

Dawn Collins

From: Mike Beeson <beeson.mike@gmail.com>
Sent: Monday, January 6, 2025 1:56 PM
To: Dawn Collins
Subject: Jan 9th 2025 BoT Meeting Input
Attachments: Vincent Memo (1).pdf; Exceptions Rebuttal.pdf

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Hi Dawn, we hope you had a wonderful holiday season! Please include this email and attachments in the upcoming Jan 9th BoT packet for their consideration. I really appreciate how busy you are right now--thanks!

BoT Members: I've attached two short read-aheads for this week's BoT meeting--I know you have numerous documents to consider, but I feel this is one of the most critical areas that needs to be addressed--thank you very much for your time and consideration.

As you know, the TOPL adopted the 2015 International Fire Code (IFC) with amendments in TOPL Ordinance 6-2021, which is referenced both in Chief Vincent's attached (one access road) memo, and in our attached (two access road) analysis of the applicable exceptions.

Legally adhering to the 2015 IFC, which clearly requires 2 access roads in our specific situation, will only be part of the equation; we still need a subdivision evacuation plan--sheltering in place as the Fire Chief advocates is not remotely realistic, even for those with sprinkled homes, and moreover doesn't address what to do during a train-borne chemical spill or natural disaster. It is unclear why our Fire Chief has abdicated his #1 responsibility for Palmer Lake Residents' safety.

Additionally, to be 100% crystal clear, Oakdale Dr. is the ONLY access road at this point--there have been false references in various documents from Applicant Sepp and others that Lake Ave is the access--this false statement only serves Applicant Sepp's desperate attempt to exclude existing homes in Lakeview Heights in an effort to invoke IFC Exception #1 and relieve him of providing two access roads.

Finally, I recently spoke with the Colorado State Chief of Fire Prevention and Control, Mr. Jay Willmott, and in his professional opinion, having 150+ homes on a single access road is dangerous, reckless, irresponsible, and in his words: "WHEN something bad happens, Chief Vincent's name will be all over it." I received the exact same response from other fire officials from surrounding jurisdictions--they were incredulous, and couldn't believe that our Fire Chief was even considering one access in this situation.

Cheers,

Mike and Jennifer

In Chief John Vincent's memo to the Town of Palmer Lake, dated November 15, 2024, attached, in which he supports the Lakeview Heights development, he stated: "It is my understanding that the applicant meets the Exceptions laid forth in the following code Section D107.1, thus allowing this subdivision as proposed." The Chief does not specify which exceptions are being used to justify the proposed development, nor does he provide any concrete justification or engineering study.


We disagree with Chief Vincent's interpretation of this code, regardless of which exception is being invoked. The Lakeview Heights Development, as proposed with one access road (Oakdale Drive) by Sepp and Affiliates, does NOT meet International Fire Code Section D107.1. We lay out reasons below:

D107.1 One or Two Family Dwelling Residential Developments.


Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Two access roads are the prudent and required standard.


Exceptions:

 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and **all** dwelling units are equipped throughout with an approved automatic fire sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.

All dwellings on a single access road (Oakdale Drive) are NOT sprinkled. There are 50+ existing houses are not sprinkled and cannot be ignored. This exception does not apply.


 2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

There is not a second access planned for future phases. This exception does not apply.

 3. The fire code official is authorized to modify the requirement of two separate and approved fire apparatus access roads, when they are not possible due to location on property, topography, water ways, non-negotiable grades or similar.

The intent of exception #3 is for cases in which it is IMPOSSIBLE to build a second entrance EVER. The fact that the developer does not own the land required to build the second access road, or building the access road is too inconvenient/expensive, is not "SIMILAR" to the other geographically-driven conditions in exception #3. The town has already established a precedent that a bridge can be built. Additionally, the developer acknowledged in his Lakeview Heights Master Plan that he also thinks it is possible to build a second entrance. The plan clearly states: "Any lot owner/builder in future phases who fails to comply with this provision and thus triggers the requirement for a secondary access shall be solely responsible for all costs, construction, and approvals associated with such secondary access."

This exception does not apply.

 Because no exceptions are valid, we must apply the full weight of this code which clearly states: "Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads". Anything else would be reckless and a clear violation of the lawful, Palmer-Lake-adopted fire code.



November 15, 2024

TO: Town of Palmer Lake Planning Commission
FR: John Vincent, Fire Chief
RE: Consideration of Lakeview Heights subdivision Master Plan

During discussions with the applicant and upon my last review of the Lakeview Heights documents, two points of egress cannot be met, and the developer will install fire sprinkler systems in the homes to be built.

It is my understanding that the applicant meets the Exceptions laid forth in the following code Section D107.1, thus allowing this subdivision as proposed.

Per the International Fire Code 2015 and reference Town of Palmer Lake Ordinance 6-2021:

Section 907.2.25. One and Two-Family Dwellings in Wildland Urban Interface. Where specifically required on the approved development plan, one-and two-family dwellings (R3) occupancies located in wildland urban interface overlay, shall comply with Appendix K, in addition to other requirements of this code, or as identified on the approved development plans.

Section D107.1. One or Two Family Dwelling Residential Developments. Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units *are* equipped throughout with an approved automatic fire sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
3. The fire code official is authorized to modify the requirement of two separate and approved fire apparatus access roads, when they are not possible due to location on property, topography, water ways, non-negotiable grades or similar.