

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 p.m. by Chair Mathews-Leidal.

ROLL CALL

Christie Mathews-Leidal
Mike Giller
Dan Schroder

Jim Lamb
Steve Gerard
Gretchen Dudney

Ron Schuman

APPROVAL OF MINUTES

With no changes, the September 4, 2018 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the September 18, 2018 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- Janet Sutterley – I want to present to Planning the idea that while you are revising Code, consider the historic preservation points where there is a big gap between 6 and 9 points. I don't think we have ever reached 9 positive points. From 9 to 12 there is a minute difference. Maybe look at the different categories to spread the points out more evenly.

FINAL HEARINGS:

1. Noble House Addition, Restoration, Change of Use, and Landmarking (CL) 213 S. Ridge Street, PL-2018-0069: Mr. LaChance presented a proposal to remove a non-compliant 1997 addition, relocate the historic house 5 ft. to the east, construction of a connector element, new addition and garage on the west end of the property totaling 1,193sq. ft. above ground, a new 1,040 sq. ft. basement, installation of a full foundation under the historic house and the new addition, change of use from commercial to residential, and the designation of the historic house as a Local Landmark.

Commissioner Questions/Comments:

Ms. Dudney: On page 12 and 13 of the staff report, under the Policy 24/R discussion, it talks about the points. A direct comparison of that language and the difference between +3 and +6 points is substantial electrical, plumbing, and mechanical upgrades. Does this project have substantial electrical, plumbing, and mechanical upgrades? (Mr. LaChance: Yes, it does. We have not received any drawings that show this work, because that is usually done with the construction drawings for the Building Permit application. It is a complete upgrade, not just substantial.) How can you rationalize three points when they are meeting the requirement for 6? I have a feeling my fellow commissioners may not have read the language because I don't understand their decision for just three points. (Mr. LaChance: At the last Hearing, the Commission was divided between +3 and +6 points, but there was a majority support for +3 points. Given that not everyone was present at the last meeting, staff encourages the Commission to discuss this again tonight.)

Ms. Leidal: There is a phrase in Policy 24/R, Section F that requires historic buildings to be restored when they are moved, and that is what sways my decision for +3 points. It will be a lot of work. If it were not being moved and already required to have a new foundation, etc. , I would give it +6.

Mr. Gerard: I agree with Christie. They don't have to move the house.

Ms. Dudney: So you will give them a double negative for moving the house. (Mr. Grosshuesch: When you move the house, you get negative points and you have to do a full restoration. So we don't give them an additional 3 points.)

- Ms. Dudney: It doesn't say that you get no points.
Mr. Giller: What fence will be lost? (Mr. LaChance: The fence on the east side of the house will be taken away when the house is moved. But looking at that closer, I see that may be an error in your staff report, because the existing fence is not installed all the way up to the house, so the existing fence may actually not be affected by the relocation of the house. Sorry about that.)

Janet Sutterley, Architect, Presented:

There is actually an opening in the fence and it doesn't go all the way to the house. When you move the house we won't disrupt any historic fencing. We are all good on the siding. Matt Wright with Deeper Green Consulting thinks three points is attainable on the HERS analysis. I don't like that the analysis is based on the existing structure as is, including the addition, because we will take the addition off. The baseline will not be from a gutted structure and he believes the percentage is still ok. Ms. Sutterley provided the Commissioners with a colored drawing to help explain the colors and the massing. The biggest thing on points is that we are being double dinged for moving the house. What I hear is that the other three points are unavailable because it goes on a foundation. The Old Enyeart Place house 112 S. Harris St. didn't get any negative points for moving the house. They moved it, put it on a slab, and did a full restoration and got +6 points. The siding, windows, and door trim are in good shape. The roof is in bad shape. The code doesn't separate the cosmetic and structural roof changes. They had previously put a new roof on a bad roof structure. We are fixing the structural problems and that makes a very big difference. Same with mechanical and electric. We will redo the entire system. We are also removing the non-historic additions and that is a major effort. The connector got smaller from the first Hearing. We are reintroducing all that exterior wall square footage, where the non-historic rear addition is being removed from the western façade of the historic house. To me this is another big item, the historic fabric restoration. Old Masonic Hall only got three points because of the addition of the door.

- Ms. Puester: Policy 24 was written in 2013 and this may have preceded that. Also, the Old Enyeart Place was in the local period (50 years old) for landmarking purposes but not the 1942 period of significance (*further clarification: the Commission decided at the final hearing to remove the points as it was not in the period of significance on the Old Enyeart project*).
- Mr. LaChance: The staff report for the Final Hearing does not list the point precedent under Policy 24/R, Section F. for moving historic structures, because that was discussed at the Preliminary Hearings and the Commission was in agreement. Your staff report for the Final Hearing tonight only shows the point precedent for Policy 24/R section E for historic preservation.
- Mr. Giller: Can you speak to the 1997 addition getting +5 points and if that should be considered. (Mr. LaChance: This was discussed at the Preliminary Hearings, and we talked about how there somewhat of a balance between being deserved and not deserved, depending on the time that has elapsed since the points were awarded. For example, a roof could need to be replaced every 20 years, and so it is probably OK to award positive points every 20 years for a roof replacement. However, we should probably not award positive points for a roof replacement every 5 years, because the work would not have deteriorated, so there is a balance to be maintained.) So, how should we assess that? (Mr. LaChance: I would have to look up the scope of work for the 1997 renovation, but I know it included roofing and painting, which has deteriorated, so it is probably a moot point and staff is comfortable recommending to the Commission that positive points can be awarded again.)
- Ms. Dudney: What is the definition of on site? (Mr. LaChance: I don't know if there is a Code definition of this, but staff has generally interpreted this to mean within the parcel boundary.)
- Mr. Truckey: I checked the August staff report and it notes that in 1997 the property received 5 points for renovation which included rebuilding the front porch, a new roof, shutters, and gabled entry roof.

Public Comment:

Public hearing was opened. No Public Comments and the hearing was closed.

- Ms. Dudney: Section E. (1) of Policy 24/R talks about primary structures. It says positive points should be awarded for on site restoration.
- Mr. Lamb: It is on site. It is better to keep it where it is. I think it warrants +6 points.
- Mr. Schuman: I agree with Ms. Dudney that they have gotten their negative points and they should get +6 points.
- Mr. Giller: The Secretary of Interior Standards state there should be a benefit of moving a historic house and if you do there needs to be a full restoration. Moving a historic house is not a good idea. They shouldn't get +6 when it speaks to a full restoration required.
- Mr. Schuman: I don't think the Secretary of Interior Standards should be considered. It should be based on our standards. (Mr. Grosshuesch: Our standards are based on the Secretary's standards and it states that in the Handbook of Design Standards.)
- Mr. Schroder: I believe that substantial electrical, plumbing, and mechanical upgrades have not been met and I support 3 points.
- Mr. Gerard: Relocation should only be done if it has to be. This is being moved to allow a bigger addition and that should come with a cost. I support +3 points only.
- Mr. Lamb: They are taking the hit for moving the house. The points should be awarded on what they do after.
- Mr. Giller: I think it is about what they are required to do and then the additional electrical, plumbing and mechanical work is considered over and above. I am looking at the over and above and that is worth +3 points only.
- Mr. Gerard: The language about the garage says it shall not be used for any other purpose unless approved by the Town. Can we take out the approved by the Town section? (Mr. LaChance, the property owner still has the right to remodel the building at some later point in time with an approved Permit, so we would not want to prohibit that kind of work, as long as the parking requirements are still being met, so I think that the Town approval requirement should still remain. Mr. Grosshuesch: You would want to leave in the Town approval section.)
- Ms. Leidal: The bar has been raised because full restoration is being required. I stand with + 3 points.

Mr. Schuman made a motion to modify the point analysis from +3 points under Policy 24/R Section E. to +6 points under Policy 24/R Section E., seconded by Mr. Lamb. The motion failed, with Ms. Leidal, Mr. Schroder, Mr. Gerard and Mr. Giller dissenting.

Ms. Sutterley:

What I am faced with now is I have raised the bar for what is required for +3 points by proposing a full restoration of the residence, which will be very expensive for my client. I would like to know what is the minimum we can do to get +3 points. I don't know how to deal with that. (Ms. Dudney: What I heard is that you need the full electrical, plumbing, and mechanical upgrade.) (Mr. Grosshuesch: Only if you are moving the structure.)

Mr. Schuman motioned for approval with a passing score of 0 points, and removal of Condition of Approval #15 and renumbering thereafter. Mr. Lamb seconded and the motion passed unanimously.

COMBINED HEARINGS:

1. 4th Resubdivision, Peak 8 Subdivision (CK), 1599 Ski Hill Rd; PL-2018-0391

Mr. Kulick presented a proposal to resubdivide the remainder of Tract C to create Lot 4, Peak 8 Subdivision to accommodate the property transfer and development of the Lionheart BGV Ventures Hotel and Condominiums.

Commissioner Questions/Comments:

Mr. Gerard: Did we hear last meeting from the home owner about how people walk through the neighborhood to get to the ski run. (Mr. Kulick: Yes, we did hear about that. There was an oral commitment to allow an easement for that access.)

Mr. Lamb: Should we concern ourselves with that right now? (Mr. Kulick: No. The litigation should not hold up our process.)

Steve West Presented:

Chris did a fantastic job as usual. There are no guarantees in life. If by some chance BGV did not purchase the building there is a chance they wouldn't do any further platting of easements.

Public Comment:

No Public Comments.

Mr. Schroder made a motion to approve, seconded by Mr. Gerard. The motion passed unanimously.

OTHER MATTERS:

1. Town Council Summary (Memo Only)
2. Schedule Updates:
 - o Field Trip to Telluride will be Nov 7, 8, & 9. Planning to go to Telluride. Please reserve those dates.
 - o Planning Commission advertisement is going out. Interviews will be conducted during the week of Oct. 8th.

ADJOURNMENT:

The meeting was adjourned at 6:43pm.

Christie Mathews-Leidal, Chair