SCCC MINUTES DRAFT 2 OCTOBER 18, 2022

Snowmass Fire Station

Board members present: Ned Andrews, Molly Child, Chris Collins, Chelsea Congdon, Michael Kinsley, Johno McBride, Pete McBride, Jill Sabella, Helene Slansky, Vicki Treece

Guests: David Chase, Steve Child, Michael Buglione, John McBride

CONSENT AGENDA

The Minutes of the September 20, 2022 Caucus meeting were approved, and will be posted on the website.

The Treasurer’s Report showed $26,140.02 in the Unrestricted Funds account, $9,490.51 in the Restricted Water funds account, for a total of $35,630.53. Income was $33.52 from Amazon Smile and a Basalt Printing refund. Expenses of $380.94 were from stamps and printing postcard costs. Vicki said there are currently about 300 on our Constant Contact, with about 25 being from out of the valley. The list will be culled and we will be sending all announcements through Constant Contact and end any hard mail.

PUBLIC COMMENTS

Michael Buglione, candidate for Pitkin County Sheriff in the upcoming election, introduced himself and spoke about what he has done and plans to do. His concerns were safety, especially at schools, making the current jail safer, getting new housing for deputies, and expanding mental health resources. Chelsea encouraged more mental health outreach, through Hope and the Sheriff’s office.

His past experience is five years with the police department and 12 in the sheriff’s department.

*Two Creeks Pond Application*

Ned addressed the water rights application of Two Creeks development on the Boram White ditch which was first reviewed at the August 16th Board meeting. There would be three large ponds, two of which are 500’ long and one which is 300’ long. totaling 44 acres pf water. They are for storage. Ned filed an objection with the Colorado water court, as did Pitkin County, City of Aurora, Boram White ditch, and the Colorado Water Commission. Our concern is there isn’t enough water for three ponds nor do they have the water right because it will deplete the creek. The scheduled preliminary hearing is Oct. 27.

*Sky Ranch pond*

Molly expressed concern on the summer-long construction of a large pond at the bottom of Gateway at Sky Ranch. Steve said that area was once an alfalfa field of the Williams Ranch family. The current owners were assigned all design specs and permits upon purchase in April, 2021 and have a historic right to creek water. The area will be revegetated with grass with a new irrigation system. The pond is lined.

*Dark Sky Designation*

Dark Sky interest was discussed. All are in favor of seeking more information on designation as a Dark Sky community from the International Dark Sky Places organization. Martha Ferguson is looking into what is required of us to have this designation. Molly said there would be an annual review and community education is essential. Having the official designation would be a strong aid for enforcement of our MP lighting. Johno asked who holds people accountable for violations/disregarding of lighting.

John McBride complimented the Board on the new revised Master Plan and the effort behind it. He commented how much the locals care because we seem to be looking at the possibility of significant changes to the character of our valley.

*Echt House*

Vicki brought up Rick Heede’s concern about the current Echt house plans for the site adjacent to him on the ridge also above Vicki. She questioned why these newer plans had not been brought to the Caucus for review. Steve said that if the house meets all County regulations and because the site was approved decades ago, and there are no new variances, they would normally be ok. Because it breaks the ridgeline as seen from the east and west sides on Snowmass and E. Sopris Creek roads, a house there is not allowed. Ned will contact Susanne Wolf at the County to inquire, and the Caucus will endorse Rick’s letter concern to Pitkin County Community Development. There is a scheduled BOCC/public hearing hearing on Nov. 16.

*Caucus Elections*

David reminded the Board that the first step of our election process - making a public announcement about dates and procedures - needs to go out immediately to stay on schedule in order to give 60 day before the election.

CONSIDER PROPOSED GUIDELINES ON THE USE OF TDR’S N SNOWMASS CAPITOL CREEK AREA

Ned began the discussion of TDR’s by saying the meaning of a TDR is a transferable development right - the right to develop a particular property is transferred somewhere else thereby putting that piece of property into a protected conservation easement, and so it’s a trade off. There’s going to be some give and take.

David commented that previous coverage of TDR’s in the Master Plan was very open ended and ambiguous, and that there are lots of moving parts to apply for and accept a TDR.

Pete said it was basically a philosophical discussion with two concerns: 1. if we want to see super-sized homes in this area or 5750, and 2. if we’re trying to conserve open space are we going to use this as a tool which can work together in this valley. There’s the additional question of if we approve selling/exporting TDR’s to be used somewhere else.

Steve commented he would rather have an 8250 with 20% underground than two 5750.

There followed discussion about house size and what it included - garage, CDU/housing unit for rent or staff, STR.

Johno said if the limit allowed was 5750, then any more sf should be underground.

Steve said the County does not want more rural sub-grade excavation as the transporting of soil beats up the county roads, even considering the fee paid for such transport.

Michael said under certain circumstances one 8250 is better than two 5750’s because of less overall impact on open space and habitat and that he supported TDR’s under certain circumstances, as defined by Chelsea and Molly and Steve.

Johno added that most 8250 home-owners are not full-time residents, but have a full support staff and therefore there is an increase in heat, traffic and other unintended consequences - and that it almost becomes a sub-culture - a micro-economy within this valley, down to Rifle.

Pete commented when you have the staff for these super-homes, and they can’t live locally, it’s a problem. It’s creates such an elevated value for the area that it will slowly erode the community. Pete’s concern is that we could have a bunch of super-sized castles, sitting empty except for a few weeks a year.

Johno said he thought it would be easier to make a clean and simple 5750 sf limit. Adding exemptions for a CDU, extra garage space, etc puts us on a slippery slope.

Steve noted that the County’s initial approval for 5750 sf was intended to have the 750 sf as a garage space. He added that other caucuses have limited house size to 5750. The Fryingpan has a 4,000 sf allowance with an additional ADU, and Maroon Creek has a limit of 5750, and maybe smaller. Steve said if this caucus set 5750 sf limit, it would be setting a precedent. Fryingpan and Maroon Creek caucuses have set lower sf limits already.

John McBride commented that larger houses like 8250’s invite outside speculation which could totally change the nature of this valley.

Pete said these large homes will slowly erode a sense of community and that the incentive for TDR’s should be export only.

Pete asked Steve about the County’s attitude on future of TDR’s and Steve said there’s about 135 TDR’s existing currently and that maybe when those are used up there would be no more - but it’s not known. Steve said he would not vote to eliminate TDR’s of landowners who had intended to sell TDR’s with land they’d bought in past years. The new Growth Management Committee is studying this currently.

Molly asked how we can create incentives for people to sterilize building sites.

Helene suggested we could export TDR’s, just not import them.

Michael moved to adopt most of what Molly and Steve had recommended - adopting an absolute 8250 limit with several conditions, like having a minimum 30-acre lot to be considered for a TDR, sterilizing a building site in the Caucus area, consider a fractional TDR (if approved by the County), sub-grade space, net-zero energy efficiency, proper siting and not qualifying through GMQS. 20% of the bulk of the 8250 house would be a sub-grade space, a CDU for employee housing either on the house site or elsewhere in the County would be required.,

Molly seconded the motion. Discussion followed. Ned questioned if we vote on Michael’s motion, what are we actually voting on. Johno said he didn’t want to vote on something we hadn’t discussed, which was a 5750 limit. Michael said he could “set aside” his motion, let Johno make a motion, and see what happens, and that if Johno’s motion fails, then return to his motion. Michael proposed an amendment to his Motion, to have it start at 5750 absolute limit. David agreed he felt it was the right thing to do. Vicki supported keeping it simple.

Johno moved to limit new house size to a maximum of 5750 sf, with no exceptions.

Vicki seconded the motion.

A vote was taken on Johno’s motion and the motion passed, 6 to 4.

The objections concerned the premise that there would be less damage to open space if there were fewer homes which would be larger homes; that there would be less open space if there were more smaller homes; and that there would not be designated extra 750 sf for garage/storage space.

Ned said the next step in the Caucus’ Master Plan approval will be around November 1 with the P&Z and BOCC, and he addressed the wordage necessary for the MP Residential Development section revision.

Chelsea moved to use the Residential Development section, as revised by David Chase, to address TDR’s in the Master Plan, inserting 5750, and honoring those with pre-existing rights.

Jill seconded the motion.

All in favor, except for one board member.

Ned commented that it’s to our advantage to have people be able to create TDR’s in our valley and put land into conservation easements.

Chelsea moved that SCCC be open to exporting TDR’s. Ned and Chelsea will draft that language. The TDR’s will be used outside our Caucus area. Community Development is reviewing the house size limit for the entire County.

Vicki said that limiting house size will increase the values of property here.

Steve said TDR’s are used by other caucus areas here, like Owl Creek, Woody Creek and Aspen. Steve advised that if it’s a closely split opinion on house size, the minority is encouraged to write their minority opinion and submit it to the County with their reasons for 8250’s. Then the minority supports the majority.

Ned said around Nov.1st we will send our Master Plan to the P&Z.

Steve advised to be aware that between now and the P&Z and BOCC approval on the Master Plan and TDR’s, someone could apply for an 8250 sf building permit - there could be a rush of applications - and that the Caucus could request the BOCC for a moratorium on applications for over 5750 until the Master Plan is approved. The BOCC doesn’t like doing moratoriums, but it has been done.

Michael moved that we request the BOCC approve a moratorium for land use applications in our Caucus area until the MP is approved by the P&Z. Pete seconded the motion. All in favor.

Meeting was adjourned.