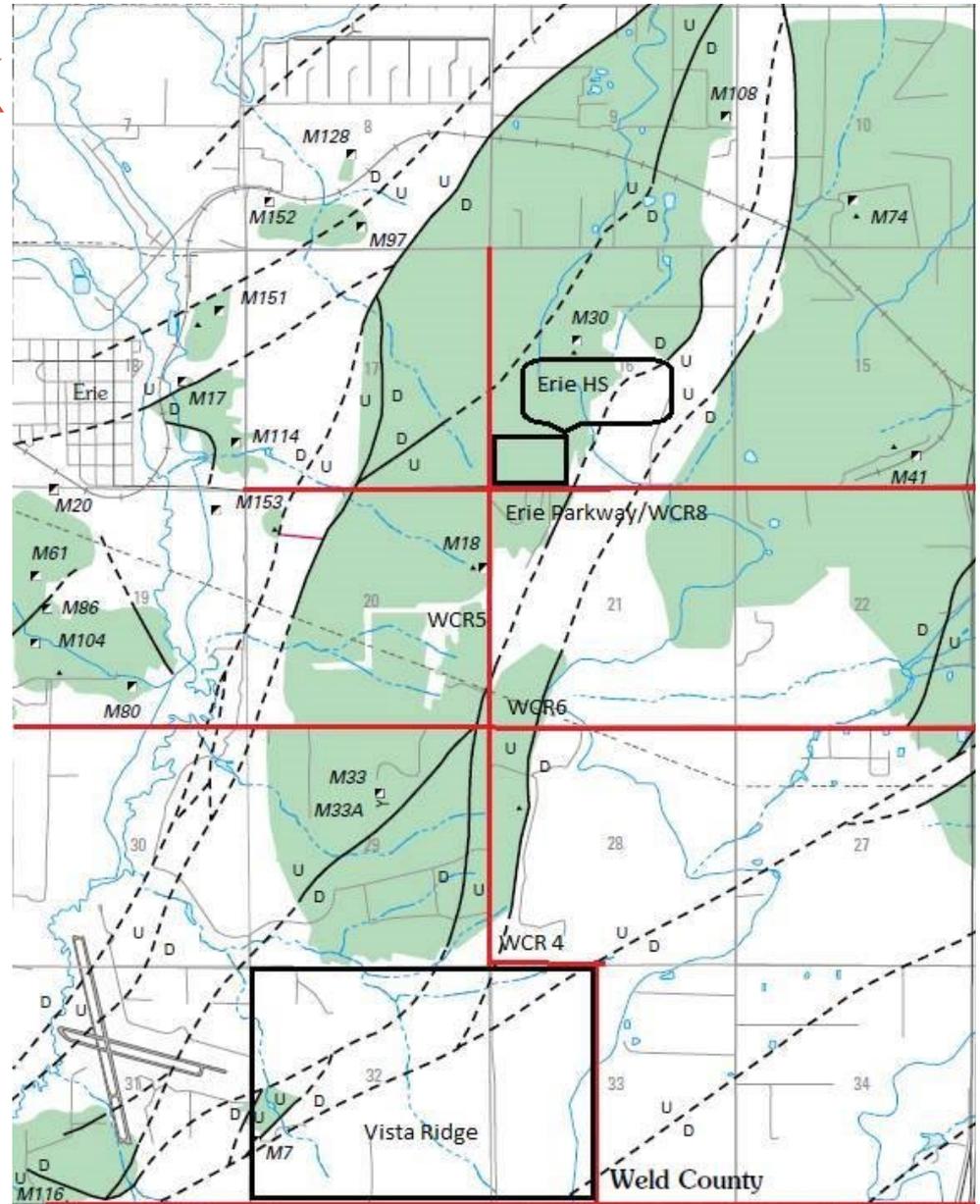
Subsidence Risk

- The entire area lays in a high hazard risk for subsidence.
- A paper based geological study was performed for Redtail Ranch by Western environment and Ecology.

They only took a 2006 water study with 2 bore locations into account for the property, all other conclusions were based off other adjacent property studies done in the past, some of which dating back to 2001.

No recent geological study of the property itself has been performed as of my knowledge.

- The green area above Vista Ridge indicates subsidence hazard area from the Columbine mine shafts.



Subsidence Risk

This shows the Columbine mine shaft and tunnels below the planned Redtail Ranch sub-division plan and current Encana Pratt well pad.

Below the recent subsidence accident in Lafayette on Jan 12th 2015.

Can you imagine if this would happen below one of the 12 Pratt well locations in the planned Redtail Ranch plan?



A SUV teeters on the edge of a sinkhole that opened above an old mine shaft under East Cleveland Street between Foote and Burlington avenues in Lafayette on Monday. (Courtesy Coyochault Carbone)

Subsidence case studies

- Erie is prominent shown on the Geological survey website as an area where often sinkholes have occurred.
- <http://coloradogeologicalsurvey.org/geologic-hazards/subsidence-mine/case-histories/>
- Bonanza drive (Vista Ridge)
- <http://www.denverpost.com/ci19042335>

Case History 2: Erie, CO 2008

In December of 2008, a report of a large subsidence hole in a field west of Erie was reported. The hole was about 50 feet in diameter and 35 feet deep before being filled with water. The field where the hole appeared was under consideration for annexation by the town for future residential development. A geophysical investigation conducted 3 months prior did not show any evidence of voids in the area. The hole was located outside of the mined area shown on the mine map indicating that the mine map was inaccurate. During the mitigation process, a secondary subsidence pit of smaller dimensions was found directly west of the original hole. Both holes were backfilled by the Abandoned Mine Lands program.



Case History 3: Marshall Area 2007

In May 2007, a consultant reported mine-related subsidence features in a property near Marshall being considered for residential development. Upon investigation, a number of subsidence holes and mine-related features were found on the property. An abandoned building showed significant damage possibly related to the old mine. No records of the mine were found, but several old foundations around the property indicate a mine entry exists west of the site. Due to the unknown mine, lack of records, and the presence of subsidence features, the property owner elected not to pursue development.



Traffic impact / Incident risk

- I don't think the developer has done any traffic impact study for either WCR5 –WCR4 – Highway 7 connection or Vista Parkway round-about connection.
- WCR5 is not developed to handle high volume of residential and waste management traffic. Also by adding three entry/exits into the sub-division seems to me a bad idea from a traffic incident risk level with high volume of industrial truck traffic on this road, six days a week.
- Vista Parkway is already a shortcut road many non-residents take from HW7 into Erie, adding another sub-division to it seems a very bad idea. The road itself has been re-paved several times and is currently again not in the best condition and very bumpy.
- My fear is that Prospector Road is just going to be used as another shortcut road from I-25, Highway 7, Sheridan exit into WCR4 to reach downtown Erie to avoid the traffic jams on Highway 7. The current infrastructure of those roads is just not ready for this amount of traffic to safely cross through all our sub-divisions.
- I have not seen a comprehensive infrastructure road upgrade plan by the Town of Erie to support the Redtail Ranch sub-division traffic increase by its residents as well as additional Vista Ridge residents and other shortcut traffic from Highway 7.

I guarantee you Prospector Road will be utilized as shortcut, just like Vista Parkway is acting currently.

Remarks / Recommendation

- I believe the Redtail Ranch location is poorly chosen and is not going to bring the quality community as the developer claims. There are just too many negative factors in play as outlined in this document. **Ask yourself would any of the BOT members invest 400k or more and move your family into a house in this location, knowing all these facts?**
- I looked at the Erie residential master development plan and nearly all those locations seem much better fitted and do not have most of the issues as outlined before.
- I hope the BOT and planning commission will look at **Quality over Quantity** and rejects the Redtail Ranch sub-division plan for the Pratt Property location.
- I would like to make a suggestion to the Town that perhaps they can convince the developer and property owner to develop a **Solar Farm** as a renewable energy plant in Town. I think this property location would be perfect for this type of clean industry and many residents would support it. Or just leave it open space...

Solar Farm is a better purpose for this location.
Create incentive for developer/property owner to focus on
creation of renewable Energy in Erie!



Thank you!

- Please contact me to discuss if any of the items outlined above are not clear or if I have facts stated incorrectly.
- Arnold Slabbekoorn – Arnold@Slabbekoorn.Com





COLORADO

Department of Public
Health & Environment

Transmitted Via Electronic Mail c/o: rdean@stratuscompanies.com

April 27, 2022

Mr. Richard Dean, CEO
Stratus Redtail Ranch LLC
8480 E. Orchard Road, Ste. 1100
Greenwood Village, CO 80111

Re: Response to Post Closure Monitoring and Maintenance Report:
Third and Fourth Quarter 2021, December 2021
Neuhauser Landfill
WLD153
SW - Permitting

Dear Mr. Dean:

The Hazardous Materials and Waste Management Division (the division) of the Colorado Department of Public Health and Environment has completed its review of the above-referenced report (the Report), prepared by Geosyntec Consultants (Geosyntec) and received by the division on December 7, 2021. In addition to presenting routine monitoring results required under the Facility's Post Closure Care Plan, the Report also requests six revisions to the site groundwater monitoring program. The division reviews such requests for compliance with 6 CCR 1007-2, Part 1 (the Regulations), and in the context of key permitting documents in the administrative record.

Determination: The outcome of the division's review of the Report is that the division has determined the requested revisions cannot be approved in their entirety. With this letter, the division approves some of the requests and denies others. For that reason, each requested revision will be addressed with an individual response below.

Proposed Revisions:

1. **Plugging and abandonment of MW-23D:** Stratus is requesting permission to plug and abandon MW-23D in accordance with Colorado Division of Water Resources Rules and Regulations.

CDPHE Response: This request is denied because water level monitoring has only occurred for a relatively short period of time, since 2018. Instead, the division allows the frequency of such monitoring to be reduced to annually, for the time being. If and when the occurrence of groundwater is observed in this well at volumes conducive to sampling, the frequency of monitoring must revert to semi-annual, and samples must be analyzed in accordance with the site groundwater monitoring program.



- 2. Reduce the Frequency of MNA Performance Monitoring to Annual:** In Table 5-1, Stratus is requesting to reduce the frequency of MNA performance monitoring to annually.

CDPHE Response: This request is denied because performance monitoring must continue on a semi-annual schedule until the remedy has been fully implemented, and sufficient data exists to evaluate remedy success. This means that such monitoring will likely need to continue for some time after completion of the remedy. The division will not consider the remedy complete until the water balance cover is constructed and certified, along with associated stormwater features, according to the approved Corrective Measures Design.

- 3. Reduce the Frequency of Compliance Monitoring from Semi-Annual to Once Every Five Years:** In Table 5-1, Stratus is requesting to reduce the frequency of compliance monitoring to once every five years.

CDPHE Response: The division denies the request, for the same reasons as above. In addition, the division wishes to discuss potential changes to the point of compliance wells to account for the distance between the WCMW-25 and Cap Extent Area East.

- 4. Plug and Abandon Temporary ISCO Monitoring Points:** Stratus is requesting to plug and abandon, in accordance with Colorado Division of Water Resources Rules and Regulations, monitoring points, PMP-1, PMP-2, PMP-3 and PMP-4.

CDPHE Response: The division conditionally approves this request, under the condition that this approval shall not preclude the possibility that future actions involving similar wells, including additional ISCO injections, might be needed to effect a successful remedy. In other words, the division's approval of this current request is not to be construed as implicit agreement with certain statements made in the Report regarding remedy success. It is the division's view that the remedy is not only incomplete at this point, but that the success of measures already taken has yet to be fully proven. Therefore, Stratus would be taking this step at its own risk, should future evaluation of remedy performance indicate the need for additional ISCO injection wells or monitoring points in these approximate locations.

- 5. Change to Analysis of Metals on a Dissolved Basis:** In Section 4 of the Report, as well as Table 5-1, Stratus is requesting that site groundwater samples be analyzed on a dissolved instead of a totals basis, due to what Geosyntec characterizes as high turbidity in many site groundwater samples, this being observed despite the use of a low flow sampling technique.

CDPHE Response: The division conditionally approves this request, with the condition that for at least one sampling event, groundwater samples for metals be analyzed on both a total and a dissolved metals basis to enable comparison of the results from these different methods. The division agrees that groundwater sampling results for metals on a dissolved basis will be necessary for direct comparison with the standards promulgated in 5 CCR 1002-41.

6. **Sampling Method to be used for 1,4-dioxane:** This Stratus request is unclear: Section 4 requests that the 1,4-dioxane analytical method be 8270C and a footnote to Table 5-1 indicates the method will be 8270 SIM.

CDPHE Response: The division requires that the 8270 SIM method be used for analysis of 1,4-dioxane samples because it is the division's experience that this method has a greater likelihood of achieving a reporting limit at or below the Colorado Basic Groundwater Standard for 1,4-dioxane.

Comment on Statistics

The methods that the site uses in statistical analysis should be expanded. Perhaps other trend analyses, such as linear regression or Theil-Sen, can be performed. The Report's assumption that Mann-Kendall has a detection frequency requirement may not have a firm basis, from a quick check of key reference materials, such as the USEPA Unified Guidance. For purposes of eventual comparison of performance monitoring wells to a groundwater standard, analysis such as confidence intervals are worth adding to the data evaluation. Finally, it is not clear whether seasonal variation has been evaluated.

Note: The division's silence on various aspects of the Report should not be taken as implicit agreement with opinions or statements made that were outside the scope of this review. The division therefore disclaims any and all assertions made in the Report regarding success of the remedy and the timing of required future actions, and other statements not directly addressed in this response. The division is authorized to bill for time spent reviewing permitting requests and monitoring reports (among other document types), pursuant to Section 1.7 of 6 CCR 1007-2, Part 1. The division invoices owners and operators of solid waste disposal sites and facilities on a quarterly basis for document review time.

If there are any questions regarding this correspondence, please feel free to contact me at jerry.henderson@state.co.us or 720-263-0710.

Sincerely,

Jerry Henderson, Unit Leader
Solid Waste Permitting - Groundwater and Environmental Unit
Solid Waste and Materials Mgmt. Program
Hazardous Materials and Waste Mgmt. Div.

ec: Todd Fessenden, Town of Erie
Emily Stockwell, Geosyntec



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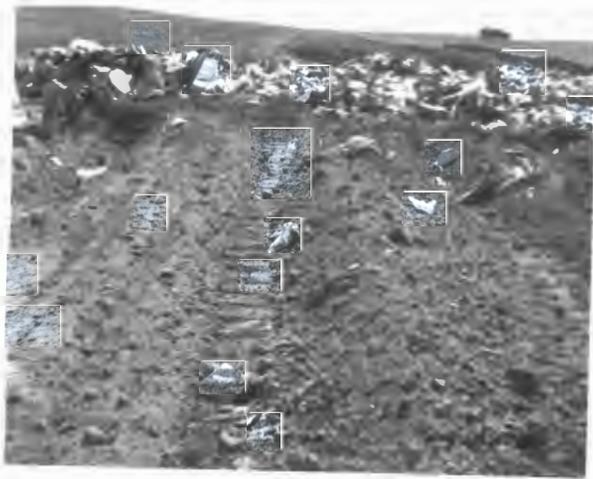
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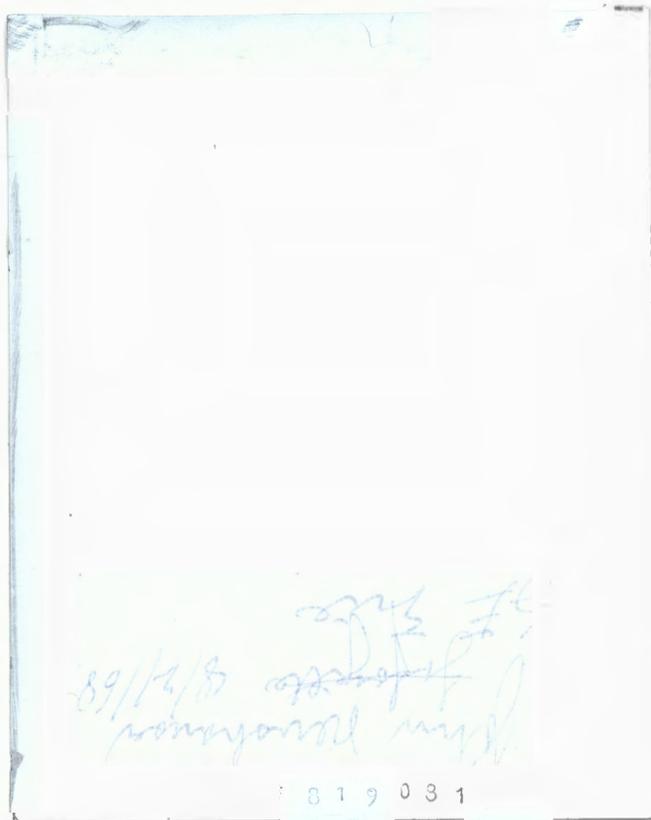
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4/7/69
Lafayette dump

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From: [Liz Fisher](#)
To: [Planning Application](#)
Subject: Redtail Ranch Preliminary Plat
Date: Tuesday, January 16, 2024 3:49:25 PM

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

TO: Erie Planning Commission

RE: Redtail Ranch Preliminary Plat

My comment is in opposition to the RTR preliminary plat, due to the many environmental and public health, safety and quality of life concerns.

I encourage the Planning Commissioners to more closely scrutinize the events surrounding the discovery and clean-up of contaminated waste that was found at this location. Some 300 drums of toxic material from an old dump are still unaccounted for! Please ask yourselves if you'd want your family to live there.

Additionally, considering the proposed development's extreme proximity to existing neighborhoods, a landfill, active oil & gas wells and pipelines, a recommendation of approval to the Town Council would seem to be an egregious miscarriage of Erie's civic responsibility to protect the vital interests of both current and future residents.

Respectfully,

Elisabeth Fisher
635 Moffat St.
Erie, CO 80516

From: Melinda Helmer
Sent: Wednesday, April 10, 2024 12:31 PM
To: Harry Brennan
Subject: FW: Proposed Re-zoning of western portion of the landfill

Melinda Helmer, CMC | Business Operations Coordinator



Town of Erie | Planning & Development
645 Holbrook Street | P.O. Box 750 | Erie, CO
80516
Cell: 720.745.1062
www.erieco.gov/planning

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From: BRATS 5 <rbstoffer@msn.com>
Sent: Tuesday, March 5, 2024 11:42 AM
To: Council Mail <council@erieco.gov>; Planning Commission Board <planning@erieco.gov>
Subject: Proposed Re-zoning of western portion of the landfill

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning.

As a concerned resident and family of Erie I/we would like to voice our opinion on the proposal of re-zoning a portion of the landfill to Industrial.

Back in 2019/2020 Redtail Ranch proposed to the council a re-zoning effort on this same piece of land to residential. This effort was thankfully shot down by the Erie Town Council & Mayor Jennifer Carroll. A major part of this choice came through the public outcry of residents of Vista Pointe and Vista Ridge.

When we moved our family from Vista Ridge over to Vista Pointe in 2015, I visited Town Hall to discuss the landfill. We looked at the map of Erie & as I spoke with the Planning Commission I was told that there never will be building to the east of your home. I was told that there might be plans to create a park or mountain bike park, works for us!

Remember the town slogan, "The Best Place to Raise a Family"? This will absolutely not be the case if the choice to re-zone the western portion of the landfill occurs. If we bow down to the request of a developer and forget about a town promise to its residents, what is next?

I never thought that we would be visiting this subject again 4 years later. We ask you Mr. Mayor, Council Members, Planning Commission. Please don't give this proposal a second thought, quash it now!

From a family of all Colorado natives, thank you for your time & consideration.

The Stoffer Family
1427 Serene Drive