



P.O. Box 1887, 702 Gregg Drive, Buena Vista, CO 81211

Ph: (719) 395-3790 Fax: (719) 395-3794

RECEIVED

MAR 15 2013

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

March 12, 2013

Dear Mr. Czapla

RE: Avery Construction Pit, Permit #M-1979-011, Citizen Complaint

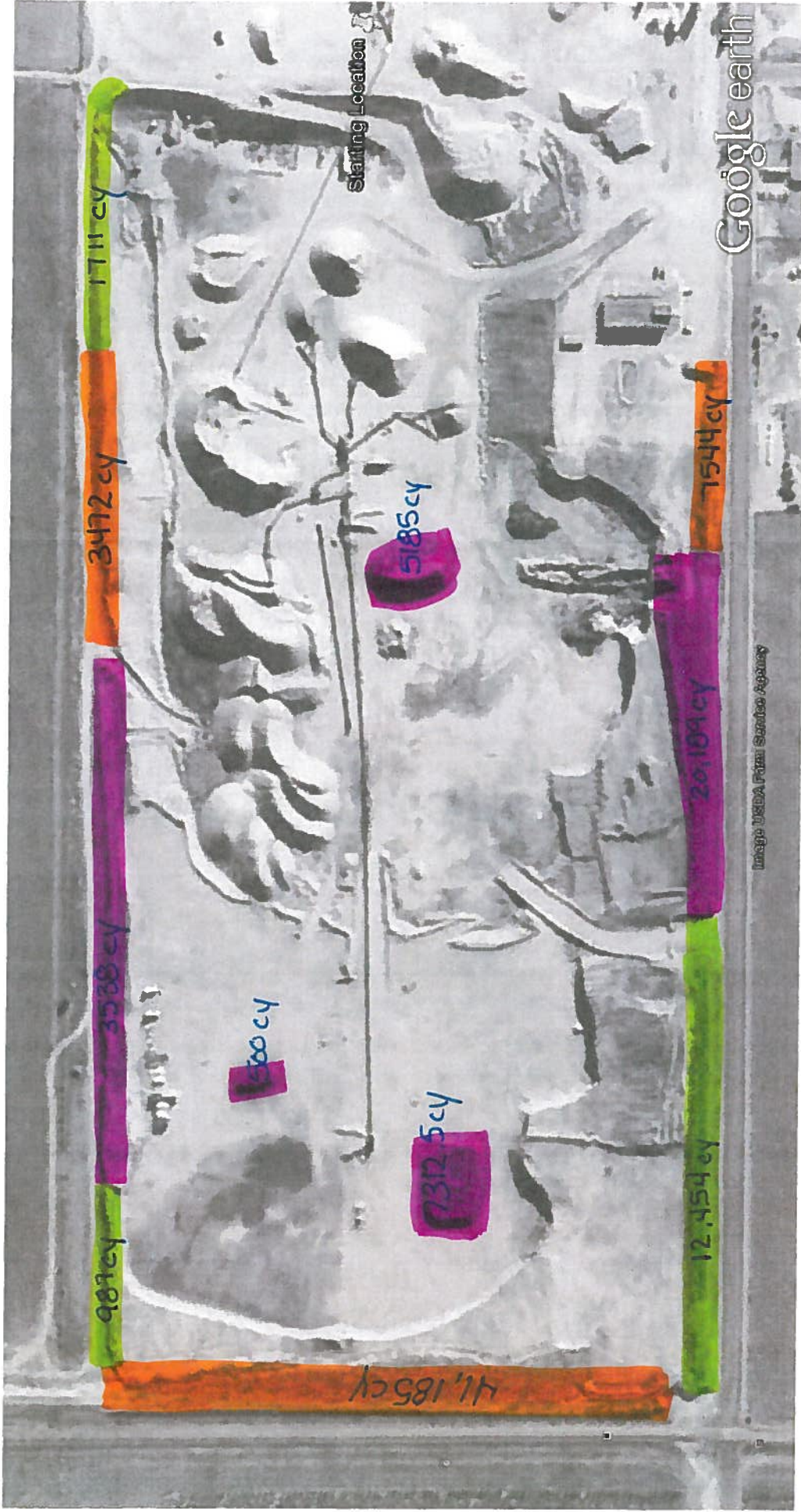
During our March 4, 2013 conversation I stated that the berm located on the adjoining property was approved and permitted by the Town of Buena Vista under the title and rules of a fence. Buena Vista did not request this fence, but they did approve of its construction and purpose. This fence is to be a permanent feature of this property. Material did come from the ACA Products, Avery Pit just as material goes to hundreds of other construction jobs every year. The material used for the construction of this fence is a material fines (silts) not topsoil. That was my error as I did not correct you when it was referred to as topsoil. The topsoil cap that will cover this fence is to be procured from the property in question. I have enclosed a copy of the permit from December 2010. The second permit to allow the newest portion of the fence to be raised from a 6' height to a 10' height is currently in front of the Town Administrator, Sue Boyd. Administrator Boyd has volunteered to answer any questions that you have about this permit. The property in question is zoned residential R2 in the city limits of the Town of Buena Vista., it has never been mined and unless the Town of Buena Vista rezones it and a permit is approved by the Division of Reclamation, Mining and Safety, it will never be mined. ACA Products currently has no intentions in the near future of trying to get this property rezoned. The fence in question is simply a separation of the property from the adjoining neighbors which do not want to see development of any kind to occur on this property. The purpose of this fence is not for any benefit of ACA Products, it is solely for the future development potential of the property by it owner Mr. V. Paul Moltz.

By my calculations if the entire 108 acres of the Avery Pit was reclaimed with 6" of topsoil there would need to be a total of 87,120 CY of topsoil stockpiled on site. I estimate that there is approximately 104,077.5 CY of topsoil that is currently stockpiled on site for reclamation. Please see the enclosed photo that shows the stockpile locations and the rough estimates of cubic yard volumes. If you have any other questions please give me a call or I would be happy to personally show you around our mine site and the adjoining property.

Sincerely,

ACA Products, Inc.

Michael D. Coleman



Google earth

feet
meters

1000

500



Total 104,017.5 cy



Town of Buena Vista

P.O. Box 2002

Buena Vista CO 81211

Phone: (719)395-8643

Fax: (719)395-8644

RECEIVED

MAR 15 2013

GRAND JUNCTION FIELD OFFICE
DIVISION OF
RECLAMATION MINING & SAFETY

TOWN OF BUENA VISTA DEVELOPMENT PERMIT APPLICATION

Owner Name: V. PAUL MOLTZ (ACA PRODUCTS)

Mailing Address: P.O. Box 1887 BUENA VISTA, CO 81211

Contact Name: Phone Number: MIKE COLEMAN 395-3790

Project Address: RODEO ROAD Buena Vista, Colorado

Document Check List: See Chaffee County Building Permit Application for Additional Requirements

☒ Site Plan* ☒ Elevations** ☐ Warranty Deed

*Site plan should show location of all structures with dimensions from all property lines.

** Elevations should indicate building height from original grade or the elevation of the front sidewalk, whichever is lower.

Building Type: Check all that apply

☐ Single Family ☐ Multi-Family ☐ Commercial ☐ Addition ☐ Remodel

☐ Detached Garage ☐ Accessory Structure ☐ Accessory Dwelling Unit*

☐ Deck/Patio ☐ Fence ☐ Shed ☐ Deck ☒ Other structure VISUAL SCREENING

Floodplain (Elevation Certificate) ☐ Yes ☒ NA

If property is located in a 100-Year Floodplain an Elevation Certificate is required

*Water/Sewer Tap Fees Paid: ☒ NA

Please contact the Water Utilities Billing at (719) 395-8643 ext. 11

Signed: _____ Date: _____

*Access Permit ☒ NA

Please contact Public Works at (719) 539-6898

Signed: _____ Date: _____

***Water Tap Fee must be paid and Access Permit approved prior to Building Permit submittal**

Dimensional Compliance: (Please refer to the end of this form for zoning district requirements)

Signature of property owner

Date: _____

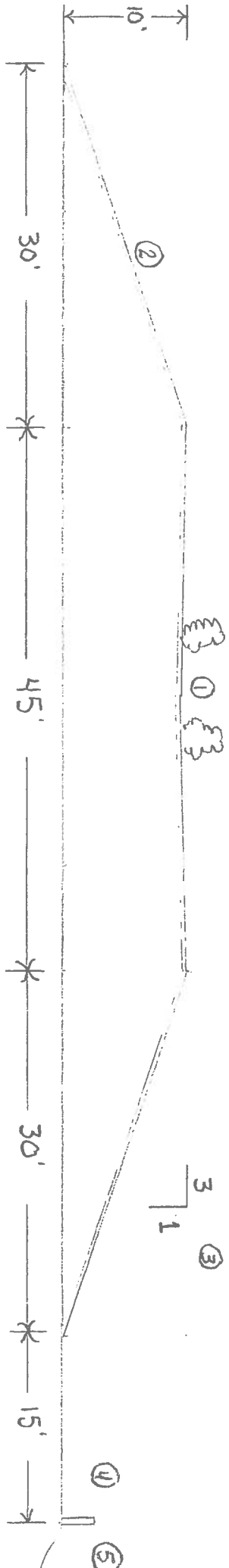
Permit Fee: _____ Tree Fee: _____ Curb/Gutter/Sidewalk Fee: _____

Water Tap Fees _____ School Fee: _____

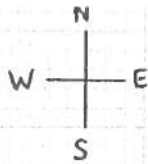
Date Submitted: _____ Received By: _____

Approved/Denied/Conditionally Approved (circle one) by [Signature]

Conditions/Comments:



- ① SLIGHT BACKSLOPE TO ALLOW MOISTURE TO FLOW TO SHRUBBERY PLANTED ON TOP
- ② 6" TOPSOIL CAP SEEDED WITH NATIVE GRASS SEED MIXTURE
- ③ 3:1 SLOPE TO PROVIDE STABILITY, SAFETY AND AESTHETICS
- ④ MINIMUM 15' BETWEEN TOE OF SLOPE AND PROPERTY LINE
- ⑤ APPROX. 30' FROM PROPERTY BOUNDARY TO CENTERLINE OF RODEO ROAD



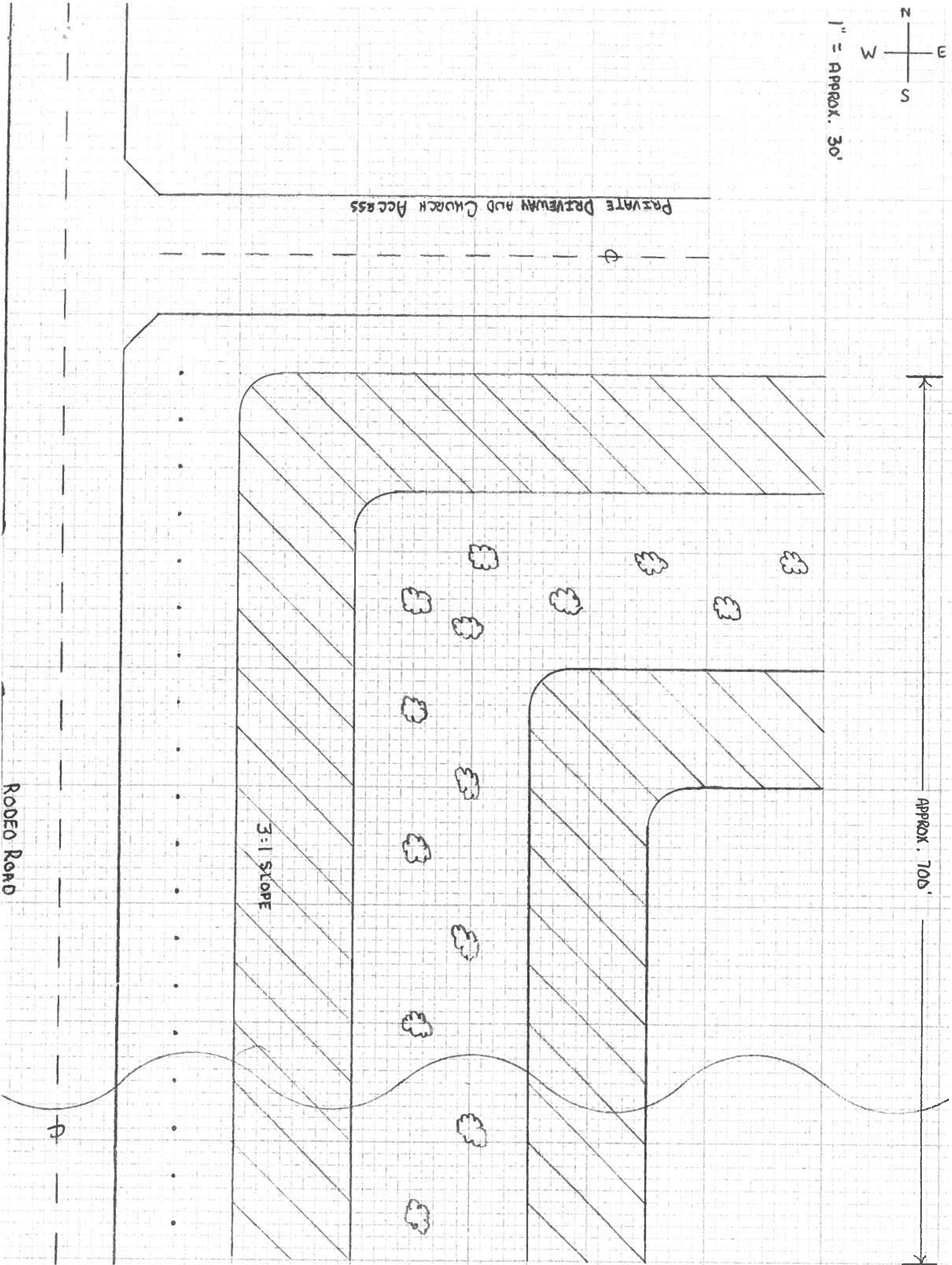
1" = APPROX. 30'

APPROX. 700'

PRIVATE DRIVEWAY AND CHURCH ACCESS

3:1 SLOPE

RODEO ROAD



TOWN OF BUENA VISTA BUILDING PERMIT APPLICATION

Zone District: _____ Overlay District: _____ Front Setback: NA

Rear Setback: NA Side Setbacks: 15' Building Height: 10'

Number of Dwelling Units: NA Lot Size (sq.ft.): _____

Total Sq. Ft. of Footprint of All Structures _____

Lot Coverage for all Structures (sq.ft. / Lot Size (sq.ft.) X 100 = _____ %

Use Compliance:

Former Use: _____

Exact Description of Proposed Use: (If sales is involved, state product, state nature of service, if any.)

VISUAL AND NOISE SCREENING FROM NEIGHBORING
SUBDIVISION.

Proposed Starting Date: JANUARY 2011

Use will be operated in a completely enclosed structure. ☐ Yes ☐ No

Gross Floor Area Occupied by EACH Use(s):

Home Occupation? _____ Yes X No

Are signs planned for the property? _____ Yes X No
If Yes, a separate sign permit will be necessary.

Off street parking spaces Proposed _____ Existing _____ Required NA

Corner Lot X Interior Lot _____ (Please check one)

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge

Signature of applicant/agent Michael D Coleman Date 12/27/10