

SCCC Minutes DRAFT
Zoom meeting, hosted by David Chase, President SCCC
May 18, 2021

Board members present: David Chase, Molly Child, Chris Collins, Judy Frey, George Johnson, Glenn Russell, Jill Sabella, Helene Slansky, Vicki Treece

Guests: Mike Kraemer, Rhett Bentley, Kathy deWolfe, Kevin and Stephanie Heineken, Alice Collins, Ann Abernathy, Luis Menendez, Peter McGrath and Janet Fox

CONSENT OF AGENDA

The Minutes of April 20, 2021 and the April, 2021 Treasurer's Report were approved. There is \$18,177.97 in the unrestricted account and \$9,490.51 in the restricted Snowmass water work account. Outstanding expenses were \$4,050.00 to Lotic Hydrological LLC, \$204.00 for the WIX annual premium plan and \$90.00 for the Domain annual expense. George made the motion to approve and Chris seconded. All were in favor.

CONSIDERATION OF McGRATH ACTIVITY ENVELOPE at 6890 EAST SOPRIS CREEK ROAD Land Use Application

Mike Kraemer, speaking on behalf of the McGrath application at 6890 E. Sopris Creek Road, said the existing residence complex- being the main residence, art studio, tennis court and an airplane in the field below- had been demolished and removed, that there are 38 1/2 acres in the application, that the northern area is very steep dry land, and that it has irrigation rights to the Boram-White ditch. There were three ponds, drawing from the Boram-White ditch that will be filled in, and one or possibly two new ponds will be built a slight bit down from the residence. The new residence will be a one-story home with attached garage, located on the flat portion of the property. The ridgeline therefore is not a concern. It is located in the Gateway metropolitan service area and has an existing well on the property. Therefore potable water will come from a waterline from Gateway. The residence height will be 20' with a 28' allowable, and will be 5,750 sf. Given that it's in a wildlife corridor, there will be no outside construction between December 1-March 31. It will be setback 100' from E. Sopris Creek Road, constructed of dark stone and stucco and fits into the landscape.

The McGrath's - currently living in Snowmass Village, brought the property in July, 2020 desiring less congestion than Snowmass Village.

George, manager of the Boram-White ditch, spoke on behalf of Boram-White ditch, and asked about the one new pond. McGrath said all pond water - coming from the Boram-White ditch - will feed back into Sopris Creek. George commented on how water is at a premium, and that if one proposes more than one pond, they have to be lined and that ponds are only allowed for irrigation, so therefore Colorado and the Caucus would object to more than one pond. That this site is the last property on the Boram-White ditch and that ponds are generally problematic, the Boram-White can't guarantee that ditch water can be delivered to them, especially this year given the drought. George suggested they look up their water rights as he doesn't want to object at a County and/or state level. McGrath said they will be compliant with rules and regulations with what needs to be done and that they want water only for irrigation. At this point, they don't know if they will want one or two ponds. Presently there are two ponds on the application.

David recommended they install an underground water storage tank as part of their domestic water supply, especially if they should need to haul in water. McGrath said they want a consistent water supply, and because they are just technically outside the metro water line they will have to pay more for water, like \$5,000/year for access.

Glenn questioned the new pond's irrigation and if they would have enough for reservoir capacity.

Kevin Heineken asked about fire suppressors, like sprinklers, and a pump from the BW ditch to their proposed pond.

Luis Menendez, architect, explained it's a one-story with simple geometry with a shed roof oriented toward the south designed to receive solar panels, that the residence is not an imposing structure, and that they would keep the footprint as small as possible. They plan to keep the height down and do landscaping to mitigate any solar reflection.

Molly asked about the surface area of the one proposed pond as compared to the three older ponds. No answer is available at this point.

David said he would accept a motion to approve the plan as presented. Glenn moved to approve with a note regarding water - that they do due diligence with water engineers to be within their water rights. George seconded the motion. Unanimous approval.

Concerning the next Caucus meeting on June 15th, David asked whether to have it in person at the Basalt Fire Station Annex, where the meetings have been held before Covid and Zoom, or whether to continue to have the Caucus meetings on Zoom. George encouraged the face-to-face, with Zoom in addition, as did Chris. Glenn said we would need to set up a web-camera in order to have Zoom there, which would be connected to wifi.

Molly's concern was enough parking at the fire station, and that the fire station personnel is not really happy with all the cars parking at the fire station during meetings. David suggested we think about an in-person meeting, and also check with the Fire Station. Judy Frey, who lives close to the fire station, offered her house, and there is limited parking at the Snowmass- Capitol Creek roads intersection.

As to the annual Caucus picnic usually late August, the McCabe Ranch will not hosting it this year due to a Collins wedding late August.

The Heinekens expressed their concern that the Christmas lights on at 37 Starlit Lane are on year-round and have been for two years now. They have notified the County Code Enforcement about the light ordinance violation. The residence/owners (Castellon) of 37 Starlit Lane claim a religious exemption. However there is the wildlife component - in that the deer and elk come to drink at the creek and that there are lights on both side of the creek which disturb wildlife. Their neighbors in that area are very sensitive to wildlife concerns. David suggested sending a note to all commissioners about the concerns of the parameters of lighting and to put pressure on the County Code Enforcement. Steve Child encouraged the Caucus to write a letter so that the Code Enforcement would contact the owners of 37 Starlit Lane.

There was discussion about the Caucus' website being "down" for over a week. Vicki asked who originally set up the website, and that we need to give the domain company the passcode to reactivate the site. David has the file on the website history and Vicki will follow up on getting it reactivated.

MASTER PLAN

Steve and Molly made a presentation on clarifying the Master Plan's TDR policy.

Steve introduced the idea of a fractional TDR - but conceded that the County doesn't support it and that it would need County approval. The County and the P&Z will look at it but it requires public discussion with Community Development. The Caucus could make a recommendation.

Steve and Molly spoke about suggested changes to the Master Plan.

1. If the lot does not meet the required criteria, it still may qualify as a TDR receiver site for a larger house by demonstrating that it meets one or more of the following exceptional circumstances:
 - a) Placing a conservation easement on the property with a reduction in number of potential house sites
 - b) Dedicating public amenities for use of part of the property
 - c) Properties which have conservation easements with approved house sites could be given consideration to eliminate house sites and transfer square footage into one larger house
 - d) Sub-grade square footage, etc.
 - e) Net-zero or net-positive energy requirements
 - f) other exceptional circumstances
2. Parcels with pre-existing approvals for house sizes larger than 5750 should be honored with permanent vesting for house size, but should meet other changes to Land Use and Building Code changes
3. The visual impact of the house should be minimized not only by vegetative screening, but also by topographical features and house design, such as having sub-grade area. And should be vetted by Community Development.

Steve spoke about proposed changes that might require changes in the Land Use Code in order to be part of the revised Caucus Master Plan. All of these proposed changes would have to go through P&Z.

1. The Caucus allows TDR transfers, but wishes to eliminate the Growth Management Quote System (GMQS) competition as a way increasing house size in the Caucus area. He said the GMQS is basically broken because so few apply for the exemption that those who apply automatically get it.
2. Allow fractional TDR's for smaller than 2500 sf increases of house size above 5750 - so for instance a 1/2 TDR would allow added 1250 sf for a total of 7,000 sf.
3. Applications for increases above 5750 would have to be approved by the BOCC or the P&Z and not a Hearing Officer decision, being a one-person decision. Steve said the rules are subjective - not just numbers - and should go to the BOCC for final decision.
4. A house greater than 5750 would have to be net-zero for energy consumption, and that eventually this should be the rule for all new houses.
5. Setbacks of the building envelopes for larger houses should be an increased distance from neighboring houses, roads, and property lines compared to the current Code so as to not be as imposing.
6. Applications for land use proposals seeking house sizes above 5750 should be pre-screened by the Caucus to enable the applicant to make adjustments to the plan and avoid unnecessary expenses and loss of time in going through the process. They should come to the Caucus first, before the official Application is submitted.

7. Properties with 5750 sf approval should be offered some sort of financial incentives to voluntarily reduce their allowable square footage. For example, maybe give them a TDR which would help a smaller home owner

David suggested introducing these ideas to the Caucus constituency and Steve added that the Caucus should edit the ideas first. He felt that a poll/survey is not really representative. That it should be put in the website or Constant Contact to reach all residents in the valley, and to possibly hold a public meeting for comments.

Chris stressed that since the majority of properties in the valley have changed hands since the last survey of ____, we need a new survey.

Molly stated we now maybe have new people who have different objectives and questioned whether that would erase what we are originally trying to protect.

Chris felt its up to the community to decide and that the people in the community who own land should decide, that there will be attitudes which have changed. He made reference to the letter sent out by the McCabe Ranch, a private ranch, to keep trespassers off the property because of basic trespassing, dog bites and dogs chasing cattle.

Bentley said he thought the Caucus would be remiss in not asking constituents' opinions and that a poll of current residents was a good idea.

Vicki spoke about us being a community which has already established what the guidelines are - that the Master Plan says this is a rural community and we are here to protect it, and not to open the door to development like condos because you don't know where that flow will go.

Chris agreed we have those guidelines but felt we still need to hear what residents have to say even if you don't agree with them.

Discussion followed about doing a survey. Sending a postcard with an easy reply. Correct mailing addresses must be researched to reach constituents, not sent to property address.

Judy Frey commented that a survey is essentially superficial and that the larger issue is the extraordinary surroundings here that have been entrusted to the Caucus and that the Caucus is trying to think more deeply about it. If you count too much on a survey people may not have given much thought to and people will be thinking of their own interests - like "maybe I can make a lot of money in this house". Judy added she thinks the Caucus should be trusted to make the big decisions with deeper thought than a survey can accomplish.

Steve added that the past survey had 72 questions - too many questions, and all you need is 10 essential questions. The phrasing of survey questions is critical.

Molly suggested forming a committee to review what questions that would go on a survey.

Jill commented that it seems the fundamental question is whether the Caucus knows the issues better than someone who has recently bought a lot here - that the real philosophical question is about who can make the best decisions for our valley and that that needs more discussion - should it be open to everybody or should the Caucus be the representatives to speak for them.

Steve suggested Bentley should be on this new committee, to give an opinion of a new resident.

Jill commented we need to define what the issues are - what are we really talking about, and that we haven't really done that.

Glenn added that would be a good starting point. What is it we want to ask our constituents. What are the issues.

David said we will circulate those thoughts.

The meeting was adjourned.