

Public Comments  
After This Page

**aSkag LLC Rezoning Request Case A25-0118**

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**From** [REDACTED]

**Date** Sat 1/17/2026 11:37 AM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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I am writing to request that Park County reject the subject rezoning application for the following reasons:

This company has already put our neighborhood through enough misery and enough is enough!!

Rezoning should not be used to legitimize noncompliant uses. This company has already demonstrated their inability to be a good neighbor and follow the rules. Previous cease and desist orders issued by the county have been ignored.

Zoning protects homeowners. Zoning is one of the elements that people consider when they buy a home because that zoning protects their investment. Homebuyers can only be hurt when someone comes in and changes the way their neighborhood is zoned.

This would once again conflict with prior enforcement actions and court rulings.

There is nothing wrong with the types of businesses aSkag LLC is trying to set up but they must be set up on land that is already zoned for that type of business so that whole neighborhoods don't get hurt...and our neighborhood has been hurt enough.

Thank you for considering this request.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

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**Rezoning Request-Case # A25-0118**

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**From** [REDACTED]

**Date** Mon 1/19/2026 12:30 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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**To:** Park County Planning & Zoning  
Park County Board of County Commissioners  
Lucas Meyer  
Brandon Heacock

**Re:** Rezoning Case A25-0118  
14097 Wandcrest Park Rd, Pine, CO 80470

I am a resident of Park County. I have become aware that the owner of the above-reference property has requested the property to be rezoned to Agricultural Zoning.

I am opposed to the rezoning request for the following reasons:

1. This property has been subject to prior PUD and spot-zoning activities to convert it to a Waste and Septage Transfer station. There has been an abundance of legal action and a court injunction to cease such activities on this property. I believe the property should remain zoned as the court has ordered. Rezoning this property may result in additional legal action, especially if the property owner sees such rezoning as a means to restart its Transfer Station activities.
2. Rezoning the property to Agricultural would remove critical County oversight and create code enforcement loopholes that are extremely difficult to reverse. Specifically, Agricultural zoning would create major exemptions to County ordinances and enforcement, limited building permit requirements for accessory structures, unlimited accessory structures on large agricultural acreage, minimal regulation of storage, materials, equipment, and land disturbance, and minimal compliance oversight. These ordinance and enforcement limitations are especially alarming in a residential neighborhood where the subject property is located.
3. The applicant/owner has a documented history of land use violations and court injunctions. There is no basis to believe the owner will limit his activities on this property to cattle grazing, as stated in his rezoning application.
4. As you can see in the maps/pictures included in the rezoning application, this property is largely unsuitable for cattle grazing—it has rough and steep terrain and is mostly forested, except where the owner has clear cut the property to conduct illegal Transfer Station activities.
5. In the event the property is rezoned, I believe the owner will use the property to either conduct Transfer Station activities or some other equally objectionable activity such as raising

hogs and/or conducting butchering activities. Such activity is not suitable for property directly adjacent to residential property and will be subject to additional legal action in which the County will likely be a party.

In summary, I believe the rezoning request is simply an attempt to legitimize previously noncompliant land use and the rezoning request should be denied.

In the event, the rezoning request is granted, then strict rules should be applied, by order of the County, that the property is to be used solely for grazing cattle as requested in the rezoning application. All vehicles, trucks, buildings, equipment and activities unrelated to Agricultural use should be removed, by order of the County. In addition, County personnel should be given full and complete access to the property to independently determine compliance with such rules. Finally, by order of the County, the County should be given full ordinance and enforcement rights as if the property were still zoned Residential. All of these ordinance and enforcement rights should be provided in writing and signed by the property owner and its agents. A copy of the written agreement should be attached to the property records and accessible to the public.

Please confirm receipt of this email. Thanks!



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Application A25-0118 for hearing date 1/28/2026

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From [REDACTED]  
Date Mon 1/19/2026 12:34 PM  
To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

 1 attachment (335 KB)

00 FINDINGS AND ORDER ON C.R.C.P.pdf;

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I am submitting the following public comment in connection with the above referenced application for Askag LLC:

Throughout the application and in the public notice, the subject property is referred to as "PUD/Res". This is inaccurate.

The subject property is residential, as determined by District Judge Amanda Hunter on January 23, 2025 (see attached ruling), NOT based on the BOCC decision to rescind the ILLEGAL zoning in December 2025.

When considering the application, in addition to the LUR and SMP requirement, I believe the County must additionally overcome the hurdle that allowed Will O Wisp Metropolitan District to prevail in its case (#2024CV30019) against the BOCC in January 2025.

According to Judge Hunter's decision "the county abused its discretion by its misinterpretation or misapplication of governing law" based on the following:

'...Spot zoning asks "whether the change in question was made with the purpose of furthering a comprehensive zoning plan or [was] designed merely to relieve a particular property from the restrictions of the zoning regulations." Clark v. City of Boulder, 146 Colo. 526, 531, 362 P.2d 160, 162 (1961).

[S]pot zoning "creates a small island of property with restrictions on its use different from those imposed on the surrounding property."... If the rezoning is for the purpose of furthering a comprehensive zoning plan or based on changed conditions, the rezoning is not spot zoning. ... Likewise, reclassifications when the "new use is consistent with others in the surrounding area".'

Judge Hunter cites the following conclusions which the County failed to surmount which provided for her final judgment:

- 1 - The county does not point to anything in the record to show that the change of this property from residential to industrial furthered a comprehensive zoning plan."
- 2 - The record supports plaintiff's argument that the approval of the PUD here was "designed merely to relieve a particular property from the restrictions of the zoning regulations."

3 - The zoning change here created a small island of property with restrictions on its use different from those imposed on the surrounding property. The record shows the surrounding properties are zoned residential and commercial, not industrial.

4 - BOCC contends it considered “the changing landscape and needs of Park County.” .... But it cites no part of the record in support. In fact the record contradicts that argument – the planning staff report’s “bullet point that changed circumstances and conditions were “Not Applicable”.

5 - The new use of the aSkag property is not consistent with others in the surrounding area.

Based on the 5 findings above, if you switch "agricultural" in place of “industrial” and/or “PUD”, would it change any of the conclusions reached?

I do not believe so. I think approval of this application is the County attempting to subvert the Court ordered decision to return this property to residential zoning.

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Case A25-0118 Concerns

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[REDACTED]

Date Sat 1/17/2026 9:22 AM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Good morning,

My name [REDACTED], and I am writing to express my concerns over the proposed rezoning from Residential to Ag on the land that Adam Shirley owns off Wandcrest.

My hope is that the continued negotiations in bad faith from Mr. Shirley, combined with his past convictions, outright lies, and disregard for the community, environment, and legal system will lead the committee to decline this and all future requests from Mr. Shirley.

His desire to exploit any legal loopholes for his direct benefit, at the expense of the community, is reprehensible and frankly, I can't believe we are still having to address these issues. We all know he's using this as an excuse to try to continue his industrial, environmentally destructive, behavior at this site, something that has been extensively documented by the community.

On a personal note, the county stands nothing to gain from granting anything to this individual. His paltry business does nothing from a tax revenue standpoint, and the sheer animosity this individual has generated leads me to believe that if the county continues to consider his proposals, the long term legal detriments will be staggering, something the county does not want.

I hope that these comments and concerns are tracked in the record for the upcoming meeting to discuss this proposal. This is a plea for common sense, that the county will realize that any and all deals with this individual will lead to future conflict, and that he is a liar at his core, corrupt and with no regard to the community.

Please ensure this request is denied, forcefully.

Legal Description:

T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

Thank you,  
Jake Jordan

**Fw: Case A25-0118**

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**From** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>  
**Date** Tue 1/20/2026 6:48 AM  
**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>  
**Cc** Lucas Meyer <Lucas.Meyer@parkcountyco.gov>

Please enter the statement into the record for this case.

Brandon Heacock  
Director ~ Dev Services  
[brandon.heacock@parkcountyco.gov](mailto:brandon.heacock@parkcountyco.gov)  
719-836-4288 - O  
719-838-0900 - C



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**From:** [REDACTED]  
**Sent:** Saturday, January 17, 2026 9:27 AM  
**To:** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>  
**Subject:** Case A25-0118

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.  
Regarding Case A25-0118, the parcel address is  
14097 Wandcrest Park Rd, Pine, CO 80470  
The legal description is:  
T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC  
IN ADDENDUM R792480 (58.282 AC)

I oppose rezoning request in this case.

This request is a runaround for Shirley who has been noncompliant disrespecting the previous rulings against him. He has continued to defy court orders and zoning, and continues to threaten the property values and conditions for homeowners in the area, who **unanimously** object to this rezoning request.

Please confirm you receipt of this email.

Thank you for your consideration.

[REDACTED]  
[REDACTED]

**Park County Planning Department & BOCC**  
P.O. Box 1598  
Fairplay, CO 80440

**Re: Referral Response – Case A25-0118**  
**Applicant: aSkag LLC**  
**Proposed Rezoning: Agricultural**

To Whom It May Concern:

I submit this referral response regarding Case A25-0118 and the request by aSkag LLC to rezone approximately 58 acres to an Agricultural zoning designation.

My comments are offered to assist the County in evaluating this request in light of documented site history, existing legal constraints, and the County's obligation to apply its Land Use Regulations consistently and lawfully.

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## **1. Prior Judicial Findings and Enforcement History**

The subject property has been the focus of extensive enforcement actions and litigation. In January 2025, the District Court for Park County issued a permanent injunction prohibiting aSkag LLC from operating a waste transfer station on this site, finding that the County previously abused its discretion by approving land use actions inconsistent with governing law.

The applicant's compliance history includes cease-and-desist orders, findings of ongoing noncompliance, and enforcement proceedings culminating in that injunction. This history is directly relevant to the credibility of the present application and to the County's evaluation of whether approval would again expose it to legal challenge.

Rezoning should not be used as a mechanism to cure or sidestep violations that have already been adjudicated.

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## **2. Agricultural Use Claim Is Inconsistent With Site Conditions and History**

The application represents that the rezoning is sought for agricultural purposes, including running cattle. However, existing site conditions, installed infrastructure, and documented historical use of the property are inconsistent with bona fide agricultural operations as contemplated under Park County Land Use Regulations.

The property has previously supported intensive, non-agricultural industrial activities, and the physical configuration of the site reflects that legacy. Agricultural zoning is intended to support

legitimate agricultural use, not to provide cover for continued or resumed non-agricultural operations under a different label.

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### **3. Risk of Approval Based on Inaccurate or Misleading Representations**

Park County Land Use Regulations, Article II, Section 2-203, prohibit the submission of false or materially inaccurate information in support of land use approvals and authorize suspension or revocation where approvals are based on such information.

Given the applicant's documented history on this site, the County should exercise heightened scrutiny. Approval based on representations that conflict with observable conditions, historical operations, or prior court findings would place the County at substantial legal risk.

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### **4. Precedent and Regulatory Integrity**

Approving this rezoning would set a troubling precedent: that repeated violations and adverse court rulings can be resolved not through compliance, but through rezoning after the fact. This undermines the integrity of the Land Use Regulations and places compliant property owners at a disadvantage.

Land use decisions must further a coherent regulatory framework, not function as exceptions crafted for a single operator with an extensive enforcement history.

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### **5. Requested Action**

For the reasons stated above, I respectfully request that the County deny the proposed rezoning. At a minimum, the application should be continued pending independent verification of agricultural use claims, full disclosure of prior violations and injunctions, and a demonstration that the proposed use complies with both the letter and spirit of the Land Use Regulations.

Thank you for considering these comments.

Respectfully submitted,

**Timothy Jones**  
**President, Park County Neighborhoods Alliance & Park County Resident**  
**January 15, 2026**

Exhibit A:

Below are images taken by Denver7 Investigates for several stories they have broadcast regarding this nearly 3 year battle by neighbors. In the last broadcast, Tony Kovaleski interviews Commissioner Wissel who stated: "...in hindsight perhaps that wasn't the best we could have done..."

Does this look like a place for cattle? This is how this area looks today even after court orders and jail time for the applicant. He was ordered to remove all of this equipment. The county had "red tagged" much of this. He still defies the county, the courts and public outcry.

The county got it wrong once – are they going to get it wrong again or do the right thing this time?





## Objection to Proposed Rezoning Request – Consistency with Enforcement and Land Use Regulations

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From [REDACTED]

Date Sat 1/17/2026 8:17 AM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Hello,

I am writing to state my opposition to the proposed rezoning request submitted by aSkag LLC (Adam Shirley) that proposes to rezone approximately 58 acres to Agricultural zoning in the Wandcrest Park area.

The request is difficult to reconcile with the County's prior enforcement actions, including cease-and-desist orders issued for noncompliant use at this property. Those actions reflect a determination that the use was not permitted under the existing zoning. Rezoning after enforcement, particularly where compliance has been disputed and subject to court review, raises serious concerns about consistency and fairness.

Rezoning should not be used to legitimize uses that were previously found to be noncompliant. Land use regulations are intended to guide development prospectively, not to resolve violations after the fact.

Where a proposed use has been the subject of enforcement and litigation, accurate representations by the applicant and strict, independent verification by the County are essential. Reliance on unverified assertions undermines the credibility of the land use process.

For these reasons, the rezoning request should be denied. At a minimum, no approval should be considered without rigorous independent verification and a clear separation between zoning decisions and prior noncompliance.

Respectfully,

[REDACTED]  
[REDACTED]  
[REDACTED]

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**Public Health, Safety, and Land Use Concerns, Case #A25-0118**

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**From** [REDACTED]

**Date** Tue 1/20/2026 12:25 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>; Idahlkem@jeffco.us <Idahlkem@jeffco.us>

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Reply To Attention Of: Gary E. Jolley 20, January, 2026

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Public Health, Safety, and Land Use Concerns – aSkag LLC Operation Near Jefferson County Line

To Whom It May Concern:

My name is Gary Jolley and I reside in Jefferson County, but extremely close to Park County line. This concern, if valid, could ultimately affect the health of my family; and my property value.

A short synopsis of my credentials, which I believe confirms my credibility for concern:

- (1980-1993) Supervised 10 shops at Holloman AFB, New Mexico; with many of them having Environmental Protection Agency (EPA) concerns and remediation issues.
  - o High Voltage Electric – over 3000 transformers that had to be tested for PCBs (Polychlorinated Biphenyls) in the oil, and over a 1000 that had to be monitored monthly or replaced. (Superfund National issue due to usage of transformers throughout the US.)
  - o Water Production - Consisting of 14 wells and involved water treatment for potable water being used throughout the AFB.
  - o Sanitation and Waste - Including a fully-functional Waste Treatment Plant. Possible hazards including raw waste ground contamination and Botulism created at the Waste Treatment Plant if proper policies were not observed and followed.
  - o Entomology – Involved the use of pesticides throughout the base, including housing areas, schools, and hospitals.
- (1993-2012) Worked as Federal Employee for the Army Corps of Engineers (COE) as Inspector for all Construction Projects for National Electrical Code (NEC-Low voltage systems) and National Electrical Safety Code (NESC-High Voltage Distribution Systems).
  - o Taught the NEC and NESC courses in both the US and various other countries to thousands of federal employees.

- o I was Certified with a Class B license for Fuel Tank Removal; and supervised the removal of numerous fuel tanks in multiple locations in Texas following EPA Guidelines. (Superfund Sites for Federal Government Bases everywhere buried fuel tanks had been abandoned.)

I am writing to formally raise concerns regarding the operations of Adam Shirley (aSkag LLC) and the siting of his waste transfer and garbage collection facilities on property in Park County located approximately 400 yards from the Jefferson County line.

Mr. Shirley previously operated septic tank installation and garbage collection facilities in Jefferson County. Within the past year, he purchased property in Park County and applied for permits to relocate his raw sewage transfer and garbage collection operations to this new location. Significant construction and site development began — and was largely completed — **prior to the issuance of required permits.**

Based on the extensive ground disturbance observed at his prior location and the apparent pace at which approvals were proceeding in Park County, I joined community members in objecting to this project before proper vetting and compliance review had been completed. Despite multiple unresolved issues, construction and operational activity continued with no meaningful enforcement action taken at the time.

I spoke at a public meeting before the Park County Board of County Commissioners to outline my objections and concerns regarding the lack of adequate investigation. Specifically:

- **No comprehensive Environmental Impact Study** was required or completed, despite the clear risks associated with raw sewage transfer operations and their proximity to residential areas and sensitive environmental features.
- The facility involves the handling and transfer of human waste in enclosed structures. Such operations typically require review by a **licensed electrical engineer** to determine applicable **National Electrical Code (NEC) hazardous classifications** (likely Class I, Division 1 or 2). These classifications mandate explosion-proof electrical systems, rigid conduit, seal-offs, and properly rated equipment. To my knowledge, this review and required safeguards were not implemented.
- The prevailing wind direction in this area flows from Park County toward Jefferson County. The facility is located within approximately 400 yards of a heavily forested area. In the event of a fire or explosion, a wind-driven fire could reach Jefferson County in under 30 minutes. I contacted the fire department located approximately one-half mile away in Jefferson County and was informed that such an incident would likely fall to them to respond to. This means my tax dollars would pay for damages caused by a Park County business.
- Even absent a catastrophic event, the presence of this facility materially impacts nearby property values, including properties located in Jefferson County.
- The site does **not have a continuous, reliable water supply** sufficient to meet fire suppression needs or applicable OSHA standards for employee safety.

Since relocation of the sewage transfer operation, at least one documented spill occurred, with contaminated material flowing downhill into a residential area. That subdivision is served by a deep water well, raising serious concerns regarding groundwater contamination and public health.

A district court judge recently found Mr. Shirley in violation of a lawful cease-and-desist order, resulting in a sentence of 60 days in jail. The court further ordered removal of equipment and restoration of the property to its prior condition. Despite these orders, operations reportedly continued during his

incarceration, equipment was not removed, the property was not restored, and the full jail sentence was not served. Monetary penalties appeared insufficient to deter continued non-compliance.

Mr. Shirley is now attempting to pursue rezoning as a potential workaround to both the original permitting issues and the court's order. (See attached filing materials.)

I respectfully request that the County carefully consider the documented history of violations, public health risks, fire hazards, environmental impacts, and cross-county consequences associated with this operation.

Park County Case is A25-0118, the parcel address is

14097 Wandcrest Park Rd, Pine, CO 80470

The legal description is:

T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1- 7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

For additional documentation and a detailed chronology compiled by the community most directly affected, please contact:

██████████  
██████████  
██████████████████

Thank you for your attention to this matter and for your assistance in ensuring that public health, safety, and land use regulations are appropriately enforced.

Respectfully submitted,

██████████  
Jefferson County Resident

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**Opposition to Proposed Rezoning A25-0118 (ASKAG LLC.)**

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**From** [REDACTED]

**Date** Tue 1/20/2026 10:49 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

 1 attachment (62 KB)

ASKAG LLC rezoning public comment.pdf;

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Dear County Staff and Board of County Commissioners,

I am writing to formally express my opposition to the proposed rezoning of the subject property from Residential to Agricultural. I respectfully request that this correspondence and the attached Letter of Opposition be entered into the official record for this application.

As outlined in the attached letter, the proposed rezoning is incompatible with the established residential character of the surrounding area, raises serious environmental and drainage concerns, and would introduce uses that the property's topography and infrastructure cannot reasonably support. In addition, the proposal is inconsistent with the County's long-range planning goals and would create enforcement and nuisance issues that the County is not currently equipped to address.

For these reasons, I urge County staff, the Planning Commission, and the Board of County Commissioners to recommend and ultimately deny this rezoning request.

Thank you for your time, consideration, and service to the community.

Sincerely,

[REDACTED]

Dear Members of the Planning Commission, BOCC, and County Staff-

I am writing to express my opposition to the proposed rezoning request submitted by ASKAG LLC to rezone the parcel located at 14097 Wandcrest Park Drive from Residential to Agricultural.

As an AICP-accredited planner, I am well-versed in the evaluation of land use and rezoning cases. Each request should be carefully reviewed based on the physical characteristics of the subject site, the compatibility of surrounding land uses, and most importantly, whether the proposed change aligns with the goals and objectives established by the community and expressed in the Master Plan.

After reviewing the available materials and relevant standards, it is clear that this rezoning request fails to meet the criteria outlined in Section 5-203 and should therefore be denied. The application lacks sufficient justification and does not satisfy the required rational basis for approval.

## **1. Insufficient Information and Burden of Proof**

Per Section 5-203, the burden of proof lies entirely with the applicant. The materials presented provide minimal information and fail to demonstrate that the proposed rezoning- along with its allowed uses- would avoid creating undue hardship or negative impacts on adjacent properties. Without sufficient supporting data or analysis, the County cannot reasonably determine that the proposed zone district or its permitted and conditional uses are appropriate for this site.

## **2. Physical and Environmental Incompatibility**

The first approval criterion under Section 5-203.A states:

“The property possesses geological, physical, and other environmental conditions that are compatible with the potential uses permitted in the proposed zone district.”

This criterion is clearly not met. The subject property is located on a ridge with steep slopes that drain directly into the residential areas below. Prior incidents, including a sewage spill that affected adjacent residential properties, demonstrate that the site’s environmental conditions are unsuitable for intensive uses such as large livestock operations or other activities permitted within the Agricultural Zone District. Grazing cattle on this property would lead to soil compaction, reducing the land’s ability to absorb water, while the removal of stabilizing vegetation by livestock would increase susceptibility to erosion. These conditions would worsen runoff and exacerbate negative impacts on surrounding properties. The site’s topography and drainage patterns simply cannot support the scale or nature of uses allowed under the proposed zoning designation.

### 3. Land Use Compatibility with Surrounding Properties

Another approval criterion requires that:

“The potential uses within the proposed zone district are compatible with other properties within the immediately surrounding area.”

Upon reviewing the Agricultural Zone District Use Table, it is clear that several permitted and conditional uses are fundamentally incompatible with the existing residential character of the surrounding community. The applicant’s briefly described proposal to conduct ranching operations during the winter and spring months is likewise incompatible with adjacent residential uses. Under the animal regulations in Section 5-701.B, there is no limit on the number of livestock permitted in the Agricultural Zone District, meaning this rezoning could allow for intensive ranching operations far beyond what the property and neighboring residential areas can reasonably sustain. Given that the recently adopted master plan emphasizes the need to strengthen the County’s code enforcement resources and capacity, rezoning this property would likely result in numerous nuisance and code enforcement issues that the County is currently not equipped to adequately address.

In contrast, the current Residential zoning designation provides appropriate limitations and protections consistent with the area’s established context. Rezoning this property to Agriculture would therefore substantially alter the character of the neighborhood, particularly since this property and all surrounding properties have historically been used for residential-not ranching or agricultural-purposes.

### 4. Inconsistency with the Master Plan and Lack of Changed Conditions

A rezoning request must be supported either by the Master Plan or by significant changes in conditions since the plan’s adoption. The proposed rezoning satisfies neither.

A thorough review of the Master Plan reveals multiple policies directly opposing the proposed change and the intensification of this site for agricultural purposes. For example:

- **Goal G5 (pages 27–29):** Emphasizes that water availability is the most critical determinant of the county’s future and calls for conservation and closing the water supply gap. Agricultural uses such as livestock operations demand significantly more water than residential uses, contradicting this goal.
- **Strategies S5.5.C and S5.7:** Call for prevention of erosion, sedimentation, and regulation of activities that pose risks to surface and groundwater resources. These risks that would be heightened under the proposed rezoning and the allowable uses.
- **Bailey Subarea Strategies:** Highlight the limited land availability for future growth and prioritize residential development, reinforcing that the current Residential zoning remains most appropriate. Removing a significant area of residential land at the eastern most portion of the county would be a huge disservice to the future of the county and the vast majority of current and future residents who commute into the Denver metro area for work.

- The Master Plan briefly discusses agricultural uses; however, the plan's supporting language focuses on preserving agriculture as part of a rural landscape rather than encouraging all forms or intensities of agricultural activity. Since the property has historically not been used for agriculture or ranching, the Master Plan would not be in support of this rezoning, and the right to ranch would not apply since the residential uses have far outdated any livestock operations on this site.

No external or community-based changes have occurred since the Master Plan's adoption that would justify this rezoning. The only notable changes in the area stem from the applicant's own non-compliant commercial operations, which have already caused substantial disruption to the property and surrounding neighbors. Intensive agricultural operations that could disrupt residential character, increase nuisance conditions, or undermine broader housing and open-space goals do not align with the spirit of the Master Plan.

## **5. Water Resource Constraints and Code Compliance**

The proposed livestock use must also comply with Section 5-701.A.4, which requires property owners to coordinate with the Colorado Division of Water Resources to ensure appropriate well permits for livestock watering. A review of the CDNR well permit database shows that all existing wells on this property are approved only for residential uses and do not permit livestock watering. Granting this rezoning would create a direct conflict with these restrictions and run contrary to the Master Plan's water conservation goals.

## **Conclusion**

In conclusion, the proposed rezoning of 14097 Wandcrest Park Drive is inconsistent with the Master Plan, incompatible with the surrounding residential area, and unsupported by sufficient evidence. The request fails to satisfy multiple approval criteria established under Section 5-203 and poses clear environmental, compatibility, and water resource concerns.

For these reasons, I strongly urge the Planning Commission and the BOCC to deny the rezoning request submitted by ASKAG LLC and preserve the property's current Residential zoning designation.

Thank you for your time and consideration.

Respectfully submitted,

**Chris Masar, AICP**

 Outlook

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**Fw: Case #A25-0118 - Askag, LLC Rezoning**

---

**From** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

**Date** Wed 1/21/2026 6:47 AM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

**Cc** Andrew Grand <Andrew.Grand@parkcountyco.gov>; Sarah Larimore <Sarah.Larimore@parkcountyco.gov>

Good mornin [REDACTED]

I have forwarded your request to our team handling this case. It will be made part of the record and will be shared with the Planning Commission as well as the Board of County Commissioner's when it comes before them.

Brandon Heacock

Director ~ Dev Services

[brandon.heacock@parkcountyco.gov](mailto:brandon.heacock@parkcountyco.gov)

719-836-4288 - O

719-838-0900 - C



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**From** [REDACTED]

**Sent:** Wednesday, January 21, 2026 6:05 AM

**To:** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

**Subject:** Case #A25-0118 - Askag, LLC Rezoning

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Good morning Brandon

My name is Corey Knapp, and I am a concerned citizen of the Will-O-Wisp neighborhood regarding the potential rezoning of the Askag, LLC owned land north of our densely populated neighborhood and is above our water wells and aquifer.

I strongly oppose the rezoning attempt from residential land to agricultural land as his limitations on the property will be more relaxed than it is now with enforcement already being too low. What he will be able to be accomplish on the land will be unacceptable for our family's and children that inhabit the area and drink the water he will poison. He already has a problematic history nearly causing contamination of a natural creek with unfiltered and untreated human waste, from his company, and not obeying court orders leading to his own jail time.

Rezoning this land to agriculture will directly conflict with prior enforcement actions and court rulings. Rezoning should not be used to legitimize non-compliant uses on that land. He is already disobeying court orders by continually running his illegitimate business on residential land and has admitted to spraying human septage on his land already.

I plead that this rezoning attempt gets denied in thought of the families, communities, and natural beauty that was here before this mess initially happened.

With great concern,

██████████  
██████████

---

**Case A25-0118, Opposition to Zoning Request by Adam Shirley, aSkag, LLC**

---

**From** [REDACTED]

**Date** Tue 1/20/2026 5:44 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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**Opposition  
to Requested Zoning Change – 14097**

Dear [Board Members / Planning Commission / Board of County Commissioners]:

I am a downstream resident of the 58-acre tract located at 14097 Wandcrest Park Road in Bailey, Colorado, owned by Adam Shirley, also known as Skag, LLC. I am writing to formally express my strong opposition to the requested zoning change from Residential to Agricultural.

My properties include 3 pond and 3 drinking water sources fed by Roland Creek and Wisp Creek. In July 2024, Mr. Shirley's de-watering operation released sewage that flowed downhill into Wisp Creek. Heavy rainfall shortly thereafter increased the risk of contamination to downstream properties, including my own. This incident underscores the very real environmental and public health risks associated with the current and proposed uses of this property.

Independent of ownership, Agricultural zoning is inappropriate for this location. The surrounding area is predominantly Residential, and Agricultural zoning permits uses that are incompatible with nearby homes and would negatively affect property values. Such uses include, but are not limited to, cattle operations, marijuana cultivation and manufacturing, riding arenas, racetracks (animal and motorized), recycling facilities, transfer stations, and utility facilities.

My concerns are further heightened by Mr. Shirley's documented history of noncompliance with County regulations, evasiveness regarding his intentions for the property, and repeated disregard for the impacts on neighboring residents. I do not find the assertion that the property would be used solely to "occasionally run cattle" to be credible. Rather, I believe this zoning change would enable him to pursue a Conditional Use Permit for a transfer station, allowing septic waste de-watering operations to continue and placing Wisp Creek at ongoing risk.

The residents of the Will-o-Wisp community have already endured sufficient adverse impacts. Mr. Shirley's operations should be located in an area that is not surrounded by established residential neighborhoods.

For these reasons, I respectfully urge the Board to deny this zoning change request.

Please confirm receipt of this correspondence. If you do not agree with my position on rezoning, please provide your rationale on why you would like this change.

Respectfully,

██████████  
██████████████████  
██████████████

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 Outlook

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**Fw: Case A25-0118, opposition to zoning request from Residential to Agriculture**

---

**From** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

**Date** Wed 1/21/2026 6:35 AM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

**Cc** Andrew Grand <Andrew.Grand@parkcountyco.gov>; Sarah Larimore <Sarah.Larimore@parkcountyco.gov>

Hello Deborah,

I have forwarded your comments to our team handling this case. It will be made part of the record and shared with Planning Commission as well as the Board of County Commissioner's when it comes before them.

Brandon Heacock

Director ~ Dev Services

[brandon.heacock@parkcountyco.gov](mailto:brandon.heacock@parkcountyco.gov)

719-836-4288 - O

719-838-0900 - C



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**From** [REDACTED]

**Sent:** Tuesday, January 20, 2026 5:58 PM

**To:** Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

**Subject:** Case A25-0118, opposition to zoning request from Residential to Agriculture

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[REDACTED]  
[REDACTED]  
[REDACTED]

Mr. Brandon Heacock

Development Services Director

P.O Box 1598

Fairplay, CO 80440

January 20, 2026

RE: Case A25-0118, Opposition to Zoning Change request

Dear Mr Heacock:

I am a downstream resident of the 58-acre tract at 14097 Wandcrest Park Road, Bailey, CO, owned by Adam Shirley / aSkag, LLC. I strongly oppose the requested zoning change from Residential to Agricultural.

658 Brookside Drive, Bailey, CO has been my home for 29 years. Our property includes a pond fed by Roland Creek and Wisp Creek. In July 2024, Mr. Shirley's de-watering operation released sewage that flowed downhill into Wisp Creek. Heavy rainfall shortly thereafter increased the risk of contamination to downstream properties, including my own.

Independent of ownership, Agricultural zoning is inappropriate for this location. The surrounding area is predominantly Residential, and Agricultural zoning permits uses that are incompatible with nearby homes and would negatively affect property values. These include, but are not limited to, cattle operations, marijuana cultivation and manufacturing, riding arenas, racetracks (animal & motorized), recycling facilities, transfer stations, and utility facilities.

My concerns are further heightened by Mr. Shirley's history of non-compliance with County regulations, evasiveness regarding his intentions, intimidation of and repeated disregard for neighboring residents. I do not trust that the property would be used solely to "occasionally run cattle". Rather, I believe this zoning change would enable him to pursue a Conditional Use Permit for a transfer station, allowing septic waste de-watering operations to continue and placing Wisp Creek at continued risk.

The residents of Will-o-Wisp have endured sufficient adverse impacts. Mr. Shirley's operations should be located in an area not surrounded by established residential communities. For these reasons, I respectfully urge the Department of Planning and Zoning and Board of Country Commissioners to deny this zoning change.

Thank you for taking the time to consider my request. Also, please acknowledge receipt of this correspondence and confirm that it has been made part of the public record.

Respectfully,



**Fwd: Park County; aSKag LLC request for ReZoning Change , Case# A25-0118**

---

**From** [REDACTED]

**Date** Wed 1/21/2026 2:36 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Sent from my iPhone

Begin forwarded message:

**From** [REDACTED]

**Date:** January 20, 2026 at 12:53:32 PM MST

**Subject: Park County; aSKag LLC request for ReZoning Change , Case# A25-0118**

It has been brought to my attention that aSKag LLC has applied for a rezoning change to their property in Park County, specifically 14097 Wandcrest Park Rd. Pine Co. 80470. The change to " Agriculture ", should not be approved based on the current and ongoing issues with this property/owner. I live at 546, Brookside Dr, Bailey CO 80421, and have been impacted by the Environmental spill that came from the aSKag LLC property/operations In July of 2024. My drinking water/well and pond on my property were and continue to be contaminated from this event. The appropriate safeguards to prevent this type of Environmental hazard were never implemented. Notifications of this event were not delivered to all property owners affected by it, and cleanup of impacted properties was not done in accordance with State of Colorado Department of Public Health regulations/requirements. In addition allowing temporary storage of solid waste materials, ie. A Transfer Station without Standard Fire Protection protocols in an area of High Fire Risk is unacceptable, and extremely dangerous for the residents of Park County. The lack of installing a Standard leachate/liner system at the Transfer Station to prevent contamination of the soils and ground water is also a threat to the health of Park County residents. Allowing the zoning change will limit the oversight capabilities of Park County and jeopardize the safety of residents. aSKag LLC has already shown they have no interest in the safety of neighbors, by their actions of allowing the Environmental spill to occur as well as defying Park County Court orders to Cease and Desist operations of the operations

of the Solid Waste Storage/Transfer station facility on their property. With less oversight by the county, aSKag LLC will have the ability to continue to endanger the health and lives of fellow Park County residents without any culpability for their actions. We need the Board of county commissioners and the Building/Zoning departments to reject this request, and resolve the continued ongoing issues with the aSKag LLC property. Thank you in advance for your help in protecting the Residents of Park County. Please reply confirming receipt of this email.

Sent from my iPhone

## Opposition to Rezoning aSkag Property Petition – Map Amendment

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**Date** Wed 1/21/2026 3:58 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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## Formal Statement to the Park County Board of County Commissioners / Board of Adjustment

**Re: Opposition to Rezoning Petition – Map Amendment**

**Parcel:** Case A25-0118

**Assessor's Parcel Number:** T07 R72 S1 SW4 A PARCEL IN SW4 SECTION 1-7-72, NW4 SECTION 12-7-72, A PORT DESC R781265 DESC IN ADDENDUM R792480 (58.282 AC)

**Location:** 14097 Wandcrest Park Dr Baily, CO 80421

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### I. Introduction

Members of the Board, thank you for the opportunity to provide comment. I respectfully submit this statement in **formal opposition** to the proposed rezoning of the above-referenced parcel from **Residential** to **Agricultural**.

This opposition is based on **Park County Land Use Regulations, Colorado state environmental law,** and **established planning principles**, specifically relating to:

1. Reduction of County oversight,
  2. Creation of enforcement loopholes,
  3. Incompatibility with downhill residential properties,
  4. Risk of waste-related or high-impact uses,
  5. The requirement that **existing violations be resolved prior to rezoning consideration**.
- 

### II. Rezoning Fails to Meet Park County Rezoning Criteria

Under **Park County Land Use Regulations (PC LUR), Article 10 – Zoning Map Amendments**, rezoning requests must meet specific findings, including:

- **Compatibility with surrounding land uses**
- **Protection of public health, safety, and welfare**
- **Consistency with the Park County Master Plan**
- **No adverse impact on neighboring properties**

The proposed Agricultural zoning fails these criteria due to its **downslope position above an established residential neighborhood**, where impacts such as runoff, noise, dust, traffic, and potential waste handling would disproportionately affect downhill residents.

---

### **III. Agricultural Rezoning Reduces County Oversight**

Residential zoning subjects land use changes to **stricter review standards**, including site plans, use limitations, and mitigation requirements. By contrast, **Agricultural zoning permits broader uses by right**, significantly reducing County review thresholds.

Under **PC LUR Article 3 (Zoning Districts)**:

- Agricultural districts allow a wide range of activities that do **not require the same level of County review or public notice** as residential districts.
- Certain accessory and operational uses may proceed without a conditional use permit, reducing the County's ability to impose enforceable conditions.

This rezoning would therefore **weaken County oversight** at a site that is geographically positioned to impact neighboring residences.

---

### **IV. Agricultural Zoning Creates Enforcement Loopholes**

Agricultural zoning introduces **enforcement challenges** that do not exist under residential zoning:

1. **Broader “by-right” uses** limit enforcement options unless a violation reaches a high evidentiary threshold.
2. **Complaint-based enforcement** is common in agricultural zones, placing the burden on residents rather than proactive County oversight.
3. Agricultural exemptions often complicate enforcement of:
  - Outdoor storage
  - Equipment staging
  - Waste accumulation
  - Heavy vehicle activity

These issues are especially concerning in Park County's rural enforcement environment, where staffing and response times are limited.

Once rezoned, **the County's enforcement authority is narrowed**, making it significantly harder to prevent or correct nuisance or hazardous activities after they begin.

---

## **V. Risk of Waste Transfer or Waste-Related Operations**

Although not currently proposed, **Agricultural zoning can be used as a foundation for future applications** involving waste handling or transfer activities through conditional use or state permitting processes.

Under **Colorado Solid Waste Regulations (6 CCR 1007-2)**:

- Waste transfer stations are regulated but **may be sited in rural and agricultural areas** if local zoning allows.
- Such facilities involve truck traffic, waste staging, odor, dust, vectors, and potential stormwater contamination.

Given the parcel's **elevation above residential homes**, any waste-related operation would pose **unacceptable environmental and health risks** to downhill properties, particularly regarding runoff and groundwater protection.

---

## **VI. Downhill Environmental and Safety Impacts**

Park County regulations emphasize protection of neighboring properties from adverse impacts. The downhill location of the residential neighborhood increases risk from:

- **Stormwater runoff and erosion**
- **Sediment transport**
- **Chemical or waste contamination**
- **Noise and air quality degradation**

These impacts are directly contrary to the **health, safety, and welfare standards** required for rezoning approval under Park County code.

---

## **VII. Existing Violations Must Be Resolved Before Rezoning**

Fundamental land use principles — and Park County enforcement practice — require that **existing violations be resolved prior to approval of any rezoning**.

Rezoning a non-compliant property:

- Undermines the integrity of the Land Use Code,
- Creates the appearance that rezoning can be used to **circumvent enforcement**,

- Sets a precedent that compliance is optional.

**Any known or documented violations on this parcel**, including but not limited to:

- Case No. 2024CV030019

must be **fully corrected and verified by the County** before any rezoning request is considered.

Rezoning should not be used as a mechanism to legitimize non-compliant land use.

---

## **VIII. Precedent and Planning Integrity**

Approving this rezoning would set a **dangerous precedent** by allowing residential land to be down-zoned to agricultural in a location where:

- Residential uses are already established,
- Enforcement challenges are foreseeable,
- Environmental and safety risks are elevated.

This is inconsistent with long-term planning stability and undermines public trust in Park County's zoning framework.

---

## **IX. Conclusion and Formal Request**

For the reasons outlined above, I respectfully request that the Board:

1. **Deny the rezoning request** from Residential to Agricultural;
2. Require **full resolution of all existing code violations** prior to any future land use application;
3. Uphold the intent and integrity of Park County's Land Use Regulations by protecting established residential neighborhoods from incompatible zoning changes.

Thank you for your consideration and for your service to Park County.

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████████████████████  
████████████████████  
████████████████████

[REDACTED]  
[REDACTED]  
[REDACTED]

January 22, 2026

Park County Colorado Planning and Zoning  
856 Castello Ave P.O. Box 1598.  
Fairplay, CO 80440

Subject: Public Comment Opposing Rezoning Application – Case A25-0118

Dear Members of the Planning Commission,

I am writing to formally oppose the application to rezone the property associated with Case A25-0118. My opposition is based on the application's inconsistency with the Park County Strategic Master Plan adopted in April 2025, as well as the long-term land-use and governance implications of the requested rezoning.

The Strategic Master Plan is a newly adopted, countywide policy document developed through extensive public input and intended to guide land-use decisions now. It is not outdated, aspirational, or advisory in the abstract; rather, it reflects Park County's current priorities for growth management, infrastructure protection, water quality, rural character, and governance. Strategic plans exist to provide consistency, predictability, and defensibility in discretionary land-use decisions such as rezoning, particularly when proposals are complex or controversial.

The subject property is located in an area that aligns most closely with the Pine Junction subarea described in the Strategic Master Plan. This subarea is characterized by limited infrastructure, reliance on private wells and septic systems, residential development patterns, and constrained road capacity. The Plan emphasizes caution in introducing higher-intensity uses

in such areas and underscores the importance of compatibility with existing residential and rural land uses.

While the applicant has represented the rezoning as being for agricultural purposes, rezoning decisions attach to the land, not to a particular owner or stated intent. Approval of this request would permanently expand the range of allowable uses on the property, enabling future intensification under this or subsequent ownership regardless of current representations. This creates long-term risk for surrounding residents and for the County, particularly in an infrastructure-limited area where enforcement capacity, water quality protection, and road impacts are already identified concerns.

Approving a rezoning that conflicts with multiple stated goals of the Strategic Master Plan including groundwater protection, limiting future infrastructure and enforcement burdens, preserving rural character, and strengthening governance, and so soon after the Plan's adoption undermines its role as a guiding policy document. If the Strategic Master Plan does not meaningfully inform decisions of this scale and impact, its purpose and credibility in future land-use decisions become unclear.

For these reasons, I respectfully urge the Planning Commission to deny the rezoning request for Case A25-0118, or at minimum to evaluate it strictly against what the rezoning would legally permit over time, rather than against informal or nonbinding representations of current intent. Consistency with the recently adopted Strategic Master Plan is essential to maintaining public trust, predictable land-use outcomes, and the long-term health, safety, and welfare of Park County residents.

Thank you for your time and consideration.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Will-O-Wisp Community

I oppose the rezoning of the Adam Shirley property at Wandcrest Rd and Highway 285 to agricultural. This zoning would permit activities not consistent with the neighborhood. It is another attempt to skirt the county ordinances and judicial rulings!

Adam Shirley failed to do due diligence before purchasing this parcel to see if it was zoned for his business activities.

Adam Shirley did not secure permits before construction on the site.

Adam Shirley did not/has not considered the impact on neighbors. In the brief time he has operated his illegal facility, he had a raw sewage spill, resulting in raw sewage flowing onto neighbors' property.

Send Adam Shirley the message NO means NO



We are writing this letter in regards to the rezoning of approximately 58 acres to Agricultural requested by aSkag LLC (Adam Shirley) located in Pine Junction, CO.

We, as well as many who live in and around this location, are opposed to the change of zoning.

Adam Shirley has little regard for regulatory process as evidenced by installing a waste transfer station without permits and without proper vetting by the county and those that live in the area. This, along with other violations and disregard for court ordered cease and desist, does not mean much to him.

We have personally seen the damage that his operations have caused to our area. In July, 2024 a discharge of human waste water and rain caused the affluent to flow down to Brookside drive and inundate a home and local area. Some outside cleanup was done but the occupant's home was exposed to the raw sewage inside and out. With no help from those that caused the event, he tried to stay and clean up what he could, but inaction and illness made him leave. The home is now vacated and should not be lived in as it is still contaminated. Along with the sewage were other contaminates. E, coli bacteria, heavy metals and PFOA/PFOS. In my home, which is close to his, where the discharge from the event flowed near my water source, I now have "forever chemicals" near the maximum level.

If the location is rezoned to agricultural, there would be reduced County oversight along with enforcement loopholes. We believe this would allow him to have free rein to do what he wants with the land. As we live at the South side of the parcel, we cannot imagine what he will do given the opportunity. With his history of environmental violations and regulatory failures, we would not consider him a good steward of the land as would many, many of those that live around this site.

We are opposed to the rezoning application. Please consider denying the zoning change and give Park County residences some hope that this person, that has no regard for regulatory process, does not have more opportunities to further damage the place that we have called home.

Respectfully,

[REDACTED]  
[REDACTED]  
[REDACTED]

Case A25-0118

---

  
Date Wed 1/21/2026 10:01 PM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; brandon.heacock@parkcounty.gov <brandon.heacock@parkcounty.gov>; amy.mitchell@parkcounty.gov <amy.mitchell@parkcounty.gov>; dave.wissel@parkcounty.gov <dave.wissel@parkcounty.gov>; Jason.Gemmer@parkcounty.gov <Jason.Gemmer@parkcounty.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Board of Park County Commissioners and the Department of Planning and Zoning,

I am writing to formally oppose the approval of the rezoning request by aSkag LLC; case A25-0118.

Allowing agricultural zoning to this land would greatly affect the adjacent, densely populated neighborhoods surrounding this property. The approval to rezone would expand land use permissions that are incompatible with the surrounding residential area. Also, agricultural rezoning may allow the property to be exempt from key ordinances that would negatively affect the neighboring residential properties and would make enforcement extremely difficult, if approved. Of particular concern is the potential risk to our neighborhood aquifers, including contamination from agricultural activities that could adversely affect drinking water supplies relied upon by nearby residents. The location of this property is above the aquifers, and over most of these residents, and these kinds of land use activities will seep, run downhill and or contaminate properties, water sources, and wetlands easily. The nature and geography of the property are conducive to these types of spills and contaminates and should not be allowed.

Please consider that ASkag has already had a proven history of noncompliance and severe damage to residential property, including spillage of untreated raw human waste. Approving agricultural land use would allow even more operational freedoms and the risk of recurrent events is too high for the wellbeing and safety of our adjacent residents.

The proposed rezoning also conflicts with prior county enforcement actions and existing judicial rulings, including proceeding brought pursuant to Colorado Rule of Civil Procedure 106(a)(4), among other cases, which addressed noncompliant land uses on the subject property. Rezoning should not be used as a mechanism to circumvent or nullify enforcement outcomes or court determinations. Doing so would undermine the integrity of the county's land use regulatory framework and set an inappropriate precedent by legitimizing uses that were previously found to be noncompliant.

As a Park County and Will-O-Wisp resident, I thank you for your deep consideration on this matter and vote "no" to rezone case A25-0118.

Respectfully,



ASKAG LLC

---

From [REDACTED]

Date Thu 1/22/2026 8:52 AM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A rezoning request by aSkag LLC will be heard by Park County Plaznning & Zoning on Jan. 28 and the BOCC on Feb. 18.

Good morning,

I am certain you are very tired of hearing about this.

The company mentioned above simply built in an area that contains many homes, wells, riparian area and Elk migration. The build was started with no permit.

There was sewage run off into three homes in Will O Wisp.

This is just my request to please leave the zoning residential. Thank you for your time.

[REDACTED]  
Will O Wisp resident

Sent from my iPhone

Rezoning Case #A25-0118

---

  
Date Thu 1/22/2026 7:45 PM

To Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

Cc Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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To Whom It May Concern,

I am writing to formally oppose the rezoning request associated with Case #A25-0118, which seeks to change the subject property's zoning from residential to agricultural.

I am a long-time resident of Will-O-Wisp and have closely followed the activities of aSkag LLC and Mr. Shirley since their purchase of the property. This request conflicts with prior enforcement actions and court rulings related to non-compliant land use after a rezoning was previously granted.

Of particular concern is the documented operation of a waste transfer station on the property, which has resulted in sewage leakage into neighboring residential backyards. This poses a serious risk to public health and the local water supply. Despite a cease-and-desist order, residents on the same street have continued to observe business-related truck traffic entering and exiting the property, indicating ongoing operations.

These concerns are underscored by the fact that the property owner recently served a jail sentence after being found in contempt of court for continuing to operate in violation of that order. This pattern of non-compliance raises serious doubts about future adherence to zoning and environmental regulations should the requested rezoning be approved.

For these reasons, I respectfully request that this rezoning application be denied. At a minimum, any consideration of approval should require strict verification, proper permitting, and frequent monitoring to ensure full compliance with all county zoning, environmental, and public health requirements.

Thank you for your time and consideration.

Sincerely,







---

Case A25-0118 proposed rezoning

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**Date** Fri 1/23/2026 10:03 AM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

**Cc** Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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Good morning.

I am writing in opposition to this proposed rezoning request for aSkag LLC's request to an agricultural zoning.

Taking into account the documented site history and existing legal constraints, I believe this agricultural zoning will create loopholes for Mr. Shirley to continue illegal operations on this land. All current violations need to be resolved before any rezoning is considered!

I do not believe that he will use this area for cattle. When there have been cattle, they have never been anywhere near this site. There are still massive piles of waste and slash on the site. Day and night, for months on end, he had been dumping trash directly on the land and using it as a trash transfer. He disregarded the courts order and judges ruling. He signed an affidavit saying operations had ceased - that was a lie. Operations continued after the ruling, after he signed the paper, and even after he was put in jail.

Within the past couple weeks, there has been more work going on at the site. It does not appear to be clean-up as Conex trailers and slash still litter the entire area. There are now two white trailers with doors on the property (across from our home) that were not there before and several trucks have been bringing in dirt. Does he have a new project going on? Has this new development been submitted to and approved by the county?

Please verify the agricultural use claims and consider the prior violations and injunctions that he adamantly refuses to obey.

I respectfully request that the County deny this proposed rezoning.

Sincerely,

*Melissa Woodruff*

(Park County resident and neighboring property owner of site in question)

---

## Referral Response Case # A25-0118 - Wandcrest Estates HOA

---

**From** [REDACTED]  
**Date** Fri 1/23/2026 11:28 AM  
**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

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Park County Planning Department.pdf;

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Re: Referral Response - Case A25-0118  
Applicant: ASKag LLC  
Proposed Rezoning: Agricultural

To Whom it May Concern:

I submit our referral response regarding Case A25-0118 which ASKag LLC requests to rezone 58 acres to an Agricultural zoning designation.

The Park County Planning and Zoning Commission and BOCC needs to stop facilitating this continued nightmare with ASKag LLC. We ask that the Planning and Zoning Commission disapprove this Zoning change request from ASKag, demand that ASKag return the property to the original condition under residential zoning, and obey the Judge's Ruling, which placed a permanent injunction on the Heavy Industrial operations.

We find this application appalling after all that our community has been put through for the past 3 years.

Let's review the last debacle from 2023...

- The original ASKag application was pushed through by County Manager Mike Smith and Planning Coordinator Jennie Gannon, and others.
- We told ParkCo it was illegal - Spot Zoning... but the Planning Commission and BOCC didn't listen.
- ParkCo allowed ASKag to build a white tent and a road without a permit.
- ParkCo allowed ASKag to operate a trash septic transfer facility BEFORE it was officially yet illegally approved.
- ParkCo allowed the destruction of our beautiful landscape, bringing Heavy Industrial to our backyard, against the Strategic Master Plan.
- The judge for 11th District ruled against the Planning Commission's recommendation to the BOCC for approval of ASKag's heavy industrial operation.

Then, after Judge Hunter's ruling...

- ParkCo didn't fine him for operating when a permanent injunction was ruled.
- ParkCo Code Compliance and the Sheriff didn't enforce the ruling.
- ParkCo turned a blind eye to ASKag LLC bringing the heavy industrial operation to the neighboring Agriculturally zoned land.
- The land has been ruled residential a year ago, and Park County has done nothing to remove his trash from the hill or stop his illegal operation.

Now, ASKag LLC is asking for another rezoning - NO!!!!

Park County Planning Commission needs to deny the application for the following reasons:

- ASKag LLC lied on the previous application. ParkCo rezoned the 184 acres to the south from Residential to Agricultural, where ASKag LLC then illegally placed and ran a heavy industrial operation on this Agriculturally zoned land. The application said that they were going to run a few cattle, which was a lie.
- ASKag LLC has destroyed the Agriculturally zoned land around our community. ASKag LLC spilled approximately 45,000 gallons of untreated septage on the land and into the Will O' Wisp community. ASKag LLC ripped apart the forested area on the 184 acres to build his illegal operations.
- ASKag LLC does not value safety. The illegal operation has no safety measures for spill containment, wildlife protection, and no water or 24 hour manning for fire protection. To this day our community is at GRAVE FIRE risk because of the ASKag LLC operations and the collection of slash piles that are now over 20 feet tall on property.
- ASKag LLC bought the land originally zoned Residential, surrounded by residential. Our residential home values have decreased because of the illegal actions of Park County and ASKag LLC. Force ASKag LLC to restore the land to its original condition.
- ASKag LLC has lost trust in the community, because of the actions and lawless behavior over the past 3 years. For an owner with a long history in this beautiful part of the country, the owner should be ashamed of himself for how he has done such damage on so many levels to our community.

That rezoning from Residential to Agricultural for ASKag LLC in 2024 on the 184 acres was with the understanding that he would run cattle, NOT run an illegal operation! This heavy industrial operation is being conducted by ASKag LLC with less than 50 yards to the nearest home in our HOA. This is NOT acceptable on Agricultural land and we fear ASKag LLC will do the same if you forward the application for the 58 acres with your approval.

Our community and HOA need the Park County Planning and Zoning Commission to deny this ASKag LLC application under the strongest terms. Please allow healing return to our land and community by voting No.

Respectfully,

Stan Bates

Wandcrest Estates HOA, President







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## Oppose Rezoning Case A25-0118

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**Date** Fri 1/23/2026 12:03 PM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>; Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>

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Members of the Park County Board of County Commissioners, Park County Leadership, and Park County Planning,

Thank you for the opportunity to comment on the rezoning application for Case A25-0118 at 14097 Wandcrest Park Drive in Bailey. As a local resident, I am writing to clearly express my opposition to the request to rezone this parcel from Residential to Agricultural.

At its core, this rezoning does not make sense for the location or the surrounding area. The property sits uphill from an established residential neighborhood, and changing it to Agricultural zoning would reduce County oversight while increasing the potential for uses that could negatively impact downhill homes as previous re-zoning has proven.

Under Park County's Land Use Regulations, rezoning requests are required to be compatible with surrounding land uses, protect public health and safety, and avoid adverse impacts to neighboring properties. In this case, Agricultural zoning would allow a much broader range of uses by right, many of which require little to no County review compared to Residential zoning. That loss of oversight is concerning given the parcel's position above homes that could be affected by runoff, noise, dust, traffic, and environmental impacts. Unfortunately, these community impacts are already well documented given the county's inability to enforce the Judges orders from exactly a year ago today, January 23<sup>rd</sup> 2025, and the fact that the parcel is currently being used in ways that continue to violate Park County's LUR's.

Agricultural zoning creates enforcement challenges. Many activities allowed in agricultural districts rely heavily on complaint-based enforcement, shifting the burden onto neighbors instead of proactive County review. Once a property is rezoned, it becomes significantly harder for the County to prevent or correct problematic uses after they begin (as we have seen) — particularly in rural areas where enforcement resources are limited.

In evaluating this application, it is also important to consider the applicant's recent and well-documented land use history in Park County. The applicant, Adam Shirley of ASKAG, LLC, was recently found in contempt of court and sentenced to jail time for continuing to operate a waste transfer facility after a judge ordered the operation shut down. That case involved a disputed rezoning approval, documented permit violations, a septic spill that impacted neighboring properties, and repeated noncompliance with court orders.

These events directly demonstrate the risks associated with reduced oversight and reliance on after-the-fact enforcement. They highlight why careful scrutiny and enforceable conditions are critical for any land use decision involving this applicant.

Additionally, I would like to raise a specific concern found within the rezoning application materials themselves. The survey plan included at the end of the application, titled "Planned Unit Development Final Plat," depicts six 20,000-gallon tanks, one 15,000-gallon tank, and one 6,000-gallon tank located

within the existing building. The application does not clearly describe what these tanks are intended to store.

Given the applicant's recent history involving waste operations and documented environmental impacts, the presence of large-capacity tanks without clear explanation raises serious concerns. At a minimum, the intended use, contents, permitting status, and regulatory oversight of these tanks should be fully disclosed and reviewed before any zoning change is considered. Approving a rezoning without this clarity would further reduce County oversight and expose neighboring properties — particularly downhill residences — to unknown environmental and safety risks.

I am also deeply concerned about wildfire risk associated with this property. There are documented slash piles on the site, significant pine beetle kill in the surrounding area, and a known history of poor compliance with operational and safety requirements. Combined with Park County's ongoing drought conditions, high winter winds, and very limited moisture this season, these factors create an elevated and foreseeable fire hazard.

Any increase in allowed uses, outdoor storage, equipment staging, vehicle activity, or unmanaged materials under Agricultural zoning would further increase ignition risk. Given the parcel's location above residential homes, a fire originating on this property would pose a direct and immediate threat to downhill neighborhoods, emergency access, and evacuation safety. Reduced County oversight under Agricultural zoning significantly limits the County's ability to proactively manage or enforce fire mitigation measures before a dangerous situation develops.

While no waste-related use may be explicitly proposed today, Agricultural zoning can create pathways for future high-impact uses through conditional use permits or state-level approvals. Given the applicant's history and the physical infrastructure already depicted in the application materials, approving a zoning change that allows broader uses with less County control presents an unacceptable risk to nearby residents.

Another critical issue is compliance. Basic land use principles — and common County practice — require that existing code violations be fully resolved before rezoning is considered. Rezoning a property that is not currently compliant undermines the integrity of the Land Use Code and creates the appearance that zoning changes can be used to avoid enforcement. Any known or documented violations on this parcel, including Case No. 2024CV030019, should be fully corrected and verified before any zoning change is approved—which appears to have been an arduous process for the county alone.

Finally, approving this rezoning would set a concerning precedent. Allowing residential land to be down-zoned to agricultural in a location where residential uses are already established, environmental risks are elevated, and enforcement challenges are foreseeable weakens long-term planning stability and public trust in the zoning process.

For these reasons, I respectfully ask the Board to deny the rezoning request, require full resolution of all existing violations and full disclosure of proposed infrastructure and uses before any future land use applications are considered, and uphold the intent of Park County's Land Use Regulations by protecting established residential neighborhoods from incompatible zoning changes.

Thank you for your time and consideration.

Sincerely,

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**ASkag LLC -DENY Rezone Case #A25-0118**

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**From** [REDACTED]

**Date** Fri 1/23/2026 12:22 AM

**To** Park County Planning and Zoning <Planning.Zoning@parkcountyco.gov>

**Cc** Lucas Meyer <Lucas.Meyer@parkcountyco.gov>; Brandon Heacock <Brandon.Heacock@parkcountyco.gov>; Amy Mitchell <Amy.Mitchell@parkcountyco.gov>; Dave Wissel <Dave.Wissel@parkcountyco.gov>; Jason Gemmer <Jason.Gemmer@parkcountyco.gov>

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**To:** Park County Planning & Zoning  
Park County Planning Commission  
Park County Board of County Commissioners  
Lucas Meyer  
Brandon Heacock

**Re:** Rezoning Case A25-0118  
14097 Wandcrest Park Rd, Pine, CO 80470

Please accept my opposition to this rezoning request for the following reasons:

1. The potential for continued misuse and abuse of the land under the 'guise of "running cattle" is a high risk for the county and potential legal consequences.

That is exactly what occurred on 270 Silver Springs 184 acres which now has been completely destroyed within less than a year after the county granting an Agricultural Zone request under the same guise of "running cattle." Now as of today, there are old discarded Conex trailers, Septic storage containers, discarded mattresses, old unused heavy industrial equipment, 25-30 ft tall and over 250 ft long slash piles, several other slash and wood chunk piles of wood- beetle kill or land clearing?, construction waste of cement blocks, chunks of cement/asphalt, and other construction or demolition debris, containers full of construction debris, leaking oils and contamination of chemicals leeching into the ground that will affect our ground water/wells, etc which could be hazardous to the health and environment and air to nearby residents. The fire risk is intensely dangerous. This all is within 50-100 yards of nearby homes! We have had to endure these illegal operations because the county code enforcement department did little to STOP or enforce violations, plus the sheriff did nothing. This is unsatisfactory to have any of this near our homes with awful noise and air pollution over these past several months. Some of us have developed respiratory issues as well and we are concerned it is due to all the unknown debris being dumped/transferred and being airborne so close to our homes!

2. According to Kay Wolf, a new employee planner @ the county indicated the "original intent" for the applicant is to combine the 184 acres with the 58 acres. The only reason that is not occurring is there is a tax lien on the 184 acre parcel. Then this past week, the applicant was trying to get a tax abatement on the 184 parcel. Therefore, that shows the obvious intent of the applicant is to defy any and all LUR's and find ways for him to continue to operate his waste business, pay little tax, and have total disregard for the surrounding community. The cattle was just a front ~ and the cattle that did graze for a short time period on the meadow near our homes, kept going onto the neighbor's properties. We had cows in our driveway several times as well as other neighbors. Will O Wisp also had numerous issues with them getting off the "Ag land".

3. Under the LUR's in Ag~Specifically Ordinance 6 there are Loopholes that could be taken by bad actors & that is a huge concern and vital warning once again from the surrounding community. Often times, Past Behaviors Predicts Future Actions~ therefore, based off of discerning wisdom and keen insight over these past 3 years ~ we, as the community that is surrounded by ASkag LLC property ask you to DENY this rezone request.

\*\* (I find it very interesting and foreshadowing how the LLC name stands for Adam Shirley Kristi Agriculture ~ this also shows intent in this entire "idea" he and the other players had in this whole insane idea.)

4. This entire application seems very rushed and pushed through the system. Who is behind this and Why is this being done? According to the ABE board, the original application of this businessman 3 years ago, there were several items of concern and valid information sent to the Planning Commissioners, but it was ignored and it went on through the process and was approved by the BOCC despite wise counsel given to you from the ABE and then the several citizens that also gave excellent insight, valid information of reasons to oppose the application. But someone or a group of someone's pushed this application onward....WHY?

The consequences of these poor decision makings has caused such headache, heart ache, financial strains, time strains, & legal consequences for many of us citizens as well as some of you in the county leadership. Therefore, I ask you a thought provoking question: Does the county leadership want to continue these poor decisions as your reputation OR would you have the moral and ethic fortitude to stand up and say NO?

Please use your common sense as leaders; stand up and be courageous to NOT continue to make unwise decisions that serves/shows favoritism to one businessman plus that harms the environment and the community that purchased their properties with much careful due diligence and desire to have serenity to live in the mountains. The animals, like the beautiful Elk, that migrate through this area next to Park Ave (not the gnats, bears, crows, vultures, biting flies that have come due to all the trash/septic waste though;) and us humans would thank you for doing the right thing.

Please DENY #A25-0118.

Respectfully,

██████████  
██████████  
██████████

PLEASE CONFIRM RECEIVED & PUT IN PUBLIC RECORD \*\*

**To:** Park County Planning Department & Board of County Commissioners

**RE:** Public Comment – Shirley Rezoning Application (Applicant Mr. Adam Shirley – ASKAG LLC)

**Date:** 01-27-2026

Dear Commissioners,

I work as an environmental chemist and am writing on behalf of myself and my husband Joshua Wolfe. We are homeowners in the Wandcrest neighborhood who draw drinking water from the same fractured-granite aquifer that runs beneath this parcel and all of our homes. Out here, water is neither abundant nor abstract—it's the glass poured for a child after school and the daily reassurance that our taps remain safe now and in the future. In fractured-rock aquifers, contamination can move rapidly through bedrock cracks after storms or snowmelt. Federal research warns these aquifers are highly vulnerable to rapid infiltration and contamination events, especially when agriculture is located next to or upslope from rivers, streams, wetlands, and residential areas.

We have been here before with this applicant. On this very parcel, he graded roads, cleared trees, and erected an industrial-scale structure without permits, oversight, or approvals—and in direct defiance of multiple Park County cease-and-desist orders. When the heavy-industrial PUD was first approved, hardly a single condition set by the BOCC, nor any mitigation measures he himself promised, were ever followed through on or met before full-scale operations began.

Despite the BOCC's clear prohibition on dewatering, and its direction that only temporary storage and transfer of septage holding tanks was permitted, the applicant constructed—and used—a pipeline that never should have existed to dewater and carry untreated septage to his adjacent property. Shortly afterward, that pipeline system failed, **releasing approximately 45,000 gallons of raw untreated septage** into the homes, properties, and ecosystems downhill (confirmed and verifiable through 3<sup>rd</sup> party analytical testing). This was a **major environmental contamination event**, felt directly by residents and visible across the landscape.

When a higher court overturned the heavy-industrial PUD rezoning in January 2025 on the parcel in question, **Adam Shirley continued operating for nearly a year in violation of the ruling**. Only after months of tireless community vigilance and documentation, did a judge—who expressly stated they do not like issuing jail time but felt they had no other choice—finally ordered Adam Shirley to serve jail time in November 2025 for his flagrant disregard of the court's orders.

And when his nearby 184-acre parcel was recently approved for rezoning to Agriculture (July 2024) for the express purpose of "running cattle only," he instead also used it to expand his illegal trash-transfer operation. This history matters. It tells us something no written application ever could: **conditions and regulations offer no protection if the operator will not follow them, and if the**

**County will not enforce them.** What Mr. Shirley promises he will do with a parcel of land simply cannot be taken at face value. Nothing in this new request repairs that trust deficit.

Beyond trust, the **risks are real and well-documented:**

**Our wells and wetlands.** Manure contains nitrate/nitrite and fecal pathogens (E. coli, Giardia, Cryptosporidium) that can reach wells via runoff or infiltration; EPA and other state-wide DNR's guidance warns that private wells are especially vulnerable to these manure-related contaminants. Public-health agencies also flag fractured bedrock settings as high-risk for manure contamination of wells.

**The soils are already disturbed.** The site has already experienced heavy tree removal and road cutting. Adding cattle intensifies trampling, compaction, and erosion which increase runoff and sediment, and elevate nutrient/bacteria loading to streams and wetlands. This is precisely the pattern USDA/NRCS and EPA caution against; global syntheses link heavy grazing to compaction and degraded soil function.

**Water demand we all feel.** Although the applicant's plan's seem insufficiently laid out in many regards, including no answer in his response today (1/27/26) to Kay Wolf regarding how many cattle he would have, we do know from his own statements that the applicant plans to calve. Cattle require 20–30 gallons of water per day, more during heat and lactation. Oklahoma State University notes that cows need +1 gallon/day for every 10°F above 40°F, plus +1 gallon for each gallon of milk produced, with peak lactation lasting 60 days or more.

If we use a conservative estimate of 20 gallons of water per cow per day, then even a relatively small herd—say 60 head of cattle—would consume roughly 36,000 gallons of water each month, which is at least 15,000 gallons more than your standard backyard pool...every month. With treeless, more heat-exposed ground and warming seasons marked by longer droughts, that level of consumption represents a significant and sustained draw on a shared mountain aquifer—one already relied on by surrounding households for drinking water.

**Air we breathe.** High winds (something this area experiences frequently), livestock/manure spreaders (stated by the applicant as his planned method of dispersing manure), and cattle kick up dust and add ammonia and fine particles from feces into the air. Recently, researchers from a University of Michigan-led study found particle pollution known as fine particulate matter which is linked to heart and lung problems was nearly 30% higher near cattle farms.

Additionally, because of the unique digestive systems of cows, each cow excretes 154-264 pounds of methane gas annually, which is noted by the EPA and NOAA as a potent greenhouse gas that is harmful to the wellbeing of our ecosystems, health and planet.

I want to be clear: **our community is not anti-agriculture.** We fully support responsible land use—use that fits the landscape, protects our shared water, and respects the health and safety of neighboring families. But after years of watching this applicant’s actions, we have seen a **sustained pattern of noncompliance**, documented through numerous witnessed and recorded violations involving this parcel and others. For example, on the recently rezoned 184-acre parcel—*which was not zoned for agriculture at the time*—Adam Shirley, for years, repeatedly ran livestock on it, prompting multiple complaints to the County. At some point, we have to finally accept what both the applicant’s conduct and the public record have consistently shown: Adam Shirley has repeatedly chosen to operate outside legal requirements, has stated openly that he would “rather pay the fine” than comply, and has repeatedly acted as though the rules simply do not apply to him.

And we cannot ignore that Park County has been unable—or unwilling—to effectively enforce its own regulations in relation to this applicant. He has been allowed to operate with near-total impunity: despite clear violations, despite formal notices, despite court orders. The only meaningful consequence—the physical act of jailing—occurred *only* because this community devoted extraordinary vigilance, time, and personal resources to pursue enforcement when the County would not. That is not speculation; that is the documented public record.

In September 2025, several neighbors, myself included, met with multiple Park County representatives over Zoom to discuss the escalating fire hazards created by the catastrophically large slash piles (which were taller and wider than a large trash truck), and the applicant’s ongoing operation of an illegal trash-transfer station (a well-documented fire hazard in itself), which he had now expanded onto his recently rezoned agricultural parcel—again, another parcel he had publicly represented would be used “only to run cattle.” During that meeting, Park County’s own Amy Mitchell stated she did not believe the previous rezoning to a PUD had ever “passed the sniff test,” but noted that back-door dealings are notoriously difficult to prove to a legal standard. She further explained that the only reason she voted to approve the other parcel’s rezoning to agriculture was because the applicant explicitly stated on the record that its use would be limited to cattle running seasonally, and in hearing that he was now using it for other means she thought it was reasonable to consider rescinding that zoning decision for violations committed.

This is *deja vu*. From the outset, this matter has been a mess of serial violations, shifting representations, and promises that never materialized. Many of our community’s concerns were minimized, sidelined, or answered with “solutions” that never came to pass. The enforcement experience is equally clear: the County has not demonstrated the ability to enforce its own regulations against this operator, and the operator has given no indication of intending to comply. The appearance of impartiality has also been undermined—we have witnessed and photographed commissioner Dave Wissel giving Adam Shirley a celebratory double-thumbs-up immediately after the PUD approval, during what was supposed to be a neutral proceeding. In the aforementioned Zoom meeting in September, we were sent on a bureaucratic chase about fire jurisdiction until Elk Creek and Platte Canyon Fire both confirmed Park County long ago acquired and retains responsibility over this parcel—meaning enforcement of code issues (e.g., on-site diesel tanks and the continually growing, hazardous slash piles, and illegal and dangerous operations) lies with Sheriff

Mcgraw, who was one of the attendees on the zoom call, and who supposedly had no idea which fire district might be responsible when all along it was part of his and the County's responsibilities.

We have current aerial footage and site photos available for the record showing extensive debris laying about, unregulated grading and construction on this parcel and into the 184-acre tract—conditions unfit for grazing without major remediation, which calls the "cattle-only" narrative into question. Meanwhile, residents living immediately adjacent to the site report elevated dust and particulates in addition to extreme noise from heavy equipment and apparent handling of debris. Furthermore, parts of the applicant's submission even state possible intentions of expanding the use of this land to include pigs, a bed and breakfast plus other temporary lodging and possible marijuana grow uses, compounding water demand and impact and highlighting a clear lack of concrete planning and a desire to leave plans open-ended. As of today (1/27/26), with the hearing set for tomorrow, the applicant is still modifying his plans and providing incomplete answers to questions from county planner Kay Wolf—which undercuts the public's ability to review and comment meaningfully within the required notice period. Approving a rezoning under these conditions would be, at best, short-sighted and irresponsible; at worst, it would undermine public confidence in the integrity and transparency of this process. At minimum, the record should remain open, all materials finalized and posted, and a new public-comment window provided before any decision is made.

Given all of this, approving yet another rezoning for this same operator would also fail the smell test, so to speak. It is neither fair nor safe to ask the surrounding communities—especially families relying on private wells—to shoulder the risks and simply hope that this time the outcome will be different. Nothing in the applicant's past behavior on this parcel gives us any reasonable basis for that hope. Our community deserves better protection, better oversight, and land-use decisions that genuinely safeguard public and environmental health rather than gamble with it.

**We adamantly request that you please deny this rezoning application.**

If you elect to once more prioritize the interests of one applicant -- whose continuous noncompliance is a matter of public record—over the protections owed to hundreds of neighboring families, we urge you to at minimum impose strict, enforceable protections.

If these protections are not in place—and enforced—the County will be accepting clear, foreseeable liability. These measures must be implemented and verified by a qualified third party *before* any rezoning rights vest; otherwise, the County will be accountable for preventable harms this community has and will without a doubt endure.

What follows is a minimum set of conditions necessary to protect public health, our shared aquifer, and adjacent habitats. These should be adopted in full before any approval is considered.

- **A third-party hydrogeologic study** (fracture mapping, dye tracing) to set science-based setbacks from wells, wetlands, and streams, plus monitoring wells with public reporting, to be completed before rezoning goes into effect.
- **Ongoing monitoring (groundwater, surface water, soils).** Because fractured-rock aquifers are prone to rapid, event-driven contamination, require a County-approved monitoring plan with up- and down-gradient wells, quarterly + event-based sampling, and public posting of lab results within 30 days. Analyze nitrate/nitrite, ammonia, coliform/E. coli, and—post-storm—Giardia/Cryptosporidium, plus nutrients/turbidity in surface water and nutrient/EC checks in manured soils. Action triggers: any microbial detection = immediate operational cease and corrective action; nitrate-N  $\geq 5$  mg/L (watch level) = adaptive measures;  $\geq 10$  mg/L (MCL) = mandatory shutdown until sustained recovery. Funded by the operator with a performance bond; monitoring continues for the life of the operation.
- **A binding manure and grazing plan** that forbids spreading on frozen/saturated soils or within 48 hours of forecast rain/snowmelt; requires buffers, erosion controls, rotational grazing, and dust/odor limits.
- **No slaughter or processing facilities;** no dewatering, no lagoons, and no waste-transfer operations under any agricultural designation on this or the adjacent parcel. Given the applicant's documented pattern of unauthorized use on this site and the lack of a coherent, detailed plan (leaving multiple potential uses open-ended), together with credible statements from former County officials that a slaughter facility was among the uses previously contemplated, this prohibition is a necessary, non-negotiable safeguard for the surrounding community.
- **Air-quality safeguards** (limits on truck dust/spreading during high winds) aligned with state implementation plan duties.
- **A cap on total livestock numbers (all species) tied to verified water availability,** with the cap re-evaluated annually to account for heat stress, lactation, and any additional animal species introduced on the parcel. Any increase in animal units requires updated water verification before expansion.
- **Independent inspections** and a **performance bond** large enough to fix what inevitably goes wrong.

Your duty is to safeguard the public, not to gamble with our health, a shared aquifer, the environment, or our home values. We need clean water, clean air, and enforceable rules, these are not optional—they're the County's obligation. We do not want or need more empty assurances from an operator who has not complied, and a County who has not enforced. At the PUD hearing the County thought that despite the applicants' active violations in that moment in time, he might follow regulations moving forward, and we saw and have on the record, not allegedly, but proven, that

Adam Shirley cannot be trusted to adhere to even the most basic regulations. A weaker zoning invites the same harms we have already endured and leaves this County accountable for foreseeable damage.

Thank you for taking the time to read this.

Sincerely,

A solid black rectangular redaction box covering the signature.