



Town Of Milliken
Planning Commission
Milliken Meeting House
1201 Broad Street

Meeting Minutes for November 5, 2025

1. Call to Order

Vice Chair Kayleigh Weickum called the meeting of the Milliken Planning Commission to order at 7:00 PM.

2. Pledge of Allegiance

Vice Chair Kayleigh Weickum led the Pledge of Allegiance.

3. Roll Call

Those Present: Kayleigh Weickum, Ron Blackmer, Laurel Engelbert, Bernadette Stephenson, Kassidee Fior

Those Absent: Chair Randy Helzer and Commissioner Jimmy Baugh

Staff in attendance: Town Clerk Caree Rinebarger, Community Development Director Kevin Koelbel, and Planner I Jordan Cashman

Public in attendance:

Morgan Kidder, JDBL Farms

Michael and Michele Carlson, 7180 49th Street

Richard Wiest, 65th Avenue

Anne Tyler Hayes, 8200 W 49th Street

Albion Carlson, 7178 49th Street

Fred Neal, 1614 38th St. Evans

Naomi Garcia, 13998 County Road 378

4. Agenda Approval

Commissioner Blackmer motioned to approve the agenda as presented. Commissioner Engelbert seconded.

All in Favor. None Opposed. Motion Carried.

5. Citizen Comments

There were none.

6. Minutes of Previous Meetings

a. Approval of Minutes from September 3, 2025

Caree Rinebarger, Town Clerk

Attachments:

1. Draft Planning Commission Meeting Minutes from 9.3.2025

Commissioner Engelbert motioned to approve the minutes for September 3, 2025 as presented. Commissioner Stephenson seconded.

All in Favor, None Opposed. Motion Carried

7. Consent Agenda

There were no items.

8. Action Agenda

a. Public Hearing to Consider and Make Recommendation on a Master Development Plan

Kevin Koelbel, Community Development Director, Jordan Cashman, Planner
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Vice Chair Weickum reviewed the procedures of the Public Hearing for the Commission and the Public, informing those attending the public hearing that the Planning Commission serves as an advisory entity to the Board of Trustees, and therefore, their action is only a recommendation. The final decision on the application will be determined at a future Board of Trustees public hearing.

She asked the Commissioners if they had any Ex-Parte Communication to report or need for recusal. There were none reported.

Vice Chair Weickum opened the Public Hearing at 7:03 PM

Kevin Koelbel, Community Development Director, and Jordan Cashman, Planner I, asked the Planning Commission for their consideration on a Master Development Plan of 232.2 acres of land owned by JDLB Farm, LLC in Sec 33, T5N, R66W in the Town of Milliken and to make a recommendation to the Milliken Board of Trustees.

Community Development Director Koelbel presented a request for the Homestead Grove Master Development Plan (preliminary PUD) as detailed within the staff report.

Morgan Kidder, representing JDLB Farms, summarized the project's background and goals, noting the property's older PUD approval and the desire to update it with more attainable housing. He explained the reduction in lot size to help offset infrastructure costs, described the housing products and proposed parks, and emphasized the applicant's willingness to adapt amenity options based on community and Commission feedback.

Michael and Michele Carlson submitted written opposition outlining concerns about the project's density, impacts on rural character, strain on services, traffic on inadequate roads, and environmental risks, including habitat and flood-prone areas. They requested delaying or denying the project until full fiscal, environmental, and traffic information is provided.

Richard Wiest expressed strong concerns about traffic safety, reduced lot sizes, and the project's compatibility with the surrounding low-density area. He questioned why 49th Street would be used for access and raised concerns about the developer's track record. He asked the Commission to pause the project until more clarity is provided on standards and long-term impacts.

Mr. Kidder responded that full studies, including environmental, traffic, and utility, are required at the next phase and will be based on professionally engineered data. He stressed that the developer pays for 100% of required infrastructure and road improvements, which will be designed, reviewed, and warranted before dedication to the Town.

Anne Tyler Hayes reiterated concerns about density, environmental impacts, and the developer's reputation, arguing the new PUD lacks the creativity and sensitivity of the original Flack PUD concept. She urged the Town to gather more detailed information before advancing the proposal.

Albion Carlson emphasized concerns about privacy and property protection due to the project's high density bordering his farm. He asked for clarification on fencing or buffer requirements, expressing concern about trespassing and compatibility with long-standing agricultural operations.

Fred Neal raised infrastructure concerns, specifically relating to water and sewer service extensions, increased traffic, and the conditions of 49th Street. He warned that reduced lot sizes can cause parking and neighborhood congestion issues, which he has observed elsewhere.

Hearing no further testimony, Vice Chair Weickum closed the public hearing at 7:46 PM.

Commissioner Fior moved to recommend the Planning Commission recommend approval to the Board of Trustees of the Master Development Plan of Homestead Grove with the condition with the following condition:

1. Allow staff to work with the owner applicant to address minor, non-substantive modifications. Commissioner Blackmer seconded the motion.

During discussion, the Commission asked for clarification on who pays for water, sewer, and utility extensions. Director Koelbel confirmed that the applicant bears all infrastructure costs, including raw water requirements, and that utilities have sufficient capacity. Commissioners also discussed the request for 70% lot coverage, the relationship between density and affordability, and concerns about narrow street designs. Mr. Kidder indicated he would reevaluate the lot coverage request and explained how density offsets infrastructure costs.

The discussion ended with the Commissioners asking for the public hearing to be reopened to hear additional testimony.

Vice Chair Weickum reopened the public hearing at 7:55 PM.

Mr. Kidder further clarified fee contributions, infrastructure responsibilities, and the timeline for traffic, environmental, and utility studies. He noted the project is expected to generate over \$20 million in total fees to the Town and related districts, including substantial water, sewer, police, and fire fees.

Michele Carlson reiterated her concerns that the project's high density and distance from the Town center will strain Milliken's police and fire services, shift long-term maintenance burdens to existing taxpayers, and conflict with surrounding rural development patterns. She also opposed the 49th Street access.

Naomi Garcia stressed that the proposed density would severely impact schools that are already at or over capacity, especially since Milliken does not have its own high school. She also warned about worsening traffic and long-term fiscal impacts on current residents.

Albion Carlson returned to seek clarification on the western boundary, noting inconsistencies in the documentation and reiterating concerns about fencing, privacy, and animal safety.

Ann Tyler Hayes returned with concerns about driveway lengths and sidewalk function in smaller-lot neighborhoods, noting that shorter driveways often result in vehicles blocking sidewalks, affecting walkability and safety. She urged the Town to ensure adequate design standards.

Richard Wiest revisited concerns about the significant population and traffic increase the project would introduce and reiterated privacy concerns for adjacent properties. He questioned why the developer should be allowed deviations from established R-1 standards without stronger justification.

Hearing no further testimony, Vice Chair Weickum closed the public hearing at 8:11 PM.

Commissioner Blackmer acknowledged the extent of public concern and noted he felt conflicted, stating that while he respects the applicant's private property rights, growth of this scale has not always improved residents' quality of life. Commissioner Fior asked for clarification on the Final Development Plan (FDP) process. Director Koelbel explained that the FDP will require full engineering, traffic, environmental, and drainage studies, typically taking 6–8 months, and will include another round of public noticing and review. He also stated that Weld RE-5J School District anticipates approximately 560 students from the project and will require an Intergovernmental Agreement (IGA) for a Payment in Lieu of Land (PILO). Director Koelbel further clarified that Accessory Dwelling Units (ADUs) must be permitted due to new state law. The applicant confirmed the plan includes only single-family detached homes.

Commissioner Fior thanked the public for their input and encouraged the applicant to consider driveway lengths to prevent vehicles from overhanging sidewalks, incorporate off-site trail connections, and recognize the historical significance of the Ashton community within the development. Commissioner Stephenson raised concerns regarding street width and fencing.

Director Koelbel noted that the proposed 60-foot right-of-way is slightly larger than a standard local street and that pavement width may be adjusted at the FDP stage. He reviewed fencing standards, clarifying that brick, stone, and vinyl are permitted materials while chain link and barbed wire are not. Regarding wildlife concerns, he stated the project area lies outside Colorado Parks and Wildlife's 1,300-foot primary zone of influence for Bald Eagles, meaning CPW will issue advisory comments only.

Commissioner Engelbert expressed concerns regarding overall density, lot size, and the layout's "straight" and "boxy" design, stating it does not reflect the neighborhood character or larger yards discussed during previous Housing Needs Assessment conversations. She noted uncertainty about whether the proposal supports the neighborhood experience the Commission aims to achieve.

Director Koelbel responded that the Town currently lacks design standards that would allow staff to require elements such as curved streets, mid-block crossings, or architectural variation. He explained that higher density is often necessary for attainable housing and that meaningful design changes would require updates to Town ordinances and design criteria. He added that statewide changes—such as future requirements limiting turf in single-family developments—will continue to influence subdivision design in the coming years.

Hearing no further discussion, Vice Chair Weickum asked the Town Clerk for a Roll Call Vote on the motion made earlier:

"Commissioner Fior moved to recommend the Planning Commission recommend approval to the Board of Trustees of the Master Development Plan of Homestead Grove with the condition with the following condition:

1. Allow staff to work with the owner applicant to address minor, non-substantive modifications. Commissioner Blackmer seconded the motion."

Voting Yes: Vice Chair Kayleigh Weickum, and Commissioners Ron Blackmer, Laurel Engelbert, Kassidee Fior, and Bernadette Stephenson.

Voting No: None

Motion 5-0. Motion Carried.

Town Clerk Rinebarger reminded the audience that the Preliminary PUD will be heard next week by the Board of Trustees and that notice will be mailed to those within 300' of the Property once the Master (Final) PUD is ready for hearing.

b. Public Hearing to Consider and Make Recommendation on Annexing Property Known as Epic Estates at Taylor LLC.

Vice Chair Weickum informed those attending the public hearing that the Planning Commission serves as an advisory entity to the Board of Trustees, and therefore, their action is only a recommendation. The final decision on the application would be determined at a future Board of Trustees public hearing.

Director Koelbel then announced that the item was being requested to be postponed to a future

date—December 17th for the Planning Commission and December 22nd for the Board of Trustees meeting. The reason for the postponement was that two procedural requirements mandated by state statute regarding the annexation process were inadvertently missed during the transition between staff members. After consultation with legal counsel, the Town will renounce and redo the missing procedures.

Commissioner Blackmer motioned to postpone to a certain time, pending re-scheduling by the Board of Trustees due to issues that have arisen with respect to the sufficiency of notice. Commissioner Engelbert seconded.

Voting Yes: Vice Chair Kayleigh Weickum, and Commissioners Ron Blackmer, Laurel Engelbert, Kassidee Fior, and Bernadette Stephenson.

Voting No: None

Motion 5-0. Motion Carried.

9. Discussion Agenda

Town Clerk Rinebarger provided the Commissioners with three updates:

1. Resignation: She informed the Commission of the resignation of Commissioner Portella.
2. Town Event: She reminded the Commissioners about the upcoming Town Holiday Party.
3. Housing Needs Assessment: She reminded the Commissioners that comments regarding the Housing Needs Assessment are due to staff by the following Friday.

10. Informational Agenda

There were no items.

11. Other Business

There were no items.

12. Adjournment

Vice Chair Weickum adjourned the meeting at 8:38 PM.

Prepared By:

Approved By:

Caree Rinebarger, Town Clerk

Randy Helzer, Planning Commission Chair



Town Of Milliken
Planning Commission
Milliken Meeting House
1201 Broad Street

Meeting Minutes for September 3, 2025

1. Call to Order

Chair Helzer called the meeting of the Milliken Planning Commission to order at 7:01 PM.

2. Pledge of Allegiance

Chair Helzer led the Pledge of Allegiance.

3. Roll Call

Those Present: Chair Randy Helzer, Vice Chair Kayleigh Weickum; and Commissioners Jimmy Baugh, Ron Blackmer, Laurel Engelbert, Bernadette Stephenson (via Zoom), and Kassidee Fior.

Absent: Commissioner Mitch Portella and later Commissioner Bernadette Stephenson due to issues with Zoom

Also, Present: Planner 1 Jordan Cashman, Town Clerk Caree Rinebarger, and Town Attorney Matthew Gould

Town Clerk Rinebarger noted that a quorum was established, allowing the Public Hearing to proceed.

4. Agenda Approval

Commissioner Fior motioned to approve the agenda as presented. Commissioner Commissioner Engelbert seconded.

All in Favor. None Opposed. Motion Carried.

5. Citizen Comments

There were none.

6. Minutes of Previous Meetings

a. Approval of Minutes from May 21, 2025

Caree Rinebarger, Town Clerk

Attachments:

1. Draft Minutes for May 21, 2025

Commissioner Blackmer moved to approve the minutes for May 21, 2025 as presented. Commissioner Baugh seconded.

All in Favor. None Opposed. Motion Carried.

7. Consent Agenda

There were no items.

8. Action Agenda

- a. Public Hearing to Consider Approval of Resolution PC2025-02; a Resolution of the Planning Commission of the Town of Milliken, Weld County, Colorado approving the Use by Special Review (USR) for the drilling of ten (10) horizontal wells with no associated production facilities for the Zion 4N67W23 Project.**

Jordan Cashman, Planner 1

Chair Helzer reviewed the procedures of the Public Hearing to the Commission and the Public.

He asked the Commissioners if they had any Ex Parte Communication to report or need for recusal. There were none reported.

Chair Helzer opened the Public Hearing at 7:07 PM

Planner I Jordan Cashman, asked the Planning Commission to consider approval of Resolution PC2025-02; a Resolution of the Planning Commission of the Town of Milliken, Weld County, Colorado approving the Use by Special Review (USR) for the drilling of ten (10) horizontal wells with no associated production facilities for the Zion 4N67W23 Project through a Public Hearing.

PDC Energy, Inc. applied for a Special Use Permit and Site Plan for the drilling of ten (10) wells with no associated oil and gas facilities known as the Zion 4N67W23 Project on land owned by Lot Holding Investments LLC comprising approximately 584.851 acres with a proposed 12.1-acre area of disturbance and 1.1 acres for final production of the facility. The property in the Southeast Quarter of the Northeast Quarter of Section 23, Township 4 North, Range 67 West, 6th P.M., Milliken, Colorado and referred to in this application as Zion 4N67W23 ("Zion");

The property has not been subdivided and is zoned PUD with an Agriculture Use. The surrounding land use consists of farmland and rural residences. The Town's Comprehensive Plan designates the site for agricultural uses.

Three pre-application meetings were held: The first on April 12, 2022, the second on October 1, 2024, and the third on January 7, 2025, in conjunction with ECMC.

The initial application was submitted on April 28, 2025, and staff deemed it complete on May 20, 2025. It was then sent to referral agencies for review, with comments due back by June 17, 2025. These comments were compiled and returned to the applicant on June 19, 2025, requiring a second submittal of the application. The second submittal was received on July 1, 2025, and sent to all entities that provided comments on July 2, 2025. Referral comments were due back.

On July 17, 2025, staff determined that the application met the requirements outlined in Section 16-4-530 of the Town of Milliken's Municipal Code and could be moved to a public hearing with the Planning Commission.

Staff reports that the application meets the following requirements based on our review:

- The applicant has the legal right to develop the property.
- The site plan meets requirements set in section 16-4-530(g).
- A Fire and Emergency Response Plan was submitted as required by Section 16-4-530(h).
- Operating Plan was submitted as required by Section 16-4-530(i).
- Location of wells meet setbacks outlined in Section 16-4-600(a).
- Notice of the public hearing was published in the Johnstown Breeze and mailed to surrounding property owners within three hundred' of the proposed development on August 7, 2025, and in compliance with requirements of the Milliken Municipal Code. The property was also posted with a sign on August 7, 2025.
- Section 16-4-535 Special Use Permit Approval and Review Criteria states: "The Planning Commission shall approve an application for a special use permit for oil and gas facilities if the application submitted by the applicant conforms to the requirements set forth in this Article (Sections 16-4-500 through 16-4-600), and the Colorado Oil and Gas Conservation Regulations (e.g. impact mitigation and setbacks.)"
- Based on its review of the application and exhibits, site plan, operating plan, drainage report, and traffic memo, as well as timely input received in the form of referral comments and other input, Staff reports that (a) in Staff's view the application satisfies submittal requirements set forth in Section 16-4-530 of the Milliken Municipal Code and (b) the application for a Special Use Permit for oil and gas drilling meets the criteria of Sections 16-4-500 through 16-4-600 (Oil and Gas Drilling and Production).
- The application was sent to Town Staff and reviewing agencies, and conditions of approval are included in Staff's recommendations below.

Some comments were received that raised questions about access to the well site. Documents pertinent to this issue are included (bookmarked) in the packet as the "Access Documents." In consultation with the town attorney's office, staff determined that the applicant had adequately demonstrated that it has a lawful access route based primarily on an Easement and Right of Way given by Mr. Robert Stroh in 1999, which is included in the packet.

A question was also raised about the applicant's right to utilize the 1999 easement. Documents demonstrating the applicant's succession to the 1999 easement were added to the packet today as the "Easement Ownership Documents."

The Town of Milliken will receive royalties from the production of these wells.

Staff recommends approval of the application subject to the following conditions:

1. Road Maintenance Agreement: The applicant must enter into a Road Maintenance Agreement with the Town of Milliken prior to Notice to Proceed is issued.
2. Access Permit: Provide a copy of the Access Permit from Weld County once it has been obtained prior to Notice to Proceed is issued.
3. Water Rights: The applicant must provide proof that the water to be used for drilling and completion is legal and approved use. This proof can be a decree from Division 1 Water Court, a Substitute Water Supply Plan, a Federal Contract, or an agreement with a Water Conservancy District. The applicant must also demonstrate that the use of this [\[MP1\]](#) water will not be injurious to the Town's water rights. This is required before the drilling and completion phases begin.
4. State Permit: Provide a copy of the approved permit from the State of Colorado prior to Notice to Proceed is issued.
5. Building Permits: Obtain all required building permits from the Town prior to starting construction.
6. Fire District Requirements: Meet all requirements from the Front Range Fire District prior to Notice to Proceed being issued.
7. CPW Disturbance Moratorium: Do not begin any new disturbances, including site pad construction, drilling, or completion activities, between December 1st and April 30th.
8. Burrowing Owl Survey: If any new habitat disturbances occur between March 15th and August 31st, a Burrowing Owl survey must be conducted. A copy of the survey must be provided for the Town.

Suggested motions were included in the packet.

Chair Helzer inquired about the Haul Route and Traffic Pattern Study, raising several points for clarification:

1. Traffic Signal: The Chair noted that the study appeared to include a traffic signal at the north end of CR 19 and Highway 60. The Chair requested confirmation of this reading and noted the potential implications, suggesting this question should be referred to the applicant for a response. Further questions included whether the signal is already slated for installation, who would fund it, and what its design would entail.
2. Turn Lane on Highway 257 off Highway 60: It also appeared to the Chair that the study proposes adding another turn lane onto Highway 257 off Highway 60. The Chair determined the applicant should address this point.
3. Haul Route Concern (CR 44 and CR 19): The proposed haul route appears to involve trucks coming north out of the property onto CR 44, traveling west on CR 44, then south, and then turning right onto CR 19 when they go west on CR 42. The Chair expressed concern that the intersection where trucks would turn right onto CR 19 from CR 42 is very restrictive. The concern is that a large quantity of slow-accelerating vehicles will be entering CR 19, a two-lane road, at a time when the study indicates peak traffic coincides with rush hour. The Chair noted that this situation could present a significant problem unless an extensive acceleration lane is added. This was also deemed a question best answered by the applicant.
4. Enforcement of the Haul Route: The Chair questioned the enforcement of the specified

haul route, stating that a truck driver might be tempted to cut approximately two miles off their trip by going straight over to CR 19 from the corner of CR 44 and CR 21 instead of following the designated route. The Chair asked what assurance the Commission has that drivers will adhere to the approved route. This was also determined to be a question for the applicant.

Planner Cashman asked to submit the information presented this evening, the agenda memo, and the following documents into record:

- Land Use Application
- Narrative
- Site Plan
- Public Notice of Zion 4N67W23
- Operating Plan
- Final Drainage Report
- Final Drainage Plan
- Traffic Study and Transportation Plan
- Access Documents
- Easement Ownership Documents
- Resolution PC2025-02 Zion Special Use Permit
- Email from Dana Baggs with Kutak Rock LLP. Town Attorney Gould confirmed that Legal Counsel has reviewed all packet materials.

Tisa Juanicorena, Permitting Coordinator with Chevron, introduced herself and her team, including Tyler Blessing (Permitting) and Kolt McDaniel (Surface Land). She presented a request for the Town Board's consideration and approval of the Zion well pad. Ms. Juanicorena noted that additional Chevron staff were available online to assist with questions.

The Zion well pad is a part of the overall development called the Pilot Parks OGD, including the Pearl well pad and the Glacier well pad and facility. The Zion location is a well pad only and will produce to the Glacier facility, which is also in Milliken jurisdiction. We will be submitting that application for your review soon. The Pearl location is in Weld County jurisdiction and received approval on May 29.

The proposed Zion development consists of a well pad with ten (10) new wells developing approximately 1,600 mineral acres, designed to maximize resource recovery while minimizing surface disturbance and long-term footprint. During our construction phase, we will have a temporary disturbance of 12.21 acres to support drilling and completions operations. For our production phase, the long-term footprint will be reduced to 1.21 acres, reflecting efficient site design and reclamation efforts.

For proximity and safety, we are happy to report that there are zero (0) residential building units located within 2,000 ft of the proposed oil and gas location, ensuring safe distances from occupied structures.

For infrastructure and logistics, we will have oil, gas and produced water takeaway with pipeline infrastructure installed to support efficient transport and reduce truck traffic. We will also have a temporary freshwater pipeline to be used during completions to minimize environmental impact and avoid long-term surface disruption.

Regarding legacy reclamation and net land return, up to twenty-six (26) legacy wells will be plugged and reclaimed, and eleven outdated facilities will be decommissioned as a part of the broader OGD. Across the overall three (3) locations of this development, these efforts will reduce by 39 acres of land potentially reclaimed with a net return of approximately 22.1 acres to landowners during the production phase, contributing to long term land restoration and a reduced industrial footprint.

Our anticipated operational timeline for Zion looks like this: Q2 of 2026 for our construction operations, Q3 of 2026 for our drilling operations, and Q2 of 2027 for our completion operations. These dates are approximate and are subject to the drill schedule and may change for the relevant and proximate governments.

Town of Milliken is the relevant local government, and we began initial discussions in April 2022 under the original design, which included the three (3) locations all with well pads and facilities. Following Chevron's acquisition of PDC, the development strategy was revised and improved to consolidate operations. We scheduled a second pre-application (pre-app) with Milliken for October 1st of 2024 to review the updated design, which now features two (2) well pads producing for the Glacier facility. Then, in response to a code change by the Energy Carbon Management Commission (ECMC), it became mandatory for ECMC to participate in the pre-app meetings. A third pre-app meeting was scheduled for January 7th of 2025 to ensure compliance with this new requirement, and this meeting included ECMC staff and, of course, Town of Milliken representatives.

With our Special Use Permit Submittal, the initial Zion application was submitted to the Town of Milliken April 25th of 2025. Following review by town staff and external referral agencies, feedback was provided regarding technical details. In response to that feedback, the application was revised to include corrective measures and additional clarifying information demonstrating PDC's commitment to transparency and regulatory compliance.

Weld County serves as the proximate local government for this initiative, and throughout the permitting process, PDC has worked closely with both Weld County and the Town of Milliken to address community concerns. During the Pearl 1041 Weld Oil and Gas Location Assessment (WOGLA) hearing, the Town of Milliken raised concerns regarding cumulative traffic impacts on Highway 257 stemming from multiple concurrent developments, including the proposed Zion well pad. In direct response to these concerns, PDC committed to a traffic mitigation strategy designed to reduce potential congestion. This means that all phases of development associated with the parks and Mountain View locations that utilize Highway 257 would be strategically staggered to avoid overlapping peak activity periods. This approach reflects our commitment to proactive planning, community responsiveness, and minimizing infrastructure strain for the safety of the community.

Kolt McDaniel, a Land Representative for Chevron, walked the Commission through the alternative location analysis overview for the three alternative locations considered as well as the proposed location presented for you today. Some considerations that we include in siting these locations are the proximity to building units, operational feasibilities, impact to future land use, proximity and cultural features, environmental concerns, access to the location, surface owner negotiations, geology, and consolidation.

Alternative Location Number One: We have a list of advantages for this location that include no ARC used within 2,000 ft. We would be outside of a floodplain. We utilize dry land cropland, minimizing our impacts to agriculture. We are not located near a childcare or school facility. We are not located in a disproportionately impacted community. The disadvantages of this pad would be that we would be within mule deer severe winter concentration, high priority habitat. We do not have an executed surface use agreement with this landowner, and we would have reduced efficiencies due to long drilling step-outs to access the targeted minerals.

Alternative Location Number Two: Advantages: We do have an inherited surface use agreement through company acquisitions. We would be outside of high priority habitat, but we are not located within a disproportionately impacted community. The disadvantages of this pad would be that we would have three residential building unit owners within 2,000 ft of this working pad surface. There are existing oil and gas sites restricting our sizing requirements for this pad that are not operated by PDC. We would be within a mile of a childcare center, school facility and high occupancy building units. And we would have a conflict with an existing irrigation ditch highlighted on a map in blue that runs through that path.

Alternative Location Number Three: Advantages to alternative location number two. We are not located within a disproportionately impacted community. We would be outside of high priority habitat. We can recover the target minerals without a second well pad. Our disadvantages include two (2) RVUs within 2000 ft of working pad surface. We would be within a mile of the childcare center, school facility and high occupancy building units. And we would require another irrigation ditch to be rerouted as there is a conflict going through the middle of the pad shown in blue on the map.

As for our proposed location, we have a list of advantages: we do not have any residential building unit owners within 2,000 ft. PDC does have an executed surface use agreement for this location. We utilize existing private oil and gas access points to this pad, including a temporary access point to use during construction, drilling and completions activities to eliminate the burden that would be on the private road that is considered CR 21 on the map, but it's a private road. This location is agreeable to the Town of Milliken regarding future development plans. It is not located within or near a childcare or school facility. PDC has consolidated the production of the proposed location into a centralized facility, as Tisa mentioned, which we are calling the Glacier facility, eliminating the necessity for an on-site production facility. The main disadvantage for this pad is we are within severe wear range, high priority habitat.

Neighborhood Outreach: We have had individual meetings with residential building units and tenants in the area and along the Haul Route, and they've all been given personal points of

contact for any concerns or questions that they may have that come up through the process. We have also had two community meetings where community members were given the opportunity to meet with our staff face to face and presented a presentation of the project. And we are committed to continuing to have communication and outreach to the community as we move forward through this project.

Haul Route: If we start from the location, we would go north on what is considered CR 23, which is the private access road that we've talked about, to CR 44 west to CR 21 south to CR 42 west to CR 19 north to Highway 60, then to Highway 257. As Tisa mentioned earlier, we have made a collaborative effort with Milliken Development Review to design the haul route and to stagger operations with nearby operations to make sure that we do not have an influx of traffic at the same time.

Tyler Blessing, a Permitting Specialist with Chevron, outlined the comprehensive suite of best management practices that will be employed at the proposed Zion location. As Colt outlined, the location was designed using careful planning and appropriate siting.

The location will be further than 2,000 ft from any identified from all identified residential building units and more than 3,500 ft from the boundary of any disproportionately impacted community. Furthermore, the location will be sited over one mile from any school, childcare center or high occupancy building unit and will be located outside all floodplains.

Design Location will use temporary surface lines to transport fresh water for completions operations. During production, all fluids will be transported from location via pipeline takeaway. This combined surface and pipeline infrastructure will significantly reduce the truck trips needed for the location. In addition, there will be no hydrocarbon storage tanks on location or permanent lighting during the production phase.

During all phases, PDC will monitor dust or erosion and mitigate appropriately during drilling. PDC will use Groove 3 drilling fluids to prevent odor during completions. A quiet frac fleet will further prevent noise impacts. In addition to the installation of temporary perimeter sound walls during all pre-production operations, PDC is working with and will encourage the utility provider to electrify this location and if successful will utilize grid power to power the drilling rigs to the extent practical.

Furthermore, PDC utilizes a state-of-the-art leak detection and repair program that includes regular audio, visual, and oil factory inspections. PDC will conduct air monitoring in coordination with the relevant regulatory agencies during pre-production and production operations. As Tisa mentioned, the design location was submitted with the Glacier and Pearl locations to the ECOMC as an overall park's OGD. Development of that OGD will result in twenty-six legacy wells being plugged and abandoned in the immediate area.

To summarize, PDC has determined that the proposed Zion well pad is the preferred location that will allow development of 1,600 mineral acres while being protective of public health, safety, welfare, the environment, and wildlife.

Chevron/PDC's legal counsel, Jamie Jost, presented a formal statement to the Board. The full text of the statement is included below.

Good evening, commissioners, Staff, Counsel, and members of the public. My name is Jamie Jost of Jost Energy Law, P.C., and I am assisting PDC Energy with its request for approval of a Special Use Permit for the Zion 4N67W23 Project. In addition to the detailed presentation provided by the three PDC representatives, I would like to provide a short statement on the comment letter provided by Hidden Platte Ranch on August 28, 2025.

PDC Energy has engaged in several months of communication with Mr. Gochis and his former counsel, Mr. Fred Ginsberg, about PDC's 26 years of use of the private easement for the development of Zion pad. Mr. Gochis' new counsel, Kutak Rock, has not initiated any contact with PDC or our office as of today, but I am sure that we will be in communication in the future.

PDC acknowledges the Thursday, August 28, 2025, comment letter submitted to the Town of Milliken; however, there are a few points that should be considered by this Commission as part of PDC's request for approval of the Special Use permit.

First, as already stated, Hidden Platte Ranch's concerns about the use of the private easement for truck staging or heavy equipment can be alleviated because PDC will not use its rights under the private easement for drilling and completions operations on the Zion pad – only production operations once the wells come online. The Temporary Access Road on neighboring property will be used for drilling and completions operations thus alleviating safety concerns. PDC has informed Mr. Gochis and the Town of Milliken numerous times that it has no intent or plans to impede Mr. Gochis' rights under the 1987 non-exclusive easement. In fact, PDC has offered to widen and improve the private easement to ensure that Mr. Gochis' access will not be impeded, and such offers have not been accepted.

Second, Hidden Platte Ranch is acting as though it is the record title ownership of the private easement lands; however, it is not the record title owner of the private easement referenced in its letter. The Private easement is owned by separate and distinct record title ownership that is not Hidden Platte Ranch. The private easement was included in the Zion site plan and was identified and referenced by the County recording reception number. On the maps, it is identified as a vacation of the County ROW, which is also true. The 1987 Easement granted access for the Hidden Platte Ranch property as well as vacated the County ROW.

Third, in addition to not being the owner of private easements, Hidden Platte Ranch, LLC, does not have an exclusive right to private easement lands. The 1987 Easement is clearly NOT exclusive and, in fact, maintained Town of Milliken's right to use private easement as it wishes.

Fourth, a 1999 Weld County recorded Easement allows PDC's right to use the private easement for oil and gas activities and this easement was omitted from Hidden Platte Ranch, LLC August 28, 2025, letter to Planning Commission. An undivided interest owner issued the 1999 Easement the surface lands and PDC has used, and relied upon, this easement for 26 years for oil and gas activities and operations. The easement has been recorded since 2000, and the

recorded easement is deemed valid under Colorado statute 38-35-106. We are not here to argue title chains or easement contract language in front of the Planning Commission – those matters are better suited for other discussions in other venues – and PDC would respectfully caution the Planning Commission from making any findings on easement contract interpretation or enforcement in this setting.

Fifth, again, PDC and its predecessors have used the private easement lands since 1999 – a total of 26 years – for oil and gas activities and yet Hidden Platte Ranch, LLC's comments omitted this key fact in its August 28th letter. PDC has relied upon these 26 years of use of the private easement to access wells on or adjacent to the Hidden Platte Ranch lands and such reliance supported the planning of the Zion pad and subsequent permitting requests.

Sixth, Hidden Platte Ranch alleges that it “intends” to construct a future Residential Building Unit within 2000’ of the Zion pad; however, there PDC is not aware of the “building permit approvals” for a residential building unit near the Zion pad and Hidden Platte Ranch, LLC did not provide evidence of such permit with its August 28th letter. Specifically, PDC researched five parcels – I can provide the parcels number should you want them (105924000017, 105924000039, 105924000040, 105924000015 and Dell Ranch (105924000037)) and did not find an active building permit for lands within 1,350’ owned by Hidden Platte Ranch. This speculative non-approved development should not be considered as part of this Zion permit under the Code.

Finally, PDC has complied with each provision of the Town of Milliken Code, Division 5 – Oil and Gas Drilling and Production – Section 16-4-500, et al. required for the Zion pad permit, and requests approval of the Zion pad permit. Thank you for your time this evening and your consideration of PDC's permit. We are now happy to answer any questions you may have. Thank you.

Commissioner Blackmer stated that there seems to be a concern about the traffic. What will the traffic consist of? And where will traffic exist during this operation?

Chevron staff provided a multi-phased response detailing the traffic composition and timing across the project phases:

Traffic Composition and Timing

The increase in traffic consideration happens with the construction of the site as well as the drilling and the completion. Those three phases that were outlined in our presentation are heavy traffic because of the heavy trucks moving dirt, moving equipment in, moving water in, moving sand in for frac. After those locations and as the location for the lifetime of the wells, our traffic will merely see pickup trucks and occasional heavy traffic for any maintenance that may be needed. So, during construction is when the traffic will occur Construction, drilling, and completions.

Traffic Volume Details

The Commissioner asked if the traffic was daily back-and-forth or sustained for the duration. Chevron Staff clarified that the heaviest traffic will be during the completions phase because of

hauling in sand for the frac, which will be continuous.

The staff then referenced the Traffic Impact Study:

- Construction Phase (Zion): Estimated to generate up to thirty-four daily trips, with nine trips in the AM peak hours and nine trips in the PM peak hours. This phase is estimated to last between 97 and 136 days and occurs first during site development.
- Drilling Phase (Glacier/Zion Combined Study): Estimated to generate up to 265 daily trips total across the combined study, with 102 trips in the morning peak hours and 102 trips in the PM peak hours.
- Frac Phase (Completion): This is the heaviest occurrence, generating up to 410 daily trips combined, with sixty-three trips in the morning hours and sixty-three trips in the PM hours.

Chevron staff clarified that these phases are staggered and do not overlap Glacier first, then Zion, then Pear.

Zion-Specific Traffic

Focusing specifically on Zion:

- The peak traffic volume would be 102 trips, mostly light vehicles (pickup trucks) during shift change for personnel.
- For drilling, traffic includes removal of drill cuttings, diesel fuel, and small items.
- For completions (fracking), the peak would be sixty-three trips during peak time, mostly sand hauling, and personnel (small pickup trucks).

Roadway Impact and Signalization

The Commissioner expressed concern that Highway 19 is over-trafficked and that slow-accelerating trucks entering from CR 42/CR 44 onto CR 19 could cause severe problems without an acceleration lane.

Regarding the study's recommendation for signalization:

- The study summary states that future production trips (post-construction/drilling) are anticipated to have little impact.
- However, the conclusion on page 14 recommends a light signal be installed at the intersection of CR 19 and Highway 60 by the year 2045 under background conditions but does not believe the Zion development itself would necessitate immediate action on that signal.

Chevron staff noted that while sand hauling involves up to 410 trips combined for all three projects, those massive loads would be staggered. For Zion specifically during the peak drilling/completion phase, the high trip count (102/63 peak trips) is heavily associated with personnel shift changes, which could be concentrated at 7 AM/7 PM or 6 AM/6 PM intervals.

Commissioner Fior sought clarification on the proposed haul route, specifically confirming that Zion traffic would meet County Road 42 to access Highway 60, which Chevron staff affirmed, explaining the traffic study included Glacier due to the shared segment on County Road 42. When questioned about enforcement to ensure drivers follow the route, staff stated they rely on signs, driver training, and quickly address reports of deviations, noting their experience with haul route compliance.

The Commissioner also inquired about potential land use restrictions or implications stemming from the property's current PUD (Planned Unit Development) zoning (currently agriculture) on future development. Chevron staff responded that, to their understanding, the existing PUD zoning already accounts for oil and gas use, suggesting that an immediate update to the 20-year-old master plan is likely unnecessary, though they anticipate the master plan will be reviewed and updated as development continues.

Chair Helzer asked about the sunset date for the wells. A Chevron representative replied that the wells would remain as wellheads without production for 20 to 30 years, depending on geology. He confirmed that the twenty-six legacy wells would be capped and removed prior to new well operations.

Chair Helzer opened the hearing to Public Comment.

Cheryl Kasten, a resident at 511 N. Shultz Drive in Platteville, stated she and her sisters have ownership in the private road and have family that lives along CR 19 as well as works at a house that is on that road. And from 5:30 on I am going to say to 8:30, the traffic is at least in the morning is horrendous. And this is going to be tough, in my opinion, an accident waiting to happen, having trucks turn onto Weld CR 19 because people do. They are seventy. Even the police have caught people doing 80, 85 miles an hour and nobody pays attention to the stop signs. So just a comment. Their questions are about the private road that we have, Chevron is stating that they are going to expand it. So, is it getting expanded to the east or to the west? Also, on that private road, there is an electric pole on the left side and an electric pole on the right side with guide wires coming down. And my concern is they going to hit the pole and we get blamed for it or what is going to happen to those electric poles.

Chevron staff provided an update on the road widening plan, stating that the decision on widening to the east or west is still pending; the east side presents topographical congestion, while the west side is preferable but would cross property lines, meaning both options are still under consideration, though widening, especially at the entrance, is necessary, and any widening would require moving the two electric poles in coordination with the electric company; finally, to mitigate heavy traffic during peak periods, they have the option to use the temporary access road for the current wells for heavy traffic periods.

Ms. Kasten asked if the temporary access road was the same one used for an already existing well 23-11 and if they could use that access instead of the private access road. Chevron staff stated yes, it is the same access; and replied that it would be an option for heavy traffic periods.

Ms. Kasten then asked why in all the documents the private access road is labeled as CR 23 as

it makes a big difference since it is a private road and has people using it. Chevron stated they feel that it is a clerical error as when you look on Google Earth or the Weld County Property Portal, it state that it is CR 23. However, they know CR23 was vacated and is a private road.

Town Attorney Gould and Town Clerk Rinebarger clarified that only ½ or 30' (on the east) of the right of way was vacated for the private access road and the other ½ or 30' (on the west) is still right of way and was never vacated. The other 30' section on the west is not improved and is currently being farmed.

Chair Helzer asked if there is a possibility or if Chevron could investigate developing and using the thirty' of the non-vacated portion as well as ensuring that information is on the plat. Town Attorney Gould and Chevron Attorney both explained that the information regarding the roads and vacated easements are already on the Site Plan.

Joseph Lusk, attorney for Dell Ranch, affirmed that his client supports the position outlined by Kutak Rock on behalf of Hidden Platte Ranch regarding a driveway easement. He emphasized that Dell Ranch objects to any issue related to an earlier easement, asserting that the relevant rights were already relinquished via the 1987 easement; he confirmed that their opposition specifically concerns an encroachment upon this existing 1987 easement, noting those rights no longer exist to be granted again. Mr. Lusk also mentioned that his partner, Tom Ripp, had sent an email containing supporting documentation to staff member Ms. Cashman that morning, which they formally requested be added to the commissioners' packet.

Additionally, Mr. Lusk raised concerns regarding environmental issues, stating that based on consultation with hydrologists, these matters do not appear to have been fully addressed or required in the current application; these specific concerns are detailed in Mr. Rip's letter for the commission's review.

Mr. Lusk also noted Mr. Ripp from his office, emailed Ms. Cashman today that it reads as follows and will be added into record:

Dear Ms. Cashman,

I represent the Dell Ranch regarding the above application for a special use permit. It has come to my client's attention that there are some deficiencies in the application. The significant issues are as follows:

1. Access. PDC does not have access rights via the driveway easement to the Dell Ranch. The easement does not provide for industrial purposes. It is solely to provide access to the Dell Ranch and an adjoining ranch landowner.
2. The application does not appear to reference environmental compliance. Missing items appear to be:
 - a. Clean Water Act analysis.
 - b. NPDES permits storm water runoff.
 - c. Clean Air Act analysis.
 - d. Failure to identify fracking substances to be injected.
 - e. RCRA hazardous waste management plan.
 - f. Plan as to how produced water will be handled.

g. Spill prevention and control plan.

While this list is not exhaustive, it hits on the major deficiencies. For these reasons, the Dell Ranch opposes the proposed facility being located adjacent to the residential property.

Frederick Ginsburg, attorney for Hidden Platte Ranch, confirmed he has been involved since the project's inception and is still discussing outstanding issues with the applicant's counsel, Ms. Yost. His client concurs with Mr. Ripp's letter and the position of Dell Ranch. Mr. Ginsburg clarified the vehicle plan for the Zion well drilling—the well closest to the residential property—stating that equipment will enter off CR 44, proceed onto the land holdings property, and swing around to the well site. The primary concern is protecting property owner's interests, as neither Hidden Platte nor Dell Ranch wishes to impede necessary oil and gas production but rather ensures the project does not harm people living on the residential property.

A significant source of conflict is the easement issue, specifically the clear 1987 easement for residential purposes, which the applicant's proposal utilizes. Mr. Ginsburg noted this easement, which his client has been maintaining, was later impacted by a vaguely defined, 2,700-foot-long easement created around 2000 or 2001, whose exact location is unclear. He and Ms. Yost agreed to pursue a legal resolution to this conflict outside the current meeting, particularly concerning the increased traffic on the 1987 easement road. Additionally, Mr. Ginsburg pointed out that the application incorrectly and continuously refers to the 1987 private easement as County Road 23, which was abandoned by the County Commissioners around 1987.

Mr. Ginsburg also raised several environmental concerns, stating that the application demonstrates a "lack of approach" to these issues, which are detailed in Mr. Rip's letter. Specific examples include the failure to address the burrowing owl plan, an issue raised by planning staff, and the lack of clarity regarding the water source for drilling. He noted an active concern on the ranch with unexplained bubbling water (for which a chemical test has been requested) and stressed that such issues should be addressed. Given the outstanding concerns related to environmental matters and the unresolved easement disputes, Mr. Ginsburg suggested the Commission hold off on approving the application until solutions can be worked out between all parties involved.

Commissioner Blackmer asked for an explanation regarding the two easements mentioned: the 1987 easement and the 2000 easement.

Frederick Ginsburg, attorney for Hidden Platte Ranch, explained the two easements to address Commissioner Blackmer's question. He used a physical object to illustrate, pointing out the 1987 easement, which is owned by Hidden Platte Ranch and Dell Ranch to the south, as the only way in and out for those properties, noting this easement is very explicit, detailing its length and width, and is to be used solely for residential purposes.

He then detailed the second, problematic easement created around 2000 or 2001 between prior mineral ownership and Chevron (PDC). This second easement for egress and ingress is poorly defined, only stating a 2,700-foot length but failing to specify its width or exact location,

making it the easement that is in dispute with the first easement. Mr. Ginsburg stressed that neither his client nor Dell Ranch was aware of this second easement's creation at the time. He mentioned that previous oil and gas operators used the 1987 road for maintenance, and the current operators believe they can continue that use.

Mr. Ginsburg confirmed he is not here to argue but to work it out with counsel, stating that they do not want to "make a war we don't need." He referenced the traffic study, noting the potential for close to 12,000 total trips, but acknowledged the applicant kept her word regarding keeping heavy transport off the 1987 road for the well work, coming in instead off CR 24. He requested the Commission slow down just a wee-bit to allow time to resolve these outstanding issues with the Council.

Chair Helzer asked the applicant and staff to address some of these concerns:

Staff addressed the concerns raised by Mr. Ginsburg. Regarding the water supply, Conditions of Approval require the applicant to provide a water supply plan, subject to approval by the town's water engineer before any water use commences. Concerning the burrowing owl comment, staff clarified this was a verbatim requirement from the Division of Wildlife, not internal town staff, and is also covered by the conditions requiring the applicant to care for the owls. For other broad environmental issues, staff noted that many fall under state purview, and their protocol is to include a condition requiring submission of the approved permit from the State of Colorado prior to final clearance, avoiding duplication of state oversight.

Staff confirmed their review found two easement instruments: the 1987 instrument and a second one from 1999 (recorded in 2000). Staff's internal assessment concluded that because the 1987 easement did not specify it was exclusive, the second instrument legally met the requirement to show a way of access. Staff noted they lack code provisions to assess complex legal issues like priority rights or expanding use/demand, concluding that the applicant met the requirements set regarding access. Furthermore, the applicant was transparent, proactively submitting fourteen additional plans for the Zion application that were not required by town code.

The applicant's representative reiterated that disputes over easement priority and expanding use are best handled as outside third-party disputes resolved in court or direct talks, rather than by the Planning Commission. They maintained that their interpretation is that the Commission's review is limited to code provisions, under which they met the access requirement because the easement is called out on the site plan. The applicant confirmed no water source is finalized yet, but any future source will require Commission approval. Following confirmation that the staff considered the owl issue settled and that environmental concerns are largely state-led, the Commission determined the access requirement was met, and the next speaker was called.

James Gochis of Hidden Platte Ranch addressed the Commission regarding the easement, stating he doesn't believe the easement is "his" in ownership but rather is owned by two parties (formerly the Stroh family, now Lot Holdings) and is an exclusive easement because it explicitly names the four people with the right to use it, defining that right as a family driveway. He noted that previous oil and gas operators had always honored this exclusive right,

resulting in no traffic or oil issues while wells were active.

Mr. Gochis emphasized his primary goal is to preserve access for his house and his neighbors (three houses at the bottom of the hill), as the 1987 easement road is their only way in and out road he personally built with base material. He expressed concern over the proposed heavy traffic volumes for construction (citing potential large loads for the drilling phase), warning that using the 1987 road for this would cause a bottleneck and potentially impede access for residents, including the elderly and children. He recalled an early meeting where he was told they would not have full-time use of the driveway as intended.

Mr. Gochis suggested the applicant should reroute heavy traffic for construction about 400 feet away to an existing road owned by Lot Holdings which already serves an existing well battery, thereby honoring the intent of the family driveway and preserving the 1987 road for its intended, lower-volume use (like monthly inspections, which previously saw only about a hundred loads monthly). He also raised additional environmental concerns regarding stormwater quality and a "catch and release program," worrying that an oil spill could reach the Platte River within 3,000 feet if containment fails. He stressed that using the existing well path for construction traffic would avoid dishonoring the original intent of the family driveway easement. Commissioner

Blackmer asked whose property the alternative road suggested by Mr. Gochis was on.

Mr. Gochis responded that the alternative road is on Lot Holdings property and leads to an existing well that PDC owns. He noted that PDC personnel already drive on this road about every other day to check their well. He stressed that the use of this road by previous oil and gas operators was limited to low-volume inspections (maybe a hundred loads per month), and he has personal documentation stating he would not have full-time use if heavy traffic were allowed.

James Gochis clarified that the 1987 easement, which he argued is exclusive, is for a family driveway and is intended only for the use of the four named parties, including the Stroh Family and Hidden Platte Ranch. He also noted that the road he built is the only ingress/egress for three residences.

Mr. Gochis proposed a solution: the applicant should reroute the heavy construction traffic (the proposed 13,000 or 28,000 loads) to an existing well path owned by PDC on Lot Holdings property, which is just 600 to 800 feet off CR 44. This alternate path leads to an existing well battery, and PDC already uses it regularly. He suggested that the applicant move the sound barrier about 300 or 400 feet over, which would allow them to use this established route, thus honoring the intent of the family driveway. He warned that using the residential easement for high-volume traffic would create a bottleneck and pose a hazard, especially during emergencies.

Mr. Gochis expressed concern over the current proposed route turning sharply right off CR 44, calling it a silly hard corner and a potential trapping gym given the lack of maneuvering space. He also brought up stormwater quality concerns, noting that if an oil spill occurred, runoff

could quickly travel about 3,000 feet down to the Platte River. He argued that the easement document is clear on ownership (15 feet each to Stroh family and Lot Holdings) and use, urging the Commission to make a condition that the easement issue be worked out based on the established intended use.

Chair Helzer asked the applicant if they would like to address any of these concerns and asked if PDC could move the road and Commissioner Blackmer asked for details about the volume of traffic that would result from the proposed activity and the associated impact of that traffic.

Chevron/PDC Representatives offered a clarification regarding the road referenced by Mr. Gochis concerning the existing well site.

The path currently being discussed as the access route is what they have previously termed our temporary access road. This is the route intended to handle the high-traffic periods associated with construction, drilling, and well completions. Currently, this is a two-track road running through a field, not a fully constructed road.

However, they are prepared to make the necessary accommodation to upgrade this route. Chevron/PDC is willing to construct this temporary access road into a substantial 30' road specifically engineered to handle heavy construction traffic. This dedicated route is the one suggested for their heavy operations.

It is designated as "temporary" because once the wells become operational, the use of this upgraded road will be significantly reduced. For post-completion operations, routine maintenance, and checks—they anticipate only minimal traffic, such as one pickup truck per day.

Chair Helzer wanted to ensure he understood the road access situation correctly. The road we were just discussing—the one we clarified as the proposed access route for the well operation is the same road that the residents need to use to access their homes, correct?

His concern, based on the previous testimony, is that there may be periods during the construction, drilling, and completion phases where the heavy traffic flow will prevent residents from getting to their homes. Is that an accurate understanding of the potential access disruption? Could you please confirm or clarify if resident access could be completely blocked at any time?

Chevron/PDC Representatives stated to directly address the Commissioner's concern: No, we will not be impeding the residents' accessibility in any way. A primary reason we discussed the road widening here was to ensure everyone—including existing residents—can pass through safely. We committed to widening the entrance to ensure passage. We will only use that upgraded road for the heavy construction, drilling, and completion phases, which is what we are here to confirm. For the construction phase, we will not use the route near the residences. Instead, we plan to construct a separate temporary access road specifically to avoid that potential conflict and problem area entirely.

Commissioner Follow-up/Clarification:

So, to confirm the plan:

1. During the high-volume construction period, will you be utilizing a separate, dedicated road coming in off CR 44 heading south to the well site? Representative Confirmation: Yes.
2. Once the heavy traffic is complete (drilling and completions), will that road cease to be the main route, and you will revert to using the County Road 23 easement location for future, minimal maintenance access? Representative Confirmation: Correct. We will only use the original route for low-volume maintenance (one pickup per day).
3. This alternative road coming off CR 44, the one for high-volume traffic—is the two-track path leading to the existing well? Does this alternative route show up on the site plan we have on record Representative Confirmation: Yes, it is depicted on the site map included in our P&C application materials.

Commissioner Summary:

Therefore, during the periods of highest impact, you will be using an alternate road coming off County Road 44, which ensures that resident access via County Road 23 is not impeded by heavy equipment. When traffic volume is low for maintenance, you return to the CR 23 route, which will not impede their ability to get to their property.

Mr. Jame Gochis asked for a better understanding of the representative's comments. I previously got the impression that the road you were going to widen to thirty feet was the current road we are all on, intended for heavy traffic. However, I now understand from the Representative's latest point that the road intended for all construction, drilling, and completions is the old road leading to the existing well (the one referenced earlier). Is that correct?

Representative Response (Clarifying Road Separation):

That is correct. To be clear:

1. The existing well road (the old road to the existing well) will be used for all construction, drilling, and completions. We intend to widen this into a substantial 30-foot road for that heavy activity.
2. After construction is complete, we will revert to using our established easement road for routine operations and maintenance. We believe we can satisfy the requirements of that easement.

Commissioner Follow-up to Representative (Regarding Easement Buffer):

To confirm the agreement for the post-construction phase: After you build and use that dedicated construction road, you are confirming that the easement road used for future low-volume maintenance will be located four hundred feet away from the constructed road?

- Representative Confirmation: Correct. We will be four hundred feet away on the existing road leading to the existing well site, which is currently only used by oil field

personnel.

Commissioner Concluding Statement (Regarding Easement Language):

If the commitment stands that the easement road, the one used for future maintenance, will not be used for any of the heavy or construction traffic, and that separation distance of four hundred feet is maintained, then I am satisfied with that arrangement. We can ensure that language is explicitly written into the permit documents. We see no issue with sharing the road for light post-maintenance purposes.

Vice Chair Weickum proposed that as a condition of approval for this project, a formal agreement must be established between the properties regarding road usage and maintenance. Furthermore, she concurs that other significant issues raised during this hearing, specifically those concerning water and wildlife, should also be established as conditions of approval.

Town Attorney Gould clarified we already have a road maintenance agreement in place as part of this application. If that existing agreement is sufficient to cover what you are seeking regarding cross-property road use, then perhaps a separate condition is not necessary. What I am hearing is that the nature and extent of the use for each specific road, the construction route versus the future maintenance route—is already detailed within the proposal itself. My preliminary discussion with staff suggests that we may not need to impose an additional condition specifically mandating an agreement in that regard, because the road maintenance agreement already addresses the necessary framework for road upkeep.

Commissioner Question to Planner Staff:

Ms. Cashman (Planner I), following up on the detailed discussion about the two separate access roads: Did our review—either yours or the County's—capture what we just confirmed today? Specifically, the understanding that the applicant will use the temporary access road for heavy construction traffic, while the other easement road is reserved for low-volume, post-construction maintenance?

Planner Cashman's Response:

Yes, Commissioners. The initial review did establish that there were two access roads. The conversation today certainly made the intended usage clearer.

Regarding other concerns raised, such as water usage/legality and wildlife mitigation, those items were not issues for the Planning Commission authority, but rather requirements from referral agencies. Therefore, those matters must be established as Conditions of Approval. Specifically, the applicant must:

1. Establish legal and approved water uses and provide documentation to the County.
2. Comply with requirements from the Colorado Parks and Wildlife (CPW) and the Division of Wildlife. This includes the burrowing owl survey requirements originating from the state referral and adhering to the no-drilling restriction between December 1st and April 30th.

As for the road clarification you just finalized: The dedicated heavy traffic route was part of the original presentation. I do not believe we need to add a new condition addressing the heavy

traffic entrance, as that operational plan was already presented.

Commissioner Final Confirmation:

So, to confirm the status of the conditions: The water rights documentation and the wildlife/seasonal drilling restrictions from the state agencies will be formalized as Conditions of Approval, while the specific routing for construction traffic—which was just clarified—is already covered within the existing proposal framework.

Hearing no further testimony, Chair Helzer closed the public hearing at 8:44 P.M.

Vice Chair Kayleigh Weickum moved to approve Resolution PC2025-02; a Resolution of the Planning Commission of the Town of Milliken, Weld County, Colorado approving the Use by Special Review (USR) for the drilling of ten (10) horizontal wells with no associated production facilities for the Zion 4N67W23 Project subject to staff's recommended conditions. Commission Baugh seconded.

Following the testimony and comprehensive questioning of the applicant regarding traffic mitigation, haul route enforcement, and site compatibility, the Planning Commission members expressed general satisfaction with the proposal. One Commissioner stated that the applicant seemed to have met the requirements of the town and resolved issues with property owners, indicating they were satisfactory and a motion to approve was in order. A second Commissioner seconded this, confirming that staff had vetted the proposal to ensure it met code. While some Commissioners expressed personal, ongoing concerns regarding the existing traffic impact on intersections like Highway 257/60 and 19/60 and 42/19, they acknowledged that the county and CDOT had reviewed these aspects. Ultimately, based on staff recommendations and the applicant's responses throughout the hearing, the Commission supported the motion to approve, appreciating the collaborative effort between the applicant and staff to navigate the various procedural requirements.

Voting Yes: Chair Randy Helzer, Vice Chair Kayleigh Weickum, and Commissioners Jimmy Baugh, Ron Blackmer, Laurel Engelbert, Kassidee Fior

Voting No: None

Motion 6-0. Motion Carried.

9. Discussion Agenda

There were no items.

10. Informational Agenda

There were no items.

11. Other Business

There were no items.

12. Adjournment

A motion by Vice Chair Weickum to adjourn the meeting at 8:47 PM was seconded by Commissioner Baugh. Motion passed unanimously.

Prepared By:

Approved By:

Caree Rinebarger, Town Clerk

Randy Helzer, Planning Commission Chair

Town of Milliken
1101 Broad Street
Milliken, CO 80543
Attn: Planning Commission
Re: Flack Farm/ Homestead Grove PUD



10/29/2025

Dear Members of the Planning Commission,

We, Michael and Michele Carlson of 7180 49th Street, Greeley, CO, have received notice of the proposed Homestead Grove PUD. After reviewing the related documents, we wish to express that we are **not in favor** of the Homestead Grove PUD. We would appreciate the opportunity to share our concerns with the Planning Commission and respectfully request that our comments be reviewed and considered prior to the Commission's vote on the proposal.

Comments Regarding the Proposed Homestead Grove PUD
Submitted by Michael and Michele Carlson, 7180 49th Street, Greeley, CO

1. Incompatibility with Surrounding Area and Density Concerns

The proposed **high density** of the Homestead Grove PUD is not consistent with the character of the surrounding rural and low-density residential areas.

- **Town of Milliken Municipal Code, Section 16-2-20(a)(1)** states:
"Allow and encourage compatible uses to be developed in accordance with an overall development plan in harmony with the environment and surrounding neighborhood."

Supporting Points:

- The surrounding properties primarily consist of rural farms and low-density, small-acreage housing.
- A proposed **900 homes** are inconsistent with the established character of this area.
- The **original Flack Farms PUD** featured larger lot sizes that were more compatible with neighboring properties.
- **The Carlson Farm**, homesteaded in 1884 and located directly west of the proposed PUD, would be significantly affected by the high-density housing development. The main entrance on 49th Street, combined with the planned roadway along the shared boundary, would result in a substantial increase in traffic on 49th Street, 65th

Avenue, and surrounding roadways, creating considerable impacts on our property and the surrounding rural community properties.

2. Strain on Town Services and Infrastructure

The proposed density and location raise concerns about the **capacity of town services and facilities** to support the development.

- **Town of Milliken Municipal Code, Section 16-2-20** further provides:
“The density and/or intensity of the proposed development shall be based on the capacity of the land to support the PUD as well as the impact of the development on Town services and facilities, and on neighboring property that could reasonably be impacted by the development.”

Concerns and Suggested Solutions:

- **Housing:** Based on recent demographic data, the Town of Milliken, Colorado contains approximately **3,152 existing housing units**. The proposed addition of **900 units within the Homestead Grove PUD** would represent an approximate **28.6% increase** in the community’s total housing inventory. This level of growth, if approved, would constitute a substantial expansion of the town’s residential capacity and should be evaluated in relation to available public services, transportation infrastructure, and municipal resource planning to ensure sustainable development.
- **Schools:**
 - Current school capacity in Milliken cannot accommodate the projected increase in students; this could require busing students to the City of Evans.
 - **Suggested Solution:** Designate land within Homestead Grove PUD and establish a special taxing district to construct a new elementary school.
- **Police Services:**
 - Additional staff and vehicles would be needed to maintain adequate response times.
 - **Suggested Solution:** Hire and equip additional officers; establish a special taxing district to fund a new **police substation** within Homestead Grove PUD.
- **Emergency Response:**
 - Increased distance from existing police and emergency services could result in slower response times with potentially serious consequences.
 - **Suggested Solution:** Add a fire substation within the Homestead Grove PUD.

- **Water and Sewer Capacity:**

- It is unclear whether Milliken's current water and sewer infrastructure can accommodate this development without limiting future growth nearer to the town center.

3. Traffic and Roadway Impacts

The proposed addition of approximately 900 homes will create substantial traffic impacts on surrounding roads and intersections. The existing rural roadway network lacks the capacity and design standards necessary to support such high-density development. For reference, the City of Evans required the Prairie Heights PUD to expand 37th Street as a condition of approval—demonstrating that comparable infrastructure improvements are necessary for a development of this scale.

Key Concerns and Recommendations:

- **49th Street (East of PUD Entrance):**

- Currently a rural road with fewer than 70 vehicles per day.
- Paving and increased traffic would also affect nearby routes as drivers seek alternatives to congestion on 65th Avenue.
- **Solution:** Remove the main entrance on 49th Street; restrict this access to emergency vehicles only. Reduce speed to 35 mph on 49th street.

- **49th Street and 65th Avenue Intersection:**

- The offset intersection will require significant engineering improvements, potentially including a **traffic circle** or **signalization**.

- **49th Street (West of PUD Entrance):**

- Experiences severe drainage issues and has washed out three times in 2025.
- **Solution:** Install properly sized culverts and restrict development access to prevent further erosion.
- The **Carlson Farm** uses heavy agricultural equipment incompatible with paved surfaces.
- **Solution:** Maintain rural access and protect right-to-farm operations by eliminating PUD access from 49th Street; route all traffic via **65th Avenue**, reduce speed to 35 mph on 49th street.

- **49th Street and Two Rivers Pkwy:**

- Paving 49th Street would increase traffic at the intersection with Two Rivers Parkway, which already presents safety challenges due to high vehicle speeds and limited sightlines. This intersection requires careful planning and design to mitigate the significant risk to motorists.

- **Solutions:** Remove the main entrance on 49th Street; restrict access to emergency vehicles only. Route all traffic via **65th Avenue**, reduce speed to 35 mph on 49th street.
 - **65th Avenue Corridor:**
 - Already heavily traveled and would require **expansion to four lanes** from 37th Street to County Road 378.
 - **Solutions:**
 - Add roundabouts or turn lanes at major intersections (65th & 37th, 65th & County Road 378).
 - Integrate a traffic circle at 65th Avenue and County Road 378 for safer ingress/egress to the PUD.
 - **Two Rivers Parkway and County Road 378:**
 - Both intersections experience frequent accidents and require safety upgrades (turn lanes, roundabouts, or signalization) before additional traffic can be safely accommodated.
 - **Farm Access and Right-to-Farm Protection:**
 - Paving and increased traffic would restrict agricultural operations along 49th Street and The Carlson Farm.
 - **Solution:** Provide protected crossings or alternate routes for farm equipment and avoid road designs that impede existing farm use.
-

4. On-Site and Environmental Concerns

- **High Density:**

The Homestead Grove PUD would be among the most densely developed areas in Weld County, inconsistent with surrounding land uses.
- **Wetlands and Conservation Areas:**
 - The central low area on the north side of the property includes a **natural wetland** that holds water seasonally.
 - Crops in this area are routinely stunted due to moisture, and in some years the land is too wet to harvest.
 - In the past no crops were planted in this area.
 - **Concern:** Development in this area may lead to flooding and environmental degradation. It is unclear whether the natural wetlands were previously altered or disrupted when the current owner plowed and cultivated this land.
- **Drainage and Flooding:**
 - Stormwater collects in the same low area and causes **standing water on 49th Street** after storms.

- Proposed irrigation ponds and parks are near this zone, raising flood risk to nearby homes.
- **Questions:**
 - Will homes in low-lying areas be built without basements?
 - How will stormwater be managed — through elevation, pumping, or drainage to an existing pond?
 - What is the final outflow location for stormwater runoff?
- **Natural Springs:**
 - Multiple natural springs are known to exist in the area.
 - **Request:** Verification from the **U.S. Army Corps of Engineers** and completion of an **Environmental Impact Study** prior to approval.
- **Flack House Demolition:**
 - Concerns remain about possible **asbestos contamination** from the torn-down structure.
 - **Questions:**
 - Was a demolition permit obtained?
 - Were state and county standards for asbestos removal followed?
- **Parks, Open Space, and Trails:**
 - Additional details are needed regarding **bike and walking trails, public park access, and open space preservation.**

Conclusion

The proposed Homestead Grove PUD would impose significant financial and environmental costs on the **Town of Milliken, City of Evans, and Weld County residents.** The infrastructure, service, and environmental impacts have not been adequately addressed, and public investment would be required to mitigate these issues. Given these concerns, we respectfully request that the **Planning Commission deny or delay approval** of the Homestead Grove PUD until a comprehensive review and public vote can be held to determine community support and fiscal feasibility.

Sincerely,



Michael Carlson



Michele Carlson

49th Street Proposed PUD Entrance





49th Street West of PUD Entrance

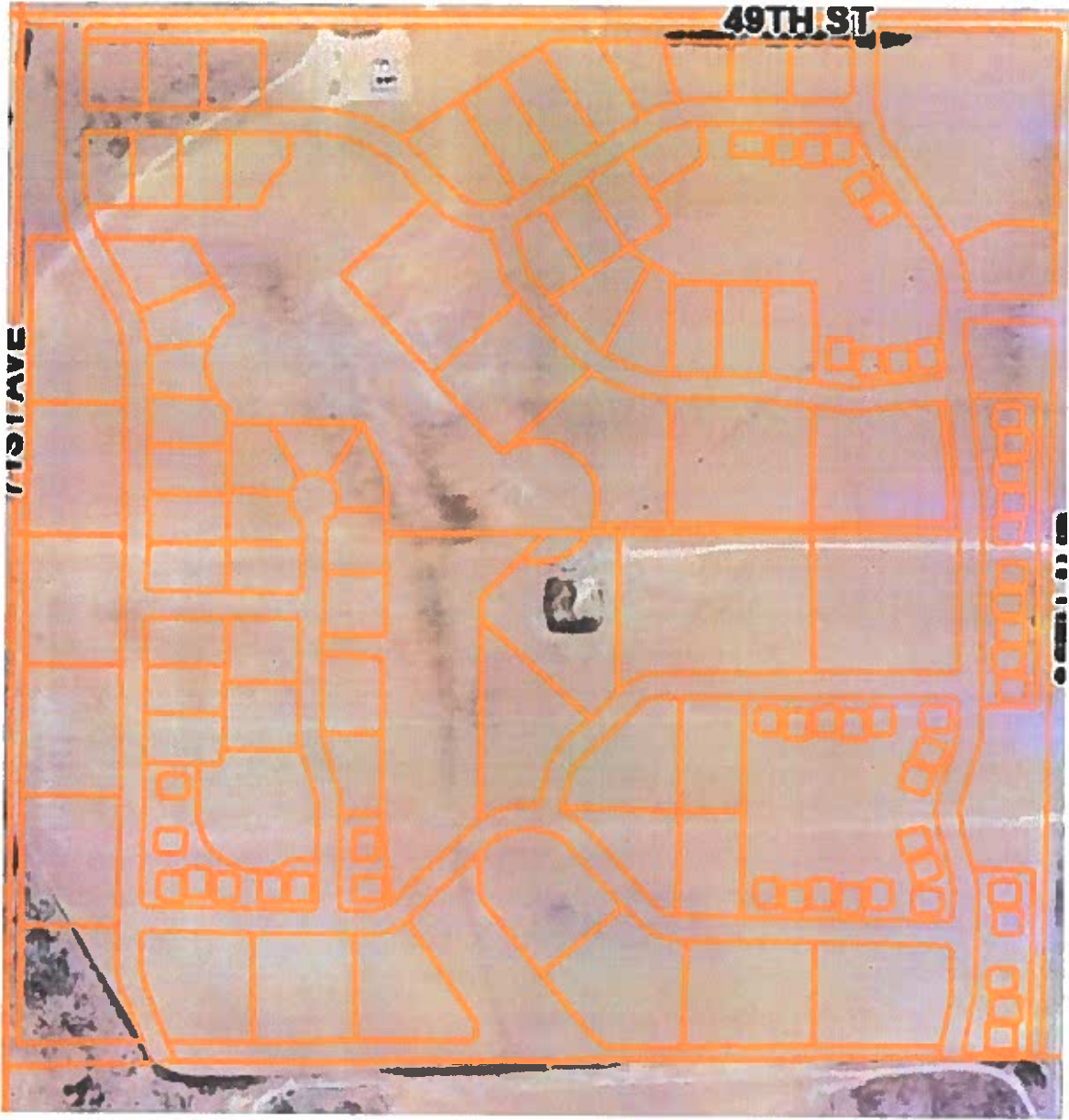


Central North Side of PUD, Standing water





Flack PUD



From Weld County GIS indicated presence of water <https://maps.weld.gov/propertyportal/>

