

Resolution #TC-17-10-13

Delegation of Access Permit Appeal to the Department of Personnel and Administration, Division of Administrative Hearings.

Approved by the Transportation Commission on October 19, 2017.

WHEREAS, The Town of Erie (the Town) through its representatives, Foster Graham Milstein and Calisher ("FGMC"), the owner of property located on the east side of US 287 between Arapahoe Road and Lucerne Drive in Boulder County, Colorado ("Property"), have requested a hearing before the Colorado Transportation Commission to appeal the Colorado Department of Transportation's (CDOT) decision to deny the Town's access permit application for this Property; and

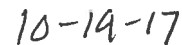
WHEREAS, in considering access permit appeals, the Transportation Commission in accordance with §43-2-147(6)(c), C.R.S., may choose to hold an appeal hearing or delegate the hearing to an administrative law judge; and

WHEREAS, CDOT staff has recommend to the Transportation Commission that the Commission delegate this appeal hearing request to an administrative law judge with the Colorado Department of Personnel and Administration, Division of Administrative Hearings.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission accepts the CDOT staff recommendation and hereby directs the Chief Transportation Counsel, or her delegate, to arrange to have the Town's appeal hearing held before an administrative law judge from the Department of Personnel and Administration, Division of Administrative Hearings.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date