

September 10, 2020

Dear Boulder Town Planning Commission, Boulder Town Council, and Attorney

As citizens of Boulder we want to put in writing our opposition to the recently proposed housing development, Burr Trail Meadows. We want to maintain the rural and agricultural nature of this region and the open space between neighbors. The clustering proposal is contrary to this.

A big concern is making an exception to the General Plan. Clustering would open the floodgates for other developers to do the same throughout Boulder.

Some other concerns we have are the availability of potable water, septic drain systems, and preservation of wetlands, wildlife and pastures. Burr Trail Meadows would compromise these important assets and features of our current town.

Lastly, the proposal of Burr Trail Meadows describes the clustering as affordable housing. The only feature that makes it affordable is the decreased lot size. The cost of property is not the dominant cost compared to the high cost of construction, water rights, electricity, septic and building of roads. In our opinion calling this affordable housing is a misnomer.

Larry and Barbara Van Quill

Larry Van Quill

Barbara Van Quill

To Boulder Town Planning Commission, Boulder Town Council & Boulder Town Residents

Committee Chairwoman, Commissioner, Mayor, Council Members and Residents

August 24, 2020

OVERVIEW

My name is Allan Oldham. My wife and I have a home located near the proposed Burr Trail Meadows Subdivision. The zoning approval of the subdivision will not be addressed in this letter.

This letter addresses the technical aspects of the Burr Trail Meadows Subdivision. The goal is to create a transparent spirit of cooperation regarding all matters of a technical nature.

However, there must be accountability for the technical decisions made. What specific individual made a specific technical decision? Most system failures are preventable. They occur when technical aspects are ignored. In my experience it is much easier to determine how a system failed than it is to determine who was responsible for the failure.

I work so my involvement with the Burr Trail Subdivision will mostly be after hours and weekends. But I can be contacted anytime at 480-369-6511.

A STARTING POINT FOR TECHNICAL MATTERS: ESTABLISH ACCOUNTABILITY EARLY

Start with the first issue from page one of this letter. Other issues will be addressed in later letters.

1. Have the proper government authorities been notified?

Part A

If construction is to occur in a wetland, one should make sure there are no issues with the "Army Corp of Engineers".

During the September 13th planning commission zoom meeting, Curtis Oberhansley stated the Army Corp of Engineers did not need to be involved. We now have technical accountability for this issue.

Question: does Curtis Oberhansley represent the Town of Boulder or Tom Hoyt?

Note: The Army Corp of Engineers represent some of the highest levels of engineering. They can have a major impact on a wetlands project. They are reasonable folks who like thorough engineering. It is prudent to get written notification from the Army Corp of Engineers to make sure they do not have issues with a proposed project.

Nobody wants a construction project that gets shut down in mid process and proves too costly to fix. This can create an eyesore for years.

Part B

If construction is to occur in a drainage area one should make sure there are no issues with "The State of Utah Department of Environmental Quality, Division of Water Quality".

Does the contractor intend to contact "The State of Utah Department of Environmental Quality, Division of Water Quality"?

There are other agencies that will require notification, but if a project can't get past Part A and Part B there is no sense in going further.

Sincerely,

Allan Oldham SE (Utah) PE (California)
280 E Burr Trail Rd., Boulder
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Cell Phone: (801) 310-3074/(480)-369-6511
Email: adoldham76@gmail.com

BRIEFF REVIEW OF SOME TECHNICAL ISSUES

A new subdivision in a wetland, using a concept that isn't proven on this scale warrants engineering oversight.

Below is a list of technical issues to be considered. This does not represent all technical issues, just those that are easy to identify.

1. Have the proper government authorities been notified?
2. How will the new subdivision impact drainage?
3. What are the effects of wetlands on the new houses; will mitigation measures be required?
4. How will the cluster of septic tanks behave with the soil conditions present?
5. What measures will be required to prevent detrimental soil settlement?
6. What will be the impact on the Town of Boulder infrastructure?
7. How many people can the current infrastructure of Boulder support?
8. Will a Storm Water Pollution and Prevention Plan (SWPPP) be submitted?
9. Will a Spill Prevention Containment and Countermeasures Plan be required?
10. Will roads meet the AASHTO Low-Volume Roads Manual?

Answers to questions like these are generally addressed by an individual, who has fulfilled education and experience requirements and passed rigorous exams that, under State licensure laws, permits them to offer **engineering** services directly to the public.

Generally, questions like this are addressed in a feasibility study prior to starting construction. The feasibility study is followed up with a set of specifications that govern the project.

A proposed project may be popular. That doesn't make it practical. A technical feasibility study helps protect the Town of Boulder.

The following questions may not be technical, but they relate to the technical issues.

11. **Who will pay for the cost of the new infrastructure required for the Burr Trail Meadows subdivision?**
12. **Who will pay for new infrastructure once the current infrastructure has been maxed out?**
13. **Has a benefit/cost analysis been performed to determine effects on the Town once the project is completed and the general contractor is no longer involved?**

A fiscal failure is still a failure.

BRIEF REVIEW OF “PART OF THE ENGINEERING WORLD”

Engineers perform work according to a written “Scope of Work”. Often, more than one type of engineer will work on a project. A simple example is shown below.

A commercial building will commonly have the following.

- Licensed architects stamp.
- Licensed engineer stamp for a soils report.
- Licensed engineer stamp for the structural analysis.
- Licensed engineer stamp for the mechanical systems.
- Licensed engineer stamp for the electrical systems.

So, engineering work for the structural components would not cover the electrical components. They are different disciplines which incorporate different subjects of study.

To this end, if a contractor puts forth a subdivision plan which is stamped by a professional engineer, it means the subdivision has been laid out in accordance with applicable building codes. It does not necessarily cover environmental or drainage issues. It all depends on the engineering Scope of Work.

The engineering Scope of Work should be available for public review. How else can a general contractor be held accountable? The price of engineering services is private. The engineering performed is not.

Elements of construction regarding earthquakes, windstorms, and floods are based on loads that are incorporated into construction codes. It is the role of the engineer to determine the effects of design conditions on a proposed project.

The ramifications of the project, for better or worse, will be felt long after the general contractor is gone.

Note: if it is the intent of the builder to gradually add more homes, then be upfront and do the engineering for all homes. Otherwise there will be additional engineering for each phase.

09/01/2020

Dear Boulder Town Planning Commission, Boulder Town Council, and Attorney

As citizens of Boulder we are writing to express our concerns about the recently proposed housing development, Burr Trail Meadows. As our elected officials that represent the people of Boulder, we petition that you recognize our concerns. We developed our property in Boulder adhering to the 2.5 acre General Plan. We are aware that there are a few exceptions but we feel they should be rare. We strongly desire to maintain the rural and agricultural nature of this region and the open space between neighbors. The clustering proposal is contrary to our current culture.

Of greatest concern, the exception of the General Plan for clustering would open the floodgates for other developers to do the same throughout Boulder. We are also unclear as to the criteria needed for exceptions to be granted to the General Plan of 2.5 acre dwellings within Boulder Town.

Some other concerns we hope will be addressed are the availability of potable water, septic drain systems, and preservation of wetlands, wildlife and pastures. The clustering proposal of Burr Trail Meadows could possibly compromise these important assets and features of our current town.

Lastly, the proposal of Burr Trail Meadows describes the clustering as affordable housing. To our understanding the only feature that makes it affordable is the decreased lot size. However, in our experience, the high cost of building in Boulder overrides the savings on property. The cost of property is not the dominant cost compared to the high cost of construction, water rights, electricity, septic and building of roads. In our opinion calling this affordable housing is a misnomer.

We appreciate you allowing us to express our concerns. We love Boulder and wish to spend many more years enjoying this wonderful place we live.

Brems Family Trust

David Brems
Annette Brems
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September 1, 2020

Honorable Boulder Planning Commission Members;
Honorable Boulder Town Council Members;
Honorable Boulder Town Attorney;
Honorable Mayor Steve Cox;

I oppose the Burr Trail Meadows Subdivision.

I live on the north boundary, which is Highly Visible to this wet land, Bird Sanctuary, and Agricultural Lands. I also noticed this is supposed to be a clustered housing. I see this is not a contiguous cluster, so is this two different subdivisions?

Since this is highly visible "Tom Hoyts" own words, this should be buffered from highways and other developments by pinyon pines and junipers, and other features, this does not!!!

One question I have is Tom Hoyt the purchaser of the land or the contractor?

Curtis Oberhansly said also the wet lands could be mitigated, I wondered what this meant. This made me wonder is Curtis working for the town or the developer.

I believe the Planning Commission should start showing leadership instead of being lead by a Judaist Goat bent on destroying our town.

It was brought to my attention that 12 of the letters are not residents of Boulder Town; they should not have the right to tell the residents how to run our town. I believe it is time to have residents to run the town; it is time for outside influence to end.

I have been a water specialist for over 20 years. I read Korla Eaquinta's letter on concerns about her well. First wells are a source of water but also a source of contamination.

If this subdivision is approved and the wet lands get contaminated by the subdivision, it could contaminate the entire aquifer under Boulder. I also want to make you aware that 1 gallon of fuel or oil can pollute one million gallons of water, you can contact rural water if you have any doubts. With thirteen homes this could be a real possibility of high concentration of septic systems.

I also have a E100 general contractor's license, and I am concerned about the entrance to the subdivision. The cut is approximately seven feet, this means it should have a 2 to 1 slope; this

means 28 additional feet added to the 60 foot road right away, the slopes should also be sloped back for visibility, 130 feet when all is said and done.

The intersection by my house was supposed to get three stop signs to slow the traffic down, this was never done. The high volume of traffic is already dangerous. I asked the town to do a T intersection to slow the traffic down and was turned down. The large trucks going up to the Black Mesa subdivision should be diverted down to the Burr Trail road, which would divert them from the School and the Church.

I am very disappointed in the Hoyt's. It makes me sad to see such good people go in this direction. If the Hoyt's want to preserve wet lands, bird refuge and agricultural lands they should purchase this property and preserve it. This would make an impact for hundreds of years and protect the aquifer.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Sam Stout', with a long horizontal flourish extending to the right.

Sam Stout
Resident of Boulder Town for over 30 years

Debi Stout
PO Box 1305
Boulder, UT 84716

Tel: (435) 335-7316
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September 2, 2020

Honorable Boulder Planning Commission Members;
Honorable Boulder Town Council Members;
Honorable Boulder Town Attorney;
Honorable Mayor Steve Cox;

I oppose the Burr Trail Meadows Subdivision.

I live on the whole north boundary, which is Highly Visible to this wet land, Bird Sanctuary, and Agricultural Lands. (Map included of the Wetlands, by the Army corp of Engineers) I also noticed this is supposed to be a clustered housing. I see this is not a contiguous cluster, so is this two different subdivisions?

Affordable housing they say, how could this be, do the figures they don't add up. Just one lot would have to be about 70,000.00 to 73,000.00 or more, and that's just for the lot itself, with no improvements. And the idea of the town having to take over the other land that is not used in the lots, and take care of it. (Why would you think the town would take care of it, they don't have the funds to do so) And if they did, wouldn't that just be more taxes for us who live in the town to pay... not the ones proposing this..

Since this is highly visible "Tom Hoyts" own words, this should be buffered from highways and other developments by pinyon pines and junipers, and other features... This does not!!!

One question I have is Tom Hoyt the purchaser of the land or the contractor?

Curtis Oberhansly said also the wet lands could be mitigated, I wondered what this meant. This made me wonder is Curtis working for the town or the developer.

I believe the Planning Commission should start showing leadership, by not letting someone that seems to be bent on destroying our town, and that does not even live in our town run the whole Planning Commission meetings. I know of other people that had to follow the 5 acre rule. What makes them any different? Why did we pay all of that money to have all of these ordinances written up in the first place, if we just let outsiders come in and do as they please? What was the point of even doing them?

I further believe that we need to have public meetings (not just virtual ones) at the Park Pavilion, there is plenty of social distancing, spacing and people could wear masks etc. There are some people in town that do not have computers, internet, or are not even familiar with how to use them, let alone do zoom.

It was brought to my attention that 12 of the letters are not residents of Boulder Town; they should not have the right to tell the residents how to run our town. I believe it is time to have the residents run the town; it is time for outside influence to end.

I read Korla Eaquinta's letter on concerns about her well. First wells are a source of water but also a source of contamination.

If this subdivision is approved and the wet lands get contaminated by the subdivision, it could contaminate the entire aquifer under Boulder. With thirteen homes this could be a real possibility of high concentration of septic systems. Also the up draft smell from them would be horrendous.. (the house already there usually has a problem with the septic every year)

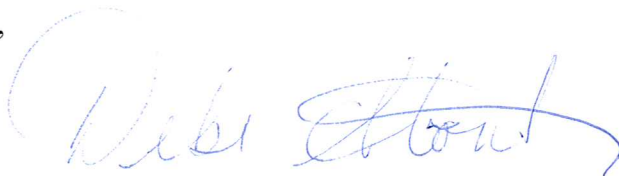
Not to mention all of the electric light pollution that will be so bright and destroy our night skies. I am also worried about living up wind from this and how much smoke I'll have to breath from 13 different homes that would most likely each have one or more fire places, woodstoves or whatever.

The intersection by my house was supposed to get three stop signs to slow the traffic down, this was never done. The high volume of traffic is already dangerous. We have asked the town to move the road over to where it belongs, so that the one sharp corner would be eliminated and an intersection would be placed a little to the east. This for years has never ever been, finalized. There is already a lot of traffic on this road and this would just make it worse. The large trucks going up to the Black Mesa subdivision should be diverted down to the Burr Trail road, (as they have a very hard time turning in there as it is) which would also divert them from the School and the Church.

I also know we as adjacent property owners were supposed to be notified a long time ago, which we were not.... Curtis, others and the Hoyt's tried to get this rezoned before anyone of us could have a say in it. Shame on you, you all know who you are.

I am very disappointed in the Hoyt's. It makes me sad to see such good people go in this direction. If the Hoyt's want to preserve wet lands, bird refuge and agricultural lands they should purchase this property and preserve it. This would make an impact for hundreds of years and protect the aquifer.

Sincerely,



Debi Stout
Resident of Boulder Town for over 30 years

September 3, 2020

Dear Boulder Town Planning Commission, Boulder Town Council, and Attorney

As citizens of Boulder we want to voice our concerns in writing about the recently proposed housing development called Burr Trail Meadows.

Naomi's only sister married a rancher and came to Boulder in 1946. This has been our vacation spot since then. When we retired about 30 years ago, we purchased 5 acres in Boulder and built a home. We are still here as the oldest people in town. We love it here. This is ideal, quality living for us. Our large family also enjoys it here very much.

We are actually aghast that you would even consider a development such as Burr Trail Meadows. That is not the Boulder that we know. We believe in rural, open spaces. We delight in a drive around town especially coming along the Burr Trail Road, dipping down from Highway 12 and seeing a beautiful green pasture surrounded by historic, rip-gut fences. To think that you would allow multiple houses on one-acre lots is unbelievable. What are you thinking?

Please do not open the door to developers and big money to change our beautiful Boulder valley.

At our age (late 90's) and years of experience, we know that as soon as you open the door with exceptions and exclusions the door is literally opened to changes that are not even imaginable at the present time.

Robert and Naomi Brems

Naomi Brems
Rob Brems