***GUNNISON COUNTY PLANNING COMMISSION***
**PRELIMINARY AGENDA: Friday, January 6, 2017**

**8:45 a.m.**

- **Call to order; determine quorum**
- **Approval of Minutes**
- **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

**9:00 a.m.** **Free Subdivision**, work session/no action, request for the subdivision of 32.428-acres into two single-family lots: Lot 1, 5.898-acres (with existing cabin) and Lot 2, 26.53-acres (with three existing cabins) to settle a family estate. All of the cabins are served by exiting springs and pit privies. The property is located approximately 14 miles south of Highway 50, directly west of County Road #858 (Big Cimarron Road), adjacent to Silverjack Subdivision. The property is legally described as being situated in U.S. Government Lots 9, 10, 15 & 16, Section 5, Township 46 North, Range 6 West, N.M.P.M.
**LUC-16-000040**

**9:30 a.m.** **Sciortino Subdivision,** work session/no action, represented by Marcus Lock and Jacob With, the applicant is requesting to legitimize the conveyance of a 25-acre parcel as a legal lot. The property is located directly east of Highway 135, approximately 18.5 miles north of the City of Gunnison. The property is legally described as being within the SW1/4NW1/4 Section 2 and the SE1/4NE1/4 Section 3, Township 15 South, Range 85 West, 6th P.M, consisting of 25.32-acres.
**LUC-15-00038**
**Site visit will follow work session**

**Adjourn**

The applications can be viewed on gunnisoncounty.org,
link to http://204.132.78.100/citizenaccess/

- Public access
- Projects
- Application #
- **LUC-15-00038**
- **LUC-15-00040**
- Attachments

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**GUNNISON COUNTY PLANNING COMMISSION**
**REGULAR MEETING**
**January 6, 2017**
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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center. **Present:**

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| Chairman- Kent Fulton<br>Commissioner-Tom Venard ( by phone )<br>Commissioner-Jack Diani | Director of Community Development- Cathie Pagano<br>Assistant Director- Neal Starkebaum<br>Manager of Administrative Services- Beth Baker<br><br>Others present as listed in text |

**Absent;** Commissioner Mugglestone, Cattles, and Rubingh
Commission Messner recused himself

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With a quorum present Chairman Fulton opened the January 6, 2017, regular meeting of the Planning Commission.

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Moved by Diani seconded by Fulton to approve the Planning Commission meeting minutes dated November 18, 2016, as amended. The motion passed unanimously.

Moved by Fulton seconded by Diani to approve the Planning Commission meeting minutes dated December 2, 2016, as amended. The motion passed unanimously.

Moved by Diani seconded by Fulton to approve the Planning Commission meeting minutes dated December 16, 2016, as amended. The motion passed unanimously.

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**FREE SUBDIVISION (LUC--16-00040)** The Gunnison County Planning Commission conducted a work session with no action, to review the request for the subdivision of 32.428-acres into two single-family lots: Lot 1, 5.898-acres (with existing cabin) and Lot 2, 26.53-acres (with three existing cabins) to settle a family estate. All of the cabins are served by exiting springs and pit privies. The property is located approximately 14 miles south of Highway 50, directly west of County Road #858 (Big Cimarron Road), adjacent to Silverjack Subdivision. The property is legally described as being situated in U.S. Government Lots 9, 10, 15 & 16, Section 5, Township 46 North, Range 6 West, N.M.P.M.

With a quorum present Chairman Fulton opened the work session.

Present representing Planning Commission: Commissioners Fulton, and Diani. Commissioner Venard participated by phone.

Present representing Staff; Assistant Director of Community Development Neal Starkebaum and Manager of Administrative Services Beth Baker.

Present representing the application: Owner/applicant Jim Free participated by phone.

Free explained his request. The property is located at the bottom of the Silver Jack Subdivision and County Road 858. It has been in their family for 35 years. The Silver Jack subdivision road dissects the property. Lot one will be approximately 5.8 acres and lot two will be approximately 32.4 acres. The water for the two lots has been historically provided by a spring and now will use another spring for the smaller parcel. The small lot will be fenced with wildlife fencing.

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Starkebaum said there are existing residences on each of the two proposed parcels, and existing access. The biggest concerns are the comments from Colorado Division of Water Resources which note the water supply physical adequacy has not been documented. Free will be required to have the flow rates documented. That will have to be done in the spring. Action will be delayed because any further review will not be possible until the water adequacy issue has been resolved.

Fulton reiterated legal and physical water adequacy is required and the further review of the application will be delayed, until that has been determined and submitted to both the State and the County for their review.

Diani asked if the pit toilets were sufficient for the rental units. Free said they have been used for the last 50 years. They are used only minimally.

There will be no further review of the application until the applicant can supply evidence of adequate water supply.

Fulton closed the work session at 9:35 A. M.

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**SCIROTINO SUBDIVISION (LUC-15-00038)-** The Gunnison County Planning Commission conducted a work session with no action. They reviewed the request to legitimize the conveyance of a 25-acre parcel as a legal lot. The property is located directly east of Highway 135, approximately 18.5 miles north of the City of Gunnison. The property is legally described as being within the SW1/4NW1/4 Section 2 and the SE1/4NE1/4 Section 3, Township 15 South, Range 85 West, 6th P.M, consisting of 25.32-acres.

With a quorum present Chairman Fulton opened the work session.

Present representing Planning Commission: Commissioners Fulton and Diani. Commissioner Tom Venard participated by phone.

Present representing Staff; Assistant Director of Community Development Neal Starkebaum and Manager of Administrative Services Beth Baker.

Present representing the application: attorney Marcus Lock, engineer Tyler Harpel, and applicants Trey Scirotino and Mandy Scirontino

Lock explained in 2006 the property was part of the 35 acres to the south, and the 25 acres being discussed was transferred by quit claim deed only, without going through the County subdivision process. They are now attempting to rectify the situation by taking the 25 acres through the County subdivision process. He noted this would give the County an opportunity to address the issues on this site, including wildfire hazards, rock fall hazards, etc.

Trey Scirontino said they have resided in Gunnison County since 1997. This particular property is one of the few opportunities remaining in the north end of the valley for a small agricultural operation. They are considering constructing a barn, a small cabin, and possibly a green house.

Attorney Lock addressed the County locational and density standards. He said this would not cause additional impacts to the area. He addressed the surrounding land uses, noting the Reserve lots usable space is smaller than the 25 acres proposed. The CDOT parcel to the north is smaller than this proposed parcel. This parcel is less than one mile from three other parcels that are less than one acre in size. He added it is within three miles of Crested Butte South. He added the proposed building envelope would be right next to the highway, which would further minimize the impacts to the area. He cited a precedence set with the approval of the Little Cimarron subdivision, four parcels subdivided from a 66 acre parcel, and said there are comparisons here. He said the parcel would be served by a well, and they can purchase augmentation water from the UGCWD. The Sage-grouse coordinator has confirmed this parcel is not within six miles of a lek, and would not further impact the Sage-grouse.

Engineer Harpel said access and the utilities could be fairly easy to handle. It would require a CDOT permit. There are no easements or utilities encumbering this property. Atmos Energy and GCEA both have their utility lines within the CDOT right of way. He noted the rock fall hazard and wildfire hazard are prominent on this parcel. The placement of the 2.5 acre building site is in a reasonable spot for drainage. It is not in the direct path of a scree field. The wildfire hazard

area, is higher up on the slope. The site chosen can be mitigated with defensible space. He submitted areal images to illustrate drainage, gullies and ridgelines.

Fulton asked if a wildfire could increase the rock fall hazard; Harpel confirmed it could increase erosion problems, so risks would possibly increase.

Lock said in the big picture, if approved, they would be willing to comprise and limit the development to 2.5 acres.

Fulton asked about the parcel to the south and that neighbor's well; Harpel confirmed a septic system would not impact the neighbor's well.

Fulton said a neighbor to the south has created a deer field, and from a highway stand point it is concerning. He said it would be best to design the landscaping so it would not encourage additional deer and elk near the highway.

Starkebaum said the crux of the request is compliance with locational standards. This is an illegal subdivision. He encouraged the commissioners to methodically review the locational standards, particularly Section 10-103. Neighborhood is a critical discussion. He added determining what a neighborhood is and how this complies or not is critical to this review. He noted this lot contains 25% slopes and heavy rock fall areas.

Diani and Venard said a site visit would be very useful.

Fulton explained legitimizing this illegally subdivided lot could have far reaching consequences by creating precedence for illegally subsiding property, and legitimizing of the lots later.

Lock responded one could prosecute anyone who does this in the future, so there is no precedent.

Starkebaum said there is not currently a process to review illegal subdivisions. The main way the county does this, is when building and septic permits ae applied for.

There will not be another work session, until the commissioners can conduct a site visit.

Fulton closed the work session at 10:30 AM. .

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Fulton adjourned the meeting at 11:00 A.M.

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/S/ Beth Baker
Community Development Department Services Manager
Gunnison County Community Development Department

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