

PLANNING COMMISSION MEETING

THE MEETING WAS CALLED TO ORDER AT 7:04 P.M.

ROLL CALL

Rodney Allen	Michael Bertaux	Dave Pringle
JB Katz	Jim Lamb	Dan Schroder

Leigh Girvin was absent.

APPROVAL OF MINUTES

With no changes, the minutes of the July 7, 2009 Planning Commission meeting were approved unanimously (5-0). Mr. Schroder abstained as he was absent on July 7th.

APPROVAL OF AGENDA

With no changes, the July 21, 2009 Planning Commission agenda was approved unanimously (6-0).

CONSENT CALENDAR:

1. Gardiner Addition and Remodel (JP) PC#2009031, 109 Sunrise Point Drive

With no requests for call up, the consent calendar was approved as presented.

FINAL HEARINGS: *(Staff noted that the Master Plan, Development and Subdivision presentations for Entrada at Breckenridge were delivered concurrently and some of the comments seen below “overlap”. There were no Public Comments regarding the three applications.)*

1. Entrada at Breckenridge **Master Plan** (MM) PC#2009024, 5-105 Huron Road (CR 450)
Mr. Mosher presented the Master Plan, Development Plan (see Final Hearing item 2 description below) and Re-subdivision (see Combined Hearing Item 1 below) proposals concurrently.

The proposal was to master plan the property at Tract A and Tract B, Entrada at Breckenridge (pending annexation, and resubdivision) into two office/commercial properties, one mini-storage property, and a tract to be transferred to the Town of Breckenridge for possible affordable housing or other uses as the Town sees appropriate.

Changes since the June 6, 2009, meeting:

1. Master Plan Notes included:
 - a. Hours of operation for the mini-storage property
 - b. Design and location of the fence surrounding the mini-storage property
 - c. Restrictions of type of use for the two office properties
 - d. Parking for the mini-storage was addressed
2. The lots have been relabeled
3. A Use, Density and Parking matrix was included for Commission review

The applicants have been working with all of Town staff during the annexation process to ensure the proposal abided with the Development Code in all possible ways. The Planning Department recommended the Planning Commission uphold the Point Analysis showing a passing score of zero (0) and approve the Entrada at Breckenridge Master Plan (Class A, Final Hearing; PC#2009024) with the presented Findings and Conditions.

The applicant and representative thanked Mr. Mosher for his work on the project, and noted that they were present for questions.

Mr. Allen opened the hearing to public comment for both the Master Plan, item 1, Development Plan, item 2, and Re-subdivision, combined hearing item 1. No public comments were made and the hearing was closed.

Commissioner Questions/Comments for both the Master Plan and Development Plan:

Mr. Lamb: Final Comments: I have seen 4-5 proposals for this property over the years, and this one is the best. Agreed with the point analysis and think it is a great project.

- Ms. Katz: Final Comments: I am pleased that this project is moving forward.
- Mr. Schroder: Final Comments: I think it is a great application and it is great that the bank agreed to make the drive-thru less visible from the highway. The architectural approach is really nice and I think that the storage units are good as well. I am pleased with this proposal.
- Mr. Bertaux: Where does the density transfer from? (Mr. Mosher: From town owned property.) What would happen to Tract A if the town doesn't develop it and the other lots are developed? Would it be graded? (Mr. Mosher: The town will be maintaining it as a vacant lot. Weed erosion control will be looked after.) Is it possible that they could establish a buffer on the north side of the property to screen the entire property, and also screen along Tract A? (Mr. Mosher presented the plans and noted where landscape screening was provided. No landscaping is proposed on Tract A, since its not part of this development application. If some were planted, it might well be removed when the property is developed.) Can the town ask the owner of the other mini-storage lot to screen per the comments of the neighbors? (Mr. Mosher: It is really a County concern. It will be noted in the minutes.)
Final Comments: I agree with everything that is been said. I think that we need to pay close attention to Tract A and how it is treated in the future. I think we have a challenge with the landscaping plan to keep a lot of color along the building with such a large site. I think it has attractive architecture and deserves the positive points. I support the project.
- Mr. Pringle: The allowed uses for the master plan lots don't include uses for Tract A. (Mr. Mosher: the subdivision will dedicate Tract A to the town. The uses are decided by the Town and will be reviewed by the Planning Commission and Town Council. As far as uses go, if they are included in the annexation agreement). The uses for Lots 1, 2 and 3 are pretty specific, and then there is a note that says "any permitted use that is consistent with the specific uses". What does that statement mean? (Mr. Mosher: The note is intended to allow some flexibility for the professional offices. For example, if a veterinary office sells leashes or dog biscuits, or if the self storage wants to sell padlocks or things like that. But not intended for retail as a primary use. If a proposed use needs further discussion, it will be reviewed with the Planning Commission for impacts.)
Final Comments: I think it speaks volumes for the project that the applicant has worked through the process with the town staff and Planning Commission, and has come through with such a great project. We've seen lots of projects for this corner, and hopefully this one will go forward.
- Mr. Allen: Asked about the curb cut for the Entrada property accessing the mini-storage. (Mr. Mosher presented the curb cuts and access for the property. Engineering has looked at the access and had no concerns. Idea was to reduce the need for three curb cuts for the three properties. The mini-storage has a lesser intensity than the offices will.)
Final Comments: I think it is great. I support everything, it looks good.

Mr. Pringle made a motion to approve the point analysis for Entrada at Breckenridge Master Plan, PC#2009024, 5-105 Huron Road (CR 450). Ms. Katz seconded and the motion was approved unanimously (6-0).

Mr. Pringle made a motion to approve the Entrada at Breckenridge Master Plan, PC#2009024, 5-105 Huron Road (CR 450). Ms. Katz seconded and the motion was approved unanimously (6-0).

2. Entrada at Breckenridge **Development** (MM) PC#2009025, 5-105 Huron Road (CR 450)

Mr. Mosher presented the development plan proposal along with the master plan. The proposal was to develop the property at Lot 1, 2 and 3, Entrada at Breckenridge (pending annexation, master plan, and resubdivision) with two office/commercial buildings, three mini-storage buildings. Tract A would then be transferred to the Town of Breckenridge for possible affordable housing or other uses as the Town sees appropriate.

1. Building 1 would now be two stories (not three, with one level in the basement), resulting in a slightly larger footprint.
2. The architecture for Building 1 has been modified as a result.
 - a. The drive through bays would be located to the east (behind) the building.
 - b. Building foot print and roof forms were slightly modified, but all finishes, accents, window types, etc. have remained the same.
3. The site and parking layout has been modified slightly.
4. The northwest drive connection to Summit Ridge Center has been abandoned.

- 5. Detail of the dumpster enclosure was provided to the Planning Commission.
- 6. New renderings were provided to the Planning Commission.

Staff noted that Condition number 32 (regarding the Summit County Housing Authority housing impact fees) was not applicable and should be removed from the Findings and Conditions.

The applicants have been working with Town staff during the annexation process to ensure the proposal abided with the Development Code in all possible ways. The general design impacts (use, density, parking, etc.) of the mini-storage, which are not identified in the Code, are being addressed in the Annexation Agreement.

The revisions in this submittal reflect the comments heard from the Planning Commission at the last hearing along with changes/corrections from the applicants and their agent. The Planning Department recommended the Planning Commission uphold the Point Analysis showing a passing score of positive four (+4) points and approve the Entrada at Breckenridge Development (Class A, Final Hearing; PC#2009025) with the attached Findings and Conditions.

(See comments above under Master Plan regarding the Development presentation)

Mr. Pringle made a motion to approve the point analysis for Entrada at Breckenridge Development, PC#2009025, 5-105 Huron Road (CR 450). Mr. Lamb seconded and the motion was approved unanimously (6-0).

Mr. Pringle made a motion to approve the Entrada at Breckenridge Development, PC#2009025, 5-105 Huron Road (CR 450), with the deletion of condition number 32 which was waived by the town. Ms. Katz seconded and the motion was approved unanimously (6-0).

COMBINED HEARINGS:

1. Entrada at Breckenridge **Re-subdivision** (MM) PC#2009033, 5-105 Huron Road
Ms. Mosher presented a proposal to re-subdivide Tract A and Tract B, Entrada at Breckenridge, into two lots, a mini-storage Tract and a Town Tract which will be transferred to the Town of Breckenridge for possible location of affordable housing or other uses as the Town sees appropriate.
The review of the proposed subdivision plan outlines the conceptual land layout and land division. The Land Use Summary was:

Lot 1	28,879.00 SF	0.663 AC
Lot 2	28,879.00 SF	0.663 AC
Tract A (Town)	57,757.00 SF	1.326 AC
Lot 3	57,757.00 SF	1.326 AC
TOTAL	173,272.00 SF	3.978 AC

This submittal has been reviewed by Planning and Engineering staff without any major concerns. This report was presented as a combined Preliminary and Final hearing. Staff believed that the issues involved in the proposed project were such that no useful purpose would be served by requiring two separate hearings. If the Planning Commission believed there were further issues to discuss, staff recommended this application be continued rather than denied.

Staff recommended approval of the Entrada at Breckenridge Re-Subdivision, PC# 2009033, along with the presented Findings and Conditions.

(See comments above)

Mr. Bertaux made a motion to approve the Entrada at Breckenridge Re-subdivision, PC#2009033, 5-105 Huron Road (CR 450), with the conditions noted in the staff report. Ms. Katz seconded and the motion was approved unanimously (6-0).

PRELIMINARY HEARINGS:

- 1. Preservation Village at Maggie Placer (MM) PC#2008024, 9525 Colorado Highway 9

Mr. Mosher presented a proposal to develop 21 townhomes in the form of nine duplexes and one triplex. Four of the units would be sold as market-rate and 17 would be for workforce housing. There would be 16 three-bedroom units and five two-bedroom units. Each unit would have at least a one-car garage (some would have two-car garages).

Changes since the June 16 hearing:

1. An agreement between the Ski and Racquet Club and the Preservation Village at Maggie Placer team has been reached and access (via a new easement) to the development can now be taken from the full-movement intersection near the Ski and Racquet Club entrance. There will no longer be a right-in/right-out curb cut along Highway 9.
2. The site layout and a few units have been slightly modified to accommodate the change in access.

Since the last review, the last minute change on the site access to Maggie Placer has impacted the amount of detail drawings on site drainage and landscaping.

Staff welcomed any comment on the following:

1. The access change.
2. Placement of landscaping.
3. The architecture and color/material selections.

Mark Hogan with BHH Partners presented for the applicant. Mr. Hogan presented the team members that were present at the meeting, including; Jon McCallister, from Ski and Racquet Club Condominiums; John Springer, Springer Development; Mr. Wayne Bishop (for Royce Tolley) the applicant and Tim Gerken, of BHH Partners. Mr. Bishop thanked the staff and commission and discussed the recent meeting with the Ski and Racquet Club, noting that through the meeting the discussions substantially improved the access issue together. Mr. Bishop discussed his company's dedication to affordable housing in Summit County to provide 21 units at this site, and potentially a total of 69 affordable homes in the county by the end of this year. Mr. Hogan presented the site plan with changes, including the new access point from the Ski and Racquet Club drive, which had been an issue at the previous worksession meetings. Mr. Hogan presented an image board for the project, discussing the architectural concept, and a live computer 3D model of the site plan, topography and buildings. He noted the locations of the adjacent subdivisions while looking at the model and Mr. Mosher provided an aerial map showing the adjacent property, Wood Manor. Mr. Hogan discussed the building materials, roof forms, building base, windows, details and accent colors.

Mr. Allen opened the hearing to public comment.

Jay Rust, president of Woods Manor Condo Association. We would like to thank Mr. Mosher for meeting with their association today to discuss this project this afternoon on such short notice. Thanked the commission and the Town of Breckenridge for their commitment to the overall vision of the Town. The main concern that we have for the project is the elevation gain from the Maggie Placer property to ours and the lack of adequate buffering:

- Will there be retaining walls? There is only a five-foot setback at some parts of that property boundary and how will the elevation gain be dealt with?
- Screening of the walls if they are used with landscaping?
- Request a meeting with the developer, staff and architect to go on site to talk about this issue.

The second issue that we have is the color scheme. It may look interesting with one or two buildings, but we are talking about 10 buildings. More like an amusement park. How will all of that look with yellow and blue? Could the colors be more blended in and muted? We would request that the applicant consider the color scheme. (Mr. Pringle asked if Mr. Rust knew the grade change adjacent to Woods Manor.) (Mr. Mosher noted that the grading on the 3D model is accurate.)

Chuck Sebald, also on the board of Woods Manor Condo Association, noted that the grade change looks how it looks on the 3D model and that the trees in the plan are shown on the Woods Manor property and do not currently exist. They are proposed on the social trail boarding the Maggie Placer property.

(Mr. Mosher asked if the social trail is used.) Mr. Rust noted that the trail isn't used as often because there is now a sidewalk along Highway 9. The best case scenario for us would be to move buildings 8, 9, 10, and 11 back and plant some trees in the increased setback to mitigate the impact to Woods Manor. The other thing we would like to ask consideration on, is that the best place for the playground? (Mr. Mosher noted it was the located the furthest from

the state highway.) Does this development really need a playground – will families live here? (Mr. Allen asked if the playground would be visible, and also if the concern was the noise?) Mr. Rust said that their buildings are tall enough that the upper story units will be able to see this area.

Jon McCallister, from Ski and Racquet Club Condos, was present to note that the group was involved in the access meeting and supported the new access.

Denalda Sebald, from Woods Manor, was wondering why all of the trees are being cut down on site? They are all healthy and have been protected in the last few years by spraying. Try to save some of the trees.

Kathleen Rust, from Woods Manor, was also concerned about the trees and the five foot setback. Can new trees really fit in that tight of a setback area?

Karen Schilling, from Woods Manor, concerned with families and that there is a small playground and not very much yard or play area. Concerned that children will cross the property line and play on the Woods Manor property and that is a liability. (Mr. Allen noted that the deed restriction only allows the residents to be full time Breckenridge residents.) (Ms. Katz noted that no one is planning that the social trail will be part of the playground or this development and your private property rights will be protected.)

Mr. Bishop, the developer, said that he would work with the Woods Manor group to address their concerns. He welcomed an on-site meeting soon.

Commissioner Questions/Comments:

Mr. Lamb: Final Comments: It is always a concern with someone is building something near your property, but having said that when the staff and architect says they will work with the group I believe that they will. Part of the vision of Breckenridge is to provide affordable housing, and that is why this project is important. The five foot setback is small, but meets the Development Code. Its purpose is to provide grading area, landscape, etc. and I trust that the group will work it out together. I like the color scheme as it is a lot more modern and contemporary. Negative points will probably be assigned. The colors on the computer screen aren't as accurate as on the actual materials boards. The color is much nicer. I like the architecture.

Ms. Katz: Final Comments: Thanks to Ski and Racquet Club and the developer for working together to resolve the access concerns. It is a much better plan as a result. The proposed colors are fantastic and with the fall colors found in Breckenridge will look better. Really believe they meet the intent of the code as they do not “unduly contrast with the background”. The architecture is different but has roots found in our community and will give a pride of ownership to each owner. The property will have residents that will keep that development strong and love where they live, which is great for the neighbors adjacent to this property. I don't think that the color scheme should get negative points. Breckenridge needs the affordable housing and it will be a great addition to the community. The property will likely cut down trees, but it is their basic property right. More detail on the landscaping progress should be shown the next hearing. I agree that it is tight in the corner, but I'm not sure how you fix that. Work with staff. They do well. Ultimately the setbacks and site disturbance points will be determined. We need to encourage families to live in Breckenridge, and it is great to have a playground on this site for those families. We need to keep the playground away from the highway. Think the location is fine. Work with neighbors in the spirit of the Ski and Racquet Club, I used to live there. I encourage you to work with the developer and architect for this project. I think there can be a positive outcome if everyone works together and is a part of the process. Maybe a place for the parties to get together would be that the developer could provide landscaping on the social trail on the Woods Manor property to discourage use of the social trail. (A Ski and Racquet Club owner noted that they also own part of the trail.) This could benefit both parties.

Mr. Schroder: What type of landscaping will there be? Will there be aspens used? (Mr. Hogan noted that aspen, spruce and cottonwoods would be used.)

Final Comments: I am glad that the neighbors are here to share comments and concerns and to work with the developer and the staff on this project. I think that the architecture structure is good and elevations create different spaces. I like the color scheme, and that they are primarily used as accents on each building. Overall, the brown tones are the more predominant colors on the project; the

bright colors are fresh and vital. I asked about aspens earlier because of the color complementing the organic nature in the fall. I applaud that the circulation is improved because of the work with the Ski and Racquet Club. I think it is great that there is a playground and that this property will not encourage kids to play off property. If kids do play off property it is an issue between the parents and the HOA group, not the town and not this application. They will likely be playing more in the front yards in the private drive. I live in the Wellington Neighborhood and this is the case there too. I know that this project meets the code and the guidelines in terms of setbacks, but if possible please address the concerns of the residents at the corner.

Mr. Bertaux: Asked about the window trim material. (Mr. Gerken noted that wood trim is provided along the wood siding elevations and metal is along the color panels.) Asked about the garages. (Mr. Hogan showed the parking spaces including 2 tandem spaces and an additional 3rd space or “gear space” on some units. Cementitious siding will be utilized for durability and ease of maintenance for the panels, but not the siding.)

Final Comments: The agreement with the Ski and Racquet Club overcomes a big issue for me and I agree with Mr. Pringle. Employee housing is really needed in this area of town and it is really important that housing is located throughout town. The architecture is a bit new for us, but I think it will fit in. What will help it to fit in is a very good landscaping plan. I recommend the landscaping and snow stacking should not be shared space. Make it functional. I think that the grading/retaining wall is a big issue and not sure how you can do it without disturbing the neighbors property. There may be a problem with site disturbance in this area, and the revegetation in this area will be most important. I think the playground is in a great place and I want families to be able to live here. This project is a good concept and it is good that it is different than Wellington. I like the color and architecture.

Mr. Pringle: The materials introduced here are new types of materials – have you used these in other applications? (Mr. Hogan said yes, they have used these materials. He also noted that Wellington uses cementitious or hardi-plank siding.) I am nervous about using a new material in the town. Is it hardi-plank or plywood? (Mr. Mosher noted that negative points were given for the materials and that the points would be mitigated with the positive points for the workforce housing.) (Mr. Hogan noted that the siding is hardi-plank, not plywood.) What are the garage doors? (Mr. Gerken noted that the garage doors would also be cementitious for durability.) (Mr. Mosher noted that the panels are usually pre-finished.) What color are the garage doors? (Mr. Hogan noted it varies.)

Final Comments: I have some issues with the amount of the colors being used. I am not opposed to it, just the amount of un-natural material being introduced. Will it be a look that wears well over time? – we don’t know. I like the architecture. I have concern with the placement of building 10 and 11 and how close it is to the west setback line near Woods Manor. Is there any ability to move them around a little bit to provide larger setbacks from the property line, which is a steep area? I also look at the architecture of that corner and the deck and how it looks suspended in the model and it concerns me as well. It seems like there are few problems with this project except for that corner area. I want to thank the Ski and Racquet Club for working with the group to create the new access point. I look forward to seeing the landscape plan which will help to show landscaping, revegetation and buffering.

Mr. Allen: In the report it notes that the Ski and Racquet Club would be paying 1/3 of the Highway 9 improvement island fee; do they know about it and how does it get reviewed? (Mr. Mosher noted that it would be a separate application. They didn’t know about the proposal until last week, and there will be a lot more answers at the next hearing. May include all the properties accessing this point.)

Final Comments: I really applaud the applicant for doing affordable housing. I thank Mr. Rust for being a part of the process and hope that the parties can work together because I agree with the residents on many issues. I like the colors as presented on the color board and their use as accents. I also think that there shouldn’t be negative points; agree with Ms. Katz. Thank you for putting in garages instead of car port on center units. I too am concerned with building 10, 11 and possibly 8 and 9 for not meeting hillside/ridgeline development code. Please take a look at this. I think screening will be very important. The site needs a landscape buffer around it and there needs to be room to do that on the property, especially buildings 8-11. Regarding removing all trees from the site; if there are any specimen trees it would be great if they could be saved. If it is all Lodgepole I

don't have an issue with clear-cutting. I would like to see if you could explore adding a fence around the playground area for safety. I like the architecture and hope you can overcome the issues.

WORKSESSIONS:

1. Landscaping Ordinance (JC)

Ms. Cram presented a memo refreshing the Commission on the updates to the MPB Ordinance and an update on what is happening with the Defensible Space Ordinance, along with proposed updates to the Landscaping Policy/22 .

MPB Ordinance Update:

- Requires that all dead and infected trees be removed by June 1, 2012.
- Town will be treating all town owned property and open space parcels by June 1, 2012.
- No permit needed to remove dead and infested if working with approved contractor.
- Contractor training to get on list.

Defensible Space Ordinance:

- Adopted on June 9, 2009.
- Ordinance suspended per referendum petition.
- Town Council will determine whether to repeal or submit to vote by electors.
- An emergency voluntary ordinance has been created by the town attorney for the interim that will be reviewed by the council on July 28th.

Landscaping Ordinance Update:

- Make it consistent with MPB and noxious weeds ordinance.
- Absolute policies.

Ms. Cram asked what the commission's concerns with water features were. (Mr. Neubecker noted that the concern in the previous commission was the site disturbance, glycol use that harms wildlife and energy use of the water feature.) Glycol is only used to keep pumps from freezing, so possibly the town should look at only using water features seasonally. Do we still agree that they shouldn't be allowed outside the disturbance envelope? What is excessive? Should it be subjective, based on a site ratio? Would we be okay outside of the disturbance envelopes? Size to site ratios will be explored. Maybe we can take some elements from site disturbance and apply it to this. Technically, right now water features have a moratorium on them.

Mr. Pringle: Issue with the water features was that they were consistently not coming in for permits and the Planning Commission wasn't able to review them. Does site disturbance come into play when these are excavated? And how much artificial manipulation are we doing? A little waterfall and creek is one thing, but if it becomes a huge pool and river, its another issue. It is the site disturbance and the unnatural application seen on some of these lots. That ordinance was written to protect existing trees, so we need to get away from that and go towards setbacks. Some water features are too outrageous now with the large ponds, etc. Anything that is built that is not permitted can be an issue. (Ms. Cram noted all site work requires a permit.) Recommended that we get input from people that install ponds so that the group is informed, like we are about energy.

Mr. Allen: It is okay outside the envelope if it doesn't impact the site too much. If it is a beetle kill site then the entire site is already disturbed. We agree that energy isn't the issue. Landscaping is allowed outside disturbance envelopes; aren't water features part of landscaping? It sounds like we are all okay with water features as long as they aren't big and ugly. Use the driveway / site disturbance example as a guideline. So it sounds like our issue is site disturbance. What are staff's recommendations for policy about site disturbance? (Mr. Neubecker: What are the issues with size?)

Ms. Katz: How do you apply a ratio to that? Maybe we look at the tap fee surcharge to determine where the line should be drawn. Those types of water features are excessive. Is it excessive in the abstract, or do you get to have it compared to the size of your house? I don't think that is what we want. (Mr. Neubecker: What is the issue? Energy, site disturbance?) It has to be site disturbance because people will use alternative energy to power things. You shouldn't be outside of it. Can we count on precedent and staff to let us know comparisons? (Mr. Neubecker: They are usually on grade and aren't seen from the road.) Agree with Mr. Allen on using driveway / site disturbance example as a

guideline. (Mr. Neubecker: There is language in the code regarding site disturbance that is covered by this.)

Mr. Lamb: If you have a large enough pond and are losing it to evaporation, I understand needing a tap fee. Also the energy use in pumps is so small.

Mr. Schroeder: I agree with not being outside of setbacks. Can't we establish a percentage of the site?

Mr. Bertaux: If it is a platted building envelope then the water feature should be within it. If there is no envelope provided then you should apply for a permit C or D. I think that the energy resolution is to not allow it to run in the winter. I am also anti-glycol unless it is absolutely necessary. (Mr. Neubecker noted that the building envelope applies to buildings, not landscaping or something at or below grade and if the language on the plat applies to "buildings" then it will be hard to apply it to landscaping.)

Ms. Cram summarized things the Commission agreed on:

- It is about site disturbance.
- Water features shouldn't be running year round.
- Concerns with the un-natural nature of some water feature amenities.
- How big of a pool do you have before you have to get a fence?
- Explore the concept of extra cost (metering?) for water.
- Water features should meet site setbacks

Ms. Cram asked the Commission if people should be improving forest health above and beyond the MPB ordinance? For thinning and pruning rather than just cutting down dead or infested? Also, should there be incremental points or a different multiplier in the point system? Town Council recommended keeping the potential to receive positive 8 points (+8). (Mr. Neubecker: The section in the code "how to assign points" can assist in understanding this area.) The landscape guidelines are also being updated, and we can add a plant list and understanding of the growth habits of plant material. It would be easy for staff to be able to look at projects with those types of guidelines in place.

Mr. Pringle: Recommended that there be no positive points for landscaping, rather only negative.

Mr. Bertaux: That is why we would like to have the +2, 4, 6, 8 points because of how people are using landscape points to make up for other site issues. If people don't add landscaping but just improve forest health, you get no points, you've met the ordinance. Defensible space should be absolute; negative points if you don't do it.

Ms Katz: We ought to be able to say that there is a limit on the number of trees that can actually grow because the trees do or do not fit based on their mature growing size. Can't we discourage the planting of grass instead of more native plantings? (Ms. Cram: you could encourage through positive points native grasses, shrubs, etc.) (Mr. Neubecker: in some neighborhoods that don't have a wooded character more grass fits the neighborhood, like Wellington and historic district.) What if people don't add any landscaping but just improve the forest health?

Mr. Lamb: Agreed that no added landscaping met the ordinance.

Mr. Allen: Forest health is absolute.

Ms. Cram summarized things the Commission agreed on:

- Liked the point structure change to +2, 4, 6, 8.
- Encourage with positive points for xeriscape, native grass, etc.
- Encourage staff to look at mature growing size for plant material.
- Encourage healthy forests.
- Absolute policy for forest health, MPB and defensible space (not in development code).
- Landscape code will include the absolute policies for MPB, forest health, and defensible space so that applicants will see all the information in one place.

Mr. Rossi, Town Council Rep: Many people in the community have confusing overlaps between defensible space, MPB, and new landscaping.

TOWN COUNCIL REPORT:

Mr. Rossi had no topics to present. Did the Commission have any questions for Council? (Mr. Allen noted that Mr. Bertaux had a question last week about when the next commission/council lunch should be.)

Mr. Pringle asked about the Neighborhood Preservation Policy. (Mr. Truckey: There is a neighborhood meeting here tomorrow night, July 22, at 5:30. Anyone that comes to the meeting will get feedback about their property.) (Mr. Allen: Should we attend?) (Mr. Truckey: You are welcome to attend. It will come to you sometime after it goes to Council.)

Mr. Allen: Did Council hear the McAdoo Corner application? (Mr. Rossi: Last week the McAdoo Corner was approved by Council. There was no call-up. There was concern that there was no definition for solar panels.) (Mr. Bertaux: That is a topic that the Commission and council could talk about.)

Mr. Rossi: Another thing Mr. Allen brought up is improving communication to people for work sessions. (Mr. Pringle: Concern with the legal requirements of noticing, and that agendas are available regarding work sessions for people to know about a topic.) (Mr. Neubecker: The Town Attorney is concerned if we get into the habit of providing public notice when its not legally required, since people will then complain if we don't send them notice.) (Mr. Bertaux: Could developers notice the neighboring properties for work sessions rather than a legal requirement for the town?) (Ms. Katz: There should be a certain amount of responsibility for people.)

ADJOURNMENT

The meeting was adjourned at 10:45 p.m.

Rodney Allen, Chair