

# Environmental and Trails Considerations for Forest Heights Circle

from Judith von Ahlefeldt Adjacent Property Owner  
Feb, 4 2021

The landscape of Forest Heights Circle was mostly forested in the 1940s with ponderosa pine forest with some wet meadow and swale openings in shallow valleys.

The 80 acres owned by Robert Wells in the SE Quarter of T12 S R65 W Sec 9 was between the East-west Quarter Section lines and Half Section lines, and bounded on the east by the north/south Half Section Line, and on the west by Herring Road. Some of these borders had fences from previous large pastures.

The 1954 Forest Heights Circle Road was the first incursion into the 80 acres and it was built as a loop (or "circle") as described in the History Section submitted, and illustrated with Aerial Photography.

Forest Heights Circle was built perpendicular to Herring Road in 1954 and approximately far enough south of the West-East Half- Section Line to accommodate 2.5 acre lots (later 5 ac minimum lots after 1965).

Because the drainages all trend to the southwest, and all parts of Forest Heights ran east, then south, then west and then north as a rectangle, the road crosses several drainages where clay is at the surface and culverts are necessary. Some of the drainages have significant surface water after snowy winters or heavy rains of summer monsoons.

This 80 acre subdivision developed erratically from 1954 until the present subdivision efforts (which completes all parcels). The road was truncated to a cul de sac in 1965 due to the zoning change to what is now RR-5, and the original covenants from the mid 1950s expired in the mid 1970s.

The lot owners of the 1960s-1990s enjoyed a lot of vacant, mostly forested land, in the neighborhood as each individual lot owner assumed his respective parcel and most lots were separated by forested vacant land, or the road itself.

The severe Black Forest Fire of 2013 burned all the homes with Forest Heights Circle addresses, as well as lot 70 along Herring Rd. By 2021 all have been rebuilt and the Didleau family purchased the undivided approx 33 ac (which includes the presently submitted Tracts A and B of the road. These tracts are

separated by property owned by Jack Yonce .

Tract A (Parcel 121) is separated from Tract B (which serves as the existing road) and is part of a larger piece (Parcel 120).

The east end of Tract B is between to existing parcels and is not needed for parcel access to the newly subdivided Lots 1, 2, 3 and 4 proposed in the submittal.

The east end of tract B is adjacent to Tract 081 (Phyllis Didleau for 505 feet on the north, and adjacent to Tract 108 (von Ahlefeldt) for 461 feet in round numbers (per Assessor Plat map).

If the cul de sac is moved west to the east end of the new lots, where the Developer owns both sides of the road, the construction costs for road improvements can be significantly reduced.

If the end of the subdivision road is at the NW corner of Parcel 108 (the last 460.74 feet), Lot 81 would still have 44.4 feet of adjacency to Forest Heights circle, and lot 108 would have adjacency along the width (60' of the existing access area, or 30' if the 60' access area is part of a shared driveway with lot 81. (See sketches).

I have owned parcel 108 since November of 1969. Phyllis Didleau has owned Parcel 81 since 2014. I have personally mowed the tall GRASSES, built water base, filled potholes, constructed the berm at the bottom of the hill to divert erosional water and contained Canada thistle for the past 20 years at the east end. The existing 18" culvert is not plugged up, or collapsed, and it does not need to be replaced with a 24" culvert. It has supported huge weights during post-fire debris removal, and the present bulb at the end is about 85 feet and adequate for Black Forest Fire District needs. Culvert replacement would require digging up my Natural Gas line which was installed in 2017.

I do not want my mature surviving trees cut to make a bare 3: 1 slope, and there is a Great horned owl nest in one of them.

Moving the cul de sac west, and allowing a shared driveway no subject to urban cul de sac and road standards, but with an 18' width and 30' or 60' adjacency to the cul de sac between lots 1 and 4 will

greatly reduce impacts to the present stable conditions.

I am not opposed to the subdivision of the lots into four lots as proposed.

I am totally opposed to including the last 460.74 feet of Tract B ( as Submitted) as part of the future "Private Road, whether owned by the HOA, or by the Developers.

The portion of the road extending beyond Lots 1 and 4 severs two functional purposes:

1. It serves as driveway access for Phyllis Didleau's lot (081) and future owners, and my lot (108) and future owners. Both of us have deeded access rights in our legal descriptions.

2. It has served since at least 2001 as a part of the non-motorized Black Forest Trails Association local trail Amenity connecting to Meadow Glen Lane. This connection was in place as an informal social trail since the mid-1950s and has assumed greater importance in recent years - especially in the Covid Pandemic. These local trails connect gravel roads with easements over private lots, so residents can enjoy non-motorized community connections for .

walking, bicycling, horseback riding, and cross country skiing).

As these last lots develop it is my desire to preserve these use, and also to minimize construction impacts to the east end of the road, outside of the where the new lots are located.

I think the best way to do this is with a shared driveway that also guarantees trail easement access. The shared driveway should be in ownership of the adjacent lots that must use that for access, and have interest in maintaining the trail accesses and also causing the least ground disturbing construction impacts. That can be done by not imposing the standards that will be used on the rest of Forest Heights Circle to the west.

The east end needs minimal maintenance and is currently very stable.

Thank you,

Judy von Ahlefeldt  
Owner, Parcel 52090001008



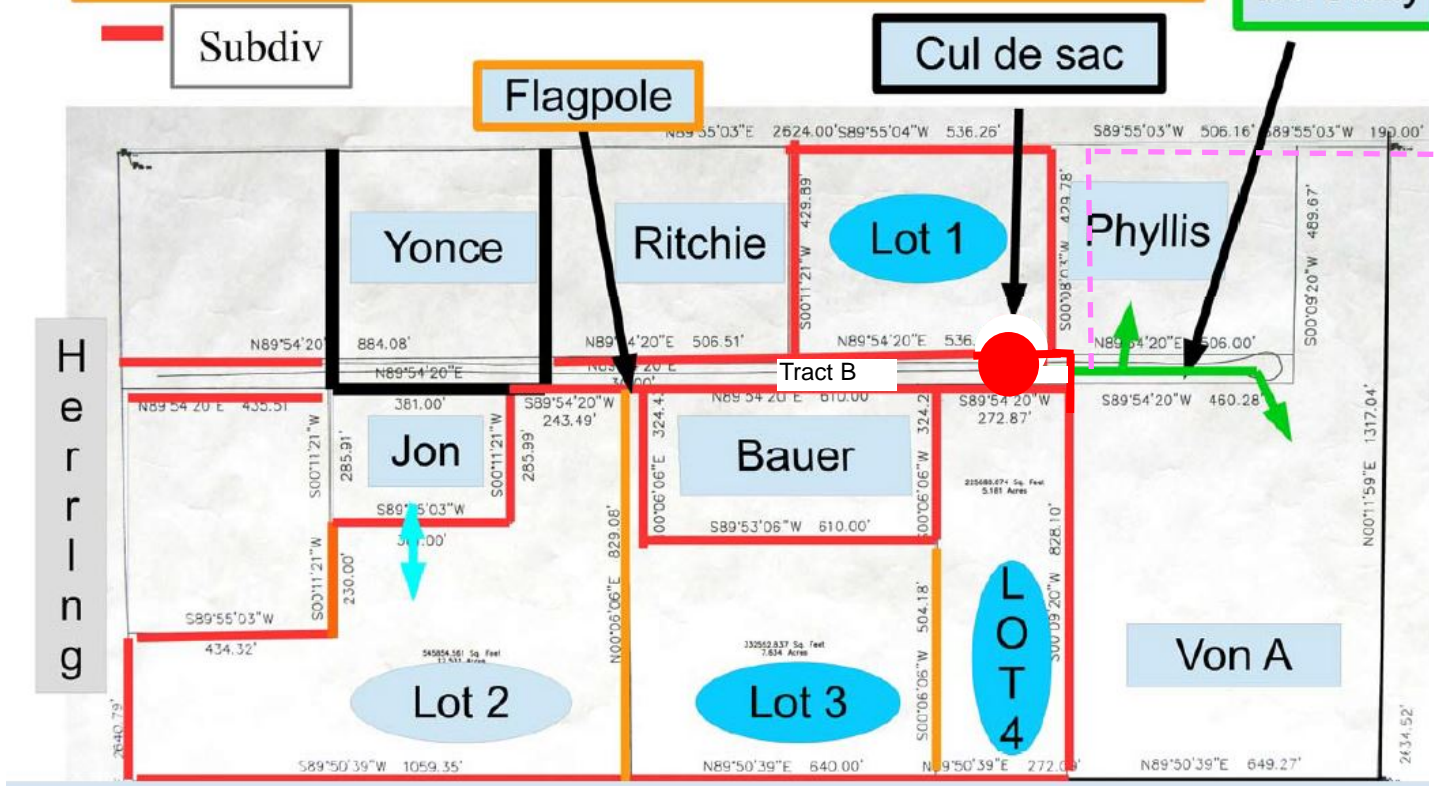


Shared Driveway concept at east end of present Forest Heights Circe.  
 End the Private Road at the west end of the new subdivision lots.  
 Create Parcel C and D, or Just Parcel D.

- Keep as private road – gravel – maintained
- Shorter road – cul de sac further west on subdivision land
- Four new lots – lots 1,3,5. Lot two combined with Jon Didleaux
- Forest Heights is part of the BF Trails Association system of gravel roads and easements connecting them.

Numbers 1-4  
 March 15

Shared driveway



See maps with parcel numbers m address names etc at the end.

**PRESENT CONDITION - JANUARY 2021 Photos of Segments 1-4 by JVA**



**Tract A**

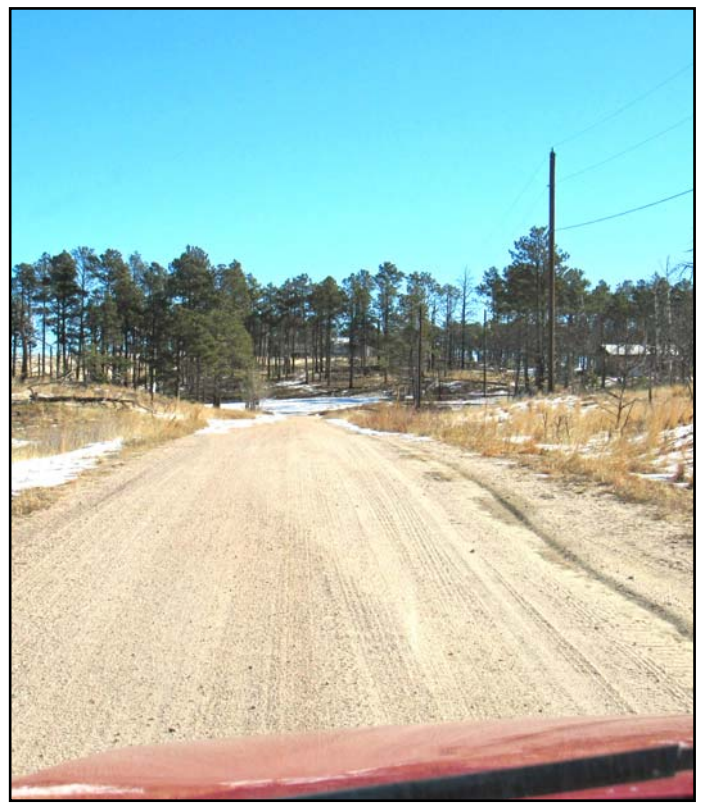


**Yonce (left - trees) Jon Didleaux to right**

**Eastbound on Forest Heights Circle from Herring Road**



**Ritchie's driveway entrance on left (within Tract B) Hillslope - mostly next to Lot 1 and Bauers.**



**Cul de sac (new position) on Tract B in foreground Shared driveway beyond pole on right.**

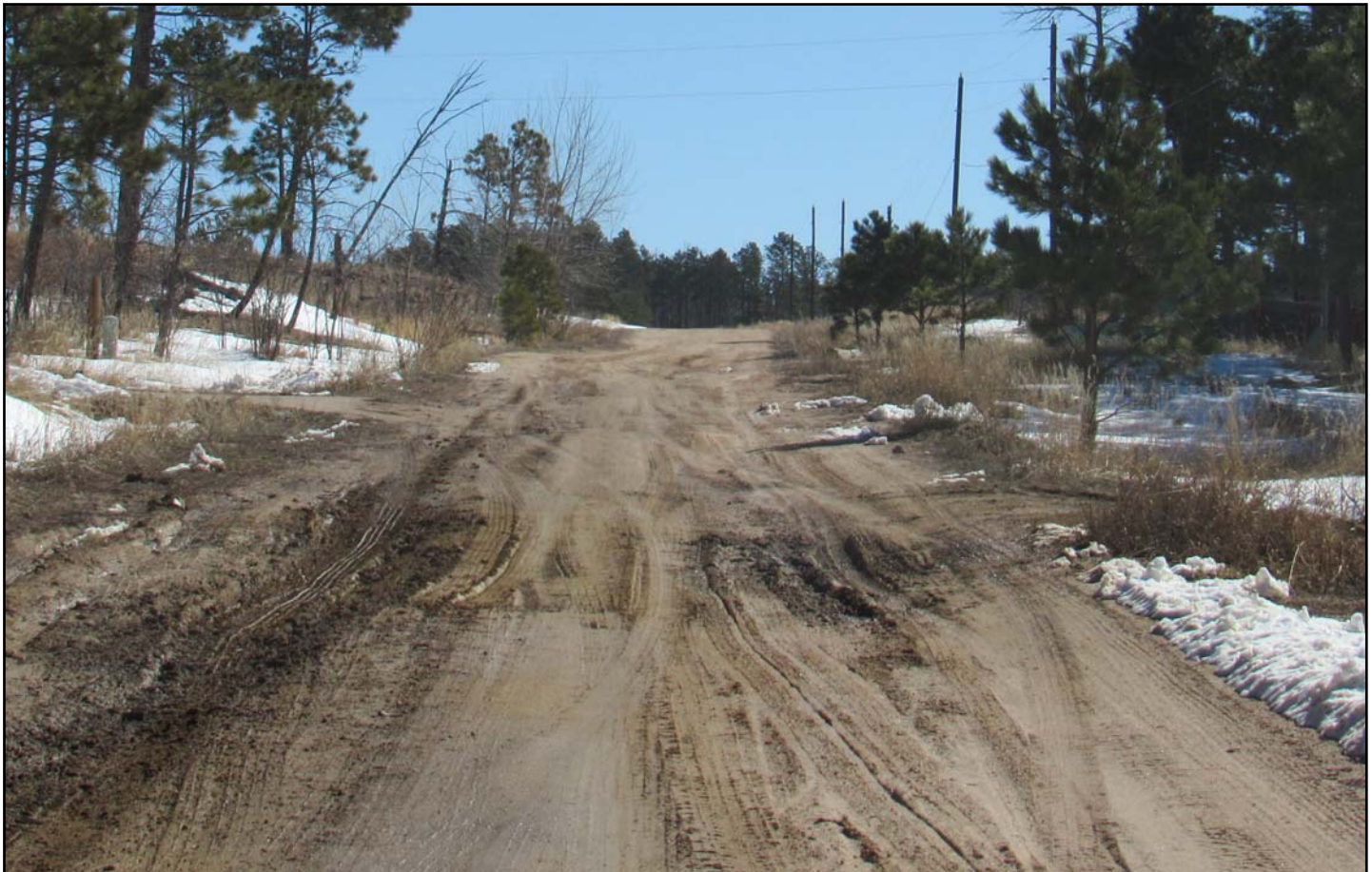


Tract A suffers from non-functional culvers, no ditches (the road is the ditch), runoff from Herring Road down the road apron and also from adjacent driveways. It has often been a pothole landmine and the right foreground can be a mudhole. You can see Herring Road crossing.





This is the same area as the two previous photos with the Herring Road apron in the foreground. The road needs to be built up and a culver installed. There is subsurface drainage also - so digging down will no rsolve this. Over the years Herring has been raised by multiple pavement layers.





Pre-fire haying above,

The wetland is on Parcel 108 in the Preservation Area south of the shared Driveway. This is in excellent condition - even after the Black Forest Fire.





To Dan Kupferer and Ken HArrison (LDC) and Phyllis Didleau (pages 6-12+  
May 14, 2020

Results of 811 locate call from Monday, May 11 for 8250 and 8255 Forest Heights Circle (FHC).  
Follow-up to Road considerations sent 3-31-2020 by JVA.

Magellan for Kinder Morgan - CIG and KANEB pipelines - Done Monday, 5-11 - not applicable

Black Hills Energy Gas Line - Vannguard - done Wed., late afternoon May 13. Previous marking had only gone as far as 8250 driveway and did not mark the service to my house which goes across 8250 driveway to the east for about 50 feet, then crosses to the south the west of my lower (west) driveway.

Mountain View Electric -USIC - done Wed.morning , May 13 after earlier check for 8250 FH Circle in April. Clearly marked underground lines from utility pole on south side of FHC to 8250 using red paint and flags to service boxes on 8250. Electric goes up driveway of 8250, and phone is to the east side of driveway in the trees just north of the ditch and close to the property line. Service for both phone and electric to 8255 goes overhead to utility pole located on 8255 property a short distance south of the 8255 north property line and the road easement.

If the cul de sac is placed at approximately the same place it is currently located, and brought to a 100' standard (50' radius), and the road is improved to 24-width the impacts would include:

- underground cable and electric service to 8250 Forest Hts Circle
- removal of trees in and near the ditch north of the road at 8250 Forest Hts Circle
- gas line which crosses FHC to the south to access 8255 FHC
- possible impacts to utility pole, fences, and gates on 8255 FHC.

Depending on the position and design of the cul de sac, improvements could also impact the wetland within the 60' easement. May also require removal my trees, fance and gates.

If the culvert must replaced, upsized or extended that would impact both the wetland and my gas line service.

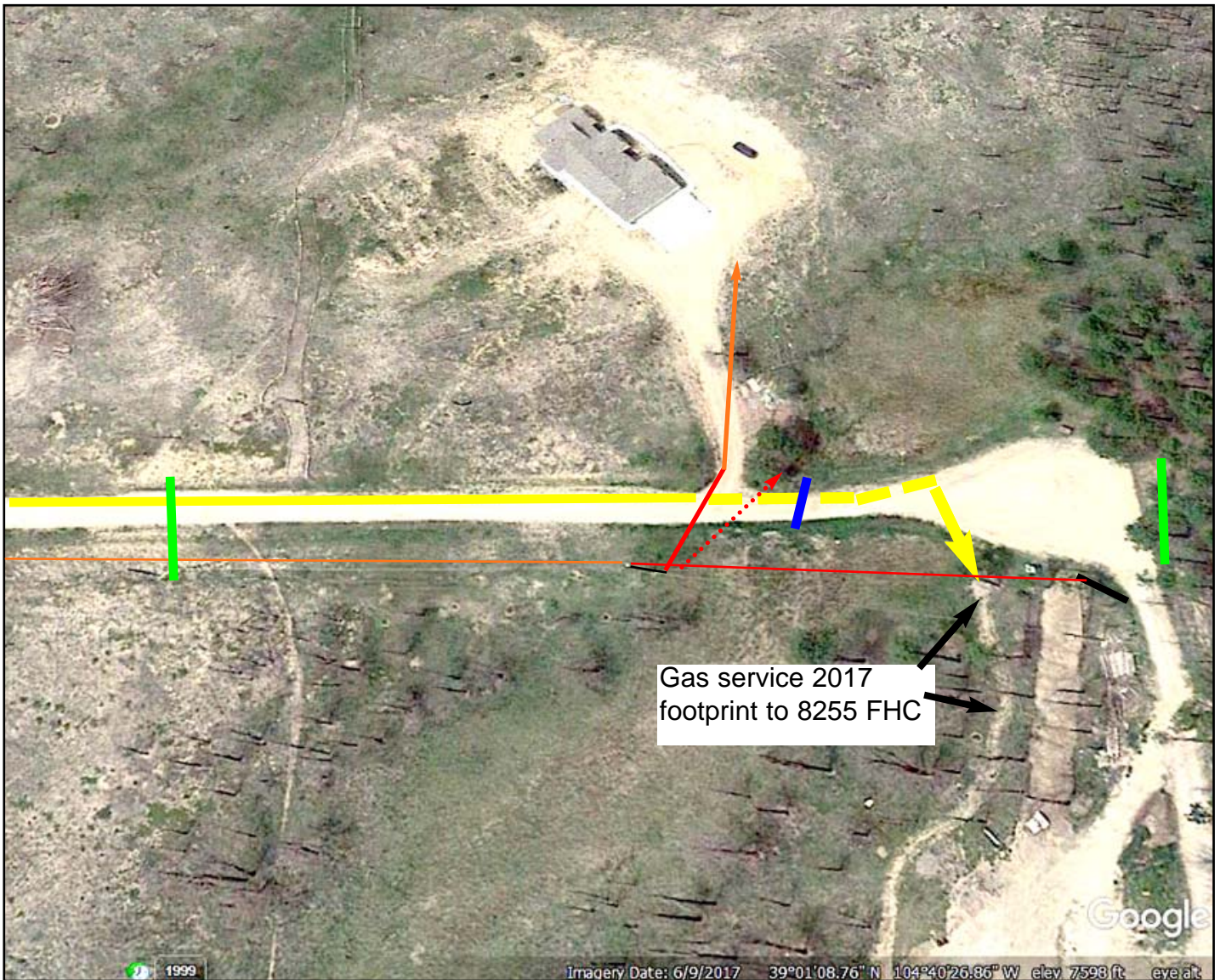
**I would still ask that Tracts C/D be removed prior to submission of this proposal in order to transfer of this land either to add to 8250 lot, my lot (by reasonable purchase price ) or divided between Phyllis and me. That would avoid any jurisdictional dictates of the County Codes which would affect either 8250 or 8255 Forest Heights Circle or the road itself.**

Another consideration, which I do not think has been discussed, is the continued use of Forest Heights Circle, as a gravel, private Road, as an essential and critical part of the Black Forest Trails Association network of local non-motorized trails.

The illustrations include:

1. 811 reports (attached)
2. Google earth Photos from June, 2017 and and October, 2019 of the area included in the May 11 811 request for utility locations  
Photos taken by me on May13 2020
3. Also please reference 3-31-2020 Road Considerations .pdf submitted earlier this year with photos of gas line construction as official exhibits.

Judy von Ahlefeldt



**GOOGLE EARTH PHOTO from June 2017.**

I added for clarity:

Existing Culvert (approx 25 feet long) - BLUE

Utility pole and Electric/Phone service to 8250 (marked by USIC on May 13, 2020) RED

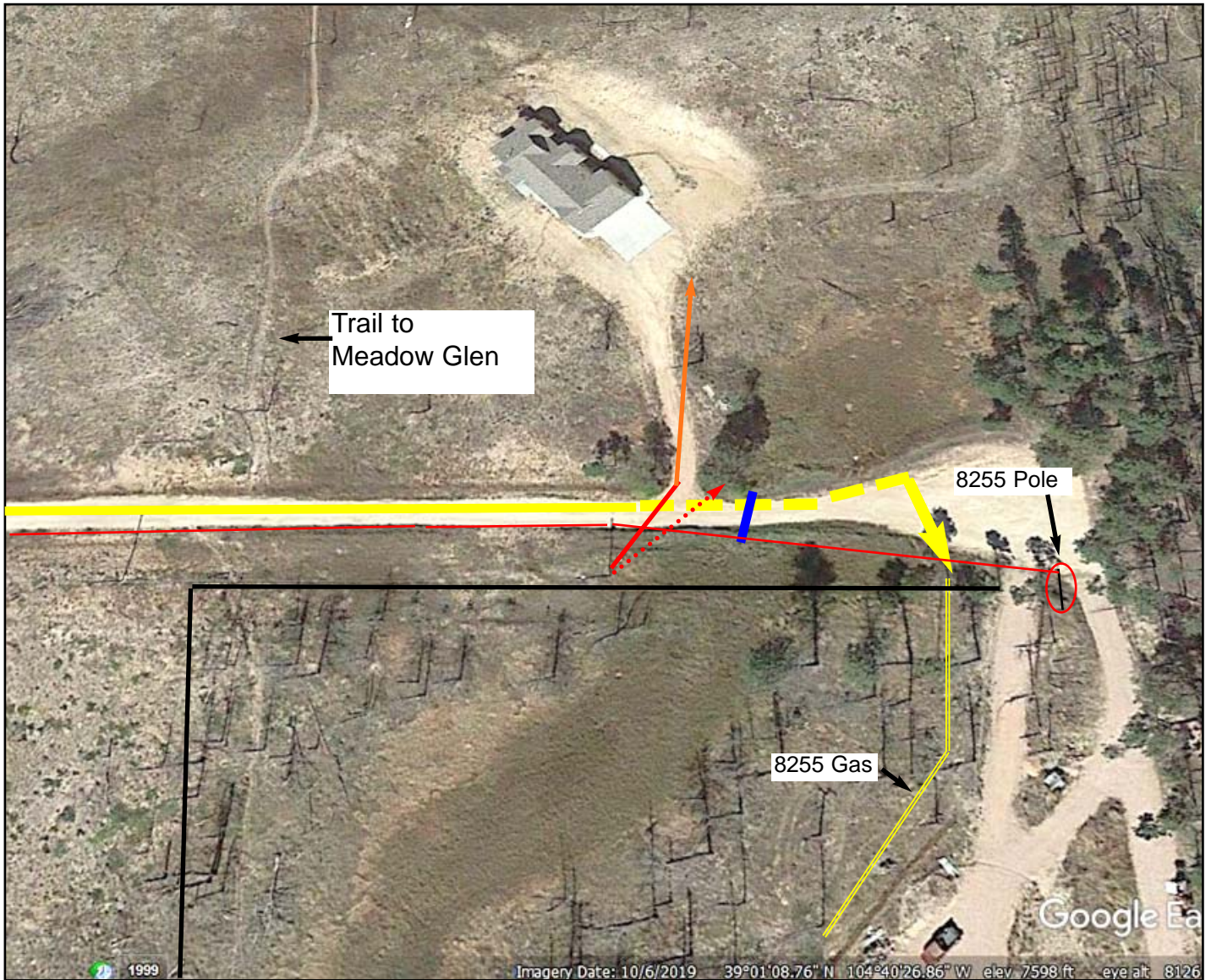
Black Hills Gas Line - solid yellow west of 8250 Driveway marked in April, 2020

- Dashed yellow - marked May 13 for 8250 /easement

- Double line yellow on 8255 ALL YELLOW

Note the gas line was extended along the road and then back SW to my house to avoid crossing the wetland, which would have been a shorter route.

Green line is approx width of FHC (60 feet)



**GOOGLE EARTH PHOTO from October 2019 (2 years a five months later)  
von Ahlefeldt fence and utilities**

I added:

Existing Culvert (approx 25 feet long) - BLUE

Utility pole and Electric/Phone service to 8250 (marked by USIC on May 13, 2020) RED

Black Hills Gas Line - solid yellow west of 8250 Driveway marked in April, 2020

- Dashed yellow - marked May 13 for 8250 /and easement

- Double line yellow on 8255

ALL BH Gas lines are marked in YELLOW

Note the gas line was extended along the road and then back SW to my house to avoid crossing the wetland, which would have been a shorter route.

Grass growth covered the footprint by 2019 but Vanguard re-marked it and also extended the location markings from west of 8250 driveway to house.

Green line is approx width of FHC (60 feet)

**PHONE/ ELECTRIC TO 8250 FHC marked May 13**



**8250 address marker  
Just east of Phyllis Didleau driveway  
Shared driveway preservation area.**



To phone from pole, across road/ditch and to box  
(arrows added for clarity)

Electric from pole, across Road and up driveway

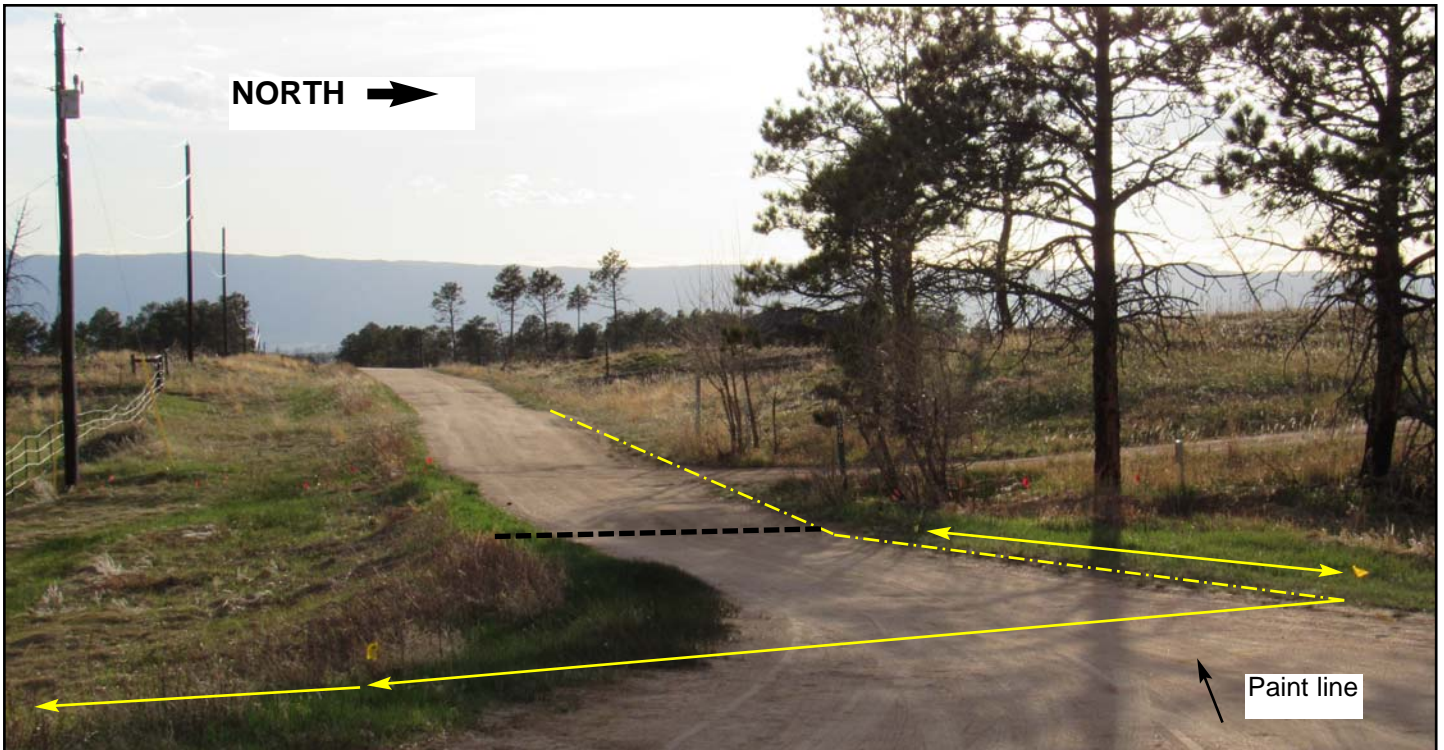
To pole in FHC ROW



Context photo - taken May 13, 2019. Arrows show overall route to 8250 driveway (Didleau). Service to 8255 is overhead. Zoom in to clearly see paint on the road surface. Marking of natural gas occurred in the afternoon on May 13. Note the phone and electric lines appear to cross - the phone is located west of the electrical conduit on the pole but phone line is east of electric. Photo taken facing east. This east end of Forest Heights Circle would be just fine as a shared private driveway, and if left as is would decrease the expense of FHC Road improvements. It is very flat and stable. Cul de sac diameter is 85 feet.



This photo taken morning of May 13, 2019 after marking electric and phone by USIC. See 811 record for more detail. Photo of pole taken facing SW.



BH Gas line - looking WNW toward 8250 driveway - from just east of where gas line crosses FHC. Zoom in to see the flags placed on May 13. Farthest west flag was end of April 811 locate. The double-ended arrow shows the two new 811 flags on north side of road (ground was very hard) and one new 811 flag on south side. Left most arrow indicates line continues across my fence to my house. Gas line passes OVER the culvert. Dotted black line is approx Culvert1 position.



NE edge of 8250 drive at intersection with FHC. Note the red flags for phone-service and also the yellow paint and westernmost of the two yellow flags on the north side for gas.

# Views of the potential shared driveway area at the the east end of Tract B



Photos of von Ahlefeldt gas line being installed along north side of Forest Hts Circle in March, 2016. View is top the east. You can see Phyllis' new house (white arrows) in photo above at extreme left center, and also above the backhoe (left) as digging bends to cross the cul de sac. View is to the north.



New Black Hills line from 2017 crosses the present cul dec sac and wold b=need to be dug up to repace the culvert.



**Culvert No 1 is just past the yellow backhoe BELOW this gas line where the line proceeds easterly on Forest Heights beyond Phyllis' driveway.**



In this 2016 photo you can see the location of the natural gas service line to my property being installed on the north side of Forest Heights Circle about 50 feet west of Phyllis' driveway. Phyllis' line was installed in 2014 and I think it hooked to the link extended along the north side of FHC. I do not know where it crossed FHC east of Bauer's, or if it crosses at Ritchie. Locates are needed to determine this. Either way, the Black Hills domestic gas service line must also cross the CIG lines

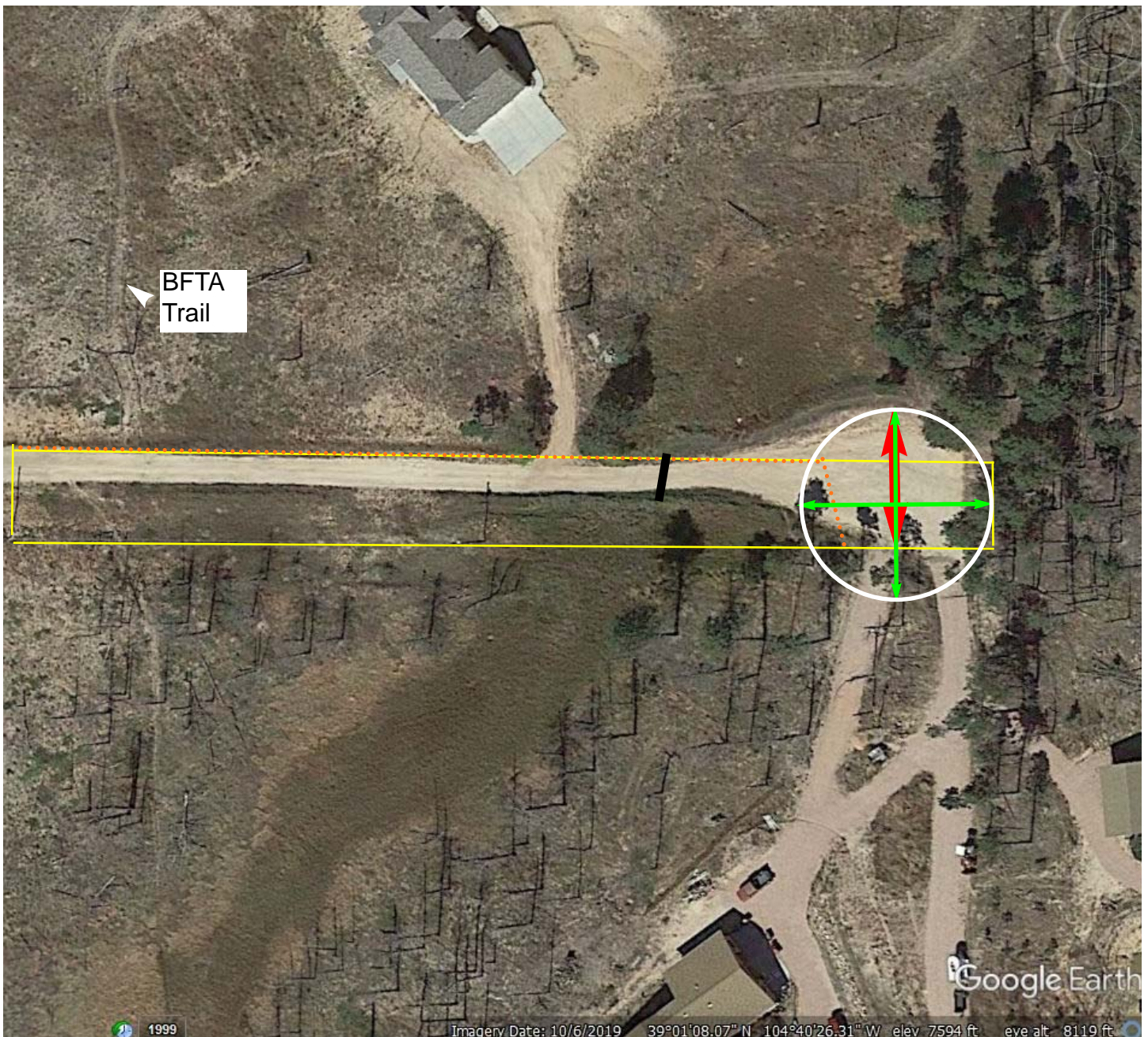
Also the phone line (phone and DSL) for Phyllis' home cross from the electric pole on the right, across Forest Hts Circle to just north of Phyllis' driveway and near Culvert 1. You can see the phone utility grey box on the pole (near bottom) as well as the transformer near the top.

6. The major Colorado Interstate Gas Co. high pressure gas lines, and oil line cross Forest Heights Circle near Chuck Bauer's house, and it traverses Lots 1 and 3.

7. There are a dozen Mountain View Electric poles on Forest Hts Circle near the south edge of the 60-foot ROW. If the private drive cul de sac is positioned near Phyllis' SW corner it could be placed so that the power pole west of my NW corner is not impacted.

8. There was concern at the March 14 neighbors meeting to avoid cutting or dozing trees in the ROW. Utility locates will need to show if these trees could be moved with a tree spade, and someone will need to pay for moving. Approx cost is \$125-\$150 per tree. **Would it be possible to design the road with some meanders so that the trees can left in place?** On Yonce's pieces there are cottonwoods and New Mexican locust trees in and area that probably has an underground spring. This would probably be a good place NOT to put the road - mover it over a little to the south away from cut slope and spring.





Google Earth Photo showing 60' road easement in yellow.

A 100 -foot cul de sac is shown in white. 27.5 feet each side beyond the 60' easement.

The orange dotted line on the north side of the road is my gas service line, which is above the Culvert 1 which crosses under the road. My gas line crosses the road to go over to where the service stubs at my south fence.

The drive area of the existing road is built only the north part of the 60' easement.

The drive area is about 18' wide at the east side of Phyllis' s driveway (also where her underground phone line is). To achieve a proper width for a private road the wetland would need to be filled and the culvert extended.

The red arrow is 85 feet from my property line across the widest part of the drive area of the cul de sac.

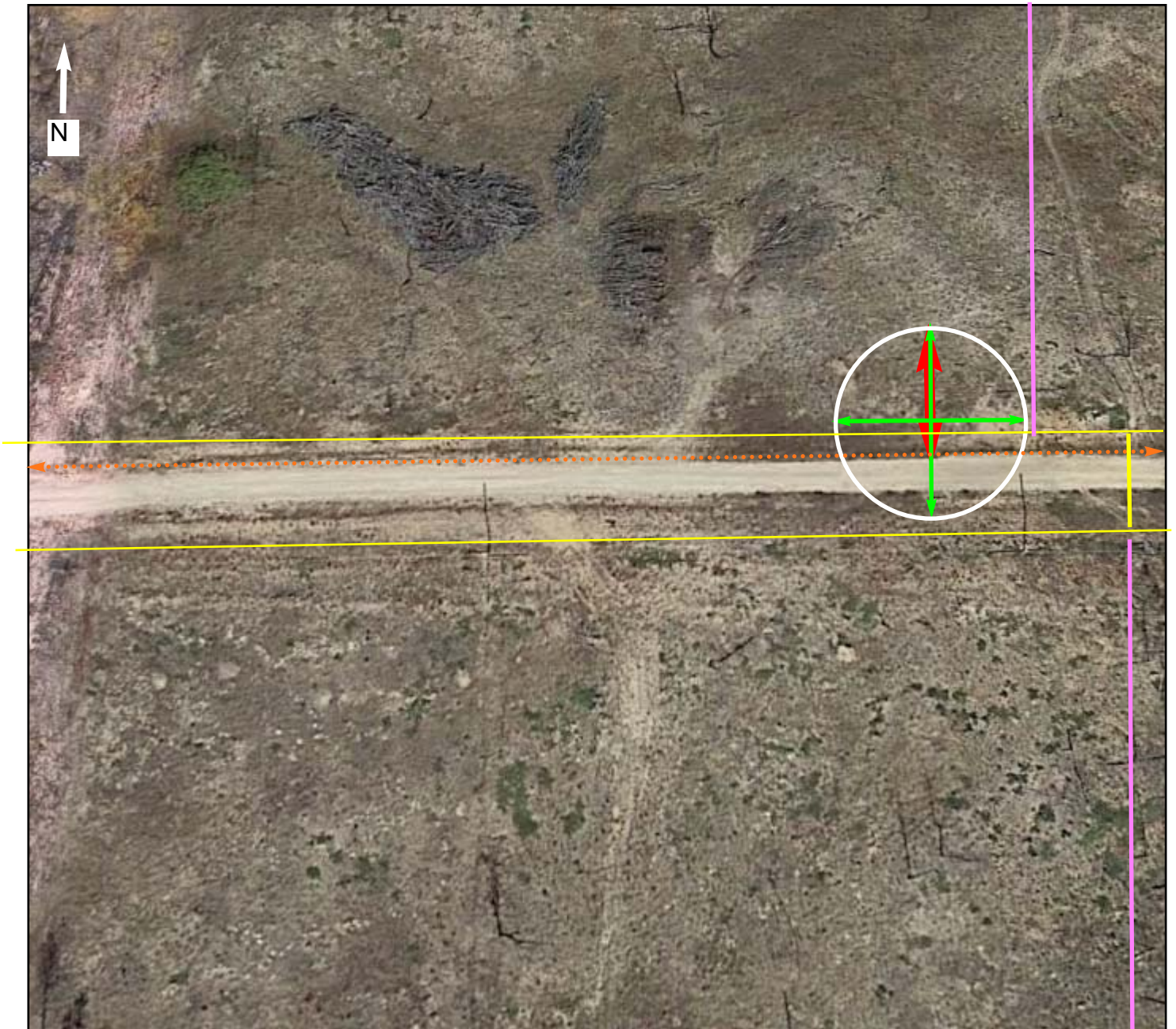
Measured by Chief Rebitsky of Black Forest Fire. About 25 feet is outside of the 60' easement on Phyllis' property for his red arrow measurement.

The east end of the easement is beyond the drive area, and goes up a hill which has mature, unburned green trees. There are also several green trees on the south side just south of my property fence on either side of my driveways.

It is important to me NOT to disturb this landscape for a subdivision located WEST of my property.

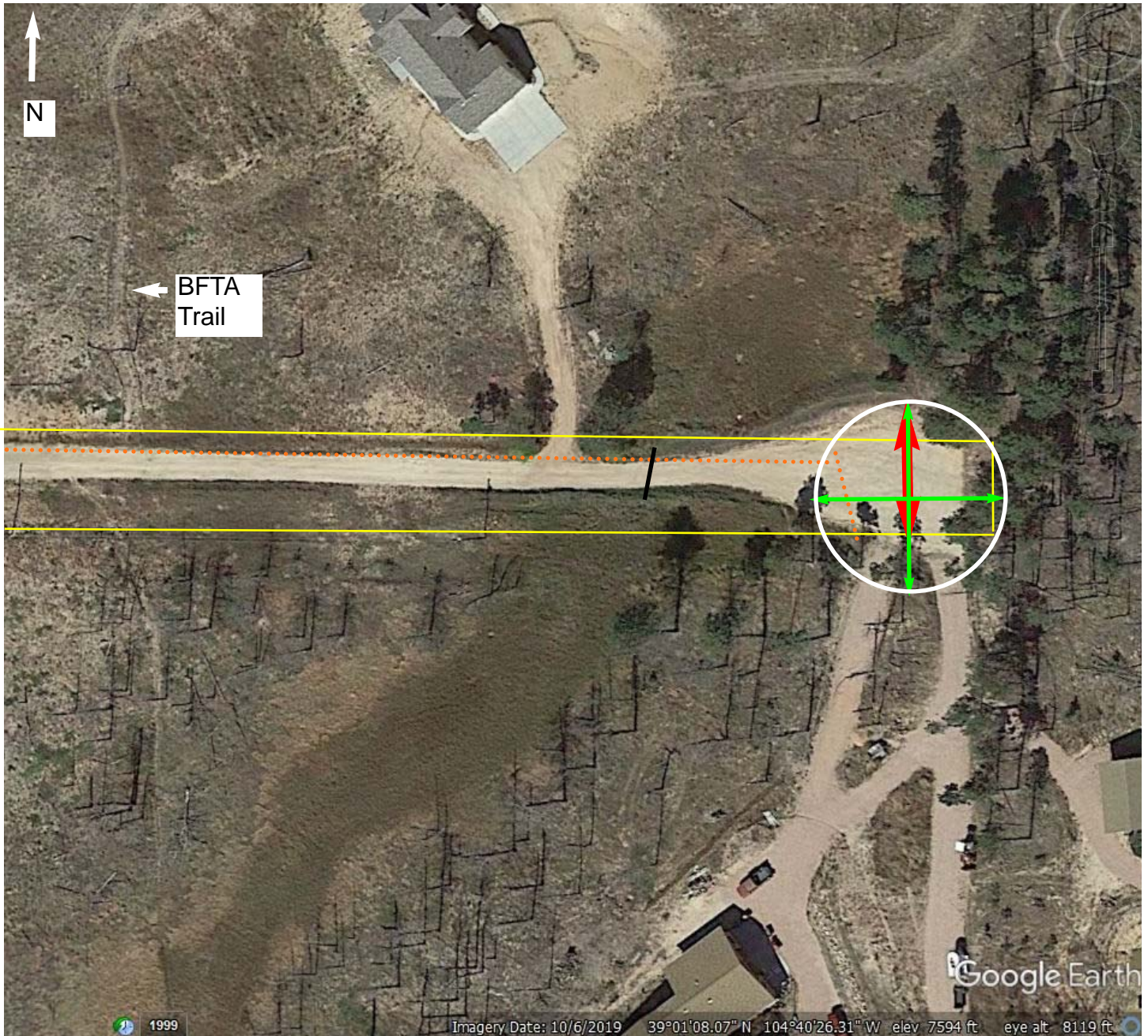
Unnecessary construction to meet road standards on an area used for a driveway for half a century is not a justified extra expense for the developer.

possible cul de sac position moved West on lots 1 and 4  
See large log piles.



Log piles left from clearcutting are visible on Lot 1. The Logger called these "silt fences". One of the Lot 1 wetland perched water tables can be seen next to the CIG Pipeline Easement.

cul de sac position East model  
Phyllis lot (above; Judy's lot below)

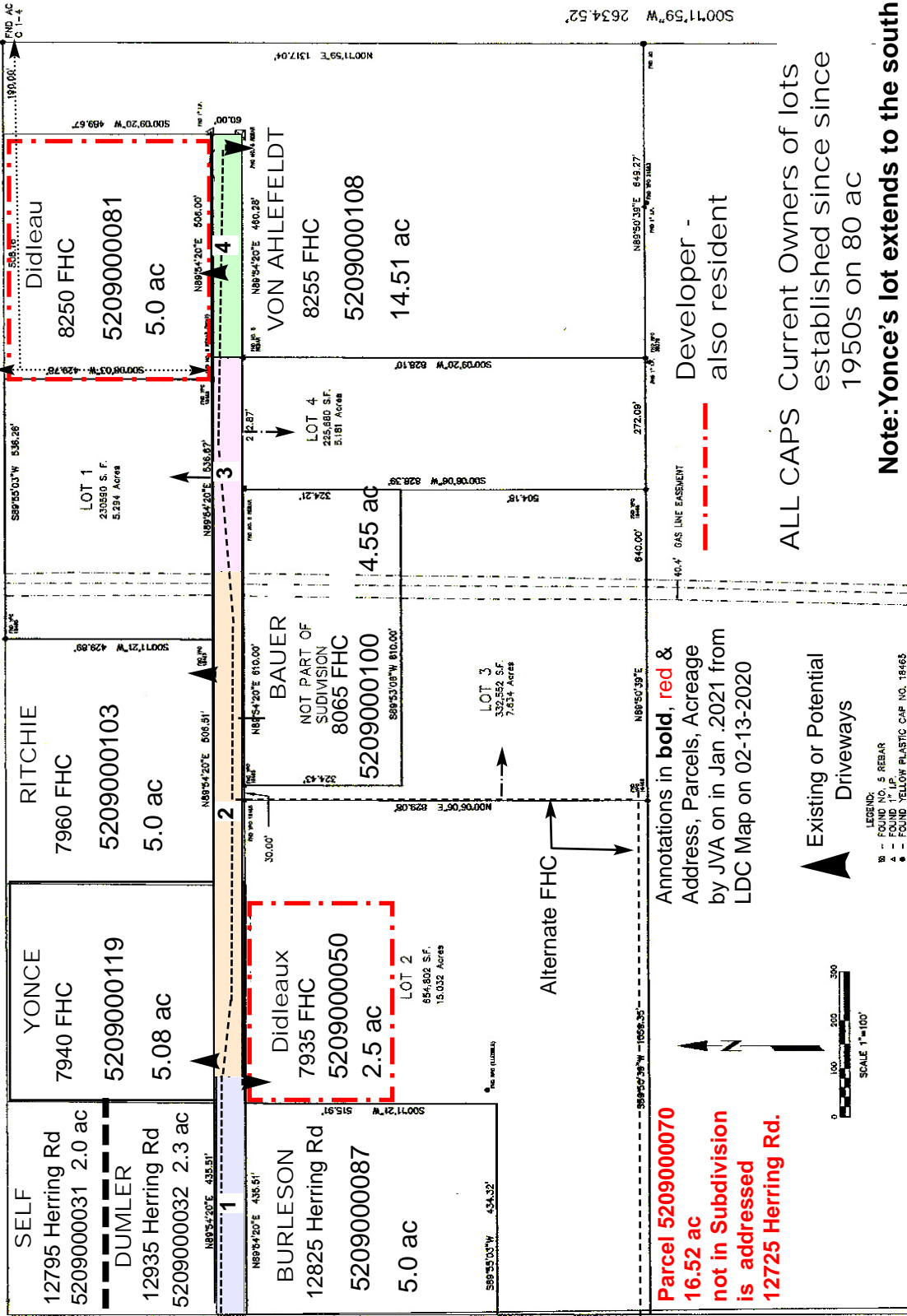




# LANDSCAPE SEGMENTS 1 through 4 of FOREST HTS CIRCLE

PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH PM.  
COUNTY OF EL PASO, STATE OF COLORADO

Lot labels (Names, addresses, Parcel Numbers, Acreages and red lot outlines for subdivision owners added. Basemap for subdivision was provided by LDC, Inc for Neighbors meeting on March 14. Lots 1-4 and Tracts A,B,C,D were labeled.

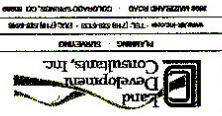


REVISIONS

NO.	DESCRIPTION	BY	DATE

PLANNING SERVICES

Checked By:	XXX
Designed By:	XXX
Drawn By:	XXX
Field By:	XXX
Field Check:	XXX
Field Date:	



PROJECT NO.: 18070  
SHEET: 3 of 2

DIDLEAU SUBDIVISION  
SEC. 9, T12S, R65W, 6th P.M.  
500'11.59" W 2634.52'