

pesticides. It could also impact that environment by transferring non-native species into those areas. Basically, my point in this regard is that ... many of these indirect impacts are not properly considered by the applicant, by U.S. Fish and Wildlife [Service] currently, and previously by the Planning Commission."

No one spoke in favor of the application.

Doug Stimple, on behalf of the applicant and as CEO of Classic Homes, described the development as one of medium residential density and said, "We're developing roughly half the acreage of a 1,000-acre community and the rest is open space, trails, parks, etc. This is a responsible plan." He continued, "The suggestion has been made this [development] makes fire worse; that's not true....What's the best way to treat fire? Remove fuel, provide fire hydrants, provide water pressure. We're doing all of that....We're going to be the only neighborhood up there that complies with [the] ignition-resistant construction design manual."

Addressing access, Stimple stated that the development complies because the extra wide road with a divided median provides two points of access, not one, and in addition there is the emergency access road.

Commissioner Longinos Gonzalez voiced his concern about the modification being requested relating to stormwater drainage from the backyard of some lots to a creek. Gonzalez wanted assurances that such drainage would not leave the county vulnerable to a lawsuit. Elizabeth Nijkamp, engineering review manager, Department of Planning and Community Development, explained that a tract behind the lots, which would not be developed, would act as a buffer between the lots and the protected Preble's jumping mouse habitat and creek. She reassured Gonzalez that this arrangement would protect both the county (from being sued) and the mouse habitat. Drainage arrangements are finalized at the final plat stage.

There was some confusion concerning an email that an adjacent neighbor had received just before the hearing from Chris Truty, fire chief of the Tri-Lakes Monument Fire Protection District. The district had sent letters to the county stating it was satisfied with the plans, but to some the chief's email seemed to suggest he would support a continuance. Commissioner Waller said that he did not believe the chief was in any way changing his mind. He said it read that if there were a continuance, the chief would be OK with that. Parsons confirmed with the fire department via text that it was happy with the development.

Commissioner Holly Williams moved to approve the application, telling the hearing that she had had some questions in her mind but that these had been satisfied by the testimony. The commissioners voted 5-0 to approve the application.

There is a third phase of 61 homes at Forest Lakes, but the owner has no current plans to develop this.

Approvals for three developments in Black Forest Settlers View

At the April 9 BOCC meeting, the commissioners approved a request by Gary and Brenda Brinkman for approval of a final plat for the Settlers View subdivision for the development of 14 single-family lots and a right-of-way. The 40.61-acre parcel is zoned RR-2.5 (residential rural) and is north of Hodgen Road, south of Silver Nell Drive, and east of the Walden development.

The El Paso County Planning Commission heard the application at its March 19 meeting and had recommended it for approval. At that meeting, the owners' representative, Jerome Hannigan of Jerome Hannigan and Associates, told the commissioners that he was unhappy with the calculation of the sum to be placed in an escrow as the developer's contribution toward the design and future paving of part of Stepler Road. The Planning Commission decided to vote on the item and have Hannigan and county engineers work to come to an agreement about the payment before the BOCC hearing.

High Plains

At the same meeting, the commissioners unanimously approved applications by Savage Development Inc. for a preliminary plan and final plat for the 39.40-acre High Plains development zoned RR-5 (rural residential) to create seven single-family residential lots and a right-of-way. The property is a half mile west of Black Forest Road, on the north side of Hodgen Road.

The application was heard at the Planning Commission on March 19 when Commissioner Sharon Friedman raised questions about a deviation request to allow one of the lots direct access onto Hodgen Road, which is normally not allowed. Following an explanation from county staff and the property owner as to why the deviation was necessary, the Planning Commission voted 6-1 to recommend the applications for approval. Friedman voted no. (See <https://www.ocn.me/v19n4.htm#epcpc>)

Redtail Ranch

At its April 23 meeting, the BOCC approved applications for a preliminary plan and final plat for the Redtail Ranch subdivision to create 12 single-family lots. The parcels, totalling 67.9

acres, are zoned RR-5 (rural residential) and are located north of Shoup Road and west of Vollmer Road, within the boundaries of the Black Forest Preservation Plan.

The Planning Commission voted to recommend the applications for approval at its meeting on April 2. At the meeting, the commissioners heard concerns about a stock pond on the property which the applicant had intended to retain at the request of the adjacent neighbor but which the state water commissioner had said must be filled in. The applicant's representative told the commissioners that the applicant planned to work with the neighbor to find a solution which would likely see them assist the neighbor in putting a pond on her land. (See *EPCPC article on page 1*)

Settlement agreement with the Friends of the Black Forest Preservation Plan

At their April 11 meeting, the commissioners a settlement agreement between the BOCC and the Friends of the Black Forest Preservation Plan. The BOCC had held an executive session on the matter at the end of its April 9 meeting to receive legal advice.

The settlement, which is confidential, relates to an appeal of the Retreat rezoning and a countersuit against the Friends' officers, and resolves the entire lawsuit. The Retreat at TimberRidge is a proposed 212 single-family lots development near Poco and Vollmer Roads in Black Forest. A rezoning request for it was unanimously recommended for denial by the Planning Commission in March 2018 but then subsequently approved by the BOCC later that month, despite much opposition.

Tree thinning project at Black Forest Regional Park

At the April 23 BOCC meeting, the commissioners unanimously approved a construction contract and purchase order to Front Range Arborists Inc. for the Black Forest Regional Park Restoration and Thinning project at a not-to-exceed cost of \$281,100. The work is intended to help restore the park to pre-fire condition and mitigate for any future fire risk.

Black Forest Fire Rescue Protection District ambulance permits

The BOCC approved issuing three ambulance permits for the Black Forest Fire and Rescue Protection District at its April 4 meeting. All three are effective May 1 for a one-year period. At its April 9 meeting, it approved issuing an ambulance service license to the district, which is also valid for a one-year period from May 1.

Helen Walklett can be reached at helenwalklett@ocn.me.



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