

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Thursday, September 8, 2022**

The Gunnison County Planning Commission conducted a regular meeting in the Planning Commission Meeting Room in the Blackstock Government Center, 221 N. Wisconsin, Gunnison, Co. and on Zoom **Present:**

Vice-Chairperson-Andy Sovick Commissioner-Matt Schwartz Commissioner- Julie Baca Alt Commissioner- Beth Appleton	Director of Community and Economic Development- Cathie Pagano Senior Planner – Rachel Sabbato Planner/ Manager of Administrative Services- Beth Baker Others present as listed in text
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Absent: Commissioners Daniels, Niederer

Zoom: Commissioner Appleton

With a quorum present Vice-Chairperson Andy Sovick opened the regular meeting of the Planning Commission.

Moved by Schwartz seconded by Baca to approve Planning Commission meeting minutes, dated July 21, 2022. The motion passed unanimously.

Unscheduled citizens:

Jeff Ewert lives on Upper Allen Rd., in Allen homesites. His property is adjacent to acreage recently purchase by Stewart Hunter partners. Ewart's lot line is adjacent to the pasture. The work being done there is affecting his down valley views. He submitted photos of the berms. Hunter has agricultural easements. Hunter is constructing a berm to prevent ditch blow out and flooding, the surrounding homes have never been flooded. The berm is approximately 10 ft. to 15 ft in height. The berms are significantly impacting his down-valley views, and he said it will impact his home values. There is also now a gravel pit on the Hunter property. Hunter installed a stock entry way / cattle guard on Ewert's property.

Director of Community and Economic Development Cathie Pagano noted the Planning Commission does not have any jurisdiction in these circumstances. Staff is aware of some of the issues and is investigating with the property owner. The gravel pit is in a separate area. The cattleguard is a civil matter.

Jaynes Two Lot Subdivision (LUC-20-00037): Jt. Public Hearing: The Gunnison County Planning Commission and Board of County Commissioners conducted a joint public hearing. They reviewed the request to subdivide an existing 37.61-acre parcel into two lots, a 19.21-acre Tract One and 18-acre Tract Two. The subject property is presently developed with an approximately 3,000 sq. ft. single-family residence constructed in the late 1950s and accessory structures. Located at 2399 State Highway 135, Crested Butte, Co. – 37.61 acres in Section 18, T14S, R85W.

Board of County Commissioners Jonathan Houck, and Roland Mason attended the hearing.

With a quorum present Vice- Chairperson Sovick opened the joint public hearing.

Manager of Administrative Services Beth Baker confirmed adequate public notice; the staff had the notice published in the Crested Butte News and the Gunnison Country Times, and the applicant has submitted the proof of posting the certified mailing receipts.

Applicant's attorney David Leinsdorf presented a brief description. The Jaynes are requesting approval to divide a 35-acre site in half, to create two lots of approximately the same size. There is an existing home on the original parcel. There would be a 4,200 sq., ft. home, a detached caretaker unit, garage and barn on the new lot. Over 80% of the 40-acres will be kept in a conservation easement. Each lot will have a 1.5-acre building site. He added that the uses in the area are mixed, and the proposal satisfies the compatibility requirement. He described the surrounding uses as agricultural and several residential lots, including a 21-acre lot created by the highway. The water supply has been tested and is sufficient. They have drilled a new well. The Upper Gunnison Water Conservancy District has adequate water. The Jaynes will have to acquire 3 base units and additional for outside use.

Adjacent owner Bill Lacy has asked for additional protection from tract two, so there would be no impacts to his irrigation ditch. The building envelope has been moved to the East to accommodate Lacy's issue. Owner in the area Donna Roseman submitted a letter of support of the project. There has not been any neighborhood opposition. Engineer Norm Whitehead was also in attendance.

Commissioner Appleton asked if the proposed subdivision was the same as originally presented. Leinsdorf confirmed is it they are only moving the building envelope and amending the covenants.

Director of Community and Economic Development Cathie Pagano said staff does not agree that the lots would be substantially similar and do not support the application. She referred to Section 10-103 of the land use resolution.

Leinsdorf pointed out there are similar or larger lots than the existing tracts adjacent. A 21-acre parcel was severed when the state highway acquired the land.

Realtor Maggie Dethloff commented that Bill Lacy could divide his larger parcels without a county process. Pagano said that is a state statute.

Sovick noted this would not set a precedent. Pagano said it does create another lot, creating sprawl and further enables this type of development to continue in the area.

Houck pointed out most of the lots Leinsdorf referred to were established before the LUR was in place. Leinsdorf said the Rozman parcel was not severed before the LUR. Pagano said most of the lots referred to by Leinsdorf were created in partition suit, and out of the County's purview.

Leinsdorf said the reality is there are single family homes on those sites. At the site visit the commissioners appeared to be satisfied with the proposal. The neighborhood will not be radically changed with this additional lot.

Pagano noted a water supply plan and well test was required; drilling a well was not required. Leinsdorf said they felt drilling a well was the way to comply. He reiterated the application is compatible with the neighborhood.

Tim Szurgot submitted an email to the commission during the meeting. Sovick read the comments into the record and the email is attached to the Gunnison County land use file. He noted his objections to the application to subdivide. Traffic increase, more cell phone usage, unpredictable development.

Leinsdorf said this is compatible with existing development and urged approval. Splitting Jaynes parcel in half will result in no significant detriment. They are comparable to or less the density in the neighborhood.

Commissioners Schwartz and Baca asked that the County Attorney review the issue of how the lots Leinsdorf uses to support compatibility with the neighborhood.

Pagano referred to the cumulative impacts section 1-103 in the LUR. Leinsdorf agreed it is important but the lots across the highway are smaller.

BOCC Roland Mason requested clarification on the conservation easement being proposed. Leinsdorf said development will be prevented on 89 % on the Jaynes property with a conservation covenant. He read the covenant into the record and it is in the Gunnison County application file.

Vice-Chairman Sovick continued the joint public hearing to September 15 at 9:00 a.m.

The commissioners directed staff to prepare a draft recommendation of approval for review following the continued joint public hearing.

Sovick adjourned the September 8, 2022 meeting of the Planning Commission at 9:50 a.m.

/s/ Beth Baker
Gunnison County Community and Economic Development