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September 18, 2023

Town of Oak Creek
David Torgler
david@townofoakcreek.com

Re: Cassiopeia Properties
Lot 15, Sierra View Properties

Dear Mr. Torgler;

Thank you for the two public hearings for the Cassiopeia property project and the Staff Report dated August 16, 2023. The comments were informative and helpful to outline the revised plan set for the final Town Board hearing on September 28, 2023. We have provided replies to each of the comments below and revised the plan set.

Town of Oak Creek - Preliminary civil plan recommendations include:

Please know that the Town's height restrictions for structures is 35-feet and your elevation proposals are to build structures that are 40-feet. The owners are negotiating a donation to the Oak Creek Fire Department to assist in the purchase of a 40 foot ladder truck that will permit access to taller buildings. Once the agreement is complete the owners are expecting support for a variance of the height restriction from 35 feet to 40 feet.

1. Page C0
   A. Ferrellgas is not the only gas provider for customers in the Town. Suggest that you identify other companies and list them. *The owners do not intend to have natural gas installed to buildings.*
   B. Luminate Broadband has equipment installed near Lot 15; please add this service provider to the utility contact list. *We are awaiting updated information for Luminate.*
   C. Update contact phone number and replace with 970-736-2422, such as under the Record Drawings note
   Changes were made to the notes and additional notes will be added to construction plans for Town of Oak Creek construction requirements and specifications.

2. Page C1
   A. Is there a maintenance agreement for the shared 22-foot wide driveway? *Currently there is an agreement recorded at reception no. 667948. The applicant will coordinate updating and modifying the existing agreement with the Sierra View HOA during the building process.*

3. Page C2
   A. The required 15-foot buffer yard is properly shown; please remember that there is a setback of 10-feet from the buffer yard. It looks like the 25-feet total is available for this side yard, but the measurement will need to be shown on the site plan. *The side dimensions are added to plan.*

B. What are the snow storage calculations based on? Do the snow storage calculations include 11-feet width of the shared driveway? Do the snow storage calculations include all of the private driveways leading to each housing unit? *The snow storage calculations are based on 1 sq. ft of snow storage per every 2 sq. ft. of paved surface per The Oak Creek Town Code Section 17.10.013 snow removal and accumulation. The snow storage does include the ½ width of the shared driveway and private driveways. The snow storage plan outlines snow management including off-site snow storage and snow hauling for the site in times of high snow accumulation. The storage calculations do not account for height of stored snow but as the Town and Board are aware; snow storage can be accommodated in large piles, not only in 1 sq. ft. for every 2 feet of paved surfaces. The snow removal will be contracted and overseen by the Cassiopeia Properties Condominium Association.*

C. Due to vision triangle blocks by snow storage from/to each driveway Town staff recommends removing these snow storage areas and combining all of the snow storage at the end of the private drive, draining to the stormwater storage area at the NE end of the Sierra View Subdivision. *Snow will safety will be maintained. As noted above the snow removal will be contracted and overseen by the Cassiopeia Properties Condominium Association and the plan will meet the Town of Oak Creek Code or have snow storage plan approved by the Town Board during the review process.*

D. Are you proposing that the water and sanitary sewer lines will be privately owned with a master meter? *Yes, we are proposing master meter for water managed by the Cassiopeia Properties Condominiums Association.*

E. Town staff has recommendations to serve the homes with electric service including ways the electric box can be addressed; we want to discuss these options with you. *A new electrical alignment is added to the utility plan.*

F. You have stated that these units may be sold in the future but you're not proposing a subdivision or replatting at this time; however, the Town is concerned about future utility line maintenance or extension. Town staff asks for 10-foot wide utility easements where services are/will be located. *We are proposing a condominium final plat and cross utility easements will be provided. A draft of the condominium final plat is added to the plan set. The condominium final plat will be processed and reviewed during the building construction and framing.*

G. There is proposed a grinder pump to send sanitary sewerage to the Town's sewer collection line. There will need to written documentation, with Town Attorney approval, identifying ownership, maintenance and operation of this grinder pump and forcemain prior to occupancy of any unit. *The condominium association will own and manage the grinder pump and other private utility infrastructure. An independent utility account will be established for outdoor lighting, grinder pump, and other electrical needs managed by the Cassiopeia Properties Condominiums Association.*

H. The stormsewer ditch ownership and maintenance agreements need to be reviewed to ensure these are in place and recorded at the Routt County Assessors Office. *The agreements concerning drainage will be completed prior to certificate of occupancy for the units.*

1. The ditch and drainage pipe need to be cleaned out. The applicant / owner will complete ownership / maintenance agreements with Town of Oak Creek as needed. *As noted above the agreements concerning drainage, ditches, and pipes will be completed prior to certificate of occupancy for the units.*

I. Each unit will need to have an address. The street address is 125 Oak Ridge Circle. Suggest that the units be clearly identified with letters identifying each unit, e.g. A, B, C, . . . H. *The units will be clearly identified with letters identifying each unit to meet Town and the Fire Department Codes.*

A. Easements for utilities need to be provided and shown on this plan. *An additional page of the proposed condominium final plat that depicts the easements for the utilities is added to the plan set.*

B. The sheet should identify grinder pump ownership, a recording number for the maintenance and operation agreement. *The grinder pump ownership, maintenance, and operation agreements will be recorded prior to certificate of occupancy for any units.*

C. The sheet should be updated to show agreed to changes for the electric pedestal(s) changes to the plan.

Page C4.

A. The stockpile and staging area should be identified as temporary with a note identifying when it will be removed and revegetated. *The construction site management plan is updated to include "temporary" and a note 15 is added to define the management and duration of the stockpile and staging areas.*

Addressing Neighbors Concerns:

The owners are also working with the architectural review committee for Sierra View (ARC) and the Sierra View Condominiums HOA for plan approval. The ARC sent the following email outlining three areas of concern.

1. The ARC cannot approve the plans unless either the plan indicates culverts for individual unit driveways, or a qualified engineer provides a description of the drainage plan. It is important the existing shared driveway and condo development on lot 16 are not adversely affected by drainage from development on lot 15. *A landscape drain is proposed between driveways set back about 6 feet from the existing edge of asphalt. The drain will flow to the east with 1' x 1' surface drains.*

2. The ARC cannot approve the plans as shown because the electrical and utility connection equipment are shown at the front of the units in the site drawings. The ARC suggests relocating connections to the sides of the units to conceal the switching, metering, shutoffs, and other equipment that will be visible on the building. (See Design Guidelines, Section IE) *The electrical and utility connections are moved to the side of the units as shown on the revised plans.*

3. The ARC cannot approve the plans unless either exterior lighting is indicated on the elevations or the developer confirms that there will be no exterior lighting. The ARC feels that exterior lighting is desirable for safety. Note: bollard-type lighting, lamp posts, or other free-standing area or landscape lighting may be indicated on landscaping plans and submitted at a later date. Please let the ARC know if the lighting plan will be submitted with the landscaping plan. *The lighting plan will include downcast lighting and be incorporated with the landscape plan for the project and be provided prior to the start of any construction on the site.*

Sierra View Condominiums HOA Comments.

I think the snow removal/maintenance of the shared driveway are the two ongoing issues that need to have a defined plan that both parties can agree to in order to move forward.

There are two other issues that need resolution between both parties as well:

1. Either of: the monies due to the condo association or the resurfacing of the driveway upon buildout of Lot 15 defined in the Access Easement Agreement. *The project owner will pay any outstanding money for the resurfacing of the driveway after construction is completed in accordance with the existing and future agreements for the driveway.*
2. The proposed paving of an additional 25 linear feet beyond the existing driveway on Lot 16. This action will add square footage of area that will need to be plowed and at the same time decrease the area of snow storage. A double detriment to the current situation from our point of view. While you

have access to the 11' wide southern boundary of Lot 16 per the Access Easement Agreement, I don't know that you have the right to perform work/development on our property without our consent. Some legal advice is possibly required to help reach resolution on this point. *The proposed paving is reduced to only be on Lot 15 and a snow storage plan is added to the plan set.*

The owners are eagerly awaiting an approval with conditions and to start infrastructure and foundation in the Spring 2024. The prefabricated buildings would be delivered in July-August 2024, a condominium final plat would be submitted after foundation construction and once the modular buildings are delivered. Utility tie-ins, driveway construction, landscaping, and site work would be completed in September-October 2024 and certificates of occupancy approved November 2024.

During the next several months the owners will coordinate agreements with the Town of Oak Creek and neighboring Home Owners Associations for maintenance and operation of storm drainage, snow storage, utilities, shared access, and condominium declarations.

Please review the revised plan set and we look forward to the meeting on September 28, 2023 with the Town Board

Sincerely;

Walter Magill, PE & PLS