

**MERIDIAN LAKE MEADOWS OWNERS ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
TUESDAY, MARCH 14, 2023 AT 9:00 A.M.**

The following people were present:

Bill Ronai
Neil Watko
David Miller
David O'Brien
Shannon and Tom Mahaffey
Ben Henson, Architect
David Gross
Joe Robinson, Toad Property Management

The meeting was called to order at 9:10 a.m. and a quorum was confirmed.

Neil made a motion to approve the February 3, 2023 meeting minutes. David Miller seconded the motion and it was unanimously approved.

Neil made a motion to appoint David O'Brien to complete the remainder of the term vacated by Donna Seligman. David Miller seconded the motion and it was unanimously approved.

Bill explained preliminary plans had been submitted by the Mahaffeys for 389 Meadow Drive (Lot 56). Concern was expressed the house would be very close to the edge of the building envelope and suggested a third party inspect the layout of the foundation prior to construction commencing. Soil samples had not highlighted any concerns regarding the soil and drainage due to the slope of the lot. David O'Brien stressed the need for silt fencing to be maintained during construction.

David Miller stressed the building height needed to be in accordance with the MLM guidelines. David explained a detached caretaker residence would be considered but the 35 foot limit according to the MLM guidelines would still apply and the method of measuring was different from the County guidelines. The existing plans demonstrated a height of 39 feet 6 inches from existing grade and David Miller pointed out Section 3.1.2 of the Design Guidelines stated a maximum of 35 feet from highest point to where the foundation met finished grade. David explained the maximum height was important to protect view corridors within the community. Ben stressed the steepness of the lot and the efforts they had made to step the house down the slope.

Neil expressed concern about the caretaker residence blocking views of Mt. Crested Butte for the neighboring house. Ben acknowledged the caretaker residence was very close to the lot line but was within the designated building envelope.

Bill explained the 1996 Covenants for Meridian Lake Meadows clearly stated a caretaker residence could not exceed 1,200 square feet of living area and it was acknowledged the current proposal for a caretaker residence did not exceed the square footage but the height of the main residence and caretaker residence was the concern. Shannon Mahaffey explained they had worked hard to design a home that met their needs and also dealt with the steepness of the slope and the conflicts between the new County regulations and the existing Association governing documents.

David Gross explained the County restriction of 5,000 square feet for the primary residence did result in owners having a caretaker residence in an effort to obtain more square footage. David Miller said the preliminary plans for the Mahaffey residence had the caretaker unit at the highest point of the lot and the structure was also taller than the main residence and the project exceeded the 35 foot maximum height from the highest point to where the foundation met finished grade. Bill explained in the past the Association had worked with architects and owners of other steep lots to meet the 35 foot maximum height when homes were stepped down a slope. Bill cautioned MLPC had Design Guidelines which required caretaker residences to be attached and although MLM considered their governing documents to be stronger MLPC had a different opinion and it would be necessary to also obtain MLPC approval prior to presenting plans to the County.

David Gross said it might not be possible to connect the two structures with a breezeway and Ben cautioned that a breezeway might not be acceptable to the County. Ben explained the County was now imposing the restriction of 5,000 square feet for a main residence and the option for a detached caretaker residence because the MLM Covenants did not state a maximum square footage and make MLM exempt from the current County regulations. The caretaker residence would not exist on the Mahaffey residence if they could build a main residence of more than 5,000 square feet.

After a long discussion about the conflicts in the governing documents for the various entities involved in the review process, MLM, MLPC and the County, David Gross suggested a first approach might be to talk to the MLPC Board about an attached or detached caretaker residence. It was the MLM Board opinion that MLPC could not require an attached caretaker residence. Ben said using the County method of measuring height and the MLM Design Guidelines he would interpret the height of the buildings differently from the way the MLM Board was considering the height. Bill explained over the years the County regulations had changed and owners and architects had to work to satisfy both the existing County regulations and the Association governing documents.

Bill suggested the next step for the Mahaffey residence was to review options to reduce the height of the caretaker residence and Neil would review the viewshed from the neighboring lot.

Shannon Mahaffey expressed concern about being caught in the middle of conflicting building regulations and said the solutions to resolve the issues were not attractive to them or the neighborhood, such as trucking in dirt, or cutting into the

hillside. Shannon stressed the home, as designed and in that location, would not impact views from neighboring lots.

Joe explained the MLPC Board would be meeting on Tuesday March 21 and that might be an opportunity for the Mahaffey preliminary plans to be discussed. Joe said Beth Appleton had stated that with MLPC being the Master Association, MLM could not have any rules or design and construction guidelines that are broader than what MLPC holds. MLPC D&C guidelines required an integrated secondary residence to be connected to the main residence or included within the main residence. Ben pointed out there had been cases of detached caretaker residences being approved in the past and any decision requiring an integrated structure might be challenged legally as in his opinion precedence had been set.

Ben said he had not researched an Impact Review by the County as he felt the County would not be open to considering a structure larger than 5,000 square feet. Tom Mahaffey said he did not want to prolong the review process. Joe agreed to share the contact information for Kent Cowherd, Architect, so Ben could reach out to Kent to discuss how to measure the height in accordance with the MLM method of measuring.

Another meeting could be scheduled when additional information was available for the Mahaffey preliminary plans.

Prior to the meeting Joe distributed the count for the land conveyance ballot. Joe said 26 responses had been received and no responses against the land conveyance had been received. Bill said the absolute deadline was December 31, 2023 but hopefully responses would be received prior to that date. Joe agreed to email owners who had not yet responded to the land conveyance ballot with a two week response deadline and then the Board would attempt to follow up by phone.

Bill and David Miller met with Curtis Allen about the Snodgrass Trail and Curtis would get back to the MLM Board after discussing the matter with the Ralph R. Allen Board. David Miller said it might be beneficial to have a Forest Service representative attend a Board meeting to give the Forest Service opinion of access.

Neil said packages were being left by UPS and Fed Ex at the end of his driveway and then buried in snow. Neil suggested having a central drop box area. Joe agreed to research and follow up with UPS and Fed Ex.

At 11:08 a.m. Bill made a motion to adjourn the meeting. Neil seconded the motion and it was unanimously approved.

Prepared by Rob Harper,
Toad Property Management