

Special Meeting with Nicole Manandri May 6th 2026 via Zoom

HOA Board present: Laurie Beckel, Pres; Melissa Pierce, VP; Tina DePoyster, Treasurer and Curtis DePoyster, webmaster; Michelle Tyler, Secretary and Chad Tyler; Heather Huntoon; Dave Gallaher; Megan Heine; Kim Graham. Plus York Gulch residents, Matt Taylor (homeowner and Clear Creek GIS Manager for Clear Creek County); Sandy Ferguson-Hays; Scott Schaefer; Alex Ginsberg, Stephanie Vogt; Judd ?.

Quick recap

This meeting focused on reviewing Forest Service Special Use Permits and addressing the upcoming 30-year permit update for the HOA. Nicole Malandri from the Clear Creek Ranger District explained the two types of easements held by the HOA - a Forest Road easement for Upper Pisgah Lake Road and a Private Road easement for smaller spur roads. The discussion covered requirements for road construction and maintenance, with construction requiring separate Forest Service authorization while maintenance work is permitted. Key topics included the need to update Exhibit B to accurately reflect current mining claims and properties, coordination between Forest Service, Clear Creek County, and Gilpin County, and the requirement that property owners must be HOA members in good standing to use the easements. The meeting also addressed questions about road definitions, culvert installations, and water bars, with Nicole providing guidance on what constitutes maintenance versus construction work.

Next steps

Alexander

- Contact Nicole Malandri to be cc'd on communications regarding the Exhibit B review process.
- Coordinate with Melissa and Kimberly (offline) regarding offer to fund replacement of the kiosk at the Squid.

Judd

- Email Nicole Malandri regarding locked gates on Hamlin Gulch Road for contact with current HOA member responsible.

Matt Taylor

- Generate and send an updated list of HOA claims/properties (excluding Gilpin County) to the HOA board for reconciliation with Exhibit B; HOA to approve funding for this work at next meeting.

Nicole Malandri

- Send a copy of the Operation and Maintenance (O&M) plan to the HOA.
- Provide engineer drawings/specifications for water bars to Melissa (HOA road committee).
- Inform Forest Service team about kiosk dimensions and status.
- Follow up on road safety assessment for stop sign at 175.1 and 739.1 and keep HOA updated.

Scott

- Send engineered culvert replacement plans to Nicole Malandri for Forest Service review if work is on National Forest System land.

Collaboration

- HOA Board: Approve funding at next meeting for Matt Taylor to generate the updated claims list.
- HOA Board: Develop and maintain a list of questions/gray areas regarding operating procedures for Forest Service easement/Exhibit B for future clarification with Forest Service.
- HOA Board: Reach out to identify and establish contact with Gilpin County's GIS/property data counterpart for coordination on HOA/Exhibit B issues.
- HOA Treasurer/Board: Communicate with Nicole Malandri and Clear Creek County as needed to verify member in good standing status for access/easement requests.
- HOA Board: Send minutes from May meeting (regarding definition of member in good standing) to Nicole Malandri.
- HOA Board and Nicole Malandri: Develop a process for updating the 30-year permit, including opportunities for community input/hearings.
- Kimberly/Melissa: Collect nominations for HOA board candidates via text/email and provide link for information submission.

Summary

Forest Service Easement Permit Update

The meeting began with introductions and technical setup, including recording the session for future reference. Laurie Beckel, HOA president, outlined the purpose of the

informational meeting, which was prompted by a situation involving a Forest Service easement and the need to update a 30-year-old permit to maintain good standing with the Forest Service. The agenda included an overview of Forest Service Special Use Permits, though the detailed discussion of this topic was not captured in the provided transcript segment.

Forest Service Permit Review Meeting

The meeting focused on reviewing the Forest Service special use permit and mineral survey list for the HOA. Nicole Malandri, Lands and Minerals staff on the Clear Creek Ranger District, explained that the HOA holds two types of easements: a Forest Road easement for Upper Pisgah Lake Road and a private road easement for smaller spur roads. The discussion highlighted the need for an accurate mineral survey list and emphasized that road construction or reconstruction requires separate Forest Service authorization regardless of HOA membership status.

Easement and Permit Management Process

Nicole discussed the process for managing easements and construction permits in a development. She explained that property owners need both Forest Service authorization and HOA membership to obtain building permits, with the HOA holding the easement for roads and driveways. Nicole noted that Clear Creek County checks for legal access early in the permit process, directing applicants to work with the Forest Service for necessary approvals.

Road Construction and Maintenance Permits

Nicole explained the distinction between construction and maintenance work on roads, noting that construction includes changes to road width or grade, while grading and maintaining existing road surfaces are considered maintenance. She clarified that installing new culverts typically requires permits, but replacing existing culverts may not need a construction permit, depending on the specific circumstances and forest service land ownership. Nicole agreed to review engineered drawings for culvert replacements on Forest Service land and requested an email and copy of the O&M plan for further assessment.

Water Bar Design Specifications Discussion

Nicole discussed providing design specifications and engineer drawings for water bars, particularly for roads and driveways crossing National Forest System lands. She clarified that county requirements apply to private property, while Forest Service regulations only apply to sections crossing National Forest System lands. Alexander raised concerns about

potential changes to the 1997 Exhibit B list, expressing worry about landlocked properties gaining access, which could affect property values and privacy. Nicole indicated there would be opportunities for input once the final list is determined, suggesting either including all properties within a specific boundary or limiting it to existing roads and driveways.

Exhibit B Easement Review Discussion

The group discussed the review of Exhibit B, with Nicole explaining that there is no expiration date for current easements but an opportunity to create a new easement in 2027. The HOA board needs to determine which properties and mining claims fall within their responsibility area, particularly regarding access through York Gulch. Matt clarified that his map was based on access from York Gulch rather than Exhibit B information from the Forest Service, and suggested that the HOA should clarify which properties are within their jurisdiction.

Easement Changes and Requirements Discussion

The group discussed changes to an easement, with Nicole clarifying that as long as there's no ground disturbance or significant changes, the process should not require extensive environmental studies or high costs. Nicole noted that while the Forest Service is undergoing reorganization, which may impact the signing process, the ground-level requirements should be manageable. The discussion also touched on the need to accurately calculate road mileage for rental fees, with Nicole suggesting modern mapping tools could provide more precise measurements than were available in 1997.

NEPA Requirements and Access Discussion

The group discussed NEPA requirements, with Nicole confirming that road-related work would be categorically excluded and wouldn't require a case file. Matt agreed to provide an updated list of claims for the HOA map, charging his typical hourly rate of \$60, and noted it would exclude claims in Gilpin County. The discussion concluded with Alexander raising a question about access points for parcels on Exhibit B, specifically whether an existing access road would take precedence over a new driveway spur, though this question remained unresolved.

National Forest Access Requirements Discussion

The group discussed access requirements for National Forest System land, where Nicole explained that while existing private road access is generally accepted, new access points typically require engineering reports due to topography considerations. ClearCreek suggested creating a list of gray area questions to clarify operating procedures, particularly

regarding HOA membership verification for accessing easements. The discussion highlighted that only about one-third of property owners currently pay their HOA dues, and there was agreement that better enforcement of membership requirements would be necessary to protect legal access rights.

HOA Road Maintenance and Membership

The meeting focused on HOA road maintenance and membership requirements. Nicole explained that for road work on Forest Service land, property owners need to provide engineered plans, though widening roads back to original specifications may not require engineering if staying within established guidelines. The board discussed how to handle membership in arrears, with a decision pending at the next HOA meeting on May 20th. Nicole agreed to be the contact for locked gate issues on Hamlin Gulch Road, and the board noted they need to reconcile maps for properties off York Gulch and establish a process for the 2027 permit update. Alexander offered to pay for rebuilding a kiosk that was involved in a tragic accident, and the board announced that nominations for board positions are open, with elections in July.

Follow-up email from Nicole: 5/7/26:



Malandri, Nicole - FS, CO

Thu, May 7, 2:48 PM (8 days ago)

to me, Melissa, Michelle, Curtis

Thanks again for the meeting and discussion, hope it helped the group.

I am attaching the Operation and Maintenance Plan (O&M).

- Rolling Dips : per the O&M plan the association is allowed to maintain rolling dips, I am providing the specification sheet for that work. Still no changes to the width of the road and driving surface.

- Culverts: the association is allowed to clean out culverts, but replacing culverts is not included in the O&M plan, we may want to add this to the new plan. So any culvert replacement needs forest service review, just need to know location, size and material and if this drainage culvert or an actual water/stream crossing.

Existing use, spur road, driveway definition: A driveway already in use, or shown on the Exhibit A maps, or already on the ground that would allow vehicle traffic in “as is” condition.

If something needs construction to meet county standards, then an authorization and review from forest service will be needed to determine if there would be impacts to National Forest Systems lands.

Categorically Excluded Clause and No Documentation Required

7 CFR 1b.4 (25) (USDA-25c-USFS) Sale or exchange of land or interest in land and resources where resulting land uses remain essentially the same.