

History of 501 West Main St.

The history of 501 W. Main (also known as Riverbend) that I am aware of starts in the early 1950's. I have been told that at that time it was a campground and a mobil home park. I know that in 1972 a Mr. Marvin Motes purchased the park from a Mr. Fulton. I know that in the first year after Mr. Motes purchased Riverbend he made many major improvements. I know that Mr. Motes obtained a building permit to improve the sewer system and that there was a page entered into the tap book that Mr Motes had purchased 30 sewer taps. I also know that there was a page placed in the water tap book that Mr Motes had purchased 31 taps.

I don't know when Mr. Motes sold Riverbend, but there were at least two other owners between Mr Motes and June of 2006 when Lyons Properties purchased it.

In 2003 The Town of Lyons entered into a contract with The City of Longmont for Longmont to treat raw water for Lyons Municipal water system. The contract stated that the town has 736 service connections. Over the next couple years the construction was completed for delivery of this water. The town had one problem. They were short a few units of water to fill the contract.

In June of 2006 Lyons Properties closed on the purchase of Riverbend. Shortly thereafter I left town for Telluride as I had for many years. Upon my return the Asst. Town Clerk called me to confirm that we had 31 water taps. These taps were not being used because the town had no water main on that side of the highway. The property was served by a well and I was told that the arrangement with the town was that we could use the well until the town brought municipal water to the property. At that time the cost of physically hooking up to the water main would be up to me. The Asst. Town Clerk did contact me to point out what she thought were a couple small inconsistencies with the entry in the water tap book but later review shows that there were no inconsistencies.

We all know what happened in September of 2013. It didn't take long to figure out that the years of Riverbend being the largest single source of affordable housing in Lyons were over. 31 families lost their homes which was arguably in one of the most scenic locations in Lyons. As soon as the water receded I ask Raul Vasquez to clear the roads so people could reach their homes. All of the trailer homes at Riverbend were owned by the tenants but few had the financial means or desire to remove them. I notified everyone as soon as possible that after they removed their possessions that if they gave me the title I would dispose of their trailer. This was a very expensive endeavor for me, but I had no choice.

In 2011 we had started hosting weddings at the Farmette. Riverbend had the potential to become another wedding venue and that seemed like the best way to survive financially after the flood. We could do this without building any permanent structures. All it took was a major cleanup which had to be completed by spring. We went to town hall in the elementary school and requested a temporary zoning change so we could start booking weddings.

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Raul Vasquez, Tony Hammonds and the Blue Mtn. crew came to my rescue. Many things such as decks, carports, storage sheds etc went first. The town wanted a demolition permit before I destroyed the trailers. For that we needed to get an asbestos inspections on all trailers which we did. Only five of the trailers required asbestos mitigation.

I took the asbestos inspection results and a completed demolition permit application to town hall and waited. We were getting well along with cleaning up the debris and needed to move on. Most trailers didn't have an asbestos problem and some people had moved on. Somehow the application never came to the top of the list.

After awhile it became clear that if we were going to be ready by spring that we had to start the demolition process. I would stop by town hall often only to be told that the permit hadn't come to the top of the list yet. We started the demolition without a permit.

At this same time the town was talking to people about the 404 buyout. I told them I wasn't interested, but they would continue to ask. They said I should sign a form and get an appraisal. It was free and I had no obligation. They appraised two properties by two different appraisers. This was expensive but I didn't have to pay for them. They continued to remind me that I should stay in the program and could back out up until closing.

At the same time I started to hear grumbling from people in the confluence area. Their flood insurance would pay them \$30,000. To raise their homes above base flood elevation and several wanted to do this. The town seemed more interested in convincing them to take the buyout and seemed to be making permitting very difficult. Frustration was growing and I started to realize I may have a similar problem.

The town gave me my demolition permit the same day we destroyed the last trailer. They gave us a temporary zoning change and we were booking weddings.

I was still hearing the frustration from the people in the confluence area about how the town seemed to have some master plan and didn't want checker board lots where some sold out and others wanted to stay. It seemed that some properties were much more desirable to the town than others. They were more concerned with their plan than the well being of the citizens. It was becoming clear just how attractive Riverbend was to the town.

In May we laid two acres of sod. We arranged to rent a tent. We had booked 15 weddings. We had a bathroom trailer on the way and there was light at the end of the tunnel. That is when the depression kicked in.

I had never experienced this before. I was told this is not uncommon. We had a large mortgage, there was still work to be done. Primarily getting permanent zoning. The stories I was hearing from the confluence were scaring me and we were out of money.

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Without permanent zoning and in the flood plain there is only one buyer for a property, and they seemed interested. Maybe the town would get Riverbend after all.

Betsy and I talked and decided we couldn't do it alone anymore. We needed partners. We mentioned a partnership to a few people, scheduled a meeting and gave out a rough cash flow projection. We found partners.

About that time we started working on our permanent zoning and some of the new partners starting working on a business plan for a tiny home business. We also decided to purchase a contiguous property.

After visiting with town staff and the town planner we agreed that we would apply for Commercial Eastern Corridor (CEC) zoning for River Bend. That is what we have at the Farmette and we all (Town staff and planner) agreed that it would be appropriate for our proposed uses. I don't remember the dates well, but over the course of several months we went before the PCDC and they approved our request with a few conditions. Now on to the Board of Trustees.

During the summer of 2015 the town starting approaching us about easements. They needed easements for diversions in the river and a waterline thru our property. One of the diversions would flood our patio in the spring and the waterline would require a 20 foot wide easement across our entire property. They had a plan B for the waterline but across our property was their preference.

After the PCDC voted to recommend our zoning change (to CEC) to the Board of Trustees the Town Planner Bob Joseph told us that at least one of the trustees who thought there was a use by right in CEC zoning that they didn't want us to have. We ask what it was and we were told that they couldn't tell us. Something to do with code or procedure. Never did make sense to us. We went thru the list of use by right and eliminated several. They still voted to refuse our zoning change and suggested we start over and apply for commercial zoning with a PUD overlay. Frustrating, time consuming and expensive to us.

When I bought the property in 2006 we had a current survey. The property line was to the middle of the river. That is what our legal description said and that is what the title company insured. The town found a Quit Claim Deed that showed that they had been deeded what came to be known as the crescent. They threatened to try and claim this sliver of land which had no value to them but would damage our business.

Also, after our first zoning application was turned down we were having some sort of small negotiation. Our temporary zoning was going to expire and we needed to continue booking weddings for the coming year. Betsy requested an extension which they agreed to. We continued to ask for the extension in writing but got nothing.

Finally the Town Administrator Simonsen agreed to give us a letter extending our temporary zoning. She delivered it and I noticed it wasn't signed. She said she promised to give us a letter, but didn't promise to sign it. (!?)

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We never did get a signed copy.

Needless to say these were trying times and we were not in a strong position. The threat of not getting zoning was always hanging over our heads. As the Town realized that they needed these easements the property became more attractive to them.

I was of the opinion that none of these people knew that the property had 31 water taps and supporting water and I was not going to do anything to make the property more attractive to them. I believe to this day if had they known that we would never have been able to change zoning. I also believe that had they not needed to put a transfer line thru this property we would still be using the well.