



Architectural Committee Meeting Minutes – November 2, 2023

BSAC/Staff in Attendance:

Stacy Ossorio, Chair
John Seelye
Brad Reiersen
Maggie Good
Greg Clark
George Mueller
Suzan Scott
Lisa Chase

Guests in Attendance:

Dick Fast
Brian Beason
Steve Chernausek

Project Attending For:

#02722 225 W Pine Cone Terrace
#02722 225 W Pine Cone Terrace
Aspen Groves HOA, President

**Guests Joining
Virtually:**

Patty LaHaie	#04359 2165 Looking Glass Rd.
Janet Lampe	#04610 2225 Spotted Elk Rd.
Joe Swiatek	#02722 225 W Pine Cone Terrace
Andrew Brechbuhler	#04218 2465 Curley Bear Rd.
Anthony Overbeeke	#04218 2465 Curley Bear Rd.
Patrick Lopker	#20106, #20108, #20110 Plenty C.
Rich Sidoroff	#019XX 40 Big Sky Resort Rd.
Kurt G	#019XX 40 Big Sky Resort Rd.

1) Membership Forum –

Vanessa McGuire, BSOA Member and BSAC Committee Member:

My name is Vanessa McGuire and I'm here to comment on my experience as a homeowner with the construction on Lot 3 at North Fork Creek.

For brevity my comment can be distilled into two main points, each of which has very specific instruction for how BSOA can be better.

First is that we North Fork neighbors never received notice of this lot 3 project being up for AC review. The Mitchell's alone did receive notice of the first review, it seems on grounds that they are the adjacent lot. (However, we did receive notice regarding lot 4, also across the street.) When the lot 3 owners came back to the AC several months later with an entirely reworked home design, proposed to be built on a wholly different part of the lot from the building envelope specified in the plat plan on file, BSOA inexplicably deemed that no notice was necessary to be given to adjacent neighbors or others impacted by these significant changes. This seemingly arbitrary decision to leave neighbors out of the process at this juncture was a critical one, for if we or the Mitchells had known there were material changes to the project, we could have appeared to present and justify our objectives. Instead,

our first knowledge of the new siting of the house was a backhoe ripping large swaths of trees and earth from the nearest corner of this lot. This omission by the BSOA also feels personal and intentional, as the Mitchells had long before made their concerns for this lot- and the siting of the structure in particular – know to the BSOA leadership. BSOA chose not to inform them of the proposed changes when they came up for review. We and the Mitchells apparently were expected to live with an encroaching structure that violates both our privacy and all consideration of the of the natural contours of the site. We remain hopeful that the legal committee looks closely at this case.

So, in the meantime, what is our lesson here. BSOA should err on the side of over noticing. Notice should go out to all adjacent owners, including those across the street, who might potentially be most impacted a project. What is the cost of noticing? Little or nothing. The BSOA constituency will be better served having more information rather than feeling shut out of a process that is supposed to serve their interests.

A better system of notice might be called for as well, given that we received notice for lot 4 and not lot 3. The inconsistency is an operational point that should be straightforward to address by instituting simple workflow checklists. Consistency is the greatest sign of quality.

Another lesson here could be in how the AC is structured. It seems clear that the AC is overburdened. From what I have come to understand, meetings tend to be too long and frequent, making it difficult to find volunteers to focus meaningfully on everything that is put in front of them. Indeed it is possible that the AC approval of the variance to lot 3 plans was a result of innocent inattention rather than enlightened consent.

My second broad point is more stylistic rather than substantive but equally important. It has to do with BSOA interpersonal communications. When we called the BSOA office to inquire what the backhoe was up to on that lot, we were met with rudeness and repudiation. Our emails since been either ignored or punted off to someone else to ignore.

It is the job of staff to treat constituents, and I would argue, anyone who reaches out to the BSOA office, with dignity, kindness, and respect. This is again a no-cost effort that would have immense value in improving the important work that BSOA does.

For an urgent matter that arises in the future, there should be a process in place to cover the unavailability of certain board members, for example referring the issue to an outside counsel who is retained to fill in on a pro bono basis.

These two broad points are important and central to BSOA's mission, which is first and foremost to serve BSOA homeowners. Transparency in process along with respectful, open communication and responsiveness will go a long way in making relations with BSOA homeowner-clients productive and positive.

Thank you for your attention.

John Seelye, Committee Member, responded to Vanessa's use of the words, *personal and intentional*, stating that he took great offense. John suggested the Legal Committee review the project on Lot 3 of Moosewood Rd.

2) **Call to Order** - The Chair called the meeting to order at 9:10 AM.

3). **Chair Nomination**

Motion made by John Seelye to nominate Stacy Ossorio as Chair; seconded by Maggie Good. Motion passed unanimously.

Motion made by Stacy Ossorio to nominate John Seelye as Vice Chair; seconded by Brad Reiersen. Motion passed unanimously.

4). **Meeting Minutes -**

October 19, 2023, Minutes

Motion made by Maggie Good to approve the October 19, 2023, Meeting Minutes; seconded by John Seelye. Motion passed unanimously.

5). **Single-Family, Minor Alteration**

- a. BSOA: #04359 Patty LaHaie & Paul Mish
Legal: Meadow Village
Block 3, Lot 59
Street: 2165 Looking Glass Rd.

Patty LaHaie, owner of 2165 Looking Glass Rd., joined the meeting via Zoom to request approval to remove three Aspen trees that have grown too close to the home and foundation. The trees are located in between the garage and front door and branches are butting up against the home.

Motion made by John Seelye to approve the application as submitted subject to the applicant providing a landscaping plan to staff; seconded by Stacy Ossorio. Motion passed unanimously.

6). **Single-Family, Minor Alteration**

- b. BSOA: #04610 Janet Lampe
Legal: Meadow Village
Block 6, Lot 10
Street: 2225 Spotted Elk Rd

Owner Applicant, Janet Lampe, joined the meeting via Zoom. Mrs. Lampe requested approval to replace her current shingled roof with a metal roof. The current roof, installed in 2019, has been problematic due to ice dams and subsequent damage to the interior of the home.

The applicant confirmed that there would be no change in profile or height to the existing home. The roof will be in a Dark Bronze in low gloss PVDF and installed by Cornerstone Management Services in spring of 2024. Staff recommended project approval as submitted.

Motion made by John Seelye to approve the application as submitted subject to the applicant providing a construction staging plan that include porta potty and dumpster locations to staff; seconded by Stacy Ossorio. Motion passed unanimously.

7). Single-Family, Minor Alteration & After-the-Fact

- c. BSOA: #02815 Jason Hubbard
Legal: Aspen Groves
Block D, Lot 15
Street: 169 Silverado Trail

A Project Representative was not present.

No Motion was made.

8). Single-Family, Major Alteration Final

- d. BSOA: #04218 Cynthia DeShields
Legal: Meadow Village
Block 2, Lot 18
Street: 2465 Curley Bear Rd.

Project Representatives, Andrew Brechbuhler and Anthony Overbeeke attended the meeting for the DeShields Major Alteration, via Zoom.

Staff and the Project Managers presented the Final Review for the addition and remodel of the DeShields home, originally built in 1989. The existing home consists of 3,849 square feet and the new design will add 780 square feet of livable space. The garage will be reoriented to face the street and the driveway to be redesigned to accommodate the new layout. All exterior finish materials will be replaced including new windows throughout the home. The existing exterior decks have been redesigned as well as landscaping to the perimeter of the house and into the adjacent lot, which the Deshields also own.

The lighting plans include replacing two entry lights with sconces and adding two recessed-up lights under the covered roof, adding three wall sconces at the garage, ten exterior mono-point lights under the covered roof, two wall sconces under roof at lower walkout and four landscaping lights. Two of the landscaping lights will be on Lot 18 and two landscaping lights on Lot 19. Two existing lights will be removed, one on the west side of the deck and the other located at the landscaping wall. All lighting is dark-sky compliant.

Material samples of roofing, siding and exterior finished were reviewed – all colors and tones neutral. The landscaping plan highlighted the seamless transition from the owners primary lot to their secondary lot and features a flagstone patio. While ten trees are to be removed, the owners are strategically introducing Douglas Firs, Spruce, Cottonwood and Quaking Aspens

in addition to adding Red-Twig Dogwood, Mugo Pine, Snow Berry's and Sumac. Native seed will be spread as well as sod and stone mulch laid.

The committee discussed requiring an additional landscape deposit as the project encompasses two lots.

Motion made by Brad Reiersen to approve the application as submitted and require (2) two Performance Deposits: one for construction (\$5,000) and one for New Landscaping (\$7,500); seconded by Stacy Ossorio. Motion passed unanimously.

9). Single-Family, New Construction Final

e. BSOA: #02722 Westie Wheatie LLC (Chrissy Galovich)

Legal: Aspen Groves

Block C, Lot 22

Street: 225 W Pine Cone Terrace

The Project Representative, Brian Beason, joined the meeting in person.

Staff presented the Final Review for New Construction on W. Pine Cone Terrace. The total square footage of the home will be 5,301. The design of the home complies with height and setback restrictions per Aspen Grove Covenants.

The lighting plan is minimal with only three lights in the rear of the home, three on the front of the garage, four recessed cans under the front entryway and one sconce at the front door. All lights comply with dark-sky lighting requirements.

The landscaping plan features Colorado Blue Spruce, Mugo Pine, Tufted Hairgrass, and native seed. The owner plans to keep existing trees where possible to keep neighbor screening and is ok having to introduce additional landscape screening at the end of construction if warranted. Material samples of roofing, siding and exterior finished were reviewed – all colors and tones neutral. The roofing material is Class A.

Motion made by John Seelye to approve the application as submitted subject to the applicant providing a site plan showing additional landscape screening if deemed necessary, submitted to staff for approval; seconded by Stacy Ossorio. Motion passed unanimously.

10). Commercial, New Construction Extension Request

f. BSOA: # Shoshone Condos

Legal: S30 T06 S, R03E P.B. 6 Pg 444

Street Address: 40 Big Sky Resort Road

Staff presented a project approval extension for Shoshone Condominiums. The concept design to replace the outdated original barrier EIFS exterior wall cladding with a modern water managed EIFS cladding system was originally approved by BSAC on January 6, 2022.

However, the applicant reported that the project has been delayed due to a 40% increase in construction cost. The applicants applied for and received a project extension on October 20, 2022.

The Shoshone Board requested a second extension for project approval and has plans to rebid the project late fall.

Motion made by John Seelye to approve the project extension until March 1, 2024, or resubmit a new project application; seconded by Stacy Ossorio. Motion passed unanimously.

11). Single-Family, New Construction Extension Requests

- g. BSOA: #20106, #20108, #20110 Lilly & Lopker LLC
Legal: Cascade
Block 2, Lot A13A
Street: 15 Lower Cascade Ridge /Plenty Coup

Pat Lopker, Project Developer and Representative of the Cascade Ridge Cabins, joined the meeting via Zoom. Mr. Lopker requested extension dates for four units that are currently in progress:

Unit 106 (#20106 Performance Deposit posted 5/26/21) Anticipated Completion 9/30/2024

Unit 108 (#20108 Performance Deposit posted 5/26/21) Anticipated Completion 7/31/2024

Unit 110 (#20110 Performance Deposit posted 4/29/22) Anticipated Completion 11/30/2024

Unit 211 (#20211 Performance Deposit posted 5/26/21) Anticipated Completion 12/1/2023

Mr. Lopker noted that construction is going well. Unit 211 sold in August and once landscaping is complete, Mr. Lopker will work with the new owner to retrieve the Performance Deposit for that unit.

Staff provided pictures of construction progress and noted that the street and construction staging sites were tidy and being managed well.

Motion made by John Seelye to approve the project extensions as requested; seconded by Stacy Ossorio. Motion passed unanimously.

12). Discussion Items

- a. Non-Compliance & Related Matters
- b. Traffic Sign Locations
 - i. BSOA staff presented two traffic signs to be installed on both ends of Little Coyote Rd. The two signs would be one on top of the other on posts. One traffic sign reads *No Thru Traffic*, and the another *No Construction Vehicles*. One signpost is proposed for the entrance to Little Coyote from Lone Mountain Trail and the other at corner of the golf course and Lone Mountain.
After discussion, the Committee determined the *No Construction Vehicles* sign may be confusing.

Motion made by John Seelye to approve the No Thru Traffic sign to be installed at the approved locations on Little Coyote Road; seconded by Vanessa McGuire. Motion passed unanimously.

- c. Review Fee Schedule, Exhibit A
 - i. Staff proposed increases to the architectural review fee schedule, Exhibit A, due to the increasingly complex design plans and time spent in the review process. Staff highlighted comparable HOA and county fees to support the request.

Motion made by Maggie Good to approve the increase of BSAC review fees as proposed; seconded by Stacy Ossorio. Motion passed unanimously.

13). Adjourn - The meeting adjourned at 10:56AM.

Stacy Ossorio, BSAC Chair