

PLANNING COMMISSION MEETING

The meeting was called to order at 7:00 pm

ROLL CALL

Eric Mamula Gretchen Dudney Kate Christopher
Dan Schroder Jim Lamb Dave Pringle
Ben Brewer, Town Council Liaison
Ron Schuman was absent.

APPROVAL OF MINUTES

With no changes, the March 3, 2015, Planning Commission Minutes were approved as presented.

APPROVAL OF AGENDA

With no changes, the March 17, 2015, Planning Commission Agenda was approved as presented.

CONSENT CALENDAR:

- 1) Kids Base Camp at the Summer Fun Park (JP) PL-2015-0020, 1599 Ski Hill Road
- 2) Cottage #8, The Cottages at Shock Hill (SG) PL-2015-0031, 61 Regent Drive
- 3) Schimek Residence, PL-2015-0036 (MM) 587 Discovery Hill Drive

Ms. Puester announced two corrections to the staff reports:

- 1) Cottage #8, The Cottages at Shock Hill: The correct plan case number is PL-2015-0031. The staff report has a typo and shows PL-2015-0023.
- 2) Schimek Residence: The staff report neglected to include there are 4 bedrooms and 3.5 bathrooms.

Commissioner Questions / Comments:

Mr. Pringle: I have a question on the retaining wall that exceeded 4' that did get negative points, but I don't want to overlook the issue of the application of another retaining wall that doesn't meet the code.

Mr. Mamula: I'm good with the current negative points,

Mr. Schroder: Me too.

Ms. Dudney: Me too.

Ms. Christopher: Me too.

Mr. Pringle: I just don't want to see incremental creep of retaining walls.

Mr. Mamula: The previous retaining wall issue we saw was much bigger in the other home. (Mr. Mosher: These walls are no higher than 6' apiece. We did step them and did landscaping to lessen the impact of having 8' walls. The problem is that this lot is so steep that putting in three 4' walls would have taken 20' overall. It is a very steep slope.)

Mr. Schroder: The point analysis on page 34, there is a typo. Is it negative 2 points or negative 4? (Mr. Mosher: The correct number is two negative points (-2).)

The Consent Calendar stands approved as presented.

TOWN COUNCIL REPORT:

Mr. Brewer:

- We passed on second reading the ordinance of extraction of oil from marijuana using flammable materials.
- We passed on second reading the conveyance of Pinewood 2 property
- We passed resolution providing for the vacation of Rankin Avenue what used to be the Library, it is County property but the Town had a ROW so we vacated the easement so that the County can give a proper office to DA. (Mr. Mamula: Can you still get to the kayak park?) I am not sure. The County

needs the land and it wasn't used. I think the kayak park access will be dependent on the DA office plans. We didn't see plans. They are not building on top of it and it is being vacated because the Town didn't want to maintain it. (Ms. Puester: The ROW will still be there but will not be maintained by the Town.)

- Town Projects: We approved the Breckenridge Theater even though the Planning Commission didn't approve it. The Council felt it was an important project; we expected that you couldn't pass it. It was good to know how many points it fell short. The Arts District is different than Town and we really want a proper functioning theater. Because it is a Town project we didn't need to call it up. It is a little different than normal application.
- We discussed fluoride in the water. A group of concerned citizens came forward to ask if we would remove fluoride from the water and the Council said no. In my opinion, it shouldn't be the Town Council who decides to remove it; it should be decided at the Federal level. We had a great discussion and decided to leave the fluoride in.

COMBINED HEARINGS:

1) Xcel Energy Substation Expansion (JP) PL-2015-0024, 562 Wellington Road

Ms. Puester presented a proposal to expand the existing circuit breaker equipment of the substation to the rear (south of the lot). A 10' to 18' high retaining wall is proposed to be added behind the addition to retain the hillside. A public trail dedication and additional landscape is proposed. On December 3, 2013, the Planning Commission approved development permit for a 530 square foot addition to the breaker house on site, which was constructed in 2014.

Public Service Company of Colorado (PSCo) sees a need to increase the capacity of the substation as there is now more demand on power within Town and the surrounding area. PSCo explains, "*The installation of the 230kV circuit breakers at the Breckenridge Substation is to keep the Town of Breckenridge and the ski area in service in the event of a fault on the transmission lines feeding the substation. With the existing substation configuration, a fault on either of the two lines feeding the Breckenridge Substation will result in a total substation power outage. By installing the circuit breakers at the Breckenridge Substation, we considerably reduce the possibility of losing both incoming lines in the event of a fault on one of the lines. This will increase the reliability to customers served by the Breckenridge Substation.*"

Staff conducted a point analysis and found all the Absolute Policies of the Development Code to be met. Policy 47/A Fences is found to be not applicable in this case. Staff recommends negative four (-4) points under Policy 7/R for the unbroken retaining wall, positive three (+3) points under Policy 20/R for the public trail dedication and positive two (+2) points under Policy 22/R Landscaping, for a passing point analysis of positive (+1) point.

Staff recommends the Planning Commission approve the Public Service Substation Expansion with a passing point analysis of positive one (+1) point and the attached Findings and Conditions.

Applicant Presentation: Ms. Melinda Lee, Xcel Energy:

On the trail I met with Scott Reid (Open Space and Trails Manager for the Town of Breckenridge) and connecting it with a trail that has a bridge; another portion of this trail will run under the electrical lines. It is not just limited to that portion of what we are dedicating to this trail. It is not just a setback; it already looks like the trail is existing from previous use. (Mr. Schroder: Your property boundary, is there any opportunity for this to expand in the future?) The site is driven by the drainage and the constraints with the land. We didn't really want to push this expansion into the mountain, but that was the only option. There could never be expansion without acquiring other land. (Mr. Pringle: We aren't we pushing for breaking up the retaining walls and using landscaping? I'm suspect of the flammability. I would like to consider breaking up the 18' walls.) (Ms. Puester: It is very steep here; they are at the toe of the slope. There are issues with breaking up the wall and going up the hill. There are overhead lines that have to clear the fence at a certain height.) We have minimum height clearance for the existing line coming out of the substation. We will have to lose

existing trees unless we can do one wall. The fence has to be at the farthest point of disturbance. This means we will be putting a chain link fence under the transmission line and we'd have to have taller posts and then this would be an impact on the trail. (Ms. Puester: I asked them to explore the breaking up of the walls and there were so many issues.) (Mr. Pringle: I'm just concerned that the 18' wall is so large that we shouldn't just approve it.) It is not one master wall it does step down. From the street view you see about 4' of wall when you drive by. (Mr. Pringle: Everyone has a lot of reasons why a big tall wall will work. I'm worried about it becoming a precedent.) We would have liked to break up the wall but it led to other mitigation issues.

Mr. Mamula opened the hearing to public comment.

Mr. Nathan Moorefield: I own a lot in Revett's Landing Lot #11. I have questions. Can you show me what is being added? (Ms. Puester showed what is added to the substation.) When I'm standing on our lot we hear buzzing; will the additional materials mean that there is more noise? (Ms. Lee: My answer is that it should be the same level of noise. Circuit Breakers are being added which typically aren't noisy, but I think it is possible that there could be more noise.) There is something EMS will it be increased. (Ms. Lee: That is a science that is not in our purview.) Is there a way for us to measure if this is increased with the expansion of this substation? Do we have a baseline measurement? (Ms. Lee: The Federal regulatory approves this kind of work.) Is there an acceptable level of this? (Ms. Lee: We are not allowed to quantify the level because of the scope of this project. It is not a huge addition. It is being done because we are very limited. There are constraints on our whole grid, so we've been looking at how to expand this site over the last 3 years. This is the force fit of the best scenario to make the system more reliable and to make sure we don't have an outage if we have a fault on two lines. We have to have it level for the expansion. It pushes into the wall of trees and hill that will be the visual buffer.)

There was no further public comment, and the hearing was closed.

Commissioner Questions / Comments:

- Mr. Mamula: This is a property next to my residential neighborhood and house, but I don't have any financial ties to the property or any opportunity to gain.
- Ms. Dudney: I'm fine with this as presented.
- Mr. Pringle: Other than my concern about the wall, I am sympathetic to the constraints but if we have a code they can work with it. If it's a code issue, we should relook at it.
- Mr. Schroder: I support as presented.
- Ms. Christopher: I support as presented.
- Mr. Lamb: I support this as it is a utility.
- Mr. Mamula: Was there any consideration to adding landscape to the back berm near Revetts S subdivision? (Ms. Puester: I believe that this is Town ROW and we did not think about any landscaping off site.)
- Mr. Pringle: You said you are clearing the trees underneath the transmission line? (Ms. Lee: That has already been done because that vegetation has been there.) Is there any thought to increase vegetation in the back? (Ms. Lee: We already have a lot of vegetation there already and we don't have any water to that part of the site.) What is the type of trees and their condition? (Ms. Puester: The majority was healthy lodge pole when I walked the site last summer. They aren't sticks; they seem to have a fairly wide spread. I didn't notice anything as unhealthy.) We put a lot of energy to maintain the lodgepole canopy. Is there anything to be gained to thin out to help the health of the forest?
- Mr. Mamula: There is a huge clearing back there two summers ago under the line. There are a lot of aspen as well, it's pretty spread out and healthy. (Ms. Puester: It meets defensible space mainly because of the driveway.) I approve as presented. If you end up with too many trees on the front the subdivision has water on that ROW berm and can water them. Lots 1 and 2 look directly down onto your property. If you have too much landscaping at the front, you could

move a few trees to the west to screen the neighborhood better on top of the berm by
Campion Trail. (Ms. Lee: I haven't stood on that side of the street; I will look at it.)

Mr. Pringle made a motion to approve the point analysis for the Xcel Energy Substation Expansion, PL-2015-0024, 562 Wellington Road. Ms. Christopher seconded, and the motion was carried unanimously (6-0).

Mr. Pringle made a motion to approve the Xcel Energy Substation Expansion, PL-2015-0024, 562 Wellington Road, with the presented findings and conditions. Ms. Christopher seconded, the motion carried unanimously (6-0).

OTHER MATTERS:

An e-mail went out to see who is attending the April 7 meeting. We are only missing two members, so we will have the April 7 meeting.

ADJOURNMENT:

The meeting was adjourned at 7:55 pm.

Eric Mamula, Chair