

**Architectural Committee Meeting Minutes – December 16, 2021**

**BSAC/Staff in Attendance:**

Amy San Nicolas  
John Seelye  
Stacy Ossorio  
Gary Walton  
Maggie Good  
Grant Hilton

**Guests:**

Joe Schwem

**Project Attending for:**

#06338

**Using GoTo Meeting (GT):**

Suzan Scott

*Due to precautions being taken to prevent the spread of the Covid19, all BSAC members and guests were allowed to join the meeting remotely using GoToMeeting.*

1. **Membership Forum** - None
2. **Call to Order** – The Chair called the meeting to order at 9:03 AM.
3. **Meeting Minutes** – December 2, 2021 Meeting Minutes Corrections: None.

**Motion made by Maggie Good to approve the December 2, 2021 Meeting Minutes; seconded by John Seelye. Motion passed.**

**4. Setback Encroachment Variance Request:**

BSOA: #06338 Byerly

Legal: Cascade Block 6 lot 338

Street: 25 Low Dog Rd

Staff presented the Byerly Variance Request application which asked to be permitted to build 8-12 feet into the front yard setback due to extreme slope on the back side of the lot. The Geotech and soils report came back from the engineer showing an average slope over 35% roughly 70-feet from the front property line. With the Variance granted the home would be approximately 37-feet from the edge of pavement on Low Dog Road with an 8' variance. Neighbor Notifications did go out in a timely fashion but only one comment form was received which noted no objection to the house location in the setback and staff noted that all the surrounding homes were also built within current setbacks whether due to variance approval or lot adjustments over the years.

Staff recommended the Committee grant variance due to the undue hardship of the topography of the lot and since no neighbors contested it..

There was discussion about the 8-feet vs 12-feet encroachment and the fact that the drawings only showed the 8-feet. It was suggested that the variance notification procedure be followed if a change of variance request be submitted by the applicant for 12-feet. The Committee determined this request could be reviewed at the same

meeting as the sketch review of the home, but it was noted that reconsideration of any possible effect of view be done at that time.

**Motion made by Grant Hilton to approve the application as submitted for an 8' encroachment into the setbacks noting that the variance request met hardship requirements; seconded by Maggie Good. Motion passed.**

**5. Discussion:**

- a. *Staff Releases and Approvals:* Staff made two approvals and two releases since the last meeting.
- b. *Compliance Tracking Report:* Staff updated the Committee on ongoing compliance issues including: Townsend shed, Shaw shed and two-track, Burke swale, and Cascade LLC Ski trail. The Committee determined that Townsend had been provided the opportunity to address this issue at the Board meeting in August and was instructed by the BSOA to remove the shed as soon as possible. Since then, staff continued to work with her and several opportunities for resolution had been provided. However, by the BSAC meeting this time no resolution had been reached. The Committee decided to take action against the member to encourage resolution.

**Motion made by Grant Hilton to fine the member \$50 a day retroactive to the date of the August 20, 2021 BSOA Board meeting where the member presented her case regarding compliance with BSAC procedures for the failure to remove the shed; seconded by John Seelye. Motion passed.**

After discussion, the Committee directed staff to see if Shaw could attend either of the next two BSAC meetings and, if not, the issue would be discussed despite her attendance. However, in that circumstance, the member would be allowed to submit a written statement with supporting documents to represent herself at the meeting. Staff was also instructed to send an invitation letter to John Burke for the next meeting and to set up a meeting between a representative from Cascade LLC, Boyne, the neighbors, and BSOA to address solutions to the ski trail issue. The Committee asked staff to add a status bar/column to the Compliance Tracking sheet to allow easy classification of the state of compliance issues and to remove all resolved issues to an archived compliance list.

- c. *Performance Deposit Tracking:* A discrepancy surfaced after an inquiry from a member that staff was addressing.
- d. *Design Regulations Revision Subcommittee:* Amy met with BSOA's new front desk hire, Emma Lawler who also happens to be a degree holder in sustainability to address the ongoing discussion about how much sustainability regulations/recommendations should be included in the ongoing revisions of the Design Regulations and creation of the Best Practices document. Staff is drafting proposed amendments to this effect to add to the current draft revisions.

6. Adjourn – the meeting adjourned at 10:20 a.m.

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Gary Walton, BSAC Chairman