

# ELK SPRINGS HOMEOWNERS ASSOCIATION

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## SPECIAL MEETING OF THE BOARD OF DIRECTORS MINUTES

Wednesday, May 6, 2020 at 4:30 PM  
via Zoom Conferencing

### I. Call to Order

The meeting was called to order at 4:36 p.m. by Bob Johnson.

### II. Establishment of Quorum

A quorum was verified. Board Members present were Patrick Fitzgerald, Brandon Watson, Willy Lynch, Diane Tomassetti, and Ed Holub. Also present are Amanda Maurer, HOA Attorney, and Bob Johnson and Sam Engen from Integrated Mountain Management and approximately 40 owners via Zoom conferencing.

### III. Discussion & Action Items

#### a. Summary of 2020 Trail Work Plan

Willy gave a brief overview of the 2020 Trail Work Plan which was approved via email by unanimous consent and was sent to the membership on April 17, 2020.

#### b. DNR Area Wildlife Manager Summary of Elk Habitat in Filing 8 & 9

Matt Yamashita, DNR Area Wildlife Manager, gave his professional opinion of the impact this work may have on the elk who inhabit filings 8/9. He suggested a point for the BOD to consider are seasonal trail closures in the back filings (December - April). See attached letter.

#### c. Public Comments on 2020 Trail Work Plan and Discussions of Questions

The following questions were circulated for discussion related to the 2020 Trail Work Plan

- The Elk Springs trails are used for Walking/Hiking as well as Biking, are these appropriate uses of these trails?
- Are there any Wildlife concerns?
- Would Seasonal closures for areas of the subdivision or parts of the trails make sense?
- The Board is asking for owner input about how you feel the trails and proposed expansion of the trails into Filings 8/9 may be a benefit or detriment to the neighborhood.

Written comments were received by many owners. These are summarized in the attached document.

#### d. Board Action to ratify the 2020 Trail Work Plan

Diane made a motion to amend the original motion made on April 17, 2020 by removing filings 8 and 9 from the planned trail maintenance and construction, Pat seconded the

motion, motion failed to pass 2 – 3 with Willy, Ed and Brandon voting against and Patrick and Diane voting for the amendment.

Ed then made a motion to amend the original approved 2020 Trail Work Plan by eliminating construction of any new trails in the south meadow portion of filing 8 & 9 and postponing maintenance of the ESHOA pedestrian easements because ES LLC offered to do this maintenance and monumenting. Ed added a further condition to his amendment prohibiting mountain biking on new trails until rules and regulations can be established. Diane seconded the motion, the motion passed 3 to 2 with Ed, Diane and Patrick voting in favor and Willy and Brandon voting against.

IMM will send a follow-up to the membership with a map of the proposed trails approved at this meeting. A copy of this map is attached.

The BOD will discuss Rules and Regulation for the trails at the May 21, 2020 Board Meeting.

**IV. Additional Business**

**V. Adjournment**

The meeting was adjourned at 6:22 p.m.



# COLORADO

## Parks and Wildlife

Department of Natural Resources

Glenwood Springs Service Center  
0088 Wildlife Way  
Glenwood Springs, Colorado 81601  
P 970.947.2920 | F 970.947.2936

May 17, 2020  
Elk Springs Home Owners Association

RE: Trails in Elk Springs Subdivision

To whom it may concern,

On May 6, 2020 the Elk Springs Homeowners Association held a virtual board meeting. I attended this meeting as a guest and provided information regarding trails and recreation and potential associated impacts to wildlife within the subdivision. As the local wildlife manager for Elk Springs since 2011 I was able to speak to the significance of the parcel as winter range for local deer and elk and provide context regarding overall herd health. Specifically, the elk that seasonally reside in Elk Springs are part of a population that are currently experiencing population decreases of up to 40% of historical herd numbers. This trend is likely due to many factors which include habitat loss, predators and recreation.

The conversation during the meeting focused on the development of the trail system within the subdivision which included already developed trails that have historically been used by hikers. Recently, these existing trails have seen an increase in use and have added mountain bikes as another user group. The discussion highlighted the proposed use of trails near the Kindall Ranch boundary and in filings 8 and 9 for use by mountain bikes.

From a wildlife perspective, mechanized recreation, such as mountain bikes, has a different impact than pedestrian. Studies have shown that impacts associated with mechanized recreation can be higher than pedestrian recreation based on the speeds associated with mechanized travel and the relative silence. In areas of sensitive or critical wildlife habitat, such as Elk Springs, CPW recommends limiting the extent of human impact on wildlife through closures or restrictions. Seasonal winter closures on all trails would help to curb disturbance and promote wildlife use of the area. Standard seasonal closure dates of December 1<sup>st</sup> through April 15<sup>th</sup> apply on many local public land parcels. Consideration for closures or restrictions becomes especially relevant given the future plans for development in the area. Properly restricted human activity can lead to predictable disturbance in developed areas that results in continued use by wildlife despite development.



I am appreciative that the residents and Homeowners Association of Elk Springs value the wildlife they share the land with and urge continued consideration for the resource. CPW welcomes any additional conversations and the opportunity to provide information that can better inform management decisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Yamashita', with a long horizontal stroke extending to the right.

Matt Yamashita  
Colorado Parks and Wildlife  
Area Wildlife Manager

# ELK SPRINGS TRAIL CONSTRUCTION FEEDBACK

**The Elk Springs trails are used for Walking/Hiking as well as Biking, are these appropriate uses of these trails**

- Expanded trails are great, and another access point over on the far east side (overlooking the sod farm) back up to the water tower would be ideal, making a more feasible “perimeter loop” around the entire property, if possible. Right now, the trails are short/chopped up (mostly), so some sort of long perimeter loop would be outstanding.
- Yes, the use of trails for walking, hiking, and biking are all appropriate.
- We love that we will be expanding the trail system! It is a major part of Elk Springs and our family uses it year round!
- hiking/biking on trails is great.....should this be expanded ie. electric bikes for kids and people in upper age groups?
- I believe all the trail usage in our community are appropriate "as is" for walking, hiking and bike usage. However, I would strongly object to bikes having motor devices -- pedaling assisted. Also, since we still have the equipment for cross country skiing -- if we had a snow mobile and the funds to have some of the trails groomed once per week this would be ideal.
- We are writing in support of the proposed trail expansions in Filings 8 & 9, Elk Springs Open space.
- We support use for walking, biking, skiing, and snowshoeing.
- We are very much in favor of the completion of our private community trail system in ES to the back filings. In these uncertain times it has been very uplifting to see friends and neighbors using, rediscovering or discovering our community trails for the first time: a father and daughter running together, boys meeting up to ride their bikes, families and couples out for an afternoon walk talking and laughing – all eager to give a smile, a hello or chat (safely distancing).
- We have lived in Elk Springs since 2007 and have enjoyed the walking trails throughout the subdivision immensely. It is one of the reasons we chose to live here in the first place.
- As new residents of Elk Springs, we have really enjoyed hiking and biking on the trails and look forward to the additional mileage. We hope that they stay multi-use and would be thrilled if there were tracked Nordic trails in the winter if other residents share our interest.
- A large part of what attracted us to Elk Springs 10 years ago, was the trail system and the then plans to complete the trail system to the further out filings. Since moving to this beautiful community, we have been avid users of the trails, especially now with the Covid quarantine upon us, as they are a critical element of maintaining our wellbeing during these stressful times. We are also welcoming the increased utilization we have seen over the last 4-6 weeks by many of our neighbors!
- I was delighted to learn that the Board gave a unanimous approval to conduct a 2020 Trail Work Plan which includes maintenance of the existing trails in our Open Space, maintenance of Right-of Ways into Filing 9 Open Space with new trail construction.
- I am also pleased that there are several residents who have stepped up to volunteer to construct these new trails. This effort represents a collective pride in ownership of this beautiful property for the benefit of all of its members. These commonly owned OPEN SPACE areas are

what make Elk Springs the very unique and special place that it is among all of the other residential areas in our valley. This open space is intended for our use and enjoyment. We have been property owners here in Elk Springs since 1999, and we have been patiently and eagerly waiting for the future expansion of our promised trail system. We enjoy using our open space trail system for a variety of outdoor activities including walking, running, hiking, biking, snowshoeing, and cross-country skiing.

### **Are there any Wildlife concerns?**

- As a note, I serve as a member of the Colorado Parks & Wildlife Commission. I do recommend we work cooperatively with CPW on any seasonal closures or guidelines for trail use to minimize impact to wildlife (signage). Let me know if I can help.
- Wildlife concerns - none.
- We hope there will never be a seasonal closing, as we walk it in the winter with our snowshoes. We have never interrupted wildlife., nor would we.
- I know people feed turkeys in the development, thus brings in mtn lions
- I have very serious wildlife concerns by having additional trails in filings 8 and 9. These areas are prime fall thru spring grazing and feeding area for a substantial elk (herds of 100+) and deer population. Trail usage in these areas will definitely affect the normal balance of wildlife and will definitely cause all wildlife (elk, deer, bear, cougar) to disappear. Seasonal closings (October thru May might be a compromise. But let's not disrupt the mating and wildlife population).
- There will probably be some minor impact on wildlife activity, but we understand that the eventual development of all lots in Elk Springs is a much bigger impact than a trail. Visualize the Elk Springs map with a house on each lot.
- In order to protect the wildlife, we do recommend working with CPW for protection of the Elk herds during their migration and calving seasons.
- Finally, the completion of our trail system in the back filings, as you know, can easily be done by volunteers (a big group has already signed up); can be low impact like current trails, and be done in a manner that respects the wildlife that we share this beautiful land with. We have a trail closely bordering our property and we have never ever had a single issue with trail users and have seen plenty of four-legged trail users such as deer, elk, jack rabbits and even a bear.
- We do not feel that there would be any detriment to wildlife should we expand the trails
- The concern that we have regarding other residents and the wildlife, is the unfortunate fact that some residents do not properly control or restrain their dogs! Many are walking their dogs « in packs » of three dogs! I have personally been attacked and bitten by an unattended dog near my house, approached by several other « off-leash » dogs who were barking, with hair standing on end, and I have seen dogs take off chasing the wildlife several times! Perhaps there needs to be a « on leash only » rule for dog owners who wish to use the trail system and the roads up here. Voice commands don't always work, and dog owners sometimes can't secure the leash fast enough before the dog approaches a fellow resident.

### **Would Seasonal closures for areas of the subdivision or parts of the trails make sense?**

- It is great that this project is underway, and we've noticed some of the new trails when out and about recently. And, for the first time (likely due to COVID/more people home) we've seen more people using them. Most of the time, they are empty, which would suggest that mixed use is still feasible (biking, hiking, walking, skiing). However, it might make sense to make a few walking only, uni-directional (one way only) just to minimize any potential accidents with bikes.
- No, do not close trails at any time. They are used by many homeowners for snowshoeing in winter, and the other uses listed above all year long.
- no need for seasonal closures unless trail work is in order
- we would be willing to seek trail closures at those sensitive times, per the CPW recommendations. In addition, we should reinforce dog leashing on the trails in those areas and maintain a "no motorized vehicle" rule. The only exception to that may be the winters when we have sufficient snow to prepare the trails for cross-country skiing. prepare the trails for cross-country skiing
- We see no reason for seasonal closures. Our observations over the last 4 1/2 years living here is that the trails are lightly used and don't impact wildlife much. We walk on the trails quite often and still see plenty of deer.
- We also do not believe seasonal closures should be enforced.
- Seasonal closures for wildlife activity in certain areas of the property is a legitimate question. I think more information from an expert Wildlife Ranger who is very familiar with our neighborhood could be helpful in assessing any concerns. Where DO the deer, elk, mountain lions, bear etc...dwell and how would a trail impact their location and activity? We all love our wildlife and want to respect their territory. It seems to me that right now we have plenty of space between ourselves and the wildlife. For the most part, I think we have been co-habituating very well. Again, it's the DOGS that frighten the wildlife. The bottom line is that there are TOO MANY DOGS in Elk Springs and many residents are not abiding by the number of dogs per household rule.

### **How do you as a resident or lot owner feel the trails and proposed expansion of the trails into Filings 8/9 may be a benefit or detriment to the neighborhood**

- It is a treasure and was a one of the reasons we moved here.
- Further opportunity to enjoy these areas for recreation --- however we now have substantial trails that are underutilized and creation of additional trails for the few is unnecessary and provides minimal advantages for the few who utilized them now. For those craving for longer and more trails we live in an area where within 4-8 miles there are an abundance of trails for such usage. The thought that additional trails would provide a marketing advantage for selling more properties is not necessarily correct --- they also could be a disadvantage to those buying in those filings.
- There are very few communities in the valley that could offer a private trail system such as we should have, and savvy realtors already prominently include the trail system in marketing materials for ES homes.

- We would like to see the trail system expanded to enjoy all of the open space that our subdivision offers. We think there is a lot of area out in Filing 9 that we are not utilizing to the fullest capacity. We think the trails should be used for walking, hiking, snowshoeing and biking.
- This OPEN SPACE TRAIL SYSTEM adds **value** to our property, and it adds **character** to our neighborhood. One of the many benefits of being able to engage in these outdoor activities in the privacy of our own neighborhood, is that it provides personal good health and wellness ~ physically, emotionally, and socially. It is delightful to plan walks with neighbors and fun to meet both old and new neighbors along the trails. It is a wonderful community builder. The proposed expansion of our trail system will further enhance our growing community as more and more homes are built. I wish to be **forward thinking** in that we are going to want and need additional trail space to accommodate our growing neighborhood.
- We are 100% in FAVOR of expanding our promised trail system into Filings 8 & 9. We say, let's get these expanded trails constructed, enjoy them, maintain them and if concerns or behaviors arise that need to be addressed, we can certainly do so. Trail usage behavior must be respectful of fellow residents and the wildlife. Perhaps a clear set of guidelines, expectations and consequences needs to be developed as we move forward.

# Elk Springs HOA 2020 Trail Work Plan

(updated 2020-05-09)



### Trails

- Existing
- Existing- Not Maintained
- 2020 Work Plan- Approved
- 2020 Work Plan- Proposed

### Elk Springs HOA Common Lands

- Elk Springs HOA Common Lands

### Lot Information

- Building Envelopes
- Lot Lines

Basemap from AGOL  
Road & Lot Data from Garfield County GIS  
This map from ESHOA showing approximate trail  
locations for design review only. Use at your own risk  
.Interactive Map at: <https://arcg.is/1KDjH5>

