

SUMMIT RESIDENTIAL OWNERS' ASSOCIATION
Meeting of the Board of Directors
May 17, 2023 – 4:00 PM
Via Zoom

Present: Peter Esselstyn
Paul Peebles
Sandy Funk
Tracey Haas
Thomas Morstead
Priscila Palhava
Tim Gueramy
Alex Summerfelt, Toad Property Management

Alex called the meeting to order at 4:02 p.m. and confirmed a quorum. Alex explained notice of the meeting had been sent out on May 16, 2023.

Alex explained the first item on the Agenda would be the architectural review of house plans for 4 Black Diamond Trail. Alex said Priscila had circulated notes/bullet points to address some of the questions from Jen Hartman, the architect representing the Association and Alex circulated those notes to the Board members. The plans had not changed from the earlier submission and Priscila explained the bullet points. Alex confirmed Jen Hartman was happy with the submission and the information supplied by Priscila.

Alex confirmed the GRFA calculations were acceptable to Todd Carroll of the Town of Mt. Crested Butte and Jen Hartman. Thomas Morstead expressed confusion about the percentage square footage requirement of the Association and asked for clarification so he would know if a covered porch could be added in the future. Peter said Jen Hartman would be asked to participate in future meetings to help promptly resolve questions. Priscila said the actual square footage of the house and proposed changes had been submitted to the Association and it would be helpful if Jen Hartman would confirm the square footage in accordance with the Association's footprint allowance for that lot. Once Jen confirmed the square footage of the home, using the Association's method of calculation, a decision could be made on future changes. Priscila said a clarification of the definition of footprint would be helpful as patios did not have footers and would a patio be landscaping or construction. Tracy confirmed the Board could review and possibly provide a variance for patio space.

Thomas Morstead confirmed efforts had been made to stop guests from his house skiing across Marion Hilpert's lot. All renters and people at the house had been notified of the correct route to reach the house.

Peter made a motion to approve the 4/12/23 plans for 4 Black Diamond Trail. Paul seconded the motion and it was unanimously approved.

Alex agreed to circulate square footage information to Jen Hartman and an additional meeting would be set up with Priscila or Thomas if necessary. Alex said working with the Town of Mt. Crested Butte regulations as well as the design guidelines for the Association was essential as square footage calculations were different. The Town used GRFA (Gross Residential Floor Area) and did not include patios but the Association documents used the footprint of the entire space, including patios.

Sandy expressed concern that Marion had not been on the call as she was an immediate neighbor to the project just approved. Paul confirmed approval had only been granted for the first phase of the project and new plans would need to be submitted if the ski locker room project was going ahead. Marion would be part of those discussions. Alex said Marion would be able to review the recording of the meeting if she had questions.

Alex said he had met with All County Surveys, the surveyor for the Nevada Parcel, to discuss a survey for skier easements in the Summit. Alex explained clarification of the easements would be necessary prior to the surveyor being able to provide an estimate of the cost. Alex said Jon Schumacher, legal counsel, would need to be involved in the easement review as there was confusion on the legal skier easements. Peter said he had researched the easements recorded in the County records and added that information to a plat map. Peter agreed to share his draft map to the Board as it made it a little easier to understand easements that were used, areas groomed, etc. It was generally agreed a survey was required so groomers would know where to groom, owners would understand easements and avoid trespassing confusion and there would be a single source document to clearly explain the easements.

Use of the skier easements was questioned and it was unclear if skier easements were also available for hiking or biking. Sandy expressed concern that some easements had been adjusted or established over the years but never put in writing or recorded in the County records and temporary agreements had been reached between some owners. Tim Gueramy said he had been advised some easements had been planned as a secondary option if the first easement was not viable. Access to the National Forest, the fence line for the National Forest or agreements/easements with the Nevada Ridge were unclear and further research would be necessary. Jon Schumacher had been legal counsel when the Association was established and might be a good source for clarifying legal easements and then the surveyor would be able to map those easements.

Alex said some easements in Association documents were marked as Utility Easements and Skier Easements but some easements were just restricted to utility use or skier use. After a long discussion it was agreed Jon Schumacher would research documents and identify the skier easements and that information would be used to determine what needed to be surveyed and the cost for that survey work. It was agreed there was a benefit to including owners in the skier easement discussion as they might have helpful title work or not be aware of an easement across their lot.

Peter made a motion to engage Jon Schumacher to clarify uses of the skier easements (hiking, biking), provide an estimate for document gathering and have his office gather documents. Tracey seconded the motion and it was unanimously approved.

Once Jon Schumacher submitted information Jon would be asked to attend a Board meeting to answer questions.

Peter made a motion to adjourn at 5:55 p.m. Tracy seconded the motion and it was unanimously approved.