

**GUNNISON COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Thursday, May 18, 2023**

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-Fred Niederer Commissioner- Annie Beall Commissioner- Eric Phillips Commissioner- Roland Mason	ACM Community and Economic Development-Cathie Pagano (Zoom) Director of Planning- Hilary Seminick Senior Planner – Rachel Sabbato Planner-Sean Pope Planner/ Manager of Administrative Services- Beth Baker Others present as listed in text
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Absent: Commissioners Julie Baca & Matt Schwartz

With a quorum present Chairperson Sovick opened the May 18, 2023 regular meeting of the Planning Commission.

Moved by Mason seconded by Beall to approve the Planning Commission meeting minutes, dated March 2, 2023. The motion passed unanimously.

Moved by Mason seconded by Beall to approve Planning Commission meeting minutes, dated March 21, 2023. The motion passed unanimously.

Moved by Beall seconded by Phillips to appoint Sovick as Chairperson of the Gunnison County Planning Commission, for 2023. The motion passed unanimously.

Moved by Beall seconded by Phillips to appoint Mason as Vice-Chairperson of the Gunnison County Planning Commission for 2023. The motion passed unanimously.

Moved by Niederer seconded by Mason to establish the Gunnison County Planning Commission posting location, for 2023, to be the Gunnison County website.

County Attorney education session with the Planning Commission: County Attorney Matt Hoyt presented an educational session to the commissioners. They discussed ex parte communication, sunshine law/open meetings act and conflicts of interest.

With a quorum present Chairperson Sovick opened the work session. There were no minutes taken.

The work session was closed at 9:55 A.M.

Crested Butte Fire Protection District (CBFPD)-LUC-23-00014: The Gunnison County Planning Commission conducted a public hearing. They reviewed the CBFPD location and extent application pursuant to C.R.S. 30-28-110. Commonly known as a location and extent referral, for

a new CBFPD headquarters building, search and rescue facility, training tower, and helipad on two parcels of land located north of the Town of Crested Butte town boundary and adjacent to the Slate River on the east side of Gothic Rd., Parcel No. 3177-350-03-018 and Parcel No 3177-350-03-019.

With a quorum present Chairperson Sovick opened the public hearing.

Planner/Manager of Administrative Services Beth Baker confirmed adequate public notice. The staff had the public notice published in the Crested Butte News and the Gunnison Country Times. The applicants have submitted the certified mailing receipts and the proof of posting.

Planning Director Seminick described the location and extent application process. She noted the only thing required, is going before the Planning Commission with the general location and extent of a given application. This process exempts the applicants from the land use regulations. There is only one opportunity to review the application, hear comments and make a recommendation. Staff has provided a draft recommendation letter: it relates to public health, and safety. The process is condensed, only allowing a 30-day review time frame.

Chairperson Sovick asked if there had been any Exparte communications: Commissioner Niederer explained he had been involved in conversations, from a subcontractor standpoint two years ago, through FCI. He said he has no conflicts of interest and can remain nonbiased for the review of the application.

Commissioner Beall said when asked about the project she directed the individual to submit public comments to staff.

Planning Director Seminick explained the site is not in a flood plain. Environmental Health Official Crystal Lambert had expressed concerns with the installation of a septic system, rather than tying into the Crested Butte Water and Sanitation district lines. She added the Crested Butte Town Council and CBFPD have been in negotiations concerning the tying into their sewer line. The facility will be served by wells. Colorado Parks and Wildlife had not submitted any comments

Applicant's representative Dominic Mauriello, Principal with the Mauriello Planning Group was present. He introduced CBFPD CEO Sean Caffrey, CBFPD Chris McCann, consultant Todd Goulding and Bill Harris with the Blythe Group

Caffrey explained CBFPD covers approximately 220 sq. mi., including Mt. Crested Butte, the Town of Crested Butte and about 200 sq. mi. of unincorporated Gunnison County. CBFPD operates out of four faculties. This application is for the replacement of Station One, it was constructed in 1974. The CBFPD team consists of about 55 people, and a fleet of 22 vehicles. They respond to approximately 800 calls per year, the majority are emergency medical calls. They have partnered with Crested Butte Mountain Rescue Team and will share the site.

Caffrey said the 2021 ballot issue passed, they have acquired the land, now they will construct the facility. They are pursuing off site housing, there is space on site for a 30 ft. training tower, but it will probably not be built at this time.

Mauriello described the process. He said the process was created to operate and respond quickly, while allowing public input. He described the site as approximately seven acres, with open space across the street, there is a single-family residence, the Crested Butte Cemetery, and

an Aperture residence in close proximity. He noted they have submitted the plat and applied with Gunnison County public works for an access permit. There are three access points on the plat. The Search and Rescue facility will also be on the site; it will be approximately 6,000 sq. ft.

It was noted the site will include parking for staff, and a helipad. The helipad will not be located next to the residence. The facility will be two stories and approximately 22,000 sq. ft. There will be four truck bays with the ability to have five bays. There will be administration offices on site, six bedrooms for sleeping quarters, a kitchen, lounge area and fitness room. The Search and Rescue facility will be approximately 6,000 sq. ft. with four pull-through bays and space for eight vehicles.

Seminick explained the setbacks from a County Rd. are 40 ft., the applicant has proposed 20 ft. setbacks.

Seminick added the site is not currently reserved by water or sewer. They have proposed an Onsite Waste Water System, but are in negotiations with the Town to connect and pay reasonable fees for tying onto the sewer line.

Mauriello said the landscape concept will comply with the Wildfire Urban Interface code; have drought tolerant plant species, snow storage and drainage are planned. They are considering a robust and compatible landscape design.

Mauriello added this is one of the few buildings being designed using the 2021 Building Code. It will be solar ready construction. A DOLA grant is being sought for a solar system. They are investigating using geo-thermal.

Commissioner Niederer asked about the helipad and its feasibility. Mauriello said this is a good location for the helipad. A helicopter is not needed often, but it is essential. When a helicopter is launched the president of the HOA boards are contacted. Planning Director Seminick noted there are no FAA regulations for a helipad, but there are State regulations, that would be adhered to.

Commissioner Mason asked if there will there be enough parking, if this is a meeting center. Caffrey explained the amount of parking on site.

Chairperson Sovick asked why CPW did not comment, Planning Director Seminick confirmed no comments were submitted.

Chairperson Sovick asked if a stoplight would be required. Mauriello said the traffic engineer recommended signage not stoplights.

Planning Director for the Town of Crested Butte Troy Russ said the Town and CBPFD have had productive conversations, and an agreement has been conditioned on five conditions. He added continuing to use a well, is also a condition.

Planning Director Seminick reviewed the process of editing a recommendation letter.

The commissioners reviewed the recommendation letter.

Chairperson Sovick seated the alternate commissioners Phillips and Beall.

Moved by Mason seconded by Niederer to close the public hearing.

Moved by Mason seconded by Niederer to approve the letter of recommendation of LUC-23-00014; the CBFPD location and extent application (recommendation here.) with conditions stated in the staff letter. The motion carried unanimously.

To: Sean Caffrey, CEO and Commissioner, Crested Butte Fire Protection District

Date: May 18, 2023

Re: Crested Butte Fire Protection District Headquarters and Training Facility Location and Extent Application

The Gunnison County Planning Commission has received and reviewed your application for the Crested Butte Fire Protection District (CBFPD) headquarters, search and rescue facility, and training tower pursuant to Colorado Revised Statute (CRS) § 30-28-110, commonly known as a Location and Extent application. CRS § 30-28-110 partially exempts the proposal from the Gunnison County Land Use Resolution (LUR); however, it does not exempt the CBFPD from submitting a Building Permit Application or other public health safety and welfare regulations, including but not limited to the Gunnison County On-Site Wastewater Treatment System (OWTS) Regulations. Approval of a Building Permit Application requires compliance with Section 1-105: *Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Wildlife Resources*.

The Gunnison County Planning Commission hereby approves with conditions the Location and Extent application for the CBFPD Headquarters and Search and Rescue Facility.

Recommended conditions

1. Compliance with Gunnison County Land Use Resolution (LUR) Section 1-105: *Sections Necessary for Immediate Preservation of Public Health, Safety, Welfare, and the Environmental and Wildlife Resources*, prior to Building Permit issuance, specifically:
 - a. Gunnison County LUR Section 11-105 *Development in Wildfire Hazard Areas*;
 - b. Gunnison County LUR Section 11-107 *Protection of Water Quality*;
 - c. Gunnison County LUR Section 12-105 *Water Supply*; and,
 - d. Gunnison County LUR Section 12-106 *Wastewater Treatment*.
2. A wastewater treatment plan that is compliant with the Gunnison County, Colorado On-Site Wastewater Treatment System Regulations (Regulations) prior to Building Permit issuance. This includes, but is not limited to:

- a. All wastewater onsite should be treated centrally by connecting to the Town of Crested Butte wastewater treatment facility pursuant to the Regulations, CRS § 31-15-709, and the recommendations of the Upper East River Valley Area-wide 201 Facilities Plan and Intergovernmental Agreement, unless, pursuant to Section 1(H)(3) of the Regulations, CBFPD demonstrates that use of this facility is infeasible.
3. Compliance with Colorado Code Title 25, Public Health and Environment Article 10, On-Site Wastewater Treatment Systems Act CRS § 25-10-101, et seq., prior to Building Permit issuance.
4. Compliance with Colorado Department of Health and Environment, Water Quality Control Commission, On-Site Wastewater Treatment System Regulation #43, 5 CCR-1002-43 prior to Building Permit issuance.
5. Compliance with Sections 1.H.2.&1.H.3.:General Policies of the Gunnison County, Colorado Board of County Commissioners of the Gunnison County OWTS Regulations, prior to Building Permit issuance.
6. Compliance with the *Intergovernmental Agreement Among Gunnison County, Town of Crested Butte, Town of Mt. Crested Butte, East River Regional Sanitation District, Mt. Crested Butte Water and Sanitation District, and Crested Butte South Metropolitan District Regarding Upper East River Valley Areawide 201 Facilities Plan* dated March 13th, 1996.
7. Gunnison County Public Works Access Permit and variance(s) approval.

The above list of conditions does not affect the requirements of the International Building Code, Gunnison County Public Works Access Permit standards, or any other Building Permit Application material requirements.

In addition to these conditions, we strongly encourage the CBFPD consider the requests¹ outlined in the referral letters from the Town of Crested Butte and Town of Mt. Crested Butte, and Gunnison

¹ The above-referenced Intergovernmental Agreement provides that as a service provider, the Town shall provide wastewater treatment under certain conditions, including that “the development is consistent with the rules, regulations, annexation, inclusion, utility extension and/or development policies or guidelines of” the Town. See Intergovernmental Agreement (March 13, 1996) at 3, Sec. 2(a). The three requests set forth below could be construed as “development guidelines” of the Town that CBFPD must meet in order to obtain wastewater connection and comply with County OWTS regulations, unless CBFPD meets its burden with sufficient evidence to establish that connection to the Town system is infeasible, as discussed above.

County Planning Commission recommendations stated during the May 18, 2023 hearing, summarized below:

1. Develop an 8 to 10-foot width sidewalk along CR 317/Gothic Road for pedestrian and bicycle traffic to safely access the community room. The CBFPD sidewalk would connect with a future sidewalk serving the future Mineral Point affordable housing development to the immediate south of the subject property; and,
2. Utilize energy efficient design techniques including ground source geothermal and solar; and,
3. Construct the facility using the 2021 International Building Code and inclusion of electric vehicle (EV) charging stations; and,
4. Include drought-tolerant landscaping to soften hardscape elements.

Thank you for consideration of the Location and Extent application.

Andy Sovick
Chairperson
Gunnison County Planning Commission

Meeting Adjourned at 11:40 a.m;

/s/ Beth Baker
Gunnison County Community and Economic Development