

**GUNNISON COUNTY PLANNING COMMISSION
SPECIAL MEETING MINUTES
Tuesday, October 8, 2024**

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

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| Chairperson-Roland Mason Vice-Chairperson- Fred Niederer Commissioner- Eric Phillips Commissioner- Julie Baca Commissioner Matt Schwartz BOCC – Jonathan Houck BOCC – Liz Smith | Director of Community and Economic Development-Cathie Pagano Planning Technician – Jena Greene Others present as listed in text |
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Absent: Alt. Commissioner- Bill Barvitski; Alt. Commissioner Catherine McBreen

Recused: County Commissioner Laura Puckett Daniels

Zoom: None

With a quorum present Chairperson Mason opened the October 8, 2024 regular meeting of the Planning Commission at 12:59 pm.

Preliminary Matters: Commissioner Puckett Daniels recused herself from the public hearing with the following statement: "I want to thank everybody for coming today and participating in this democratic process. I know it's a lot to take time out of your busy days to come and listen to the presentations and comment on where you're coming from. In regards to the presentations I made the I've made the decision to recuse myself today from today's public hearing because of the public role that I have played in negotiating the Utility Extension Agreement with the Town of Crested Butte since May 14th, 2024. I have no conflict of interest with the Whetstone project. Neither I nor any a member of my family is benefiting in any material away from Whetstone. I do recognize that I have been a the public face of the project in conversations with the town. And so out of an abundance of caution, I will sit out of today's public hearing so that the board, the staff, and the public can feel confident that this land use decision was made in the most thorough, transparent way possible. Thank you again for being here. Good luck with the rest of the day's deliberations."

Chairperson Mason asked if there were any other preliminary matters. There were none.

1:01 pm: Joint Public Hearing: LUC-22-00049 Major Impact Review: Whetstone Essential Housing

Confirmation of Adequate Public Notice

Assistant County Manager for Community and Economic Development, Cathie Pagano confirmed adequate public notice, noting that the public hearing was published in both newspapers by the Community Development Department; and that the applicant sent out certified letters and posted the notice onsite.

Mason asked the board if anyone had any ex-parte communication. All members responded no.

Applicant Presentation

Assistant County Manager for Operations and Sustainability John Cattles, and Elena Scott of Norris Design, as well as other members of the team from Norris Design, Kimley Horn and HCM, were present as the applicant. Cattles gave an overview of the process to this point, highlighting their public outreach and engagement efforts. Cattles explained that they worked to have the project meet much of what the desires heard from that process including: secure, high quality, amenities, walkable, and easy to access.

The Planning Commission had requested seven items from the applicant after the August 29, 2024 work session, which the applicant was prepared to share more information on in their presentation. The items were: timing of construction of the underpass and intersection, parking management plan, more information on the fence on the south side of the property, details on the deed restriction, rules for live work units, parking management plan, storage area, images of the proposal from various angles including from highway 135.

Scott outlined She noted that this was a technical application, with a significant amount of civil engineering work. She also noted that the utility extension agreement was approved by the Town of Crested Butte on 10.7.2024, and that they and additional approvals from CDPHE concerning the location of the onsite lift station.

Scott reviewed how the project had changed from sketch plan to preliminary plan, including the addition of the roundabout on 135, getting details about snow storage and drainage figured out with the engineering team. The adjacent Creekside Subdivision would have access through Whetstone in order to accommodate the roundabout but involved removing the three plex. The apartment building was removed from the south and was replaced with additional parking and a dog park. And removed building 8 to help make the snow removal more efficient and create more surface parking. Planned to have 252 units in 23 structures. Reviewed the details from in charette in September 2023. Landscape buffer... Other livable elements in structures. The central park was to be a programmable field space, and the total open space had increased by 3%. The planning commission had a question concerning the unit count, and Scott gave an overview of the unit types and how many were proposed, as well as the building types and number of units.

Scott reviewed the essential housing incentives as outlined in the LUR, noting that the applicant was requesting building heights, size, parking, and landscaping.

Mason clarified that there was an empty space on the Northwest side not included in the 15.1 acres of this project.

Scott explained the new landscape request to address the WUI Code, noting that it was reduced (259 trees and over 600 shrubs). The water use reduction would be to irrigate the programmable field space. The next request concerned the building height, noting which buildings would be over the maximum height, showing a comparison of the berm which varied from 3-9 feet, plus vegetation, to help meet screening requirements.

Houck clarified that the height of berm was before vegetation.

Scott reviewed the different types of gear storage, and corresponding units including mud rooms, single car garages, and storage lockers.

Scott reviewed the renderings of the berm and the project from various views from 135. She emphasized the grade change on the site. She also noted that a maintenance building had been added and reviewed the heights for all proposed buildings. Scott explained that the taller buildings increased efficiency, noting the appearance of the buildings was intentional with a variety of materials and roof forms to help break up the mass of the buildings.

The parking was reviewed. Scott noted that the parking was proposed to be 1.67 spaces/unit, down from 1.8 spaces/unit. She also noted that 47% open space on the project, which had increased by 3% from the sketch plan. Cattles added that they had incorporated the architecture into the parking plan to help prevent falling snow from blocking parking. Reviewed the parking management plan, which included a mix of assigned and unassigned spots throughout. No parking for RV's or trailers were proposed. 8-10 EV charging spots would be available and would be a paid, assigned spot that would have a locked charger and unlimited charging.

Phillips asked if there was overflow parking, which there was not.

The utility extension agreement with The Town of Crested Butte was approved. The onsite well would be used for irrigation. Roads and trails included a loop around the outside with parallel parking, and snow storage between the walking area. 33% of paved surfaces in snow storage. Details concerning the grading, drainage, utility design, stormwater management, etc. were

The applicant was committed to constructing the roundabout and underpass before any residents lived onsite per the awarding of \$15 Million Safe Streets for all Grant. The underpass was slated to be completed in 2026, and the roundabout in 2027.

The project was to be zero energy ready homes compliant, solar ready, and have geothermal, air-sourced heat pumps. They also increased the performance of windows, which would help mitigate noise, in addition to energy benefits. Wildlife Management would include bear-proof trash containers and central trash for multifamily buildings.

Scott reviewed the referral agency comments. The access permit from CDOT was received, CDPHE approved the location of the lift station. CPW suggested educational materials, which the project would incorporate, and bear proof trash containers, which were planned to be used. The fencing would be limited to the south portion of site to ensure a good buffer between Whetstone site and Riverland Industrial Park. RTA bus service was to remain outside of the project area, but a bus stop planned inside for potential school or commuster bus in the future. The Division of Water notified that re-permitting would be required for on-site wells for augmentation. Gunnison County Public works had no comments.

Board Questions

Mason – Asked for more clarification about the roundabout construction completion. Concerns about residents crossing before the underpass was complete. Cattles noted that the under pass would be completed in 2026, first residents move in in February 2027, and the round about would be completed in summer 2027.

Houck – Would the loop in and turning radius inside Whetstone be able to accommodate a large bus. Scott replied that it would since the loop was to be constructed to meet turning radiuses for trash trucks and firetrucks.

Houck - Parking ratios in non-storage season. Cattles – 1.75 spaces/unit.

Mason – More trash details. Scott replied that the multi-family buildings would have central trash provided in the structures. Other units would have totes. Coordinated with Waste Management on the trash plan to ensure that there was adequate space for the totes and central trash.

Smith – Was the loop inside one way or two ways? Scott replied that it would be two way with the exception of right turn only lane on the east side.

Staff Comments

Pagano added that at the last work session, August 29, 2024, the Planning Commission approved the request to combine preliminary and final plan based on support affordable housing, and connection to public services, and other factors. The LUR allowed for the combination of preliminary and final plan based on design, size, public concern, public facilities and services. The final plan was more for subdivision, and there was no public hearing component which included a final subdivision plat and covenants.

The applicant had submitted application to Upper Gunnison for water augmentation for irrigation well and the utility agreement with the Town of CB was approved the previous night.

The applicant had requested modification to set back standards in LUR. Staff determined that this wasn't required due to setbacks from internal setback requirements.

In order to qualify as an essential housing project, the project would need to meet requirements set by the Gunnison county regional housing authority and the Housing Board (BOCC) , which met 120% AMI or less, met for 40% of units. Which met that condition

Public Comment

Reggie Masters – resident since 1971. Objected to the size, mass, and placement of Building 12 along the highway in Crested Butte. The building was seen as too large and not aligned with the community's long-standing efforts to preserve the view corridor by restricting highway development. Masters suggested either moving the building to a less prominent location near the duplexes or scaling it down. Additionally, there were concerns about how the unlimited EV charging will be monitored, and whether it could lead to misuse. However, the primary concern remained the building's size and location.

John Murphy – Southernmost property owner neighboring Whetstone, raised several concerns. He asked if there would be safe pedestrian access, such as a sidewalk, for people commuting between Whetstone and Riverland, especially during winter when snow plowing would be needed. He appreciated the proposed fence and expressed interest in working with the county on how the Birmingham Heights area would interact with both properties due to its challenging grades. Murphy supported the idea of moving berms but was concerned about water drainage

and soil stability near his property, particularly due to the poor soil content beneath his shop. He also inquired about whether ponds in the area would be part of an irrigated system to prevent stagnation.

George Gibson – criticized the review process for the project, stating that it failed to protect important aspects of the community. He commended Laura Puckett Daniels for her advocacy but pointed out several issues with the project, describing it as too large, crowded, and distant from town. He felt it was obtrusive, particularly with three-story buildings along the highway, which he argued should be moved. Gibson also highlighted concerns about the lack of mature trees and questioned the project's ability to preserve the valley's view, which has been a priority for years. He emphasized that the community is still car-dependent and argued for more frequent transportation options, like Mountain Express, as the current system is insufficient. Additionally, he raised concerns about the high prices of the units, stating that the project does not provide affordable housing as intended. Gibson criticized the lack of a proper irrigation system and unresolved water issues, noting that the town of Crested Butte's code prohibits using potable water for irrigation. He also described the review process as flawed, claiming that public comments were not allowed during sketch plan discussions and that community development staff acted as advocates rather than protectors of the public interest. Finally, he expressed frustration that a commission member recused themselves too late after being involved in voting on project issues.

Terri Colvin - Creekside Subdivision, explained that her husband owns the five lots that make up the subdivision, which shares the entire western property line with the proposed development. As the closest and most impacted neighbors, Colvin expressed general support for the workforce affordable housing project, recognizing its importance for the valley and the towns of Crested Butte and Mount Crested Butte. Despite having 252 new neighbors, she emphasized the need for the county to remain considerate of their quality of life throughout the large-scale construction. Colvin also raised the need to formally address the access easement to their property, which will be impacted by the planned roundabout. She concluded by thanking the commissioners, staff, and project team for listening to their concerns and being good partners in the process.

Marcus Martin – resident of Crested Butte, raised concerns about the role of County Commissioner Laura Puckett Daniels in the project's decision-making process. He noted that he had attended his first public meeting in July and was surprised to see Puckett Daniels acting as an advocate rather than maintaining impartiality. Although Martin emphasized that he likes Puckett Daniels personally, he questioned her role as a commissioner and her ability to remain unbiased, especially given her previous involvement in the project. He referenced procedures adopted by other communities to prevent decision-makers from bias or undue influence and highlighted the importance of commissioners acting as impartial judges. Martin specifically criticized Puckett Daniels' recusal, arguing that simply recusing a vote is insufficient if there has been prior involvement in the decision-making process. He expressed concerns that the process may be flawed and potentially open to legal challenges due to these issues.

Gary Gates – Gates Co Incorporated and developer of Paintbrush. Discussed his experience as a bidder for both the Whetstone and Brush Creek projects and highlighted his company's

success with the Paintbrush project in Gunnison, which was completed despite COVID-related challenges. He noted that Paintbrush, a 77-unit project, was fully occupied by mid-2023, with deed restrictions requiring 80% of the units to serve residents earning between 80-120% of the area median income (AMI) and all residents being employed in the county. Gates compared the cost of Paintbrush, which was \$275 per square foot or \$249,000 per unit, to the proposed Whetstone project, which has a much higher cost of \$544,000 per unit. He raised concerns about Whetstone's affordability, suggesting that it could result in rents far above market rates, potentially \$2,000 for a one-bedroom and \$3,500 for a three-bedroom unit, which would double the rates at Paintbrush. Gates proposed an alternative plan for the Whetstone project, offering to develop the 252-unit complex for \$80 million at \$317,000 per unit, with lower starting rents of \$900 for one-bedroom units and \$2,100 for three-bedroom units. His proposal included more units affordable to those earning 80-120% of AMI and required all residents to be employed in the county, unlike the current plan, which allows free-market rents and less stringent employment requirements. Gates emphasized that his alternative would be privately financed, pay property taxes, and avoid placing a financial burden on the county, unlike the current proposal, which he argued could lead to higher taxes and a financial deficit.

Grant Bremer – began by acknowledging Matthew Bernie, and John Cattles for their work on notable projects in Gunnison County, such as the courthouse, Black Stock building, public works, airport, and Sawtooth development. He expressed that while the process for some of these projects caused him concern, the final results were successful. Bremer then expressed enthusiasm for the development of a parcel north of Gunnison, highlighting its proximity to essential services like grocery stores, hardware stores, shopping malls, and a hospital, amenities that he felt were lacking in the proposed project south of Crested Butte. He suggested that this new development would better meet the community's needs. He also praised efforts to secure \$15 million for highway improvements in Gunnison County and encouraged the county to consider phasing the Crested Butte project to provide financial flexibility and protection, aligning with the Crested Butte Town Council's potential for phased development.

Scott Demaris – fulltime resident, former president of Valley Housing Fund, faculty of WCU Business School. Stated that affordable housing is not affordable and there was no market solution. Heard nothing but strong support for Whetstone. The project was important to the University and the school district, and that the valley would be set back many years if bold action wasn't taken. Thanked commissioners and urged approval.

Rich Smith – Asked how many units would be fully accessible.

Jim Star – Crested Butte Resident. Former council member, commissioner, member of valley housing board. Seen all efforts made in valley. There have been great successes. This project has included more planning and more adaptation to concerns “stellar project” went beyond LUR requirement for affordable housing. Met the need of the missing middle, noting that lower income housing was hard to provide. Desperately need housing for teachers and other essential employees who could not afford to live here. The county was the only entity that could provide a project of this size and scope. Some private parties had tried. Need for homes close to where people work. This location is the best location we could come up with for the north valley.

Emily Gabler – Crested Butte, valley housing fund. VHF in support of the project and innovative and fills a desperate gap. Personally thought that the restrictive zoning and land uses is not the future that they want for the community, filling housing for people that will create diversity. Don't want to become an exclusive community where people cant live where they work. Arguments against would be against. Urge support.

Nan Lumb –Crested Butte Resident,

Congratulated Gunnison County on securing a substantial \$15 million federal grant. She voiced her support for the Whetstone project but raised significant concern about the placement of a large building close to the highway. She suggested that this proximity contradicted the county's land use regulations, which discouraged massive buildings along the scenic corridor between Gunnison and Crested Butte. Highlighting the community's expressed priority of maintaining a "rural feel," she proposed a potential solution: orienting the buildings to face west, which would reduce the impact of exhaust fumes from the nearby roundabouts and create a more pleasant living environment for future residents.

Lumb referenced a letter from Steve Ferris, a land use planner, who in 2022 had also recommended reconfiguring the buildings to preserve the area's rural character while accommodating project density goals. Lumb's insights suggested a collaborative approach, advocating for thoughtful adjustments to align the development with community values and regulatory standards.

Troy Russ – 105 Pitchfork, Community Development Director of the Town of Crested Butte, one of the three project managers for the Roadway Safety Project that received a \$15 million grant for Highway 135, addressed the board and planning commission. He explained how building placement and roadway geometrics must work together to enhance safety.

Russ emphasized that roadway design considers both the surrounding environment and the road's geometrics. For high-speed areas, such as rural sections of 135, the absence of nearby buildings supports higher speeds, maintaining a rural landscape. As roads transition into town, however, he noted that the environment and geometrics should match, with lower speeds and nearby structures signaling motorists to slow down. Specifically, at the Brush Creek intersection, the roadway geometric requires a vehicle to slow to 25 miles per hour for safe negotiation.

Russ explained that proper building placement near the roundabout helps drivers intuitively reduce speed, aligning the environment with roadway design and improving transit ridership. Drawing from Crested Butte's zero-setback design along the 6th Street corridor, he illustrated how close building proximity contributes to a "town and country" feel. This, he argued, is essential to road safety, as it communicates to drivers when they're entering a more urban, lower-speed zone, ultimately supporting both the safety project and transit use.

Rebecca White (typed comments) – read by Pagano: location of retention pond location, waiver from LUR from distance to 135 right of way, too dense, how tall were the buildings proposed

next to highway, how much of taxpayer funds being used for the project, leashed dog rule, pond in property boundaries, would residents be able to apply for section 8 housing vouchers?

Todd Culvin – Creekside subdivision, adjacent property owners. Expressed his appreciation to the Gunnison Community Development team for their consideration of his and his wife Terry's concerns. He explained that their property borders the parcel in question and is adjacent to that of another resident, John Murphy, who had spoken earlier.

Culvin thanked Pagano and Cattles from the development team, noting that they transformed what could have been a contentious situation into a collaborative one. He mentioned the development of a "Gunnison County letter of intent" that formalized their core concerns and protections. Specifically, he noted that an access easement and gate were meant to be part of the final plan, and he requested that these items be added to the plat for formalization at a future meeting, should the plan be approved.

He acknowledged the challenge the board faced, given the varied interests in the project, and praised the inclusiveness of the process, saying he and his wife were invited to numerous meetings. Todd also raised a question regarding the height exception requested for taller buildings. He asked whether the building height was measured from the current grade or if it would be affected by grading changes. He referenced a recent image presented at the meeting, which prompted his question, and concluded by thanking the team for their time.

Cathy Wiggins – Riverbend resident. Also submitted a letter. Expressed her appreciation to the Gunnison Community Development team and acknowledged the need for housing, though she felt the proposed project was overly large and far from Crested Butte's existing infrastructure. She highlighted concerns about the high costs of extending water and sewer services over that distance and suggested it contradicted the Crested Butte Climate Action Plan due to the likelihood of increased car use. She believed that winter conditions would discourage bike commuting to the area.

Wiggins proposed that smaller developments within the town might be more manageable and help preserve open space, a feature she valued as a Riverbend resident. After submitting her letter, she brainstormed potential alternatives, such as relocating the Gothic softball field to free up land for housing within town limits or moving the RV dump site to create space for tiny homes. Additionally, she suggested utilizing the land near the Baxter Gulch trailhead, where seasonal, affordable worker housing could be provided with essential amenities.

In closing, Wiggins voiced her desire to downsize the Whetstone project to create a balance between low-income housing and expensive homes, aiming to provide affordable options for people, like her children, who need moderately priced housing.

Tina Fabulic – Resident and property owner in Riverland, shared her concerns about the nearby development project. She echoed John Murphy's concerns about potential traffic impacts, particularly whether the project would include a connection to Riverland. Additionally, she

shared reservations about the size of some proposed buildings, questioning if there could be any adjustments to reduce their visual impact. While she supports the need for the project, she expressed interest in seeing a less intrusive design.

Tina inquired if any part of the development would incorporate commercial spaces, referencing a "live-work" aspect she thought she saw on the plans. She emphasized the importance of providing space for skilled workers, which she felt was an unmet need in the county.

Lastly, she raised questions about access to the Slate River for the project's residents. Tina noted the Slate River's protected status and mentioned limited access for current Riverland HOA residents. She asked if the project would allow direct river access and, if so, how it would be maintained and regulated, particularly to manage recreational activities like paddleboarding.

Gail Mancuso – Reiterated concerns about the impact of the proposed Whetstone development on the area's character and the potential precedent it could set. She emphasized the importance of the corridor along the highway, noting that it had long been regarded as a "sacred" space within the community. Gail worried that allowing large buildings close to the highway might lead to future developments of similar magnitude, potentially altering the valley's character and diminishing the cultural and heritage values that made it a special place to live.

While she acknowledged the need for affordable or essential housing, Gail hoped that future projects would consider preserving this corridor and the values the community held dear.

Applicant response

Cattles addressed several key topics regarding the proposed development, emphasizing community concerns and the project's design choices.

Firstly, he clarified that the development would not have direct access to Riverland, and barriers were planned to prevent residents or visitors from crossing into private areas. Although the property has some possible connection points, they are not linked to any commonly owned or public areas. Acknowledging the importance of respecting private boundaries, he confirmed that trespassing prevention measures, including signage, would be implemented.

In addressing the question about access to the Slate River, Cattles confirmed that the development's boundary does not reach the river, and it would be trespassing for anyone to cross fenced areas to access it. The property management intended to enforce boundaries, as residents will be renters, allowing added control over adherence to property restrictions.

Further, Cattles elaborated on the accessibility design, noting that out of the total units, 22 are wheelchair accessible (type A), one has an elevator, and 58 are visible for those with mobility needs (type B). Additional units are adapted for vision and hearing impairments, in compliance with HUD's Section 504 standards.

Cattles also explained the live-work spaces, designed for low-impact business activities, where the first floors of these units feature office space and storage, but are limited in visitor capacity

to align with home occupation standards. They are restricted to prevent retail operations, hazardous work, and excessive foot traffic.

In terms of building elevations, Cattles pointed out that the structures would be designed to follow the natural slope of the property, creating a stair-step layout. The final building heights would be measured from post-construction ground levels to ensure alignment with the site's natural topography.

He noted that irrigation needs had been addressed through an agreement with the Upper Gunnison River Water Conservation District to secure water augmentation, ensuring sustainable water use for the landscape.

The pond discussed was a stormwater detention area designed to remain dry except after storms, and it would prevent drainage from affecting nearby properties.

Cattles noted that residents of the project will be eligible to apply for federal housing assistance, such as Section 8 vouchers.

Concerning pets, The county allowed one pet (dog or cat) per unit, with pets registered in a national database to manage any issues. Countywide leash rules apply, and there will be measures to prevent attractants like birdseed to deter wildlife, including bears.

To address the question about project funding, Cattles noted that the project had secured approximately \$14 million in grants, with additional county investments in land acquisition and design. Future county funding commitments were still being determined.

Concerning Building Proximity to Highway 135, Cattles noted that the layout placed larger, higher-density buildings near the highway to encourage transit use, reduce vehicle movement through the site, and enhance pedestrian safety. The layout also aids snow removal logistics and aims to slow traffic by positioning buildings closer to the road. These considerations reflected community input from public design charrettes, where the current layout received support for optimizing livability and site function.

Staff Response

Pagano added that the Culvin's access could condition of approval in the recommendation document. Also added that the project met the setbacks from 135, and that the max height was 37.5 feet.

Board Discussion/Response

Baca expressed appreciated for all of the information. She added that that she was familiar with the challenge involved based on her experience with trying to develop workforce housing for Western Colorado University for 14 years, noting that this project was well developed. There were a lot of really valid questions brought up, but she felt that the applicant had answered those questions. She also noted that there was clearly an issue with employees trying to get to work in Crested Butte. She stated that she had no issues with the project.

Phillips commented on the comments concerning the size of buildings and proximity to highway. He asked that the commission discussed allowing for such exemptions.

In response, Mason noted how important it was when he was a county commissioner to protect that corridor and viewshed. It was apparent that there was a need to make exceptions. Each project needs to stand on its own. Acknowledge that they were losing something to gain something. Mason added that he thought that this project was well thought out. Noted that a lot was learned from the mistakes that happened when the Brush Creek project failed; and that this development was not going to be all the way down the corridor. He added that he considered friends and family that had to deal with housing challenges, but that it was unfortunate to be giving up a bit of the viewshed.

Attorney Hoyt chimed in citing 9-604. A.6; noting that the decision making body “shall” approve modification to design requirements so long as they were more energy efficient, will provide more amenities or improve design and will not jeopardize health safety and welfare, emphasizing the “shall” language.

Schwartz added that the planning commission was required to allow the increased square footage and heights, because it’s an affordable housing project, that had met the additional criteria described in the LUR. Concerning allowing in the decrease in parking, the language in the LUR used the word “may” as opposed to “shall”. Schwartz felt that the applicant had provided sufficient parking and was comfortable with parking as proposed.

Niederer spoke to the comments and concerns about height and density, stating that the challenge of trying to achieve any affordable housing was the cost of construction and that they had to look at alternative methods to help reduce that cost. One method was to increase the density and the height, which was a part of the strategy to help construct the project as affordably as possible.

Mason asked the commission if they wanted to continue the public hearing. None from the commission asked to continue the public hearing.

Review of Draft Decision Document

The Board reviewed the draft recommendation document, which Pagano brought up on Zoom for the room and members of the public to be able to see online.

Pagano had updated the date of the utility extension agreement. The Town did execute an agreement in July 2024, and amended the agreement at October 7, 2024 meeting. Added additional comments heard today from the comments, and there was a new sentence concerning augmentation submittal under water section.

Findings - Addressed the incentives and modifications. Updated finding 16 and 17 to reflect the updated date. The Board had no questions about the findings.

Pagano reviewed the Conditions. Pagano added a change to #13 for the access easement for Creekside subdivision

There was a question about the ability to lose deed restrictions in foreclosure. It was noted that because the county maintained the site, there were a variety of contractual agreements for the county to maintain the deed restrictions.

Smith asked if modifications had to meet certain requirements in the LUR. For a project that wouldn't meet essential housing requirements, they would not be eligible of those incentives. Or a similar proposal would have to meet the criteria.

Mason asked if the board was ready to make a motion.

Baca made a motion to close the public hearing. Seconded by Philips. The motion passed unanimously in support.

Close Public Hearing

Philips made a motion to approve the preliminary final plan recommendation for Whetstone Community Housing for LUC-22-00040 with amendments made during the October 8 Public hearing. Seconded by Baca. The motion passed unanimously in support.

Chair Mason Adjourned the meeting at 3:31pm.