

**Minutes of the Board of Directors of the
Singletree Property Owners' Association Meeting
December 9, 2025**

A Regular Meeting of the Board of Directors of the Singletree Property Owners' Association (SPOA), Eagle County, Colorado, was held on December 9, 2025, at 4:46 p.m., at the Singletree Community Center.

Attendance The following SPOA Directors were present and acting:

- Dan Godec
- Happy Power
- Jennie Longville May
- Karen Zavis
- Ron Rubinoff

Also, in attendance:

- Nina Timm, Community Manager
- Trevor Broersma, BCMD
- Cara Turner, BCMD
- Charles Dawson, BCMD
- David Viele, BCMD, virtually
- George Gregory
- Helen Burton, virtually
- Ben Aiello, virtually
- Brian Bevan, Esq., virtually
- Wendell Porterfield, Esq.

CALL TO ORDER:

Dan Godec called the SPOA meeting to order at 4:46 p.m.

CHANGES TO THE SPOA MEETING AGENDA:

The appeal for 1121 Berry Creek Road Unit A1-W will be moved up on the agenda when Wendell Porterfield, SPOA's attorney, arrives.

MEETING MINUTES:

The SPOA October 28, 2025, meeting minutes were reviewed. Following the discussion, by motion duly made and seconded it was unanimously

RESOLVED to approve October 28, 2025, meeting minutes.

The SPOA November 19, 2025, meeting minutes were reviewed. Following the discussion, by motion duly made and seconded it was unanimously

RESOLVED to approve November 19, 2025, meeting minutes.

TREASURER REPORT:

There are no significant expense or revenue variations from the adopted budget. The Certificate of Deposit SPOA purchased 6 months ago matured on December 8. Following the discussion, by motion duly made and seconded it was unanimously

RESOLVED to accept the October 2025 financial report as presented.

The accounts payable includes November and December payables. There is an additional \$5,000 in compensation for the Architectural Consultant based on the hours worked in 2025 compared to the contractual hours. Following review of the accounts payable, by motion duly made and seconded it was unanimously

RESOLVED to approve the November and December 2025 payables.

2026 BUDGET CONSIDERATION:

The SPOA Board held a robust budget work session on November 19, 2025. The proposed budget reflects the public input received at the work session as well as Board input.

Major expenditures include the Service Agreement SPOA has with the Berry Creek Metro District for Administrative Support, the Architectural Consultant whose compensation was reviewed at the work session and the number of contractual hours will be increased in 2026. The Board also committed to creating a succession plan for the Architectural Consultant. There was consensus that staff approvals should continue to be reviewed and provided at no charge to residents with the goal of achieving compliance with the Design Guidelines. It was agreed that the Summer Party adds great value to the community and brings residents together and builds community.

In compliance with the Colorado Common Interest Ownership Act, it was noted that 2025 dues would have been \$225 rather than \$215 if there was not excess earnings in 2024, that were carried forward to 2025. It is projected that expenses in 2025 will exceed budgeted expenses and the additional loss is proposed to be made up in 2026. This results in 2026 annual dues of \$250 per unit. Following the discussion, by motion duly made and seconded it was unanimously

RESOLVED to adopt the 2026 Budget as presented.

DESIGN REVIEW COMMITTEE (DRC) REPORT:

Thanks was given to David Viele, DRC Chair, for the Committee's time and effort on behalf of the community.

APPEAL OF SEPTEMBER 18, 2025, DRC DENIAL OF REQUEST FOR A SETBACK VARIANCE FOR A DECK EXPANSION AND HOT TUB INSTALLATION AT 1121 BERRY CREEK ROAD UNIT A1-W

Ben Aiello, owner, and Brian Bevan, Mr. Aiello's attorney, presented an appeal of the Design Review Committee's (DRC) denial of a setback variance for a deck expansion and hot tub

installation at 1121 Berry Creek Road, Unit A1-W. Mr. Aiello apologized for not seeking approval prior to construction of the deck. He stated that John Perkins visited the site and provided guidance when only the deck railings remained to be installed. Mr. Aiello explained that the railings were installed promptly because his grandchildren were visiting and the railings were necessary for their safety.

Mr. Aiello stated that he constructed and installed the hot tub platform and hot tub beyond the deck because there was significant distance between the platform and the adjacent golf course property. He acknowledged that the deck encroachment into the setback was minor, while the hot tub encroachment was larger, and indicated his willingness to remove the hot tub platform and hot tub if necessary. He noted that the improvements increased his enjoyment of the property during the summer months.

The DRC's review of the variance request included a staff-prepared timeline indicating that notice was provided to Mr. Aiello and his contractor during construction of the deck, and that no application for the deck was received or approved at that time. The timeline further showed that approval and the variance request were submitted only after construction was completed. While the deck was described as attractive, the DRC determined that it did not comply with the Design Guidelines and therefore could not be approved as constructed.

The SPOA Board expressed concern regarding discrepancies between the dates provided by Mr. Aiello and the timeline presented by staff. Mr. Aiello and Mr. Bevan confirmed they had received the staff timeline prior to the appeal hearing. Staff's timeline indicated that the first contact with Mr. Aiello and his contractor occurred on April 5, at which time photographs showed that the deck was not yet complete.

Mr. Aiello stated that his property is unique within Singletree because it is adjacent to Berry Creek Road and the Sonnenalp Golf Course, which he noted is not a typical condition. He explained that the deck was constructed over an existing boulder wall and that, because the boulder wall had previously been approved, he assumed the deck could also be constructed in that location. He reiterated his willingness to remove the hot tub and the walkway leading to it. Mr. Aiello acknowledged that he did not apply for approval prior to completing the work and stated that granting a variance would allow the improvements to remain.

Staff clarified that boulder walls are considered landscape elements, not constructed elements, and are therefore permitted within setback areas.

There was general agreement that the deck was visually appealing; however, it was emphasized that the deck was not approved and was not constructed in compliance with the Design Guidelines.

Mr. Aiello reiterated his desire for a positive outcome for both himself and the SPOA and requested a variance to allow the small deck encroachment to remain, while agreeing to remove the hot tub.

The Board noted that there is no penalty for submitting a variance request after construction; however, a prospective review would follow the same standards and process as an after-the-fact request. The Board further stated that had the application been submitted prior to construction, it would not have been approved because it did not comply with the Design Guidelines. The Board acknowledged and appreciated Mr. Aiello's offer to remove the hot tub.

Helen Burton, a resident, expressed concern that she lives in a duplex and is required to comply with Design Guidelines Section 2.23, which requires duplexes to be architecturally integrated. She stated that this duplex no longer appears architecturally consistent and that a similar request would have been denied. She further noted that there is no variance process available for duplexes under Section 2.23, and that the second-level decks no longer have matching railings.

Mr. Aiello stated that, upon approval, his duplex neighbor would match the new deck.

The Board discussed past variance approvals and noted that variances have typically been granted only for safety-related issues. The Board emphasized the importance of consistent application of the Design Guidelines and expressed concern about setting a precedent.

When asked what hardship the variance would address, Mr. Aiello stated that the surrounding space created by the adjacent road and golf course contributed to his decision to build the deck. He also submitted letters of support from his duplex neighbor. Mr. Aiello reiterated that he did not act with ill intent and stated that, had the process been followed correctly, he would have requested the variance prior to construction.

The SPOA Board commented that they and DRC are tasked with equal and fair application of the rules and regulations.

Following discussion, and upon motion duly made and seconded, it was unanimously

RESOLVED to uphold the Design Review Committee's denial of a setback variance for the deck expansion and hot tub installation at 1121 Berry Creek Road, Unit A1-W.

Mr. Aiello asked what the next steps are. He does not want to go to court over a 1' to 3' encroachment when there is more open space.

COMMITTEE REPORTS:

Legal – Nothing to report.

Trails & Open Space – Seasonal wildlife closures on certain trails, including the Knob Hill trail, will take effect on December 15.

Communications – Asked to send out reminders about the road Right of Way and its purpose and requirements to residents.

Social – It has been a successful summer and fall of social events. Lots of good community mixing and mingling. The Holiday Party is on Sunday, December 14. Hope to see everyone there.

COMPLIANCE UPDATE:

Changes to the plans have been approved by the DRC for the duplex on Rowel Drive.

OTHER BUSINESS:

After discussion, the SPOA Annual Meeting has been scheduled for Tuesday, March 3rd, at 6 PM.

ADJOURNMENT:

There being no further business to come before the Board, by motion duly made and seconded it was unanimously

RESOLVED to adjourn the meeting of the Singletree Property Owners Association Board of Directors at 5:55 p.m., this the 9th of December 2025.