



Bear Mountain Homeowners Association

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October 2007

President – Maggie Cross 303-674-6155
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Vice President – Jim Peterson 303-674-8370
Treasurer – Jerry Roberts 303-679-6824

CRITICALLY IMPORTANT - Jeffco Board of County Commissioners Hearing, October 16th, 9:00am. PLEASE TRY TO ATTEND!

It is very important that we have a large turnout. This might be the end of the decades-long battle over how many houses can be built in the meadow...

JEFFCO WAIVES REGULATIONS THAT AFFECT OUR SAFETY!

On September 26, 2007, the Planning Commission heard Mr. Lewis' application to change his current 2 buildable lot plat into a 4 house plat in on Tract C. The plat change is premised on a waiver of the secondary access requirement. The BMHOA board opposed the plat revision for several reasons:

1. The Land Development Regulation limits a cul-de-sac to a maximum of 35 houses and a length of no more than one mile, unless there is a second access road. That is a public safety requirement for emergency access. The proposed plat waiver requires a variance of the cul-de-sac requirement for a secondary access. There are already 108 houses on the Bear Mountain cul-de-sac, whereas the regulations call for a maximum of 35 houses. The regulation also mandates a maximum length of 1 mile of road whereas we already have over 5 miles of roads all emptying at the choke point at Stanley Park Road and Bear Mountain Drive. Mr. Lewis obtained a so called "minor waiver" from this requirement from the county, which now refuses to review this minor waiver. This was an administrative waiver signed by Planning Director John Wolforth with no public hearing or any kind of vote. The Jefferson County Planning Commission showed their concern over this "minor waiver" by voting against it 4-3. This regulation is in place because of public safety in an emergency, and we believe it is completely improper to waive it. This is potentially a life-or-death matter, not a "minor waiver" issue
2. Fire danger, particularly north of the meadow, is very high from the fuel loads in unmaintained Bell Park, Pence Park and O'Fallon Park, not to mention our own properties. If a fast-moving wildfire were to cut Independence Trail or one of our other roads, dozens of residents would have no way off the mountain.
3. Mr. Lewis already has two buildable lots on Tract C, which is now listed for sale for over \$2 million.
4. Water remains an issue. Mr. Lewis does have four exempt well permits, but of those only two are good wells. The other two are deep with low yields, but Mr. Lewis doesn't care about the fact that our water supplies are already over tapped, and numerous wells have had to be re-drilled.
5. Mr. Lewis wrote the Bear Mountain Vista Covenant that prohibits further division of lots. He now wants to subvert this covenant, which would set a precedent for future lot divisions. He is basically thumbing his nose at the covenants he authored; the county doesn't pay any attention to covenants and calls them a civil matter that we would have to go to court to enforce.

The Planning Commission last week, by a 4-3 vote, recommended a rejection of the plat application but this apparently doesn't mean much. The real decision is made by the Jeffco Board of County Commissioners, and they will vote on this case October 16 in their hearing that starts at 9:00 a.m.

I know that you are weary of this battle — no one more than we are — but *it is extremely important to express your concerns*. The same reasons above are the basis for objections made to the County Commissioners. Emphasis

should be on the waiver of the secondary access regulation, because that is not minor. Water issues can also be raised to them. It does no good to argue the covenant issue, because the county is on record as refusing to get involved. We find it alarming that something as important as secondary and emergency access routes is treated so lightly by the county. Mr. Lewis (and the Evergreen Fire Department and the county) are pushing a cistern as an alternative to having no secondary access. While cisterns are great for fighting a house fire, they are virtually useless in wildfires; in such situations the critical thing is be able to EVACUATE. Unfortunately, this appears to be a new, de facto county policy to allow developers to build in increasingly remote areas at the end of long, steep cul-de-sacs as long as the developer puts in a cistern. If the only road is blocked by traffic or fire, a cistern will be of absolutely no help to the families trapped by a wildfire.

Your comments on the plat request should be sent to the Board of County Commissioners at 100 Jefferson County Parkway, Golden, CO 80419. **If at all possible, please attend the hearing in person and make your opinions known. Numbers do count!** If only five people show up, the commissioners think few people care. If 30-40 show up, they will pay far more attention. You don't have to speak, your mere presence counts for a lot. Please call Maggie Cross at 303-674-6155 if you have any questions.

BEAR MOUNTAIN HOLIDAY PARTY

Hard to believe but we are already into October. So the winter holiday season is coming and so is the time for our annual BMHOA Holiday bash. Everyone loves this party. It gives us a chance to get out of our grubbies (you know, the clothes you wear when chopping down trees), enjoy wonderful food and drink, and visit with people you haven't seen for ages. Bear Mountain residents have always had a strong sense of community and the Holiday Party helps preserve that. Besides, it is just plain fun!

BUT – we need a volunteer to host the party. The Association buys the ham, the turkey(s), the wine, the beer, the coffee and soft drinks, plates, cups and silverware. Everyone else brings their best yummys (as I recall, the desserts last year were to die for, a chocoholics dream). Your long-suffering Board helps to set up and clean up (and yes, volunteers are greatly appreciated). So, if you have a great house for entertaining with adequate parking and would like to host the Holiday Party, please call Maggie at 303-674-6155 or Jim at 303-674-8370. We hope to see everyone there, kids included!

DUES & BMHOA FISCAL YEAR

The BMHOA has a September 1st to August 31st Fiscal Year. We have had a very low amount of paid BMHOA members this year so far, and now is the time to join the Association, to get a new 2007 Directory and to enjoy the upcoming Holiday Party! There is a form at the end of this newsletter if you have not yet paid the annual dues for the 2007-2008 fiscal year. Please fill it out and mail it to the BMHOA now, so you can relax and enjoy the Holiday Party this coming December. Thank you!

BMHOA DIRECTORY UPDATES

We are publishing a new BMHOA Directory in December 2007. We will give out a new Directory to every dues paying member at the annual Holiday Party this year. The last Directory was printed in late 2006. For those that can not attend the party, the new Directory will be mailed out after the Holiday Party is held. It would be great if everyone could pull out last year's Directory in the next few months and make sure there are no errors in your entry.

If there are any updates to be made before the release of the next version of the BMHOA Directory, please contact the BMHOA Secretary, Bill Schenk, at 303-674-6367 or email him at bschenk@mail.com with the new information. Thank you!

CALL FOR BMHOA OFFICERS

We are encouraging BMHOA members to consider joining the BMHOA Board of Directors. If you are a resident within the Bear Mountain Vista subdivision, a dues-paying member of the BMHOA, and would like to serve, please let one of the current board members know. Officers are elected at the end of the annual summer picnic and business meeting, and nominations for new officers will be made at that time, but members should contact a BMHOA Board member now if they are interested in helping out.

SANTA CLAUS ON BEAR MOUNTAIN THIS YEAR!

Happy Fall !!! This is just a short note to advise everyone that that Keith and Bonnie Tobler at 25580 Sunset Lane are again hosting Santa Night "Above the Clouds" on Friday, November 30th this year. They had 180 people sit on Santa's knee last time in 2005... Please call Bonnie at 303-670-4222 to RSVP and get your tour time set up. Thanks, and they are really looking forward to seeing all of you "kids" again this year !

BMHOA BANKING OFFER

We still have an offer to allow Bear Mountain area residents a chance to avail themselves of our banking relationship with Bank of the West for their own uses. Members of the BMHOA are being offered the following from the Bank of the West in Evergreen: 1. Free Checking, 2. Free Savings account when linked to the Checking account, 3. Free On-line service with free Personal Bill-Pay, 4. Free Debit card, 5. Free box of Bank of the West corporate image checks, 6. Annual fee waived for the first year of overdraft protection.

If you are thinking of making a banking change and want to take further advantage of your BMHOA membership, call the BMHOA Treasurer, Jerry Roberts, at 303-679-6824 for more details about this program.

NO COST RECYCLING IN EVERGREEN

There is a no charge recycling facility available in Evergreen for those of you who wish to recycle some waste. The facility is in Bergen Park directly behind the King Soopers grocery store. Operating hours are Monday 11am to 7pm, and Fridays, Saturdays, and Sundays from 8am to 4pm. Remember, every little bit can help...

FOREST FIRE MITIGATION PLANNING

Well, we don't want it to be so, but the consensus of the Evergreen Fire Rescue is that a forest fire is a matter of when, not if. This is why we worry about evacuation routes. However, given Jeffco's apparent indifference to the need for secondary and emergency access routes, we appear to be on our own.

The first and easiest answer to reducing fire danger is to thin and trim trees, reduce ground cover, and improve access and posting. The Board commissioned a study from the Colorado State Forest Service in 2006 and this study details fire conditions lot by lot and area by area. It offers suggestions on mitigation plans.

With this in hand we approached the Office of Emergency Management at Jeffco hoping to get some funds for mitigation. Unfortunately, this money comes from the feds to the state to the county and the guidelines for grant money made it difficult to apply, even though we had strong encouragement to do so. The biggest problem was that we could not commit the entire association – or even individual owners – unless we had a matching commitment of either time or money. Our dues simply don't allow for much matching money and we couldn't commit people without their consent to matching time *or* money. The problem was too big.

After thrashing around with the matter over the summer, we arrived at a possible solution so we can obtain funds for 2008. We think that we need to have the owners in each telephone branch (remember, we are broken into branches for emergency calling?) meet with Einar Jensen from the Evergreen Fire Rescue and George Greenwood, who is coordinating the Community Wildfire Protection Plans, to assess what needs to be done and obtain preliminary cost estimates and commitments of either matching funds or in-kind labor. We also need to improve the signage for every road and every house so the Fire Department can respond better. This method allows us to educate, organize and execute. If we can do a pilot project successfully next year, then we can do other branches in subsequent years, working from the most to the least hazardous areas.

We are looking at Branch 18 for next year. We need an organizer who will talk to every resident and find a time where everyone within that branch can attend a meeting with the Fire Department. After the individual lots are evaluated and we have a better handle on the scope of the job, the Board will work with the owners to write a grant proposal based on the recommendations of the Fire Department. This sounds manageable to us, but we would appreciate your comments. If other branches want to undertake this for next year, let us know.

We cannot stress the importance of this. Some owners have done a fine job of thinning and mitigating. Others have done nothing. Most of us are somewhere in-between, but we suspect that we need help with large tree removal and chipping of slash. Remember that the Buffalo Creek Fire burned 11,000 acres in less than 6 hours, with flames reaching several hundred feet in the air. The heat was so intense that the soil was turned to glass. Living where we do, we MUST start to thin our forests if we don't want to suffer the same fate. It only takes one stupid person starting a campfire or a lightning strike in dry, windy conditions to start a wildfire.

We have raised funds in the past to put in culverts, to help pave roads, and to protect our water. Now it is time to focus on protecting our lives, homes and forests. Feedback, please!



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A \$25 Investment in your Mountain Community!

If you are a resident of Bear Mountain and haven't sent in the dues for the 2007-08 year, or if you live in the area and wish to join as an associate member, please make out a check payable to BMHOA for \$25.00 and bring it to the next BMHOA party, or send it to: **BMHOA / P.O. Box 2068 / Evergreen, CO 80437**

Please complete the form below and include it with your check so that we can keep the Directory up to date. Dues pay for Newsletters, your copy of the Directory, and your family's attendance at all annual parties, including the Summer Picnic and Winter Holiday parties. They also pay for such things as weed spraying equipment, spray, etc. Dues are voluntary, but only those that contribute will receive benefits! NOTE: Email addresses will NOT be published in the directory, and will only be used for timely BMHOA messages of importance.

Name: _____

Address: _____

Phone Number(s): _____ **E-Mail Address:** _____

Family Members: _____