

**MINUTES OF**  
**ANNUAL MEETING OF HOMEOWNERS**  
**OF**  
**CRESTMoor PARK (2<sup>ND</sup> FILING) HOMES ASSOCIATION**

**(Date: June 7, 2017)**

The Annual Meeting of Homeowners of Crestmoor Park (2<sup>nd</sup> Filing) Homes Association (the "Association") was called to order by the President of the Board of Directors of the Association, John Sadwith, on June 7, 2017 at approximately 6:40 p.m. at Temple Emanuel, 51 Grape Street, Denver, Colorado.

1. **Establishment of Quorum.** Mr. Sadwith determined by a show of hands that more than 25 lots in the Crestmoor Filing Two subdivision were represented, and a quorum was established.

2. **Introductions.** Mr. Sadwith introduced the members of the Board, all of whom were present. Mr. Sadwith also introduced Lieutenant Ron McDaniel of the Denver Police Department, Mike Gargaro of Covenant Services, State Senator Lois Court, and District 5 Councilwoman Mary Beth Susman.

3. **Election of Directors.** Mr. Sadwith requested a resolution moving the election to the Board of Directors of Robert L. Brown, Lila Laux, and John Simonet. The motion was made, duly seconded, and the slate was approved unanimously.

4. **President's Report.** Mr. Sadwith reported as follows:

a. Mr. Sadwith thanked the Directors on the Board for their service. He thanked Ms. Susman and her office for promptly attending to matters affecting the Crestmoor Two subdivision, noting disagreement on certain development issues. He thanked Mr. Gargaro and Covenant Services, as well as the Community Relations Officer, Mike Borquez. He also thanked JBK Landscaping for providing free landscaping services with respect to the six entryways to the subdivision. Mr. Sadwith thanked Locanda del Borgo and Café Mercato for providing pizza to the homeowners' meeting and John Donofrio and his family of Stargazer Chocolates for providing desserts.

b. Mr. Sadwith reminded homeowners that construction hours within the subdivision were 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on weekends and holidays. Mr. Sadwith requested contact from residents if contractors were not honoring these time periods.

c. Mr. Sadwith reminded the homeowners to store trash cans out of sight as required by the Crestmoor Covenants and City Ordinance.

d. Mr. Sadwith asked homeowners along Holly Street and Monaco Street to maintain the streetscape weed-free.

e. Mr. Sadwith asked any homeowners noticing a neighbor preparing to install a sidewalk to notify the Association immediately, as sidewalks are not required by the City of Denver in Crestmoor pursuant to a regulatory exemption.

f. Mr. Sadwith asked homeowners whose neighbor may be showing signs of new construction to notify the Association if the neighbors have not seen plans for the new construction, since that may indicate failure of the homeowner to submit plans to the Association.

g. Mr. Sadwith noted that the issue of basketball hoops in the public right-of-way appears to have been resolved with the cooperation of homeowners.

h. Mr. Sadwith noted receiving multiple complaints from homeowners regarding barking dogs and that the problem of barking dogs seems to have become a bigger issue recently. He suggested that homeowners call 311 to bring the problem to the attention of neighborhood compliance authorities.

i. Mr. Sadwith also noted complaints he had received regarding unkempt properties becoming weed-infested and also suggested homeowners call 311 to notify the City of that fact. Mr. Sadwith noted at different times that the more complaints that are received by the City, the more likely that action will occur.

5. **Architectural Report.** Tom Deline provided the report of the Architectural Review Committee, noting that during 2016, the Committee had received and reviewed 16 submittals for new construction and renovations which had been approved by the ARC. In 2016 and 2015, there were 13 and 19, respectively, submittals. Mr. Deline noted this indicated approximately 10% of the homes in the subdivision had been replaced or substantially remodeled and that over a 10 year period, the figure was 40% or greater, creating and implying the desirability of Crestmoor as a residential subdivision.

Mr. Deline reported that if the Covenants and Design Guidelines were reviewed and complied with by homeowners and their architects, the approval process was quite simple. Mr. Deline explained the role of the Association's outside review architect. Mr. Deline noted that two submittals were currently having difficulties because of the homeowners' failure to comply with the Declaration and Design Guidelines.

In response to a question regarding building height, Mr. Deline pointed out that the Covenants do not restrict the height of buildings and that was governed by Denver Zoning, which provided a maximum height of 35'.

In response to a question about bulk plane, Mr. Deline noted that such requirements had recently been revised by Denver Zoning and that, in any case, compliance with Denver Zoning requirements was a separate requirement apart from compliance with the Association's Covenants and Design Guidelines.

Another homeowner asked regarding the effect of the 2010 changes to Denver Zoning that appear to permit larger building footprints. Mr. Deline noted that the Association's authority was limited to enforcing compliance with the Covenants and Design Guidelines.



6. **Treasurer's Report.** Mr. Garth reported that more than 95% of the Association's income comes from dues, that in 2016, there was a \$7,600.00 surplus, and that most of the Association's dues income was spent on security patrols.

Mr. Garth described the effort of the Association to change billing to an e-mail process to save money for the Association, noting that the first dues notice will be sent by e-mail to those homeowners whose e-mails are listed with the Association and that second and third notices would be sent by U.S. Mail.

7. **Webmaster Report.** Mr. Penney described the information contained on the Association's website, including Minutes of the Board's Meetings, the Covenants and other constituent documents, and answers to frequently asked questions concerning matters such as dues, trash collection, and e-mail. He reminded homeowners that there was a bulletin board available for use as part of the website.

8. **Upper Montclair Drainage Basin Report.** Wayne Graham presented the report, starting by describing the very large area encompassed by the Upper Montclair Drainage Basin, extending from Fairmount Cemetery to mid-Park Hill and draining toward and into City Park Lake. He noted that within this area, 50% of the surface was impervious (roads and rooftops) and that there was no natural drainage channel or similar feature remaining, thus contributing to the lack of solutions to flooding problems. The only retention pond in the Basin is in Crestmoor Park. Multiple meetings of the Committee to make recommendations to resolve flooding issues in the Basin have not resulted in any good solutions, since adding detention facilities, adding additional stormwater conveyance facilities, and removing existing structures are all impractical. In response to a question, Mr. Graham noted that new large projects, such as the redevelopment of 8<sup>th</sup> and Colorado Boulevard, are required to provide onsite detention.

9. **Cedar and Monaco – Mt. Gilead Report.** Greg Kerwin briefly described the lawsuit against the City to prevent the inception and continuation of the development of the Mt. Gilead parcel, noting that the lawsuit was rejected by the trial court and that decision was affirmed by the Court of Appeals. The lawsuit has been submitted to the Colorado Supreme Court for review. Historically, the court only accepts 10% of cases pursuant to this procedure. Mr. Kerwin believes there is a greater possibility of acceptance in this case, but that such possibility remains low, less than 20%.

10. **Safety Report – DPD.** Lieutenant McDaniel noted his new assignment to Division 3 as of about three months ago. He described the Crestmoor and nearby areas as being largely crime-free compared to the rest of Denver and that it was easy to respond to crimes that popped up on occasion. He noted that burglaries were way down in this area, since the Police Department apprehended a large burglary ring two years ago. He also noted that recent thefts from porches were also quickly solved with the assistance of neighborhood residents several months ago. Lieutenant McDaniel recommended the use of the website, pocketgov.com, and noted that DPD regularly monitored the site and it was a good means of communication with residents.

11. **Safety – Covenant Community Services.** Mike Gargaro described recent activities of regular security patrols and changes in scheduling. He described the open garage door plan available to Crestmoor homeowners, as well as the vacation house check plan. He

noted that 309 residents had signed up for open garage door notifications and that in the last 12-month period, 74 residents availed themselves of vacation house checks.

12. **Councilwoman's Report.** Mary Beth Susman reported on Denver's new bond measure which will be on the new ballot requesting bonding capacity of \$749 Million for various capital projects across Denver, only a few of which were in Ms. Susman's District. The significant programs being advocated for by Ms. Susman are expanding the Schlessman Family Branch Library, which is the second busiest in Denver after the Downtown main branch, increasing pedestrian amenities on East Colfax between York and Monaco, and implementing a bus rapid transit corridor from Yosemite to the Anschutz Medical Campus. Ms. Susman commented on the significant changes that will be wrought by the advent of driverless transportation, comparable to the changes brought about by the internet. Ms. Susman also discussed the difficulties of regulating social consumption of marijuana and efforts that the City is making in that regard. In response to questions, Ms. Susman noted that the homeless situation was difficult and that the City was spending \$15 Million to build homes for the homeless, the mobile laundry initiative, and issues related to "sweeps" of the streets.

In response to a question about platooning lights on 6<sup>th</sup> Avenue, Ms. Susman reported she was working with the Department of Public Works, but that significant changes were unlikely.

In response to a question regarding Boulevard One and traffic mitigation issues, Ms. Susman reported that Denver was growing at approximately 1,000 people per week and that she was working with Public Works on minimizing traffic through 1<sup>st</sup> Avenue and moving it to Lowry Boulevard. She also described the use of stop signs on 1<sup>st</sup> Avenue between Quebec and Monaco to deter traffic there. Mr. Sadwith noted that the Association, with the Department of Public Works, did a baseline traffic count in the subdivision last year.

In response to an additional question regarding participation in the bonding process, Ms. Susman noted that the process had moved very far along and that direct contact should be made to lobby the Mayor and City Council.

In response to a question regarding pedestrian safety at Holly and Cedar, Ms. Susman announced that pedestrian crossing lights, one of the first five in the City, were planned for that intersection.

13. **Crestmoor Park Path.** Mr. Sadwith reported that Public Works was planning to complete the path that circumnavigates Crestmoor Park this summer.

14. **State Senator Report.** Lois Court provided a list of new laws that she sponsored as well as those that were not passed. The new statutes include making texting a four point, instead of one point, violation, with a \$300.00 rather than \$50.00 fine. She expressed her dismay that HB-1242, referring to the voters a ballot to increase taxes for infrastructure, did not pass out of the Senate Finance Committee. She noted that the Hospital Provider Fee going forward was moved out from the TABOR cap and that such legislation would save many rural hospitals. Ms. Court reiterated the problems with regulating locations for the social use of marijuana, and the Committee looking at this on which she serves has not come up with a solution. Ms. Court also reported that she was hopeful that the new construction defects litigation would permit more



affordable housing that would assist in alleviating the homelessness/mental health issues somewhat.

15. **New Business.** Ms. Lynn Loewi reported on the detrimental environmental and health effects of two-stroke, gas-powered, high-velocity leaf blowers and requested homeowners' participation in requesting landscape companies to use only brooms or electric leaf blowers. She noted that Swingle Lawn Service would respond positively to such request, and that other lawn services would likely similarly respond if informed that Swingle would agree not to use such leaf blowers.

16. **Adjournment.** There being no further business to come before the meeting, the meeting adjourned at approximately 8:15 p.m.

Respectfully submitted,



Robert L. Brown, Secretary

Attachments:     Agenda  
                      Notice of Annual Meeting  
                      Architectural Committee Report  
                      2016 Financial Statements  
                      Gargaro Statistics

**Brown, Robert L.**

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**From:** John Sadwith <johns@ctlanet.org>  
**Sent:** Wednesday, June 07, 2017 10:46 AM  
**To:** Crestmoor Home Owners Assoc  
**Subject:** Crestmoor Park (Filing Two) Homes Association Annual Meeting Tonight!!!

Crestmoor Park (Filing Two) Homeowners:

We are looking forward to seeing you at tonight's annual homeowner meeting to be held at 6:30PM at Temple Emanuel (1<sup>st</sup> & Grape). Pizza by Café Mercato/Locanda Del Borgo and Sweets by Stargazers Fine Chocolates. Below is an agenda.

AGENDA

- I. Introductions
- II. Election of Board Members
- III. President's Report—John Sadwith
- IV. ARC Report—Tom Deline
- V. Treasurer's Report—Matt Garth
- VI. Webmaster Report—Chris Penney
- VII. Montclair Basin Report—Wayne Graham
- VIII. Mt. Gilead Report—Greg Kerwin
- IX. Safety Report—DPD Mike Borquez & CCS Mike Gargaro
- X. Councilwoman Mary Beth Susman Report
- XI. State Senator Lois Court Report
- XII. State Representative Chris Hanson Report
- XIII. New Business—Lyn Loewi on Leaf Blowers and Other New Business
- XIV. Adjourn

John Sadwith  
Executive Director  
Colorado Trial Lawyers Association  
303 E. 17th Ave. #320  
Denver, CO 80203  
303-831-1192 (PH)  
303-831-0111 (FX)  
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Colorado Trial Lawyers Association on [Facebook](#) and [Twitter](#)

**Ready ... Set ... GO! CTLA Convention ♦ August 3<sup>rd</sup> – 5<sup>th</sup> ♦ Westin Snowmass Resort** [\(More information\)](#)  
Get ahead of the rest, make your cases stronger and generate better results for your clients.  
SUPER SAVINGS RATES ARE AVAILABLE FOR A LIMITED TIME!

# CRESTMoor PARK (2ND FILING) HOMES ASSOCIATION

www.CrestmoorParkTwo.org

## NOTICE OF ANNUAL MEETING

The Annual Meeting of the Crestmoor Park (2nd Filing) Homes Association will be held on Wednesday, June 7, 2017 at 6:30 p.m. at Temple Emanuel, 51 Grape Street. An update on Cedar & Monaco, Boulevard One, security issues and other neighborhood concerns will be addressed. Our current state house representative, state senator and councilwoman, and Denver police will be invited to address the group. Owners of property who are more than 30 days delinquent in their dues payment and/or late fees are not eligible to vote at the annual meeting.

### PROPOSED

#### Board Member Election – Term Expiring 2020

Bob Brown  
John Simonet  
Lila Laux

### CONTINUING BOARD MEMBERS

#### Term Expiring 2018

Tom Deline  
Chris Penney  
John Sadwith

#### Term Expiring 2019

Matt Garth  
Stuart Gottesfeld

Homeowners have the right, and are strongly encouraged, to nominate other candidates as well. Nominations should be submitted to the Association by mailing them to 245 Kearney St., Denver, CO 80220, along with five supporting signatures of non-delinquent members of the Association and a letter of acceptance from any nominated person. These nominations must be received by the Board at least fifteen (15) days prior to the Annual Meeting.

### E-MAIL

The most efficient way to communicate with you is through email. Matters of neighborhood importance and safety are now sent via email. If you have not done so please send your email address, your name and your home's physical address to John Sadwith [johns@ctlanet.org](mailto:johns@ctlanet.org) or fill out the enclosed form and return it to John Sadwith.

### APPROVAL OF PLANS

Members are reminded that the Board of Directors, through the Architectural Review Committee, is charged with the responsibility of reviewing and approving, prior to commencement of any exterior work, proposed plans for additions or improvements to properties. A licensed architect reviews the plans and a fee is charged for the review. Homeowners contemplating improvements or changes to the exterior of their homes, fences, walls or other structures should review the applicable Design Guidelines and Covenants with their architect and builder. Contact Tom Deline, Chairperson (303-743-0100) in advance of the intended construction start to allow for the review and approval process.

- If there is evidence of construction at your adjacent neighbors and you have not received copies of the plans from them, please notify the chair of the ARC immediately.
- The Crestmoor 2<sup>nd</sup> Filing Design Guidelines and submittal procedures are available on our website at [www.CrestmoorParkTwo.org](http://www.CrestmoorParkTwo.org).
- When renovating, please have construction materials and dumpsters placed on your property or driveway and not on the street.

### CEDAR & MONACO & BOULEVARD ONE

There will be an update on the projects at Cedar & Monaco and Boulevard One.

### FINANCIAL STATEMENT

A copy of the January 1 – December 31, 2016 Financial Statement is enclosed.

Page | 1

**CRESTMoor PARK (2<sup>ND</sup> FILING) HOMES ASSOCIATION**  
*Thomas C. Deline, Chairman*  
*Architectural Review Committee*

**MEMORANDUM**

**TO:** JOHN SADWITH, President  
Crestmoor Park (2<sup>nd</sup> Filing) Homes Association

**FROM:** TOM DELINE

**DATE:** June 7, 2017

**RE:** Architectural Review Committee Report

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John,

The pace of activity within Crestmoor Park, 2<sup>nd</sup> Filing, for new homes and renovations continues to stay active. From the date of the last annual meeting, through today, the Committee has approved 16 submittals for renovation, or new home construction. Currently, there is one project which is on hold and we are waiting for further information to be submitted. On a different note, a disturbing trend has arisen, wherein certain homeowners have chosen to entirely disregard the Covenants, the Design Guidelines, and the process of submittal of plans. It is my opinion that the Covenants provide all of the Homeowners in Crestmoor a benefit and safeguard against unfettered or inadequate design and construction, which can have a negative effect on surrounding properties. It is my hope that our Crestmoor neighbors will abide by the Covenants to which they have agreed.



10:54 AM  
 01/05/17  
 Accrual Basis

**Crestmoor Park Homes Assoc (Filing 2)**  
**Balance Sheet**  
 As of December 31, 2016

	Dec 31, 16
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
1000 - Checking Account	8,455.37
1025 - Money Market	51,444.91
Total Checking/Savings	59,900.28
Accounts Receivable	
1100 - Dues Receivable	-275.00
Total Accounts Receivable	-275.00
Total Current Assets	59,625.28
<b>TOTAL ASSETS</b>	<b>59,625.28</b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
Retained Earnings	51,939.89
Net Income	7,685.39
Total Equity	59,625.28
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>59,625.28</b>

10:54 AM  
 01/05/17  
 Accrual Basis

**Crestmoor Park Homes Assoc (Filing 2)**  
**Profit & Loss YTD Comparison**  
 December 2016

	Dec 16	Jan - Dec 16
<b>Income</b>		
4000 - Dues Income		
4400 - Architectural Review Income	0.00	48,600.00
4500 - Transfer Fee Income	500.00	6,750.00
4600 - Interest Income	700.00	2,710.00
4700 - Lien Fee Income	4.64	71.30
4800 - Late Fees	50.00	50.00
Total Income	0.00	420.00
Total Income	1,264.64	58,601.30
<b>Expense</b>		
6000 - Bookkeeping Services		
6030 - Bank Charges	0.00	1,897.50
6050 - Board Expense	0.00	30.00
6100 - Annual Meeting Expense	0.00	212.08
6120 - Architectural Review Expense	0.00	178.36
6145 - Insurance Exp	500.00	6,100.00
6200 - Printing Expense	0.00	2,290.00
6300 - Postage and Box Rental	0.00	91.06
6350 - Professional Fees	0.00	268.20
6400 - Interneighborhood Coop	0.00	124.38
6500 - Landscape Maintenance-Islands	250.00	500.00
6550 - Signage Repairs/Maintenance	0.00	3,019.85
6600 - Security Patrol	356.40	2,779.53
6700 - Miscellaneous Expense	2,368.96	32,992.98
6800 - Taxes - Federal	0.00	362.97
Total Expense	0.00	69.00
Total Expense	3,475.36	50,915.91
<b>Net Income</b>	<b>-2,220.72</b>	<b>7,685.39</b>

**Covenant Community Services, Inc.**  
**ANNUAL COURTESY PATROL REPORT**  
**CRESTMOR PARK 2**  
**May 2011 thru May 2017**

**OVERVIEW**

<b>ACTIVITY</b>	<b>05/01/11 thru 05/05/12</b>	<b>05/04/12 thru 04/22/13</b>	<b>04/22/13 thru 05/25/14</b>	<b>05/25/14 thru 04/27/15</b>	<b>04/28/15 thru 03/20/16</b>	<b>03/21/16 thru 04/29/17</b>
<b>POLICE &amp; SECURITY ISSUES</b>	<b>280</b>	<b>214</b>	<b>199</b>	<b>168</b>	<b>240</b>	<b>199</b>
AUTO TAMPERING / AUTO VANDALISM	4	8	4	3	13	4
AUTO THEFT	2	0	0	2	2	3
BURGLARY	7 (4 in 10/2011)	3	2	9 (1 cold case)	11	14 (3 attempts)
CRIMINAL MISCHIEF	2	5	1	1	7	3
DISTURBING THE PEACE	1	2	3	5	7	4
MISCELLANEOUS	40	56	43	45	51	30
PATROL ACTIVITY	965 total patrols	742 total patrols	802 total patrols	1011 total patrols	1261 total patrols	1921 total patrols
SOLICITORS	27	7	8	5	7	5
SUSPICIOUS PEOPLE	19	10	8	10	12	12
SUSPICIOUS VEHICLES	45	19	22	15	42	20
THEFT	0	10	6	8	3	9
THEFT FROM MOTOR VEHICLE	10	7	1	6	18	8
VACATION HOUSE CHECKS	82	69	89	50	64	74
VANDALISM / GRAFFITI	8	11	3	3	1	9
LIGHTING / MAINTENANCE ISSUES	2	3	3	6	2	5
<b>OTHER SERVICES OFFERED BY CCS</b>	<b>149</b>	<b>128</b>	<b>172</b>	<b>158</b>	<b>167</b>	<b>229</b>
Open Garages Found - Resident Not on List	70	73	75	64	68	81
Open Garages Found - Contacted Resident	79	55	97	94	98	148
OPEN GARAGE DOOR NOTIFICATION PROGRAM - total # of residents signed up	273	305	286	295	310	309