

Nicole Gaudette

From: Brian Thomas <brianth59@hotmail.com>
Sent: Thursday, March 21, 2019 4:51 PM
To: Nicole Gaudette; Evan Maxim
Cc: seth@srdassoc.com; Cel Davis; Gerry Kaelin; Tim Fitzgerald; Larry Gottlieb
Subject: CA017-010 and SEP19-003

Nicole and Evan,

I am submitting comments on the Application submitted by Sang Hou and George Janiewicz for the above-referenced files. As you're likely aware a number of neighbors have submitted comments before the deadline concerning a number of issues including concerns about water conditions in the hills above the property, the risks associated with water diversion from its natural course, and effects on trees including the infamous eagle tree. I am writing about an additional issue.

When the Road Maintenance Agreement (RMA) for the neighborhood was established in 1987 only certain lot owners elected to join the RMA. The RMA envisioned two types of participants in the agreement "Participating Lots" and "Non-participating Lots." Both types of participants were owners of property that were either developed or not developed at the time of the agreement. Owners of both types of property executed the agreement. The agreement (paragraph 13) envisions a process by which Non-participating owners become participating at the time their property begins to be developed. At that time, the Non-participating Lots are supposed to begin paying dues. However, in the case of 4825, the owner did not join the agreement as either a "Participating Lot" or a "Non-Participating Lot." At the present time the lot owner of 4825 is not a member of the RMA and to my knowledge did not sign nor attempt to sign since the agreement was consummated.

The neighbors are very concerned about construction on a lot that is at a very narrow and steep portion of the community's road and by an owner that is not part of the RMA. There has been no effort by the owner of 4825 to seek membership or to coordinate/discuss any community concerns regarding the contemplated project. The owner should not assume that he has any inherent right to begin building or take any further steps until or unless community concerns are reasonably and adequately addressed.

Thanks in advance for considering my comments.

Brian D Thomas
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