

March 4, 2020

To: Chairman, Town of Lyons PCDC

Re: Summit Development Public Hearing, March 10

*I request that this comment/question be entered into the public record for the above-referenced meeting.*

Dear Mr. Chairman:

The flood of September 2013 severely eroded five lots delineated in the Lyons Valley Park, Filing No. 8; these lots are indicated as lots 35-40 on the Filing 8 plan.

The flood eroded parts of each of these lots as well as the abutting Town of Lyons property. There has been for the last nearly 7 years a near-vertical 15-foot banking that continues to erode and poses a hazard to residents. In fact, the Town fenced off this embankment immediately after the 2013 flood.

In 2017, remediation of this banking was proposed by the St. Vrain Creek Council under the terms of a grant (DOLA, NRCS, Colorado Water Conservation Board) that would pay for the work. The owner, Keith Bell, steadfastly refused to allow the work to proceed, despite the fact that the work had been designed and approved by all government agencies. Upon Mr. Bell's refusal, the SVCC took the work off its bid and moved on to other projects in the area.

I was on the SVCC selection committee to award the work to bidding contractors so I am quite familiar with this issue.

From Summit's development plans, I note that Summit now owns the five damaged lots and, in fact, has proposed building on three of the lots. Yet, the plans do not show any remediation of this hazard.

I find this both puzzling and troubling. Summit is proposing to construct three homes on the eroded lots and, further, seems content to allow 40 families to live within 100-200 yards of this clear hazard. The lots, particularly the two that will be left undeveloped, are an attractive hazard to children living in the 21 townhomes, as well as the other 19 houses.

I would sincerely hope that the PCDC makes as a condition of approval for Summit's development that they present a plan to remediate this hazard. It will not be a simple issue of merely dumping fill over the banking. The SVCC took pains to properly design, consult and then apply for and receive the necessary permits for this riparian repair.

As a member of the Town's Ecology Advisory Board, I would also expect that Summit's representatives will consult us before any design and permit applications are performed and will keep us informed as the remediation project proceeds.

Sincerely,

Greg Lowell  
411 Raymond Court  
Lyons, CO