

**TOWN OF BASALT
PLANNING AND ZONING COMMISSION
REGULAR MEETING & PUBLIC HEARING
Tuesday, September 21, 2021**

CALL TO ORDER

The meeting was called to order by Chair Vozick at 6:06 pm.

Commissioners present included Bill Maron, Gino Rossetti, Eric Vozick, and Alternate Cindy Hirschfeld.

Staff present included Susan Philp, Planning Director; James Lindt, Assistant Planning Director; and Sara Nadolny, Staff Planner.

Philp noted that as there were not seven Commissioners in attendance, Alternative Hirschfeld would be able to vote on all items.

APPROVAL OF MINUTES

M/S ROSSETTI AND MARON TO APPROVE THE MINUTES OF JULY 20, 2021 AND AUGUST 3, 2021. MOTION CARRIED BY A VOTE OF 4 TO 0.

AGENDA ITEMS

Eagle County Referral Special Use Permit Application Referral Comments, 1919 and 2101 Cedar Drive (CRMPI) submitted by Jerome Osentowski.

Commissioner Maron said that before beginning he wished to disclose that his eldest daughter used to work for the Applicant, Jerome Osentowski. Chair Vozick disclosed that he previously worked in a small capacity for Stephanie with CRMPI through the Basalt Middle School.

Nadolny introduced the item as draft referral comments created in response to a request for comments from Eagle County regarding a Special Use review at 1919 and 2101 Cedar Drive. The owner is Jerome Osentowski, and his representative is Maya Ward-Karat of Earthbound Architecture who is attending the meeting virtually.

Nadolny explained the site is outside of the Town's Urban Growth Boundary but within the Three-Mile Planning Area. She said the Applicant is proposing to add two home occupations to the site, as well as a resort recreational facility for the Central Rocky Mountain Permaculture Institute, also known as CRMPI, which exists there today.

Nadolny said that Staff has drafted a letter of referral comments in response to Eagle County's request for the P&Z's consideration. She said the P&Z could choose to accept the draft letter as written, make amendments to the draft letter, or choose to not send the comments to Eagle County. She noted that the deadline for the referral comments is September 22nd, the following day.

Nadolny explained that she would summarize each of the comments in the draft letter. She noted that there have been a couple of changes that have been provided to the P&Z since the packet was created based on discussion with Ward-Karat and the Fire Department. Nadolny said she would highlight these changes as she moves through the comments. After Staff's presentation, Nadolny said that the Applicant's representative may want to speak to the draft comments and can answer any questions the P&Z may have.

Comment 1 refers to permaculture being a use that is compatible with the rural landscape that surrounds Basalt and supports the Town's environmental identity. The scale of the proposed development does not imply urban or suburban level of development which would need to be moved into the Town's Urban Growth Boundary. That being said, Nadolny said proposed camping use and educational components should be appropriately managed so as to not negatively impact neighboring properties or the Town's infrastructure.

Nadolny explained that Comment 2 was drafted prior to a conversation with the Applicant's Representative. The subject of the comment is tree mitigation as a result of the removal of trees for the development of the ADU on the site. Nadolny said the cabin that is proposed to be used as a long-term ADU has already been constructed, and the trees were cleared for fire mitigation requirements. She said the Town's Assistant Fire Marshall is content to leave fire mitigation requirements to Eagle County's Fire Mitigation Manager. Staff has recommended that this comment be deleted from the letter.

Comment 3 is regarding the parking plan and its potential impacts on the Town's right-of-way. Nadolny explained the Applicant is proposing to have students park off-site and have them shuttled by van to the site for classes. The application includes letters showing the Applicant has received approval for students to leave vehicles at Basalt Elementary for the months of May through July, and Sustainable Settings in Carbondale for August and September. She noted there is no mention of a plan for October of this year. The referral comment recommends Eagle County implement a yearly review of the Applicant's parking plan and to solicit comments from the Town prior to the start of classes each year to ensure a model is in place that legally accommodates all of the student's vehicles for that year. The comment also proposes that Pitkin County be consulted to ensure the County's permit requirements be satisfied should the parking plan be continued at Sustainable Settings.

On Comment 4 the Town recommends the Applicant consult with the Fire District to ensure the pond is adequately sized for fire mitigation purposes and emergency equipment can easily access the water.

Comment 5 concerns access to the site. Nadolny explained that the draft comment has been updated after a conversation with the Fire Department. The condition has been changed to recommend Upper Cedar Drive be the access point to the site and improved to the minimum width required by the Fire Department. She said the intent to keep people off of Lower Cedar Drive, which is more challenged in terms of infrastructure. Philp added that within the site, as accessed from Upper Cedar Drive, there is a parking area and emergency turn-around, and that users would walk from there to the rest of the site.

Commissioner Maron wanted an understanding of what work has already been completed on the site related to the application, and what is proposed. Ward-Karat said that nearly everything within the application is already built or operating as it has been historically. The only changes are to the use of the accessory building, making that cabin a long-term ADU. She noted that the walking path previously went off of the property at the south end of the parcel, and this has been reoriented to remain on the site. The Applicant has also worked with the Fire Department to create a path that can be used for emergency access. Ward-Karat added that the application also requests to formalize the campsites.

Chair Vozick asked whether this is a public hearing. Philp said it is not and noted that there is no one on the call or on the Zoom meeting indicating they would like to join the meeting.

Ward-Karat said that an official engineering drainage report is an onerous request. The comment indicates a desire to maintain historic drainage patterns, but the Applicant has been operating CRMPI for the last thirty years. Ward-Karat said they are not proposing any changes to the drainage patterns, and they have been successful to date. She said the Applicant has received significant CORE grants for water use and monitoring and his property is seen as a model for other properties. Ward-Karat asked that the request be reworded or removed from the letter.

Chair Vozick suggested the Applicant provide the reports related to the CORE grants. Philp said the language could be changed to require the grant reports that address the development's ability to maintain historic drainage patterns to be submitted to Eagle County.

Ward-Karat said that currently there is no information on a parking plan for the month of October because historically the Applicant has not held classes in October, but this may be a consideration in the future. She noted that the Applicant has no objection to a yearly review of the parking plan, if that is required by Eagle County.

Commissioner Comments

Commissioner Maron recommended the P&Z accept the letter with the changes as discussed.

M/S MARON AND ROSSETTI TO ACCEPT STAFF'S LETTER FOR TRANSMISSION TO EAGLE COUNTY WITH THE AMENDMENTS DISCUSSED. MOTION PASSED 4 TO 0.

Staff and Commissioner Updates

Philp reported that there were P&Z interviews at the last Council meeting and the Town Council will have reappointments at the next meeting. Alternate Hirschfeld is looking to be appointed as a regular member, and Commission Grauer has decided to not pursue appointment for another term.

Philp said the Town pool closed last Sunday. Lindt said there is some mechanical work to finalize, and the floors will be finished in the locker rooms.

Philp reported on the construction activities in the River Park area. The restaurant is under construction, and there is excavation underway for a waterline from the Midland Avenue bridge

Comment 6 recommends Eagle County require the Applicant to meeting the Fire District's requirements in the area labeled as the emergency turn-around.

Comment 7 recommends that a drainage report be prepared that addresses the ability of the development to maintain the historic drainage pattern and show how water quality will be incorporated into the design prior to its release as stormwater.

Comment 8 recommends requiring a study to establish a baseline for traffic generated as a result of the existing uses, and have a professional engineer prepare a report comparing the existing traffic to those generated by the proposed uses. The report should also address the sufficiency of the road infrastructure in light of the proposed uses.

Comments 9 recommends wayfinding signage be installed to direct users to the site by way of Upper Cedar Drive.

Nadolny explained that Comment 10 was modified for the sake of clarity. The comment addresses keeping the road available for public trail use, but not private access through the site.

Philp reinforced that CRMPI will be holding classes on the site, which is the reason for the remote parking.

Ward-Karat introduced herself as the Applicant's Representative. She offered to answer questions and address any concerns the P&Z may have.

Alternate Hirschfeld asked what trails are in that area that would require maintaining access. Philp replied that it is really the Cedar Drive roads, also known as Stagecoach Road and Basalt Mountain Road. She said this is a road that the Mid Valley Trails Committee has been working on for several years.

Alternate Hirschfeld asked if a traffic study is usually requested of individuals, and whether it is prohibitively expensive. Philp explained that Staff was not considering a very involved traffic study. She said Staff was considering if it would help to change the condition to remove the phrase "professional traffic engineer". She explained Staff was looking for someone independent that could do the existing counts to provide a baseline. Philp indicated there is concern over not only this property but neighboring properties that may want to pursue commercial uses.

Ward-Karat said the Applicant has been working closely with the Eagle County Engineering Department on the traffic generation. She also mentioned a variance request for Cedar Drive from Sopris Engineering that provides the baseline with average daily trips per lot. Ward-Karat said the average daily trips proposed with the uses are below the trips allotted to the property.

Commissioner Maron asked whether the right-of-way for the road has been resolved. Philp replied that the Mid Valley Trails Committee is working on the right-of-way issue. Ward-Karat added that the Cedar Drive HOA is required to keep the road maintained and open for public access.

to the restaurant area. The Two Rivers Road project is underway from RMI to the intersection, as well as the construction of Phase I of the park. The Applicant is in the final stages of building permit issuance for five of the townhomes facing the park and the triplex closest to the RMI trail is in for building permit review.

Stott's Mill has three of the four multi-family buildings in for building permit and going through the system. The warehouse is underway in the Southside neighborhood.

In response to a question from Commissioner Vozick, Philp noted that no construction activities should be taking place on Sundays and Staff received complaints in Southside. Backup alarms associated with construction are not permitted before 8:00 am.

The bank is under construction in Willits Town Center.

The next P&Z meeting will be the final review of Lot J on Emma Road. Lindt said they are planning a site visit for the P&Z at 5pm on October 5th.

Lindt reported that the water line replacement on Swinging Bridge Lane is almost finished.

M/S MARON AND HIRSCHFELD TO ADJOURN THE MEETING. MOTION PASSED 4 TO 0.

Meeting adjourned at 6:45 pm.

TOWN OF BASALT
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By: _____
Eric Vozick, Chair

Attest: _____
Susan Philp, Planning Director