

To: Boulder Town Planning Commission

From: Eric Feiler

Re: Deer Ranch Subdivision comments

To Whom it may Concern:

Living on 1600 S, on Lower Boulder Rd for the last 20 years I have some perspective on the history of the Deer Ranch and the 1600 S. When our family moved here, the lots of the Anasazi Farms subdivision (where our lot is located), had just been completed by Open Country Investments (Gibbs and Catherine Smith). As originally platted, the road that has become 1600 S, was supposed to be located south of its current location, leaving Lower Boulder Rd immediately North of Vard Coombs' property. It was to travel west until it reached the current lot of the Big House, or Good Graces. It then turned North and until it reached its current location where it was to turn west and continue to the mesa. The two 90-degree turns were incorporated so the road would not split a lot (the Feiler lot), which in my understanding is illegal in Utah (splitting a lot with a road). Craig Lavato, the owner of the Deer Ranch at that time, used an absence of the subdivision representative, Tim Mutchler, to blade the road in a straight line from his property to Lower Boulder Rd, effectively by-passing the two 90 degree turns and truly splitting the existing Feiler lot. The road has stayed this way since.

During our first years here, I served on the Town Planning commission, as both a member and Chair. During that time Open Country Investments started adding lots to the Anasazi Farms subdivision. This was in the context of the original subdivision never having been completed up to standards. This related particularly to the road (1600 S). When Open Country Investments came with a plan to add the "Corn Top" (the small mesa between Lower Boulder Rd and the Deer Ranch just north of 1600 S) to the existing subdivision. It was their plan to extend 1600 S to the Deer Ranch (then owned by Lavato) east property line, turn North and access the top of the Corn top on an existing road cut on the West side of the small mesa. The Planning Commission unanimously agreed to reject this conceptual plan unless Open Country brought 1600 S up to standards listed in the subdivision ordinance. Open Country declined, and the road was never brought to the standard it was supposed to have been built to in the first place. I believe that any development using 1600 S as access, will need to be required to upgrade the road to standards, just as the past Planning Commission asked Open Country Investments to do the same. Not doing so, I believe is going against stated precedent, and opens the Town for potential liability from Open Country Investments.

Within the last month I was contacted by a representative of the Deer Ranch to learn what my feelings were about their subdivision. On face value I think the subdivision is a good attempt at combining affordable residential development and protection of agricultural lands. However, I think as currently planned there are important issues relating to ingress and egress that need to be addressed. First, during my conversation with the representative, I gave the history of the road (see above), and said my concern was that there would potentially be up to 28 vehicles (2 per lot) using 1600 south and the road as it stands is not up to that (not to mention the added traffic on Lower Boulder Rd—though that is a different issue). The representative explained there was going to be a Northern vehicle access for the project. As currently proposed, there is no Northern access. That alone is reason for my lack of support.

Second, during that conversation I told the representative that Mary and I “might” support the subdivision if 1600 S was moved to its originally platted location, effectively rejoining our illegally split lot. As currently written, the conceptual plan does not do this.

To sum up: As currently written I do not support the Deer Ranch Subdivision conceptual plan because of the following issues:

- 1) 1600 S was never located where it was originally intended, and its current location is potentially illegal.
- 2) 1600 S was supposed be developed to legal standards and never was by the original developer.
- 3) The Town Planning Commission, rejected any additional development using 1600 S until it was brought up to standards.
- 4) Allowing development without upgrading the road, ignores precedent and potentially opens the town to litigation.
- 5) There is no Northern vehicular access to the project, subjecting 1600 S to the entire load of vehicle traffic, something that in its current state it cannot handle.
- 6) With no Northern access there is the potential for an additional 28 vehicle using Lower Boulder Rd. Most residents of Lower Boulder Rd, would likely say the road is already not up to the traffic it handles now.

Thank you,

Eric Feiler