



**Gunnison County, CO**  
**Community Development Department**

221 N. Wisconsin St. Ste. D, Gunnison, CO 81230  
Phone: (970) 641-0360 FAX: (970) 641-8585  
Website: [www.gunnisoncounty.org/planning.html](http://www.gunnisoncounty.org/planning.html)  
Email: [planning@gunnisoncounty.org](mailto:planning@gunnisoncounty.org)

**To:** Planning Commission  
**From:** Community Development Department Services Manager Beth Baker  
**Date:** **October 4, 2013**

Planning Commission Regular Meeting – October 11, 2013	
Draft Agenda- October 11, 2013	X
Draft Minutes for Review- 8/23, 9/6 & 9/20	X
<b>Scarp Ridge- Cont. Jt. Public Hearing</b>	
• Comments	X
<b>Tomichi Gravel Pit – Cont. Jt. Public Hearing</b>	X

The entire file can be viewed on the Gunnison County website. Community Development- Citizen Access Portal.

**\*\*The Scarp Ridge application # is LUC-13-00005**  
**\*\*The Tomichi Gravel Pit application # is LUC-12-00010**

If you have trouble getting into the file, I would be glad to walk you through, just give me a call.

Thanks,  
Beth Baker  
Community Development Department

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, October 11, 2013**

- 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. Scarp Ridge LLC, LUC-13-00005**-continued joint public hearing/no action, Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

**Lunch**

- 1:00 p.m. Gunnison Valley Properties, LLC, LUC-12-00010**-work session/no action, Preliminary/Final Plan; request for a year-round sand and gravel operation on 109-acres of a 220-acre parcel; 62-acres of which will be excavated. The operation will include the extraction, crushing, screening, washing and stockpiling of approximately 200,000 tons of sand and gravel per year. Asphalt and concrete batching is also proposed to be conducted at the facility. The property is located approximately ½ mile east of the City of Gunnison, south of Highway 50 to Tomichi Creek, legally described as being located in the NE/4 SE/4 NW/4 Section 4 and the NE/4NE/4 Section 5, Township 49 North, Range 1 East, N.M.P.M., 43188 Highway 50.

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

**These applications can be viewed on the Gunnison County Website- GO TO:**

- Gunnison County.org
- Community Development
- Citizen Access
- Public Access
- Project
- Project # are
- **Scarp Ridge- LUC-13-00005**
- **Gunnison Valley Properties (Tomichi Gravel Pit) LUC-12-00010**

**If you have trouble viewing the applications please call our office @ 970-641-0360**

NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room at 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed by the staff up to 24 hours before the meeting date. If you are interested in a specific agenda item; you may want to call the Community Development Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations please contact the Community Development Department before the meeting.

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, August 23, 2013**

- 8:00 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.

- 8:05 a.m. Scarp Ridge LLC, public hearing/no action,** Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

- 10:15 a.m. Dana and Larry Darien,** Lot 3 Darien River Subdivision, work session/no action, request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. Parcel was subdivided in 2000 but no use was approved for the lot. Parcel is located approximately two miles west of the Town of Marble on County Road 3; the parcel is adjacent to the Crystal River.

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
August 23, 2013**

**DRAFT**

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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Kent Fulton

Commissioner-Susan Eskew

Commissioner- Warren Wilcox

Commissioner-Susan Eskew

Alternate Commissioner- Jeremy Rubingh

Alternate Commissioner- Tom Venard

Director of Community Development- Russ Forrest

Planner-Cathie Pagano

Community Development Services Manager-Beth Baker

**Others present as listed in text**

**Absent;** Commissioners Jim Seitz, and AJ Cattles

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With a quorum present Chairman Kent Fulton opened the regular meeting of the Planning Commission.

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**Scarp Ridge LLC; (LUC-13-00005)** The Gunnison County Planning Commission (Commission) conducted a work session. They discussed the applicant's Sketch Plan submittal. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

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Commissioner Rubingh has recused himself from the review of this application.

With a quorum present Chairman Kent Fulton opened the work session.

Applicant's attorney David Leinsdorf, engineer Norman Whitehead, project manager John Featherman, water engineer Tyler Martineau, wildlife biologist John Monarch and applicant's representative Billy Rankin were present to represent the applicants for the work session.

Planner Cathie Pagano, Director of Community Development Russ Forrest, County Wildlife Coordinator Jim Cochran, and Director of Public Works Marlene Crosby were present for the work session.

Leinsdorf noted the review agencies comments had been addressed in letters he had submitted to the Commission.

Crosby addressed the County's jurisdiction concerning the road to Irwin. She explained the County's jurisdiction ends at the Irwin town site. The remainder of the road is regulated by the Forest Service. The roads should be 16 ft. wide with an all-weather surface. A waiver of standards would be required for variations of those requirements. If the access is for two or more dwellings the BOCC will be the decision makers. She suggested clustering the lots could reduce the linear feet of roads. She added the road must be fit for an ambulance to travel on.

Leinsdorf asked about the interface between the winter cat ski operation and the county trail head. Crosby explained the impacts of the snow cats to the chip and seal have been minimal.

Leinsdorf did not agree a waiver of standards would be required, he referred to the standards in the *Gunnison County Land Use Resolution* (LUR) for vehicle access.

Gunnison County Wildlife Coordinator Jim Cochran explained he is a wildlife biologist. He works on candidate species, proposed candidate species, and threatened and endangered species. He addressed differences between the applicants' biologist John Monarch comments and the comments submitted by Colorado Parks and Wildlife (CPW.) He noted the CPW views are neutral; they study impacts to wildlife. He said CPW has valid concerns which need to be addressed; any impacts to wildlife due to human activity. CPW looks at each species differently. He encouraged the applicant to review their request and mitigate it. "As it stands it will have negative impacts." Cochran agreed animals could move out and then back in to the area, but the impacts are not always what is expected.

Cochran added the bigger issue will be this area is in mapped Lynx habitat. The County is required to consult with the U.S. Fish and Wildlife, according to section 10 of the Endangered Species Act. Fish and Wildlife determines what steps must be taken; the County will have to consult with Fish and Wildlife. There must be evidence stating Fish and Wildlife has given authorization to continue.

Cochran referred to the work the County is doing with the Gunnison Sage grouse. He noted the Irwin area is an area where the County has not authorized much activity. Cochran read a portion of Section 10 of the Endanger Species Act; he reiterated the Fish and Wildlife agency must be consulted on the Lynx issue. He said the applicants are required to consult with the Fish and Wildlife agency to verify whether or not they will require a Take Permit. Cochran added CPW must also be consulted. The most positive way to approach this is coordination with CPW.

Wildlife Biologist John Monarch explained his written comments. He said the Fish and Wildlife permit previously given for the snow-cat skiing also applies to the current application. He noted Fish and Wildlife concurred with Monarch in 2009 when they permitted the snow-cat skiing, noting this is a slow compaction area. The Fish and Wildlife agency gave its clearance and it applies here as well. It assumed the whole area was in a snow compaction area and any additional improvements would not cause negative impacts; it was all covered. He said this application would not likely cause adverse impacts.

Monarch noted when looking at Lynx activity data, which was compiled over time, it was rare any Lynx was in the area. There is a chance because Lynx do wonder, and can be expected to come through. A viable population is doubtful. Lynx do not have great suitability for this habitat; not many rabbits for food. Monarch said this is not Lynx denning habitat. He reiterated the clearance for summer activities and the ski operation has already been cleared by Fish and Wildlife.

Fulton clarified the Fish and Wildlife comments Monarch had referred to where actually written in 2004. Monarch said with the present activity he suspects Fish and Wildlife will determine the same impacts will occur.

Applicants' representative Billy Rankin explained the Irwin Lodge was built in 1978. The original operation ran three to four snow-cats, which brought 30 to 40 people into the area a day. This activity continued for two decades. He added before the current owners bought the property the snowmobile snow compaction was significant. He had worked for the old lodge and said the new uses have decreased the impacts.

Cochran stated the County is not making a determination concerning the impacts to the Lynx habitat. The County does state this is an area within occupied habitat. The County will require written confirmation Fish and Wildlife has been consulted about this specific application, what the impacts will be, and they will issue their determination. Leinsdorf agreed to consult with Fish and Wildlife. Fulton agreed current comments will be required from Fish and Wildlife.

Monarch agreed to make contact with the Fish and Wildlife agency. Cochran added the applicants will be required to address the cumulative impacts of the entire operation.

Fulton questioned Monarch on CPW representative's J Wenum's comments concerning his zone of influence comments. Monarch said wildlife habituates to their circumstances. He made an example of the elk in Evergreen. He noted one can't say a species is gone or has been pushed out; the way animals use the area may change- they shift around. They shift activity within their home range.

Eskew asked what makes good Lynx habitat and why this is not good habitat. Monarch explained it lacks the optimum conditions. Lynx need cover for an animal to have an area where she wants to den. Most importantly we do not have a prey base necessary for Lynx to habituate the area.

US Fish and Wildlife representative Cathy Mask said their comments had been limited to impacts on public land not private. The comments made concerning the zone of influence is supported by research. The additional roads proposed are a concern.

Mask said the easement is adequate and it speaks to the private commercial resort. The access was for long or short term residency. It does not preclude access to private residences. The historical use could have caused more traffic than the six proposed residences.

Mask noted the existing right of way does not accommodate a trail head, but the public does use it. The public generally parks at the end for the road. People can park along the road but there are not a lot of good places to park in that area. The right of way is for a transportation corridor. Generally the public can park 30 ft. on either side of the center line. Fulton asked how far up the road goes and if people are allowed to park there. Mask was unsure if it includes parking.

Mask explained a trailhead is traditionally a place for people to park, gather information, or gather waste; this is not a trailhead, it is the Lodge parking lot. Mask noted the proposed parking lot would be better not only from a hygiene standpoint, but the current situation also invites trespass. The proposed parking lot seems to be a more sustainable location.

Rankin said the proposed access is a better access.

Pagano said the revised staff report dated August 6, 2013, included the comments from referral agencies. She reviewed several sections including;

- **9-301 Applicability and General Standards Commercial and Industrial Uses-** Applicable, commercial and industrial developments, including buildings, shall be designed according to the same principles governing the design of residential developments, and shall be sited to complement the topography, avoiding environmentally sensitive areas to the maximum extent feasible. Factors including drainage, noise and odor and surrounding land uses shall be considered in siting buildings, sufficient access shall be provided and impacts mitigated
- **10-104 Locational standards for commercial, industrial or other non-residential uses-** Applicable, the existing and proposed commercial use shall be considered under the alternative locational standards and meet the standards of the Section. The proposed shall comply with the following; - Locational considerations, Compatible with existing uses established impact area, and No significant net adverse effect.
- **11-104 Development in geologic hazard areas-** Applicable, some of the proposed development may be located in areas of geologic hazard. A geotechnical review of the site shall be required as part of Preliminary Plan, along with review by the Colorado Geological Survey.
- **11-105 Development in wildfire hazard areas-** Applicable, a copy of the application has been referred to the Crested Butte Fire Protection District and Gunnison Fire District for review and comment
- **11-106 Protection of wildlife habitat areas-** Applicable, a copy of the Sketch Plan application has been referred to Colorado Parks and Wildlife (CPW) for review and comment. CPW submitted a letter dated July 31, 2013 from J Wenum, Area Wildlife Manager-Gunnison. Comments note, "The cumulative impacts to wildlife from consistently increasing recreational activities in the Irwin Lake area are likely to become more and more difficult to manage. Backcountry outdoor recreation... may have significant wildlife impacts even though it is perceived to be 'light on the land.'"
- **11-107 Protection of water quality-** The applicant has identified an area of wetlands on the subject parcel. All buildings are required to maintain a minimum 25-foot setback from wetlands. A water quality protection plan, in compliance with this Section, shall be required at Preliminary Plan. "The Town of Crested Butte has an interest

in the proposal given that the Town is a permitting authority for this proposed project based on the Watershed Protection District. The application does not reference this fact and implies that the project is in the Ruby Anthracite drainage which is true but omits the fact that Lake Irwin, where the Town has water rights, also drains in to Coal Creek where the Town's water diversion is located and is thus subject to our permitting authority...The proposal appears to represent significant change from the existing and historical land use of the property. The building density and intensity of use that is proposed could have significant effects to the watershed given the roads, buildings, trail, water augmentation and septic systems."

- **11-108 Standards for development on ridgelines-** Staff will conduct an onsite review to determine if there are any issues relative to ridgeline development as part of this application.
- **11-110 Development beyond snowplowed access-** The subject parcel is beyond snowplowed access. The owners have signed and recorded a Landowner's Acknowledgement of No Snowplowing, No County Liability, and No Restriction on Road Closures.
- **11-112 Development above timberline-** Portions of the subject parcel are above timberline
- **12-103 Road System-** Public Works Director Marlene Crosby has noted "Road design plans at this point in the process are adequate. The only concern noted was that there will be no impact on the winter trail heads located at the end of the plowed section of the Kebler Pass Road. There should be no parking by either guests or staff at the trailhead. There is currently not enough space to meet the needs of the Forest Service permittees, Irwin residents and recreational users. ....they need to continue to manage their operation so there is no impact on the existing Keble winter trailheads.
- **12-104 Trails** – The existing public trail, Scarps Ridge, is proposed to be relocated and realigned. The trailhead is proposed to be relocated onto the Lead Chief Lode west of where Irwin Lodge Road crosses Robinson Creek. The applicant proposes to construct and maintain, at the applicant's expense, a parking lot for 22 motor vehicles, two restrooms, a trailhead with maps, bear proof trash receptacles and interpretive signs. The applicants also propose to create a new trail from the new trailhead that will connect to the exiting Scarp Ridge trail. The new trail will be approximately 4,050 ft. In return, the U. S. Forest Service would vacate or administratively close the public easement on the Irwin Lodge Road from the new parking lot to the Irwin Lodge. The Gunnison County Trails Commission and U.S Forest Service have submitted comments.
- **12-105 Water Supply-** Applicable, the applicants propose to use groundwater and wells for the water supply. Central wells are prosed to serve the development. No fire suppression system is proposed for the commercial structures. Augmentation plans will be required to obtain well permits through the State of Colorado. The applicants propose to construct an augmentation pond on site. The Division of Water Resources submitted comments that include.....So long as the applicant obtains a court decreed plan for augmentation and valid well permits for the uses proposed in this Sketch Plan, this office has no objection to this application.
- **12-106 Wastewater treatment-** Applicants propose to install individual sewage disposal systems where feasible and small residential wastewater treatment plans where soils are not suitable for ISDS.
- **12-107 Fire Protection-** Applicable, portions of the development area are in high wildfire hazard areas. The Gunnison County Fire District Fire Marshall and Crested Butte Fire Protection District have both commented on the Sketch Plan application. Both districts have concerns including the access to this site, water supply for fire protection, sprinkling the structures, a 30,000 gallon water cistern, and the installation of dry hydrants.

The entire revised staff report may be found in the Planning office file number LUC-13-00005.

Pagano inquired if the applicants had contacted the State Water Quality Division concerning the septic systems; they have not, but will.

Leinsdorf responded to some of the comments made by Pagano;

- Clustering- the LUR states density should not be greater than the density in the area. The applicants have 19 mining claims, 12 are vacant and five are clustered in one site, at the lodge.
- Density limited to the density of the surrounding neighborhood does not apply
- Agreed that wildlife does not just specifically refer to Gunnison Sage grouse, but this is not sensitive wildlife habitat and the standards do not apply here.

Pagano noted LUR Section10-103 Conditions appropriate for larger lot size do apply in the case.

Pagano said CPW has mapping which identifies sensitive and critical wildlife habitat; she will follow up with CPW. Monarch said a lot of the area is not mapped for many of the species.

Pagano explained clustering is addressed in several sections of the LUR and Public Works Director Marlene Crosby mentioned it as well. The applicant has not proposed it at this time and it should be considered. Pagano recommended the applicants consider clustering.

Cochran explained sensitive wildlife habitat is different from sensitive wildlife species. We are addressing habitat here. He encouraged the proponent to consider wildlife conflicts and how they will be addressed, when developing in these areas. He said it is better to address this issue earlier in the process.

Barbara Thomson asked how guests who had been served alcohol will get back to Crested Butte. Featherman said they would be taken back in a snow-cat. All guests will be shuttled or use designated drivers. Leinsdorf said the LUR has very strict noise standards that must be complied with.

Pagano noted the initial application has called out 2 a.m. for the closing time; this should be reconsidered.

Carolyn Achenbach asked Rankin if all trailheads have bathrooms; Rankin said no. Achenbach was also concerned with the noise standards in reference to the zip lines; the applicants will address the zip line noise.

The Commission suggested the applicants address:

- Meet with the Forest Service
- Issues concerning the roads
- Sewer and wastewater
- Forest Service response needed on several issues
- Sensitive wildlife habitat and species – discuss with CPW representative J. Wenum
- Update from the Forest Service on the letter dated 2004
- Decibel levels of zip line

Fulton closed the work session @ 10:40 AM. The public hearing is scheduled September 6, 2013 @ 8 AM.

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**Dana and Larry Darien, (LUC-13-00013)** The Gunnison County Planning Commission (Commission) conducted a work session. The discussed a request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. Parcel was subdivided in 2000 but no use was approved for the lot. Parcel is located approximately two miles west of the Town of Marble on County Road 3; the parcel is adjacent to the Crystal River.

With a quorum present Chairman Kent Fulton opened the work session.

Planner Cathie Pagano and Director of Community Development Russ Forrest were both present for the work session.

Applicant Larry Darien noted they are requesting approval for the construction of a single family residence and individual septic disposal system (ISDS), on Lot 3, Darien River Subdivision. The lot was originally subdivided with the limitation that there would be no uses on this lot. They had wanted to trade the Forest Service Lot 3 for a Forest Service parcel. The Forest Service was not interested.

Pagano noted the applicants had received a variance from the Environmental Health Board to install a septic system. It was required because they could not meet setbacks to wetlands.

Pagano asked if Darien was requesting a second residence on the parcel; Darien said no.

Fulton said there will be a site visit.

Rubingh asked about development above timberline; Pagano said there is none.

Pagano noted the access has been approved by County Public Works.

Eskew asked why now; Dana said technology has changed, and the Forest Service trade will not be going through. There is an ISDS permit and a waiver process is not needed again.

Rubingh asked if the Army Corps of Engineers has approved the lot; Pagano said yes the Army Corps has certified the assessment.

The issues include LUR Section 11-107 wetlands and water body setbacks, Compliance with development in a flood plain area, a portion of the site is in a high wildlife area.

The site visit and the public hearing will be conducted in Marble, Co. on September 20, 2013.

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Fulton adjourned the meeting at 11:30 a.m.

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

DRAFT

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, September 6, 2013**

**DRAFT**

**8:00 a.m. • Call to order; determine quorum**

**Scarp Ridge LLC**, joint public hearing/no action, Sketch Plan application. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

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**10:00 a.m. Frank Kugel & George Sibley, Upper Gunnison River Water Conservancy District** work session/no action, informational discussion on water topics

**11:00 a.m. Community Development Staff – amendments to the Gunnison County Land Use Resolution**, work session/possible action, proposed amendments to sections of the *Land Use Resolution* to update Gunnison Sage-grouse regulations

- 11:45 a.m. • 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.

**Lunch**

**1:00 p.m. Gunnison Valley Properties, LLC**, continued joint public hearing/no action, Preliminary/Final Plan; request for a year-round sand and gravel operation on 109-acres of a 220-acre parcel; 62-acres of which will be excavated. The operation will include the extraction, crushing, screening, washing and stockpiling of approximately 200,000 tons of sand and gravel per year. Asphalt and concrete batching is also proposed to be conducted at the facility. The property is located approximately ½ mile east of the City of Gunnison, south of Highway 50 to Tomichi Creek, legally described as a being located in the NE/4 SE/4 NW/4 Section 4 and the NE/4NE/4 Section 5, Township 49 North, Range 1 East, N.M.P.M., 43188 Highway 50.

- End of Meeting** • Report of actions taken by BOCC.  
• A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**GUNNISON COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**September 6, 2013**

**Draft**

\*\*\*\*

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**Chairman-** Kent Fulton

**Commissioner-**A.J. Cattles

**Commissioner-**Susan Eskew

**Commissioner-**Warren Wilcox

**Alternate Commissioner-** Jeremy Rubingh

**Alternate Commissioner-** Tom Venard

**Assistant Director of Community Development-** Neal Starkebaum  
**Community Development Department Services Manager-**Beth Baker  
**Director of Community Development-** Russ Forest

Others present as listed in text

**Absent-** Commissioner Jim Seitz

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With a quorum present Chairman Kent Fulton opened the regular meeting of the Commission.

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**MOVED;** by Rubingh seconded by Cattles to approve the minutes of August 2, 2013 as amended. The motion passed unanimously.

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**Scarp Ridge:** The Gunnison County Planning Commission and Board of County Commissioners conducted a joint public hearing. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, two alpine huts; expansion of the existing maintenance barn; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zipline; kids' village to include playground equipment; reroute of the existing Scarp Ridge trail. The proposed structures and facilities will comprise a year-round commercial resort.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C). The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716.

Board of County Commissioners Paula Swenson, Phil Chamberland and Jonathan Houck were present for the joint public hearing.

Commissioner Jeremy Rubingh has recused himself from the review of this application.

With a quorum present Chairman Kent Fulton opened the joint public hearing.

Planning Services Manager Beth Baker confirmed public notice. The applicant submitted the certified mailing receipts and proof of posting. The Planning office had the notice published in the Crested Butte News and the Gunnison Country Times.

Applicant's attorney David Leinsdorf, project manager John Featherman, water attorney Marcus Locke, and representatives Billy Rankin and Laci Wright were present to represent the applicants for the joint public hearing.

Featherman explained their proposal is for the expansion of an existing commercial operation. He used maps to illustrate the property/mining claims and the location of the existing structures. He said there was currently a 30,000 gallon fuel tank, a parking facility, the Movie cabin, storage shed and the Irwin Lodge. The Irwin lodge has an approximately 10,000 sq. ft. footprint and was previously a three story building. The lodge had been gutted by the prior owners.

He added the lodge has a continued historical commercial use. It has been used for weddings, retreats, etc. They now propose to use the lodge for used including weddings, retreats and educational seminars. The lodge will include a catering kitchen, a bar and restrooms. They will also improve the lake side deck. In addition they are proposing six new cabins ranging in size from 1,000 sq. ft. to 8,000 sq. ft.

Featherman noted the applicants own 19 load mining claims, which total 124 acres.

Featherman explained the applicants would change the operation to a smaller more sustainable model than the previous use of the lodge. They will not have overnight guests at the lodge, but would disperse guests to the six cabins on the property. They will be able to open and close the use of the six cabins as the demand dictates. He noted this is a 20 year proposal.

Featherman said the materials needed to construct the new cabins will be dropped off in the winter, using the snow cats. There will be no roads to the cabins. All structures will use solar for power. The materials chosen for the outside are non-reflective to compliment the surroundings. He noted this is not a gated community. It is an expansion of an existing use.

Featherman said there will be canopy tours, mountain bike trails on private property, a kids village on private property, and the creation of a trail head and connector.

Operations manager Billy Rankin said they are proposing to offer luxury accommodations with guided activities. They will provide low volume high quality activities to their guests. The Irwin Lodge was built and completed in 1978. The lodge has accommodated 30 to 40 guests at a time. The lodge used a coal burning furnace. There were three to four snow cats a day taking guests to the lodge and they used over 2000 acres of land. Most days there would be 30 to 40 individuals snowmobiling in the area. He said they were not taking area which has not been historically used. He noted the proposed operation will be a much less intensive use of the lodge and the surrounding area. They will employ local guides and staff; more employees in the winter.

Rankin explained they are proposing year round amenities. They will host weddings, business retreats, and camps, etc. There will be hiking trails, mountain bike trails, and rope courses on private land.

Rankin said they have proposed moving the Scarp Ridge trail. The current trail head is not actually a trail head; that presents problems. He noted there can be 20 to 30 cars parked along the road a day. The improvised trail head is littered with trash, and with no bathroom facilities- human waste. The trail is a use trail going up the fall line; it is deeply rutted. The applicants are proposing creating the first trail head for Scarp Ridge. It would be located on private property. The parking lot would hold 22 cars, have two pit toilets, a user information kiosk, and bear proof trash receptacles. He noted the area topography would hide most of the visual impact of this location.

Rankin added the new trail would take off from the trail head and go into public land; there would be approximately 4000 ft. of new trail. It would be a design trail rather than a use trail. The trails distance would increase by approximately 2,300 ft. It would add about 300 ft. of elevation. Rankin said the public would likely be able to use the mountain bike trails. Planner Pagano requested clarification from Rankin on the public use he had referred to, in writing.

Rankin noted there had been several letters of support. Support for the new trail location has come from the Trails Commission. The U.S. Forest Service has supported the overall concept of the trail realignment.

Water attorney Marcus Locke said he has been working on the water supply plan and water augmentation plan. The water usage for the project is minimal. After the irrigation water about 90% of the water will go back into the stream. Water will be used for fire protection, bathroom and kitchen facilities, drinking water and augmentation water in ponds.

Attorney David Leinsdorf said he had met with County staff to identify any wildlife issues based on the CPW comments. He noted a site visit had been scheduled with the CPW, but CPW cancelled the meeting/ site visit. It will be rescheduled.

BOCC Phil Chamberland asked what kind of foundations would be used for the huts; Featherman said pier and timber foundations. Chamberland asked if they would use a green roof; Featherman said the western portion of the building will be a turf roof on an outer membrane. Chamberland asked about the canopy tours, rope course and zip line; Rankin said the rope and canopy tours are very low impact development. The zip line noise will be negligible.

Fulton asked in what order the development would occur; Featherman said the old Irwin lodge will be first. The Silver Hill cabin will be largest cabin and done second. The development would proceed from there as the demand dictates.

Fulton asked how far along the water augmentation plan is; Locke said the legal work is done and will be submitted soon, the timing then depends on the court.

Chamberland asked if the applicants would be maintaining the new trail; Featherman confirmed all construction, design and maintenance will be done by the applicants.

BOCC Houck asked about the timing of the trail head completion; Leinsdorf said as early as feasible.

Chamberland asked when the new trail vs. the old trail would be travelable because of snow; Rankin explained the time difference would be negligible. The trail is south west facing.

Fulton inquired about the timing of the installation and use of the canopy /rope tours and zip line; Rankin said they will use a phased approach, depending on the demand.

Eskew said the overarching public concern public is the privatization of the area. She noted a design trail provides a preferred experience, over a use trail. She added people don't like change, but just might benefit from the change in the long run.

Rankin stated the land has been private for years. The trail realignment will be beneficial. The cabins are not private homes, they will be used by guests.

Wilcox requested an explanation of patented mining claims; Leinsdorf explained they are legal parcels. The applicants have 15 parcels which could be conveyed separately without County approval. The applicants could construct 12 homes; they consider this application a down zoning. The master plan is a 20 year plan; it is difficult to be specific.

#### **Public Comment-**

Public Land Director for High Country Citizens Alliance (HCCA) Ally Melton asked where the parking lot would be for the mountain bikers; Rankin said the new trail head.

Melton noted mechanized use on the trail will be tempting. How will it be monitored; Rankin said the information will be available at the trailhead. He added they are still considering different management plans. Leinsdorf said there are trails in the county open at some times and not others. He said this could be handled in a similar manner. Melton asked if they would be reclaiming old parts of the trail: Rankin said yes they will work with the Forest Service. Melton asked if there has been a contingency plan made for the possibility of the applicants pulling out of the project; Rankin said there had not been much thought on that. Melton was concerned the Forest Service does not have the resources to maintain the trail; she said this needs to be worked out.

Peter Bridges stated the applicants' proposal should be rejected. He noted he had submitted a letter to Commission. His concerns included;

- It is not compatible with the existing land uses in the area
- The construction could continue for 20 years
- The developer must be required to maintain the new trail
- Noise levels of zip lines, and guests at the lodge until 2 a.m. & serving liquor
- Potential impacts to the wildlife
- Water quality- Crested Butte has water rights in Lake Irwin and that was not mentioned
- It is in the interest of the public to maintain the current trail
- If a fire did occur, it would strain the ability of Fire Protection District to control the fire
- Reject the application in its present form
- Do not let the developer urbanize the ridge and leave scars on the landscape

David Gottorff said he has been turned away by the employees with no trespassing signs and ropes. He has gained permission to get up to Scarp Ridge several times. His concerns included;

- The management company, Eleven, has not honored the current easements
- The Movie cabin has been built within the easement
- The restrooms have been built within the easement
- Do not approve any further development until those buildings are relocated outside of the easements
- The new trail will be in a winter avalanche area
- Noise from the activities at the lodge, etc.
- Current employees have trespassed on his property
- How will they maintain structures and the need for fuel without roads?
- Fire trucks, cement trucks, etc. need roads
- How will the large buildings be maintained and supplied?

John Ellis hikes on Scarp Ridge, he agreed with comments made by Gottorff and Bridges. His concerns included;

- He asked if the reassurances from the applicant are in writing
- Concerned with wildlife impacts
- Noise mitigation needed
- Denial of access
- New trail will extinguish part of the current public access
- New trail will wall off the east, south east side of the trail
- There will only be one way up – now there are two ways

James Thomson said he is a professional ecologist. He was unclear whether this is the applicant's complete plan. He was confused because the cabins have been described as single family residences and guest facilities. His concerns included;

- Suggested the owners place a conservation easement on the remaining property, to ensure no further development
- The lengthening of the trail and the increase in elevation are problematic
- Challenged applicant's biologist John Monarch's report; found it unconvincing.
- Monarch's report does not state how much work was done and does not adequately describe many conditions or assertions
- Monarch's low impact assertion of the zip line is not accepted by CPW
- He challenged the assertion that animals will come back after leaving the area because of development
- There is a character to Monarch's conclusions which aren't convincing by the standards used
- The proposed sewage facilities, is new technology. The manufacturer's claim- colorless and odorless water. It is still loaded with nitrogen and phosphorous which could get in the Crested Butte water system.

JW Smith was in favor of the application. He said things change. His concerns included;

- Increased traffic
- Like to see development remain close to the lodge and the hill
- Many people trespass now
- The applicants should be able to build
- In support of the trail head and the signage

Bill Oliver said the District Ranger has not decided whether there is an EIS or EA needed yet. He suggested the Forest Service go forward with the EIS. He said the application should be reviewed in a more detailed manner.

#### **Applicants Response-**

Rankin said David Gottorff comments were false and his accusations were inaccurate. Rankin noted winter access is different from summer access; there are many avenues to access Scarp Ridge. It is low angle terrain with low avalanche possibility. He has submitted letters stating they can legally serve food.

Leinsdorf said the applicants want the roads to be as minimal as possible. The applicants approach has been endorsed by Public Works; it is safer to drive over rocks rather than aggregate that washes away. The applicants are hoping not to fight with CPW or the County; they will work out mitigation for wildlife impacts.

Fulton continued the joint public hearing to Friday, October 11, 2013, at 9:00 a.m.

**Frank Kugel & George Sibley, Upper Gunnison River Water Conservancy District** : The Gunnison County Planning Commission conducted a work session- informational discussion on water topics.

No minutes were taken.

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**Amendments to the Gunnison County Land Use Resolution;** The Gunnison County Planning Commission conducted a work session. They reviewed the proposed amendments to sections of the *Land Use Resolution* to update Gunnison Sage-grouse regulations

With a quorum present Chairman Kent Fulton opened the work session.

Director of GIS Mike Pelletier and Wildlife Coordinator Jim Cochran were present for the discussion.

The commissioners reviewed the proposed changes to Sage-grouse related Sections of the LUR.

Fulton seated alternate commissioner Tom Venard for the vote.

**MOVED BY;** Venard seconded by Eskew to approve the recommendation to the BOCC of the Proposed Amendments- Sage-grouse related Sections of the Gunnison County Land Use Regulations. The motion passed unanimously.

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**Gunnison Valley Properties, LLC;** The Gunnison County Planning Commission (Planning) and the Board of County Commission (BOCC) conducted a continued joint public hearing. They reviewed the applicants' request for a year-round sand and gravel operation on 109-acres of a 220-acre parcel; 62-acres of which will be excavated. The operation will include the extraction, crushing, screening, washing and stockpiling of approximately 200,000 tons of sand and gravel per year. Asphalt and concrete batching is also proposed to be conducted at the facility. The property is located approximately ½ mile east of the City of Gunnison, south of Highway 50 to Tomichi Creek, legally described as a being located in the NE/4 SE/4 NW/4 Section 4 and the NE/4NE/4 Section 5, Township 49 North, Range 1 East, N.M.P.M., 43188 Highway 50.

Board of County Commission Jonathan Houck was present for the discussion.

Commissioner Warren Wilcox has recused himself from the review of this application.

Board of County Commissioner Jonathan Houck was present for the continued joint public hearing.

With a quorum present Chairman Kent Fulton opened the continued joint public hearing.

The applicant Dick Bratton, and the applicant's representative Ben Langenfeld of Greg Lewicki and Associates, were present for the continued joint public hearing.

Langenfeld reviewed the documents they had submitted to the Commission; revised traffic report, appraisal report and new berm configuration.

Langenfeld said the proposed traffic access has been given a grade of A, in most directions, and B north bound. The report was prepared using the projected traffic counts for the peak season. The traffic analysis used July traffic projections. The analysis was used for assessment of the Highway 50 traffic and the proposed access. The study revealed;

- No need for acceleration or deceleration lanes
- The operational analysis shows so little difference that the actual grade ( A-B) does not change.

Langenfeld said they had considered additional berming on the east side; determined additional berming would not benefit neighbors Maclean and Hays. Additional berming would narrow the gap and benefit the visual impacts and noise and dust impacts. The additional berming will be 10 ft in height and would be constructed at the same time as the original. This would be the most berming done; they would be out of top soil on site.

Langenfeld said they have added a third dust and noise monitoring station; on the back side of the berm. The monitors would be checked annually in the peak operation time.

Langenfeld explained the applicants had an appraisal report prepared regarding property values around the potential gravel pit. The appraiser determined there would be no additional impact to values of the surround residences, because of this operation.

Cattles questioned if there would be trees planted on the berms; Lagenfeld said there will be trees on the berm for visual mitigation for the neighbors. The trees will be will not be close to the road.

Langenfeld noted the processing facilities location is permanent. It would be located in the south east corner at the very end to the pit floor, behind the berm.

Jack Culinan said he had submitted comments to the Commission. He is in favor of the application.

Arron Mclean said the monitoring station should be located on the top of the berm; Langenfeld agreed. Lagenfeld explained it would monitor dust and noise. The monitoring would occur once a year for a 24-hour period. Mclean said more than one test per year would be more representative. Lagenfeld suggested three days between June 15<sup>th</sup> and August 15<sup>th</sup> during peak crushing. Mclean reiterated his concern with his potential loss of property value.

Bratton has spoken with the neighbors. He agreed to put the regulations and agreements in writing.

BOCC Houck questioned where the monitoring was addressed; Starkebaum said it was a condition at Sketch Plan approval.

Jack Cullinan addressed the air quality; the stewardship belongs to the operators of the pit.

Cattles what the owners and neighbors have discussed. Langenfeld said certain permits will have to address preventing injury to neighboring wells. They would go beyond the required 600 ft., and include neighbors at 1000 ft. in the permit.

Bob Delahey was opposed to the whole project. He stated nothing can be done to mitigate the visual impacts to his property. He remains concerned with contamination of his well and the depletion of the aquifer. The current gravel operation in the area already produces intolerable amounts of dust; the dust generated by the proposed operation will only add to the problem. The surrounding area will be impacted by the noise and odor from another pit. The access to the pit off Highway 50 will impact his driveway; there is a need for acceleration and deceleration lanes.

Paula Maclean thanked Bratton for meeting with them. She said the bottom line is they oppose the project. The mitigation suggested will not help mitigate the visual impacts to her home. The existing industrial park can be seen only minimally from her home. She is very concerned with the potential impacts to the health of her family. The noise will be from an operation running seven days a week. She stated it will limit the number of people who would buy their house.

Sally Hayes was concerned that the mitigation plan for air pollution does not mentioned odors. She was not convinced this gravel pit will actually provide the price competition they say it will. She added the cost of labor will be the same, no matter which pit the gravel comes from.

Donna Bratton noted she has lived in her home near the proposed pit for 37 years. Many things have changed since then, most for the better. Things have to change so the area can prosper and grow. The homes that have been built around hers have changed her life too. Mclean agreed that his home may have changed her situation, but a gravel pit is much more disruptive to his life than a single family residence has been to hers.

Sally Hayes asked why the plant is not described as permanent and permitted as a stationary source.

Butch Clark noted his concern with dust and odor and the need for 24 hr. / 7 day a week monitoring. The proposed berming could cause line of sight problems on Highway 50. The applicant needs to determine how they would cope with major storm events, with a plan in place to keep hazardous materials stored high because of flash flooding.

Mary Kay Fry agreed the proposed location is bad. She reiterated he access is unsafe.

Mclean asked who he would call with air pollution infractions.

Langenfeld agreed to provide the County copies of permits and reports. If there would be a report of exceedence they would be required to remediate and follow-up with documentation.

Bob Delahey reiterated his concern with dust and the reference to the LUR- mining operations shall not cause adverse impacts to residential development.

Butch Clark note cumulative impacts will be difficult to monitor. It will be difficult to cope with the larger situation- who is causing the problem. The atmospheric quality and Gunnison inversions make it difficult to figure out what or who is causing the problem.

Fulton said the Commission will want to see the agreements between neighbors and applicant.

Fulton said the Commission will accept written public comments until October 10, 2013.

Fulton closed the oral discussion/ portion of the public hearing.

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Fulton adjourned the meeting at 3:15 p.m. .

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/S/ Beth Baker  
Community Development Department Services Manager

DRAFT

**GUNNISON COUNTY PLANNING COMMISSION**  
**PRELIMINARY AGENDA: Friday, September 20, 2013**

**DRAFT**

**8:00 a.m.** • **Call to order; determine quorum**

**8:05 a.m.** **Leave for Marble**

**10:00 a.m.** **Dana and Larry Darien**, Lot 3 Darien River Subdivision, site visit/no action, request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. The lot was created in 2000, but no specific use was approved for the lot. The lot is located approximately two miles west of the Town of Marble on County Road 3; adjacent to the Crystal River.

**11:00 a.m.** **Dana and Larry Darien**, Lot 3 Darien River Subdivision, public hearing/no action, request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. The lot was created in 2000, but no specific use was approved for the lot. The lot is located approximately two miles west of the Town of Marble on County Road 3; adjacent to the Crystal River. The public hearing will be held at the Marble Community Church, 121 West State Street, Marble, CO

**Noon** Lunch

**1:30 p.m.** Planning Commission tour of the Marble area

**Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION**  
**Minutes- September 20, 2013**

**DRAFT**

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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Kent Fulton  
Commissioner- Susan Eskew  
Commissioner- Jeremy Rubingh

Assistant Director of Community Development- Neal Starkebaum  
Planner- Cathie Pagano

**Absent were-** Commissioners A.J. Cattles, Warren Wilcox, and Tom Venard

Others present as listed in text

\*\*\*\*

With a quorum present Chairman Kent Fulton opened the regular meeting of the Commission.

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**Dana and Larry Darien, Lot 3 Darien River Subdivision:** The Planning Commission conducted a site visit request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. The lot was created in 2000, but no specific use was approved for the lot. The lot is located approximately two miles west of the Town of Marble on County Road 3; adjacent to the Crystal River.

No minutes were taken.

\*\*\*\*

**Dana and Larry Darien, Lot 3 Darien River Subdivision:** The Planning Commission conducted a public hearing. They reviewed the applicant's request for approval for development of a single family residence and individual sewage disposal system on Lot 3, Darien River Subdivision. The lot was created in 2000, but no specific use was approved for the lot. The lot is located approximately two miles west of the Town of Marble on County Road 3; adjacent to the Crystal River. The public hearing will be held at the Marble Community Church, 121 West State Street, Marble, CO

With a quorum present Chairman Kent Fulton opened the public hearing.

Adequate public notice was confirmed.

Larry Darien explained his request for the construction of a single-family residence, with an attached garage, located on Lot 3, Darien River Subdivision.

Planner Cathie Pagano noted the Darien's had applied for and were granted a variance form the Environmental Health Board, in 2009. The proposed septic system did not meet the 100 ft. setback separation from a water body. The variance was granted and is still valid.

Fulton asked if the septic system technology had changed since 2009; Larry Darian said no, it remains the same.

Fulton asked for an explanation of how the septic system works. Darien explained the septic used a filtration system which will produce effluent that is consistent with the water quality of the river.

**Public Comment;**

Several members of the public were in attendance, but there were no comments.

**Commissioner's Site Visit Comments:**

**Eskew-** Concerned with the proximity of the septic system to the river, and potential flooding of the crawl space.

**Rubingh-** Concerned the driveway access of the County Rd. 3, but said it was workable. The building site is very close to the water, but if the EH Board approved the variance, it is appropriate.

**Fulton-**Concerned with the septic system being close to the river and the wetlands, but acknowledged the design of professional engineer.

Larry Darian explained the house and garage will be a slab on grade, so there will be no crawl space to flood or create problems with moisture. Dairen noted there would be no second residence contemplated on the lot and he had no issue with that being a condition of the approval.

The public hearing was closed.

The commission directed staff to prepare a decision of approval for the application.

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Fulton adjourned the meeting.

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

P. O. Box 213  
Crested Butte, CO 81224-0213

6 September 2013

Gunnison County Commissioners  
200 E. Virginia, Suite 104  
Gunnison, CO 81230

Gunnison County Planning Commission  
221 North Wisconsin  
Gunnison, CO 81230

John R. Murphy, District Ranger  
United States Forest Service  
216 N. Colorado St.  
Gunnison, CO 81230

Dear County Commissioners, Planning Commission Members, and Mr. Murphy:

My name is Barbara Thomson. I have been a summer resident of Gunnison County since 1977, a property owner in Irwin since 1986, and a registered voter in Gunnison County since 2000. My comments today are in addition to previous letters you have received from the Thomsons representing themselves, the Irwin Community Association, and our neighbors in Irwin.

I would like to clear up two semantic details. First, the word "Irwin" applies to the townsite of Irwin, an incorporated town from 1879 until the 1960's. We thank Scarp Ridge LLC for recently distancing themselves from using Irwin as their commercial name. Second, the word "Scarp" is an abbreviation of the word "EscarPMENT". Scarp Ridge is not named after a person named Scarp, so it is called Scarp Ridge, not Scarp's Ridge.

Today I will address two topics: the Scarp Ridge Trails and the issue of Net Adverse Impact.

You have received many letters in favor of keeping the two Scarp Ridge Trails (USFS #419 and #421) in their current locations with their current access. I do not believe I need to repeat all the arguments for keeping for the public a beloved, absolutely unique treasure that is shared by local residents and visitors alike. The proposed rerouting would negatively affect use of the trail. Adding elevation and length to the trail through forest that will not melt out for more than three weeks after the current trail does, will effectively make that trail impossible for many of its current users and make it inaccessible for close to one of the three summer months.

There is an easy and fair compromise that would permit continued shared use of the trail: Scarp Ridge LLC could build a new parking lot at the same elevation as the lodge. It can be separate from the one their guests use, and it can have both an information sign warning about private property issues and the outhouse that Scarp Ridge LLC believes is important. The north end of the Aumego Lode looks like a possible spot for such a parking lot. From there, the 419 trail could be rerouted off the Double Dyke Lode until it joins the existing trail. Trail 421 currently comes down from the ridge in another spot, eventually making it back to the lodge. That trail could be rerouted to stay on public land by threading it through the gap between the Legal and Tacoma lodes and having it join the 419 trail to return to the parking lot.

The public already has easements for these two trails and the two down by the lake (USFS #426 and #426.1A). If Scarp Ridge LLC wants to reroute the public off its private property, the new trails should be equivalent to what we already have. The trails should not be made longer or steeper or with more limited seasonal access.

The minor rerouting I have suggested is a fair compromise that would allow everyone to share in this backcountry treasure.

Now I turn to Section 10-104 of the LUR: Locational Standards for Commercial, Industrial and other Non-Residential Development. Item B says that the location should be adjacent to a municipality or be consistent with a municipal three-mile plan, but if those two conditions cannot be met, then item C says the Board can approve the location if **“the cumulative impacts of the proposed development and existing development will result in no significant net adverse impact to neighborhood uses, wildlife, visual quality, air or water quality, and the proposed use complies with the following:”**

Then various requirements are listed including that the location is necessary, economically feasible, practical, etc. We could spend time arguing some of these points but I want to get to point 3 in item C, which is **“There will be no significant net adverse effect, including cumulative impacts... on adjacent land uses, County or other infrastructure, or public health, safety or welfare, or the environment.”**

This proposal is both commercial and residential. Section 10-102 B3 has the equivalent sentence about the cumulative impacts of the proposed development, except that it also includes **“impacts caused by a proliferation of individual sewage disposal systems and/or individual water wells.”**

In addition, Section 13-119 A says **"Proposed land use changes shall be designed, constructed, and maintained in a manner that will not adversely affect the character and tranquility of nearby residential or public use areas, as well as the following: Land use changes shall not subject other uses to undue noise, dust, fumes, odor, explosion, aircraft flight patterns, or other hazards or nuisances, whether the result of design, location, basic character, or of planned or reasonably expected growth."**

The regulations are established to prevent adverse impact on adjacent land uses. It is the adjacent land users who can comment on adverse impacts and most have indicated that more must be done to prevent adverse impacts. We know that zip lines—both their use and their mechanisms—create noise; there are websites devoted to this issue. Parties of 250 people ARE noisy, especially at 2:00 a.m.. The late exodus of revelers driving cars through the campground, the townsite, and back down Kebler to Crested Butte is both NOISY and HAZARDOUS. The campers in the campground would receive and onslaught of noise, dust, and headlights. That simply can't be argued.

Aspects of this proposal WILL have a significant net adverse effect on those using the USFS campground and on the residents of the townsite of Irwin, which is only 1,000 feet from the Clara Lode.

The LUR sets specific restrictions to mitigate such adverse effects:

- Section 9-301 D talks about commercial uses. Item 6 says **"Whenever exterior lighting is installed in a commercial or industrial development, it shall be designed and installed so that all direct rays are confined to the site and adjacent properties are protected from glare . . ."**
- Item 10 says: **"Every use to which this Section applies shall be conducted so that any noise produced is not objectionable because of intermittence, beat frequency, or shrillness regardless of db(A) measurement."** Note that it requires that **"any noise produced is not objectionable . . .regardless of decibel measurement."**

The LUR also allows the Planning Commission to impose restrictions when necessary. These are to mitigate adverse affects on adjacent properties. Such necessary conditions are a component of the process we are all engaged in.

Section 13-119 B1 describes the restrictions that the Planning Commission can impose as **"conditions that are necessary to minimize any potentially adverse impacts. Such conditions may include the following:**

1. **Hours. Limitation on hours of operation and deliveries;**
2. **Noise and Glare. Relocation on a site of activities that generate potential adverse impacts [sic] neighborhood uses including noises and glare;**

- 4. Loading and Delivery. Appropriate location of loading and delivery areas;
- 5. Illumination. Appropriate lighting location, intensity, and hours of illumination;
- 8. Height and Size Restrictions. The imposition of height and size restrictions to preserve light, privacy, views of significant features from public property and rights of way, and to ensure reasonable compatibility of structure size.
- 9. Natural Lighting. Preservation of natural lighting;
- 12. Dust Control. The imposition of paving or other means as a dust control measure."

In order to mitigate net adverse effects from this proposal, I believe it is necessary for the Planning Commission to restrict hours for parties, weddings, music, all noise, and all outside lighting to no later than 10:00 p.m., which is when the USFS campground requires quiet time.

I believe it is necessary that shuttle buses be required for transportation to and from weddings (or any party or conference with more than 50 guests or participants) to eliminate additional traffic through the campground, through the townsite, and on Kebler Pass road.

I believe it is necessary that permission for the zip lines be denied completely because of objectionable noise in the neighborhood.

I believe it is necessary that there be a provision in any approval of this project that Scarp Ridge LLC be required to apply an environmentally friendly dust retardant to the dirt road through the campground if dust becomes an issue there.

The proponents share the areas surrounding their proposed development with the public and their local neighbors. Because those areas are shared by many, the laws, written and natural, require all of us to consult so that we move forward in a way that is to the benefit of all. This is not a battle to be won or lost. The written laws clearly require restrictions on this application; natural law requires that we all cooperate, because Scarp Ridge and its incredible views belong to all of us.

Summary: keep the access to the trails at its current elevation. Impose necessary restrictions to prevent net adverse effects.

Sincerely,



Barbara A. Thomson

**From:** Patricia Del Tredici <pdel\_tredici@hotmail.com>  
**Sent:** Friday, September 13, 2013 11:15 AM  
**To:** Beth Baker  
**Cc:** BOCC; jmurphy@fs.fed.us  
**Subject:** Re LUC-13-00005

Dear Ms Baker, I will be appreciative if you will distribute the following letter to Planning Commission members and staff. Thank you.

Patricia Del Tredici  
311G Cement Creek Rd.  
Crested Butte, CO 81224  
September 13, 2013

Gunnison County Planning Commission  
Gunnison, CO 81230

Dear Commissioners,

I wish to thank you for making LUC-13-00005 open to the public and for allowing the public to voice their views. Having attended the meeting on September 6, 2013, I have several concerns regarding LUC-13-00005:

The proposal seems to minimize the impacts of noise, safety, traffic, sewer treatment and wildlife habitat.

**Noise:**

With the use of year round machinery, helicopters, equipment and traffic (summer), the noise will be considerable. The Zip Line at CBMR creates constant blood curdling screams from its riders. A 'Kids Village' was mentioned, but no details were given. What amenities would this 'village' entail? A bungee jump would create a visual impact as well as the noise accompanying the operation.

**Safety:**

The buildings that are stated to be built without roads present a safety hazard for emergency vehicle access.

**Traffic:**

The traffic from service personnel and employees will be considerable.

**Sewer treatment:**

The proposed residential buildings would require sewage treatment. What is Irwin LLC's proposed solution to the treatment of sewage?

**Wildlife Habitat:**

Further objective study on the impact of LUC-13-000005 would have on wildlife habitat needs to be done before allowances are made.

My dictionary defines 'cabin' as "a small shelter or house". Irwin LLC's usage of the term 'cabin' to describe their residential buildings is inaccurate. It appears to be one of their methods of minimizing the impact their proposed commercial operation will have on this scenic area currently enjoyed by the public.

I urge you to protect the public lands under your jurisdiction, and to reject this proposal as it is currently proposed.

Regards,

Patricia F. Del Tredici

This letter supplements comments I made regarding the Scarp Ridge LLC application at the September 6<sup>th</sup> hearing before the County Board and the Planning Commission.

The applicants propose relocating the Scarp Ridge Trail trailhead from Irwin Lodge to the southwest where the Irwin Lodge Road crosses Robinson Creek and closing public access along that road from that point to Irwin Lodge. They would continue to use the road to the Lodge and would build the relocated trail link for public access to Scarp Ridge.

The reciprocal rights of the applicants and the public regarding Scarp Ridge trails and roads are spelled out in two easement documents attached to the application at Tab 8. They show that in return for access to Scarp Ridge Lodge the applicants' predecessor in ownership granted easements across its properties for two public use trails up Scarp Ridge, both of which originate at Irwin Lodge and lead to the top. The one (#419) to the northwest and the other (#421) to the northeast are connected by a long segment just below the top ridgeline. In addition, easements were provided for public use across applicant properties for road #826.1C and trails #426 and #426.1A, all coming up to the level of Irwin Lodge from below. Attached to the second of these easement documents is a plat showing these roads and trails, applicants' properties and the location of the easements granted.

The stated intention of the applicants is to keep the general public away from Irwin Lodge to prevent trespassing on their property (and infrastructure) and to protect the public from the hazards of the narrow access road. Apparently they deem this road safe enough for their own as well as their clientele's continued use. One can easily surmise that it is also their intent to prevent trail access by the non-paying public over a large part of Scarp Ridge, where there has long been free public access, thus enabling the applicants to expand a private commercial use, including exclusive private use of public trails, and to enhance privacy for their planned residences.

Regardless of true intent, what is proposed would not effectively prevent the general public from reaching Irwin Lodge. For example, closing the last portion of the road to the Lodge to the public and rerouting trail users up the lower part of #419 would only affect those going up Scarp Ridge on that trail. Once on the ridgeline the public would still have the right to descend using #421 back to Irwin Lodge where, without use of the access road, they would be obliged to hike back up the way they came or up #419 to its intersection with the proposed new lower link to get down. Nor would this proposal prevent other public trail access from below up to Irwin Lodge.

To prevent the general public from reaching Irwin Lodge and accessing trails that originate there would require abandonment of the entire easement agreement providing public access to both #419 and #421 at the lodge, and from below, while maintaining easements and a permit giving access to the applicants for their private commercial use of these trails. Such an extreme measure would be contrary to the public interest and highly unjust.

If such a measure were carried out, it would set the stage for similar requests from other applicants who might wish to operate commercial ventures on county in-holdings accessed over roads or trails through public land, or those who simply want to reroute trails to afford themselves greater privacy. Regarding this particular proposal, it is likely that the public has acquired a prescriptive easement over at least some of the applicants' properties – a right that cannot be summarily abandoned. Also, it appears that a portion of the connecting trail below

the ridgeline atop Scarp Ridge passes through applicants' topmost property. A prescriptive easement there could affect applicants' proposed site for an alpine hut on that parcel, as would any LUR restrictions on development above timberline.

In summary, the applicants' trail and access proposal, while unusual, unnecessary and unfair to begin with, would actually benefit neither applicants nor the public. Common sense dictates that it should not be accepted.

John P. Ellis

Crested Butte

Deidre A. Witherell  
354 Cisneros Lane  
Crested Butte, Co 81224

September 12, 2013

Gunnison County Planning Commission  
c/o Ms. Cathie Pagano  
221 North Wisconsin  
Gunnison, CO 81230

Re: Scarp Ridge Development

Dear Planning Commission Members,

Thank you for your efforts in enforcing the Gunnison County Land Use Regulation (LUR). As a Colorado native and full-time resident of Crested Butte, I deeply appreciate the importance of having and enforcing regulations which support sustainable use and well-being of our great state's public and private lands. Growing up on the Front Range, I lived through years of tremendous pressure on private and public lands and associated wildlife habitat. Regulations, such as the LUR, are the only tools citizens have to promote good stewardship of our valuable land resource.

As a member of the community surrounding the proposed Scarp Ridge Development, I would like to offer my input on the proposed development's compliance with Section 7-102 of the LUR, *Compatibility with Community Character*. I believe the proposed development does not meet this standard of approval and should be rejected.

Per the LUR, Section 7-102, "The proposed land use shall be compatible with, or an enhancement of, the character of existing land uses in the development area, and shall not adversely impact the future development of the development area."

*The character of existing land uses in the development area* consists of private residential and small-scale, low-impact public recreation; mainly camping and hiking/biking during peak use. As confirmed by Section 8 of the proposer's Sketch Plan Application, all existing land surrounding the proposed development is currently either vacant or residential, and surrounded by US Forest Service land in "All Directions". The proposed development would be a *private commercial island* in an otherwise rural-residential and publicly-used National Forest setting.

The increased human traffic, volume of motorized vehicles, and noise impact resulting from the proposed development do not meet the standards of approval for "Compatibility with Community Character". The developer's proposal to use the old lodge as a conference center and wedding pavilion would greatly increase the number of motorized vehicles travelling on Kebler Pass. The increased volume of transient motorized and human traffic will have a detrimental effect on the "Community Character" which currently emphasizes residential and recreational pursuit of peace, quiet, and scenic beauty.

I encourage the Planning Commission to request a traffic impact study as part of "Additional Submittals Based on Evidence of Cumulative Impacts" (LUR Section 7-201, HH.) .

Input from Colorado Parks and Wildlife indicates the proposed development will have negative, cumulative impacts on wildlife habitat. HCCA is concerned that "proposed recreational uses could be inconsistent with approved uses on surrounding federal public lands." Input from these two public interest groups supports my view that the proposed development does not meet the standards of approval contained in the LUR.

Thank you, again, for your enforcement of the LUR and for considering my comments.

Respectfully submitted,

Deidre A. Witherell, P.E.  
354 Cisneros Lane  
Crested Butte, CO 81224  
(970) 349-0902

**DAVID LEINSORF**  
ATTORNEY AT LAW

P.O. BOX 187, 215 ELK AVENUE  
CRESTED BUTTE, CO 81224-0187  
EMAIL: david@1224@gmail.com

TELEPHONE: (970) 349-6111  
FACSIMILE: (970) 349-6243

September 19, 2013

Ms. Cathie Pagano, AICP CEP  
Community Development Planner  
Blackstock Government Center  
221 N. Wisconsin Avenue, Suite D  
Gunnison, CO 81230

By Email: CPagano@gunnisoncounty.org  
and Courier

Re: **Land Use Change Application #13-00005**  
**Scarp Ridge L.L.C.**  
**Justice Lode LLC**  
**Robinson Basin L.L.C.**  
**Little Minnie LLC**  
**Ruby Peak L.L.C.**

Dear Cathie:

Your September 17, 2013 letter does not account for the following significant factors that bear on this discussion:

1. **SECTION 1-107: ONE RESIDENCE PER LEGAL LOT, SUBJECT TO COMPLIANCE WITH THIS RESOLUTION.**

Unless otherwise provided by this *Resolution*, there shall be a right to have one residence per each legal lot existing as of the effective date of this *Resolution* if that residence fully complies with:

- A. **APPLICABLE REQUIREMENTS OF THIS RESOLUTION.** All applicable requirements of this *Resolution* . . . .
- B. **OTHER REGULATIONS.** All other regulations and ordinances that are general in nature and are applicable to all property subject to land use regulation by Gunnison County . . . .

Applicants have always maintained that their proposal is downzoning since, as a matter of right, they are entitled to construct one residence per legal lot.

2. **By its very terms, Section 10-103 applies to subdivisions.**

**B. APPLICABILITY.** Any application for a proposed subdivision shall be subject to the requirements of this Section. LUR Section 10-103.B.

However, the application of Scarp Ridge L.L.C. and its affiliates is not for a subdivision. Applicants own 15 legal parcels comprised of 19 lode mining claims, 5 of which are clustered. Most of the LUR provisions cited in your letter apply to subdivisions, which this application is not.

3. **The pending application is to expand an existing commercial use first established 35 years ago. It is not seeking to establish a new commercial use.**

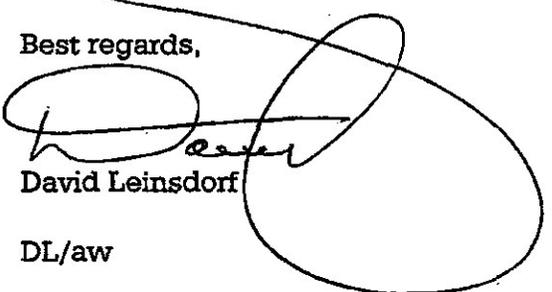
We understand that the applicants must address the wildlife and other issues that are raised at sketch plan. The September 25 site visit will be a positive step to get everyone on the same page regarding wildlife impacts, which have not yet been specifically identified, described or quantified.

The applicants and their team are convinced that their sketch plan is sound and that the detailed studies required at preliminary plan will establish compliance with the applicable requirements of the *Land Use Resolution*. As you know, the sketch plan deals only with concept and "shall not constitute approval of any detailed design or engineering submittals or proposed solutions to specific problems revealed during the sketch plan review or later in the review process." LUR Section 7-202.O.

The owners of these fifteen parcels of private property are entitled to a fair hearing on their vision for developing their properties. When all relevant information has been developed and evaluated, we think the planning commission will recommend and the board of county commissioners will approve implementation of the owners' vision for expanding their existing tourist-oriented use.

If you have any questions about or want to discuss the applicants' position, please let me know.

Best regards,

  
David Leinsdorf

DL/aw

Ec:                    John Featherman  
                          David Baumgarten  
                          Russ Forrest

**DAVID LEINS DORF**  
ATTORNEY AT LAW

P.O. BOX 187, 215 ELK AVENUE  
CRESTED BUTTE, CO 81224-0187  
EMAIL: david81224@gmail.com

TELEPHONE: (970) 349-6111  
FACSIMILE: (970) 349-6243

September 19, 2013

Mr. Russ Forrest  
Assistant County Manager  
Economic and Community Development  
221 N. Wisconsin, Suite D  
Gunnison, CO 81230

By Email: [rforrest@gunnisoncounty.org](mailto:rforrest@gunnisoncounty.org)  
and Courier

**RE: Scarp Ridge Sketch Plan**

Dear Russ:

Thank you for your September 10, 2013 letter, responding to mine of September 9, 2013. I agree with the statement in the last paragraph of your letter that direct communication will usually resolve honest differences of opinion constructively.

Regarding cancellation of the August 27 CPW meeting, I did not say or suggest that county staff delayed the meeting. I merely requested that Cathie Pagano send me the e-mail from CPW cancelling the meeting, which I still have not received.

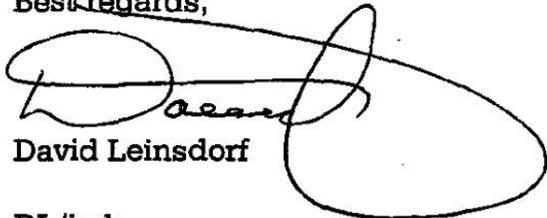
I agree with you that staff's role is to communicate the pertinent criteria in the Land Use Resolution and advise whether staff thinks those criteria have been met. Our concern was that you and Cathie appeared to be pushing the applicants to address wildlife impacts by clustering, before the impacts had been fully identified, described, or quantified, a concern that your letter does not explicitly address.

Now that the CPW site visit has been rescheduled, the applicants look forward to showing their concept for expanding their existing tourist-oriented use to the government biologists. We are confident that the biologists will reach a consensus over strategies that will protect wildlife while implementing the owners' vision.

If you have any questions, feel free to call.

Many thanks.

Best regards,

A handwritten signature in black ink, appearing to read "David Leinsdorf", is written over a large, loopy scribble that extends to the right and loops back under the signature.

David Leinsdorf

DL/jmk

Ec:        John Featherman  
            John Monarch  
            Cathie Pagano  
            David Baumgarten

**DAVID LEINSORF**  
ATTORNEY AT LAW

P.O. BOX 187, 215 ELK AVENUE  
CRESTED BUTTE, CO 81224-0187  
EMAIL: david81224@gmail.com

TELEPHONE: (970) 349-6111  
FACSIMILE: (970) 349-6243

October 1, 2013

Mr. J Wenum, District Wildlife Manager  
Colorado Parks & Wildlife  
300 West New York Avenue  
Gunnison, CO 81230

**By Email: [j.wenum@state.co.us](mailto:j.wenum@state.co.us)  
and Courier**

**Re: Scarp Ridge**

Dear J,

John Featherman and I appreciate the time that you and your team devoted to our September 25 site visit and look forward to the opportunity on October 7 to explore alternatives to minimize and mitigate the incremental impacts to wildlife in the Lake Irwin area. Since we did not attend your September 27 meeting with Cathie Pagano and Russ Forrest, this letter will outline for you some of the points that we would have made had we attended.

Scarp Ridge is not a proposal to establish a new commercial use. Rather, it is an application to expand an existing commercial use, first established about 35 years ago. The Irwin Lodge operation under prior owners involved twice as much ski terrain as at present and many dozens of snowmobilers roaring randomly all over Robinson Basin, Independence Basin and the entire Lake Irwin area. However, the present owners intend to be good stewards of the land by reasonably minimizing and mitigating all impacts generated by their vision and plans for their property.

At the September 25 site visit, John Featherman and I took note of the following observations by you and your team:

- Chris Parmeter acknowledged that the Lake Irwin area is already heavily impacted by recreation.

- Brian Magee said that mountain bikes generate a "startle response" which can drive wildlife into adjacent drainages.
- You observed that there's not much hard science on recreational impacts and that the Scarp Ridge structures per se are not the issue. "Activities are more concerning," you said, adding that you have no issues with the Scarp Ridge Trail reroute, which will avoid problems like the sedimentation caused by the existing social trail.

In light of those observations, and because the county sketch plan process is designed to include a process of evolution and negotiation (see *Land Use Resolution* Section 7-103.B), the applicants' preliminary plan will delete all bike paths. All bicycling will be confined to existing roads and public bike trails, such as the Dyke Trail, which is not far from the owners' property. Furthermore, for preliminary plan, applicants will study ziplines, about which you acknowledged little is known, to ascertain how any impacts on wildlife can be minimized or mitigated.

As you noted in your July 31, 2013 letter to Cathie Pagano, there are multiple options to avoid, minimize and mitigate the incremental impacts to wildlife in the Lake Irwin area, both onsite and offsite. However, it is not possible to develop strategies to address impacts without the more detailed habitat studies that the *Land Use Resolution* calls for at preliminary plan (see Section 7-301.J.4), which the applicants want to initiate during the upcoming winter of 2013 - 14.

As we address the wildlife issues, it is important to keep in mind, Section 1-104.D.3 of the *Land Use Resolution*, which provides, after stating the county's purpose to preserve wildlife habitat:

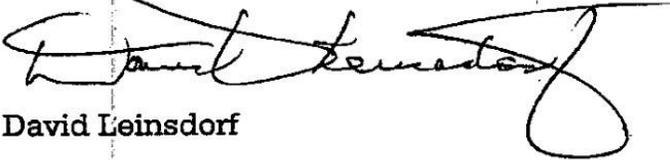
It is the intent of this *Resolution* that private land owners do not lose reasonable use of their land . . . .

Scarp Ridge is unusual, if not unique, because, unlike most major impact proposals, which involve a single parcel, Scarp Ridge's 145 acres consist of 15 legal parcels on 19 lode mining claims, 5 of which are clustered and 12 of which are vacant. Applicants have already reduced by 50% the one residence per legal lot to which they are entitled as a matter of right under Section 1-107 of the *Land Use Resolution*.

We look forward to sitting down with you and your team on October 7 to explore alternatives, both onsite and offsite, for reasonably minimizing and/or mitigating impacts on wildlife in a manner that is consistent with the owners' vision for their property.

Many thanks.

Best regards,



David Leinsdorf

DL/aw

Ec:

Chris Parmeter  
Nathan Seward  
Brian Magee  
Kent Fulton  
Russ Forrest  
Cathie Pagano  
Jim Cochran  
Beth Baker  
John Featherman  
John Monarch



## Beth Baker

---

**From:** richard moody <richardcmoods@gmail.com>  
**Sent:** Tuesday, October 01, 2013 4:30 PM  
**To:** Beth Baker  
**Cc:** barbara@thomsondataanalysis.ca; Peter Bridges  
**Subject:** Re: Scarp Ridge Development - LUC-13-00005

Beth,

Please also pass on to the Planning Commission that Scarp Ridge Lodge in Crested Butte was originally the Croatian Hall - and I quote from The Crested Butte Historical Walking Tour pamphlet. "The Croatian Hall was ... the meeting place and dancing hall for the members of the Croatian Fraternal Union. The CFU was one of four Slavic organizations that kept alive traditions, language, food and dances of the old country. Old timers can remember the three and four day wedding receptions that were often held here". It certainly was not a Brothel as stated originally by The Eleven Experience. until I got them to change it. They are not to be trusted.

Thank you,

Richard

**Richard Moody**  
**Mobile: 609 651 0693**  
**[www.vrbo.com](http://www.vrbo.com) - Crested Butte CO - #11394**  
**[www.thevacationexchange.com](http://www.thevacationexchange.com) - Crested Butte CO - #CO7636**

On Tue, Oct 1, 2013 at 6:08 PM, Beth Baker <[BBaker@gunnisoncounty.org](mailto:BBaker@gunnisoncounty.org)> wrote:

Message has been forwarded to Planning Commission

**From:** richard moody [mailto:[richardcmoods@gmail.com](mailto:richardcmoods@gmail.com)]  
**Sent:** Tuesday, October 01, 2013 3:13 PM  
**To:** Beth Baker  
**Cc:** [barbara@thomsondataanalysis.ca](mailto:barbara@thomsondataanalysis.ca); Peter Bridges  
**Subject:** Re: Scarp Ridge Development - LUC-13-00005

Dear Commissioners,

I write again in protest at the Eleven Experience's plans for Scarp Ridge.

Following on from my letter to you of Sept 6, I would like to point out the following which shows how disingenuous and conniving the Eleven Experience are.

Their web site for the Scarp Ridge Lodge opposite Slogar's on 2nd Street in Crested Butte originally made two statements which were classic examples of false advertising and demonstrated that they cannot be trusted.

Firstly, they stated that the Lodge had been a Croatian Brothel. Not only was this not true, it was an insult to our Croatian families in Crested Butte. As a docent at the Heritage Museum in town, I know this was not the case - the only known possible brothel being upstairs at the Forest Queen which may have housed Ladies of the Night.

Secondly the web site stated that the Lodge in Crested Butte sat on the slopes of 12,000 ft Scarp Ridge with views of the river and wildflowers. This of course was utter nonsense and was a bold faced lie.

When I challenged these two statements recently, the web site was immediately corrected and these statements removed. At no time, did the Eleven Experience challenge me on my facts which indicates that they knew all along that they were pushing out false statements.

How can we trust what they are saying they will do up at Scarp Ridge when they have this record of publishing false information?

Please take this into consideration when deciding - hopefully - to quash their intended plans.

Thank you,

Richard

**Richard Moody**

**Mobile: 609 651 0693**

**www.vrbo.com - Crested Butte CO - #11394**

**www.thevacationexchange.com - Crested Butte CO - #CO7636**

On Fri, Sep 6, 2013 at 8:37 AM, richard moody <[richardcmoods@gmail.com](mailto:richardcmoods@gmail.com)> wrote:

Dear Commissioners,

I write with regard to the Eleven Experience's planned development of land below Scarp Ridge and above Lake Irwin.

I am in complete agreement with Peter Bridges' viewpoint regarding any future destruction of the pristine wilderness and I was one of the signers of the recent letter written by a number of residents and published in the Crested Butte News expressing our dismay at this possible future development.

The lead developer, Chad Pike, is known to my English family for the way he has attempted to convert the idyllic Wiltshire village of Edington into a yuppie playground. He has no respect for the sanctity of nature and his plans to commercialize the Scarp Ridge area are totally out of keeping with the beauty of the natural environment.

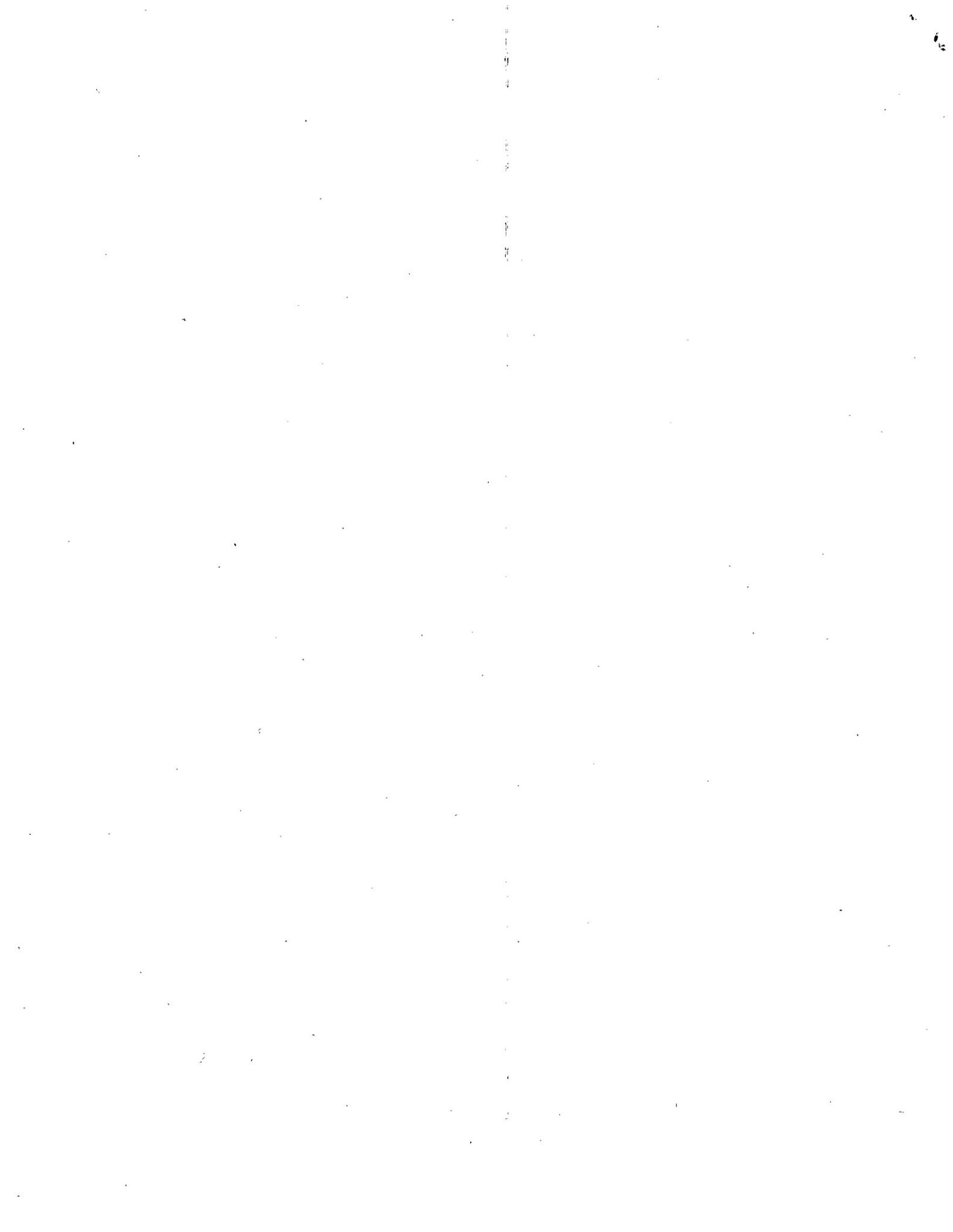
His planned gated community is socially divisive and an insult to the current residents of the Irwin Townsite and it should be resisted and denied by your commission in order to preserve the delightful hiking trails and unspoilt nature of the terrain.

I sincerely hope that the Commission will prevent Mr Chad's plans from ever coming to fruition and that Mr Chad will then turn his attention to the likes of Aspen or Vail which are far better suited to this type of development.

Yours Sincerely,

**Richard Moody**

**Mobile: 609 651 0693**



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Yours Sincerely,

**Richard Moody**  
**Mobile: 609 651 0693**

**Beth Baker**

---

**From:** bsieck@aol.com  
**Sent:** Wednesday, October 02, 2013 4:20 PM  
**To:** Cathie Pagano; Beth Baker  
**Subject:** Irwin Master Plan

Dear Planning Commission,

I'm writing to you regarding input on the Irwin Master Plan. I wasn't able to speak at the last public forum due to the time constraint and I'm not sure that I can make the next opportunity but I did want to express my opinion before your next meeting. It would appear to me that we have an opportunity here to take advantage of working with a group that has the means, the expertise and the commitment to follow through with a quality development. I like their reuse and recycle sustainable approach and the fact that they almost single handedly employed the Crested Butte trades people across the board for the last six years in poor economic times. They also have brought in, not only North American clientele but, international travelers who have shopped and dined here to so they have supported even more of the valley. We have had a place in Crested Butte for the last ten years and I, personally, wouldn't mind seeing my property value rise with this type of quality project.

In conclusion, I'd like to promote and approach this positively and not discourage these players who are going to be here for the long haul and who appear to want to accommodate and abide by the the business and land use guide lines that we have in place.

Thank you for your time,

William and Renata Sieck  
Gunnison and Crested Butte

