



Architectural Committee Meeting Minutes – September 21, 2023

BSAC/Staff in Attendance:

Stacy Ossorio, Chair
Grant Hilton
Clay Lorinsky
Brad Reiersen
Suzan Scott
Lisa Chase

Guests in Attendance:

Brian Beason
Kent Volosin MD
Mel Crichton
Mike Boyer
Keith Carlson
Johanne Bouchard
Patrick Maidman
Linda Coletta
Joseph Swiatek
Michelle Horning

Project Attending For:

#02722 225 W Pine Cone Terrace
Aspen Groves OA
#02806 316 Nordic Lane
#07099 510 Little Coyote Rd.
#06213A 16 Middle Rider Rd.
#06213A 16 Middle Rider Rd.
#04535 1840 Little Coyote Rd.
#06213A 16 Middle Rider Rd.
#02726 168 W Pine Cone Terrace
#02722 225 W Pine Cone Terrace

Guests Joining

Virtually:

Robb Schlimgen #06023 Lot 23 Washakie Rd.
Joe Schwem #04516 Lot 16 Little Coyote
Joe Schwem #06213A 16 Middle Rider Rd.
Tom Olson #02726 175 W. Pine Cone Terrace
Paul Heil #06213A 16 Middle Rider Rd.
Jolene Clark #02726 168 W. Pine Cone Terrace
Gary Walton
Eric Ossorio

1. **Membership Forum** – None
2. **Call to Order** – The Chair called the meeting to order at 9:04 AM.
3. **Meeting Minutes** –

August 17, 2023, Minutes

Motion made by Grant Hilton to approve the August 17, 2023, Meeting Minutes as amended; seconded by Clay Lorinsky. Motion passed unanimously.

September 7, 2023, Minutes

Motion made by Grant Hilton to approve the September 7, 2023, Meeting Minutes; seconded by Brad Reiersen. Motion passed unanimously.

4. Single-Family, Modification to an Approved Plan

- a. BSOA: #04516 James Norman
Legal: Meadow Village
Block 5, Lot 16
Street: Lot 16 Little Coyote Rd.

Staff presented a project modification for a nearly completed new home on Little Coyote. The modification added habitable space over the south portion of the garage instead of just roofing material. Two feet of length was added to the north portion. The overall roof height did not change, and the materials are consistent with the entirety of the home. Joe Schwem of Lyric Architecture and project manager joined the meeting on behalf of the owner, and confirmed the modification does not have a kitchen and is not an ADU.

Motion made by Grant Hilton to approve the modification as submitted; seconded by Clay Lorinsky. Motion passed unanimously.

5. Community Chapel, Major Landscaping Alteration Final

- b. BSOA: #07099 The Big Sky Chapel
Legal: Meadow Village
NO 1 2ND Filing
Street: 510 Little Coyote Rd.

Project representative Michael Boyer joined the meeting in person to request final approval for the Chapel parking alteration. As discussed during the sketch review, the project design will add 30 parking spots to a newly surfaced area of Chapel property extending north from the existing parking area. Additionally, four new spaces will be added to the existing paved area, including two additional handicap spaces. Four additional parking lot light base islands are included in the plans for dark-sky friendly lighting used as needed.

Representatives from BSOA Ponds Project committee and the Chapel project representative did meet several times for collaboration but due to timing and logistics both parties decided it would be prudent to keep the projects separate.

Motion made by Clay Lorinsky to approve the application as submitted; seconded by Grant Hilton, Motion passed unanimously.

6. Single Family, Major Alteration Sketch

- c. BSOA: #06213A Carlson-Bouchard
Legal: Cascade Subdivision
Block 3, Lot 213A
Street: 16 Middle Rider Rd.

Staff presented a sketch plan review for a major alteration addition that would add 3,126 square feet to an existing single-story single-family home located at 16 Middle Rider Rd.

Although the owners were advised by the previous and current staff they should apply for a Variance, they declined and wanted to request an Exception to the Design Regulations. The applicants had joined the March 2, 2023, BSAC meeting to request an Exception to the Design Regulations to change the shape of their building envelope and the following Motion was made:

Motion made by Clay Lorinsky to accept the application as one for a Variance rather than an application for an Exception, advise applicants that BSAC has no authority to grant a Variance changing the shape of the Building Envelope, even if as represented by the applicants the size of the reshaped building envelope is the same size as the platted Building Envelope and therefore, BSAC recommends applicants approach Madison County Planning seeking the requested change in the shape of the platted Building Envelope. Since BSAC has no authority in this regard, it expresses no position on the requested Variance nor does it address whether the requested addition would otherwise satisfy BSAC Design Regulations; motion seconded by Grant Hilton. Motion passed.

Madison County reviewed the proposed amended lot on July 12, 2023, and found no concerns with the request and recommended approval. The amended plat was signed on July 25, 2023.

Interrupted view sheds were of high concern and importance for adjacent neighbors. Staff had reviewed the lot and adjacent lots and confirmed that she believes the addition would not affect views. Several adjacent neighbors disagree and believe that their views will be disrupted by the proposed addition. The committee proposed sending at least two members up to Middle Rider to confirm.

Neighbors were also concerned that the owners of 16 Middle Rider Rd. in modifying the shape of the Designated Building Envelope are violating the protective Cascade Covenants in doing so and therefore, the following Motion was made:

Motion made by Clay Lorinsky to approve the application as submitted subject to the Legal Committee confirming that Madison County has the authority to change the shape of a building envelope, and this is not a violation of the Cascade Covenants; seconded by Brad Reiersen. Motion passed.

7. Single-Family, New Construction Sketch

- d. BSOA: #02722 Westie Wheatie LLC (Chrissy Galovich)
Legal: Aspen Groves
Block C, Lot 22
Street: 225 W. Pine Cone Terrace

Staff began the presentation for a sketch review for new construction at 225 W. Pine Cone Terrace by noting that the applicant was absent from the previous BSAC meeting due to technical difficulties. Although the owner applicant and project manager were absent at the September 7, 2023, BSAC meeting, adjacent neighbors were present at the meeting and the committee members were able to listen to their concerns.

After the September 7, 2023, meeting, staff relayed the neighbor's concerns, and the applicant subsequently modified the proposal by shifting the house back on the lot and withdrawing their request for a Variance for Aspen Groves setback requirements.

Brian Beason, Project Representative, was present at the meeting on behalf of the owner applicant. In addressing neighbor's concerns, Mr. Beason noted the intent of this project is to build at grade line and, the owner would be open to additional landscape screening. Mr. Beason confirmed that the owner has no intent of making an ADU over the garage or renting the space. The stairs to the space above the garage are interior and adjacent to the kitchen.

Staff noted the construction staging plan will be addressed at the final review.

Motion made by Grant Hilton to approve the application as submitted subject to staff confirming the driveway is compliant with the Design Regulations; seconded by Stacy Ossorio. Motion passed unanimously.

8. Single-Family, New Construction Sketch

- e. BSOA: #06023 High Peak Enterprises, LLC
Legal: Cascade
Block 1, Lot 23
Street: Lot 23 Washakie Rd.

Staff presented sketch plans for new construction on Washakie Rd. Staff noted that the project was tabled on August 17, 2023, due to the excessive driveway slope. The applicants have redesigned the driveway so that it is a switchback. The slope of the driveway went from an average of 16% to 12% and the applicants are requesting an Exception to the Design Regulations contingent on BSFD approval. Staff noted there is a recorded driveway easement from Lots 21 & 22.

The architectural plans are for a speculative home that will have a total habitable square footage of 4,416. The non-habitable square footage of the garage will be 784 square feet. The home will have an attached garage and the lower-level a finished walk-out basement.

The home will be constructed of wood framing, with wood lap siding stained Charlie Brown, accent siding will be weathering flat metal full sheets and Chief Cliff stone. The average height of the home is 26' 7".

Motion made by Grant Hilton to approve the application as submitted subject to the BSFD approval of the driveway slope; seconded by Clay Lorinsky. Motion passed unanimously.

9. Single-Family, Painting Alteration After-the-fact

- f. BSOA: #04535 Patrick Maidman
Legal: Meadow Village
Block 5, Lot 35
Street: 1840 Little Coyote Rd

Owner applicant, Patrick Maidman joined the BSAC meeting in person to present an alternate red color for his home on Little Coyote. The owner began by stating he was sorry and did not realize the impact it would have.

Staff presented a photo of a similar colored home also on Little Coyote for comparison. One committee member noted that the color does not look as bright as when it was first painted which brought up discussions regarding the color curing and dulling over the winter.

The owner confirmed that a repaint would not happen until the spring and therefore the following Motion was made:

Motion made by Grant Hilton to approve the new exterior paint color Sherwin Williams SW 2802 Rookford Red Victorian with black trim subject to reconsideration in the spring; seconded by Stacy Ossorio. Motion passed.

Motion made by Grant Hilton to impose the \$500 After-the-fact review fee; seconded by Stacy Ossorio. Motion passed.

10. Single-Family, Minor Alteration After-the-fact

- g. BSOA: #02726 Michael & Deborah Rowley
Legal: Aspen Groves
Block C, Lot 26
Street: 168 W Pine Cone Terrace

At the September 7, 2023, BSAC meeting, the project representative for the Rowley's requested approval for an emergency minor landscaping project. The applicants proposed a retaining wall to prevent the propane tank and trees from shifting due to erosion.

The project was near completion upon review. However, the wall did not comply with the Design Regulations or the Aspen Grove Covenants. The committee requested additional information on the length of the wall and additional patio work.

The length of the wall was confirmed to be 70 feet in length and required an Exception to the Design Regulations. The owner also applied for a Variance request for Aspen Groves Covenants to encroach into the front setbacks.

The following Motions were made:

Motion made by Grant Hilton to approve the lower retaining wall (by the road) and allow an Exception for the length of the wall and a Variance for the wall to encroach in the front setback subject to the applicant seeding, restoring and backfilling as needed; seconded by Stacy Ossorio. Motion passed unanimously.

Motion made by Grant Hilton to assess the \$500 After-the-fact review fee; seconded by Stacy Ossorio. Motion passed unanimously.

Motion made by Grant Hilton requesting the applicant submit an After-the-fact application for the October 5th BSAC meeting for the upper retaining wall and patio providing the length and height of the wall, landscaping, and details of the patio expansion; seconded by Stacy Ossorio. Motion passed unanimously.

11. Single-Family, Minor Alteration After-the-fact

- a. BSOA: #02806 Melvin Crichton
Legal: Aspen Groves
Block D, Lot 5
Street: 316 Nordic Lane

Staff presented a requested After-the-fact review. The owner was present at the meeting and requested after the fact approval for the replacement of decking rails. The deck project had been accelerated when a guest leaned against the old partly rotted wood rail and nearly went through. It's a ten-foot drop to the ground.

The President of Aspen Groves HOA recommended the fine be waived in this case given the emergent nature of the repair and the forthcoming of the owner.

Motion made by Grant Hilton to approve the application as submitted; seconded by Stacy Ossorio. Motion passed unanimously.

Motion made by Grant Hilton to waive the After-the fact fee; seconded by Stacy Ossorio. Motion passed unanimously.

12. Single-Family, Compliance Review

- a. BSOA: #06040 Monroe Cameron and Trish Freeman
Legal: Cascade Subdivision
Block 1, Lot 40
Street: 30 White Otter Rd.

Staff briefed the committee on the existing compliance violation regarding the encroachment of the "Old Joe Rope Tow." The owner of 30 White Otter Rd. added boulders, trees and stairs that encroach into a 15-foot skier easement owned by Boyne.

The BSOA Legal Committee has tried to facilitate a resolution between the two parties. Boyne has produced two surveys from Gaston Engineering & Surveying, conducted years apart. The surveys are confirmed to be the same and confirm the Covenant violation of encroachment into a recreational easement.

The owner's legal representative was sent notice of the September 21, 2023, BSAC meeting on September 11, 2023, requesting their presence to respond to the violation. Staff did not hear back from the owner's representative, nor did they attend the meeting.

Motion made by Clay Lorinsky to impose a \$500/day fine commencing 15 business days from the date of this letter for non-compliance; seconded by Brad Reieron. Motion passed unanimously.

A letter stating the previous Motion was emailed to the owner's legal representative on September 26, 2023. The fine will commence on October 17, 2023.

13. Single-Family, Materials Change

- a. BSOA: #05326 Stephen Maus
Legal: Sweetgrass Hills
Block 3, Lot 26
Street: 2095 Two Gun White Calf Rd.

Staff requested BSAC approval for a roof material change. The Maus household recently came through the BSAC committee for a cold-roof design. The application was approved as submitted. Mr. Maus requested approval to switch from the approved shingles to a pre-finished metal roof in the color Charcoal Gray.

Motion made by Stacy Ossorio to approve the material change; seconded by Grant Hilton. Motion passed unanimously.

14. Discussion Items

- a. Performance Deposit Tracking
 - i. No comments were made.

15. Adjourn – The meeting adjourned at 11:25 AM.

Stacy Ossorio, BSAC Chair