

Architectural Committee Meeting Minutes – October 21, 2021

<u>BSAC/Staff in Attendance:</u>	<u>Guests:</u>	<u>Project Attending for:</u>
Amy San Nicolas	Phil Pitcock IP	#07715
Stacy Ossorio	Brandon Weir IP	#07715
John Seelye	Kenny Holtz	#321xx
Suzan Scott	Ron Jasken	#04537
	John Amsden Ip	#06348
	Bob Biggerstaff IP	#02517
	Cassandra Elwell	#06300
<u>Using GoTo Meeting:</u>	Laura Seyfang	#04502
Greg Clark	Jessica Jellison IP	#05429
Gary Walton	Mark Weirich IP	#06241
Maggie Good	Frank Giaccobe	#06241
Grant Hilton	Laurie Merrit	#06241
	Bill Merrit	#06241
	Brian Scott	#321XX
	Kate Scott	#321XX

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

Motion made by John Seelye to appoint Stacy Ossorio as the temporary chair for the meeting; seconded by Grant Hilton. Motion passed.

2. **Call to Order** – As temporary Chair, Stacy Ossorio, called the meeting to order at 9:03 AM.
3. **Meeting Minutes** – October 13, 2021 Meeting Minutes Corrections: some minor grammatical changes were made by Maggie Good and sent to Staff prior to the meeting to be implemented.

Motion made by John Seelye to approve the October 13, 2021 Meeting Minutes including Maggie Good's redlines on grammar; seconded by Maggie Good. Motion passed.

4. Minor/Landscape Alt.

BSOA: #07715 Barkley Ranch LLC

Legal: COS 2826/2826B Lots 2A-1b and 3A

Street: Upper Chief Joseph Trail

Staff presented the Barkley Ranch Landscape Alteration which proposed the installation of a 1500-foot driveway to the building envelope on lot 2A-1b that cut through lot 3A and would require an extension for retaining walls that did not meet Design Regulation Standards. Staff noted that no building design had been submitted or approved at this point and that there was no precedence for approval of a driveway prior to approval of a building design.

Staff recommended the Committee discuss the items above prior to granting any approval but noted the lot was more remote, steeper, and more heavily forested than others that had been submitted and denied for proposed driveway without an approved home plan. Additionally, the retaining wall

was structurally necessary for the construction of the road. Any approval would need to be conditional on FD approval.

Motion made by John Seelye to approve the application as submitted; seconded by Greg Clark. Two in favor, Four against. Motion failed.

Motion made by Gary Walton to deny the application as submitted; seconded by Maggie. Three against. Three for. Motion does not carry.

There was discussion about the unique nature of this particular property in relation to this proposal. It was noted that the building envelope was proposed and no approved envelope existed. Generally, the sentiment from the Committee was that until an envelope had been approved by the County and a building proposed to the committee, it would be difficult to approve the driveway. The applicant noted that the envelope was currently being reviewed by the County and the approval imminent. Additionally, the applicant's representative noted that the driveway was a 1–2-million-dollar investment and this was a considerable commitment by the Owner to build the home in the near future—which was currently slotted to break great after receiving approval in the spring. The building had not yet been submitted as the building envelope had not been approved and several factors could change based on its precise location. Kenny Holtz, a member of the Board, asked if he may make commented about the current discussion. The temporary chair permitted him to speak. He made the following points:

The BSOA and BSAC to exist to preserve, protect and enhance property values. Enhancing property values is one of our key responsibilities as a board. The typical design review application before the BSAC is for a smaller lot, anything from a quarter acre to a few acres. Sometimes the BSAC see applications for larger 20-40 acres tracts but it is very rare to see applications for 200+ acre tracts.

In other communities including other HOAs in Big Sky it is very common for a property owner to install some of their utilities and a driveway before a home is designed. While Holtz wouldn't support that for a quarter-acre lot, he absolutely supported it for larger lots. In the case of a large ranch such as the Barkely's property he would encourage it. The Owner needs to know if they can get to the homesite before it makes sense to spend money designing a home for that specific location.

The Barkley's are a new member of the BSOA and have hired quality and competent engineers and construction managers; they have submitted a plan for driveway improvements showing a designated home site at the end of it, the appropriate review fee has been paid and they represented at this meeting that they are ready, willing and able to post a larger performance deposit sufficient to cover the amount of disturbed area. The Design Regulations give the BSAC wide latitude in what it can approve/deny and nothing in them says driveways before home designs aren't allowed.

The motion on the table to deny the application by the Barkley's because the plan doesn't yet have a designed home wasn't in the spirit of enhancing property values and the Committee should give the Barkely's a path forward, to make the application contingent on county approval; if there were specifics the Committee didn't like about the driveway or the plan as presented then it should discuss them and request changes, but if it denies the application is would reduce the value of the Barkley's property and send a message to members and potential buyers that this Committee would be willing to do the same to other property as well.

The Committee discussed Holtz's statements and determined that a compromise might be able to be made with the following condition, the approval would be contingent upon the County's approval of the building site and would in no way constitute precedence. Any approval would be made specific to this lot due to the lot's explicit characteristics and challenges.

Motion made by Grant Hilton to table the application until the building envelope is approved by the County. Seconded by Maggie. Motion passed with four in favor and two against.

Motion made to Grant Hilton to rescind previous approved motion to table this application and to approve the application contingent upon the following: 1.) County approval of the building site to be submitted to staff; 2.) the posting of a performance deposit in the amount of \$10,000 per disturbed acre to be held until a house plan is received from the applicant and approved by the BSAC; Seconded by John Seelye. Motion carried with five in favor and one against.

5. Alteration to Approved Plan:

BSOA: #04537 RGJ Properties (Jasken)

Legal: MV Block 5 Lot 37

Street: 1880 Little Coyote Road

Staff presented the Jasken AAP which replaced the approved concrete patio under the hot tub with concrete paver and the raising of the proposed wood patio to a raised deck with compliant railing. Staff noted these changes were a result of topography and did result in a change in grade.

Staff recommended the Committee approve the application as submitted

There was discussion about the grade change in the back with regards to erosion and grade changes, particularly how the slope would be handled in the concrete paver area.

Motion made by John Seelye to approve the application as submitted contingent upon a site visit by staff and John Seelye prior to release of any deposit; seconded by Maggie Good. Motion passed unanimously.

BSOA: #06348 Olive Street

Legal: Cascade Bl 6 lot 348

Street: 46 Low Dog Road

Staff presented the Olive Street LLC AAP which proposed installation of landscape screening to prevent trespassing as well as no trespassing signs. Staff noted that the neighbors, including Boyne, had sent releases of interest in any prescriptive easement on this property as well as general approval of the proposed project.

Staff recommended the Committee approve the application as submitted.

Motion made by John Seelye to approve as submitted; seconded by Stacy Ossorio. Motion passed unanimously.

BSOA: #02517 Hall

Legal: Aspen Groves Block A Lot 17

Street: 975 Andesite Road

Staff presented the Hall Major Alteration AAP which included several finish changes as well as minor elevation changes (e.g., added windows/doors), a grade change, and a deck change.

Staff recommended the Committee approve the application as submitted

There was discussion about the height and length of proposed retaining wall. The representative noted it would be 5-foot long by less than 4-foot high. There was discussion about the added door's purpose and it was explained that the patio this door opens to is connected to the driveway by a bridge which would allow the occupants to take their trash out without having to go through the house.

Motion made by John Seelye to approve as submitted; seconded by Stacy Ossorio. Motion passed. Grant abstained.

BSOA: #06300 Horne

Legal: Cascade Bl 4 lot 300

Street: White Grass Road

Staff presented the Horne AAP which included the addition of 2 more kinds of lights and the swapping of the approved sconce with a lower output sconce that was more modern. Staff noted that the glass in this light was similar to seeded but that the bulb was shielded in the metal portion of the light.

Staff recommended the Committee approve the application as submitted, noting that the suggested lights were consistent with the intention of the DR and that they were noted as Dark Sky compliant in the specs.

The Committee determined that the new sconce fixture was in compliance with the spirit of the DR regulations regarding dark sky lighting.

Motion made by John Seelye to approve as submitted; seconded by Stacy Ossorio. Motion passed.

BSOA: #04502 Brislawn

Legal: MV Bl 5 Lot 2

Street: 1845 Little Coyote Rd

Staff presented the Brislawn AAP noting that it was being done on behalf of the Brislawns by BSCHT. Laura Seyfang represented the project. The BSAC originally approved the installation of a 6' pine in the owner's yard to facilitate screening of the BSCHT site. A deposit was posted but the tree was never installed. The Brislawns proposed to exchange the tree for a removable screen that could be placed on their deck while using their hot tub. The screen was compliant with the design regulations but unusually. Staff also noted that it was unusual to 'swap' applications. The color of the screen was darker than the home but had already been purchased and was waiting for approval to be installed

Staff recommended the Committee approve the release of previous application and associated performance deposit.

There was discussion about the reason for reviewing an application for a temporary structure on a deck and it was determined that the Committee would not and should not way in on this subject. The application for the tree could be released if a requested was submitted by the owner expressing their design to not complete this approved project.

Motion made by John S approve not planting the tree; Motion dies for lack of second.

Motion made by Grant Hilton to approve not planning the tree and return of performance deposit contingent upon receipt of a written approval from the Brislawns directly to staff; seconded by Maggie Good. Motion passed.

6. Single-Family Residence – Sketch:

BSOA: #05429 Big Sky Build, INC

Legal: SGH Block 4 Lot 29

Street: 3202 Crow King Road

Staff presented the Big Sky Build Single-Family Residence Sketch plan consisting of a 3830 SF, 3 bedroom/4 bath home with an office, a den, and a basement. Staff noted that there were 1 indoor fireplace, 2 outdoor fire pits, one 3-car garage, one 1-car garage, and a covered parking spot. The shed roof was staggard and stepped such that no single roofline exceeded the 40-foot max regulation, the average height of the home fell just under 21-feet and the applicant requested an exception to the privacy screen provision in the DR for two walls.

Staff recommended the Committee approve the application as submitted.

John Seelye recused himself from discussion and voting due to conflict of interest. There was discussion about the requested exceptions and staff noted that only one of the walls noted required an exception to DR 3.15.8 with regards to length. The Committee determined an exception was appropriate.

Motion made by Maggie Good to approve the application as submitted and grant an exception to the Design Regulation 3.15.8 for the privacy screen in excess of 16’; seconded by Stacy Ossorio. Motion passed unanimously.

7. Major Alteration – Sketch:

BSOA #06241 Flood

Legal: Cascade Block 3 Lot 241

Street: 11 Swift Bear

Staff presented the Flood Major Alteration Sketch Plan consisting of a 1106 addition to the existing home. The addition had an average height below 15’ and stepped down the slope 2.5-feet. The addition would add one interior wood-burning fireplace and it was noted that there was not currently a wood-burning fireplace in the existing home. Staff noted that two of the neighbors were present at the meeting and reference a letter submitted by one of them protesting the addition due to possible disturbance of the owner’s view of Lone Peak.

Staff recommended the Committee approve the application as submitted

The neighbors were given an opportunity to express their concerns with the application. The primary concern was the possible impediment to the neighbor's view of Lone Peak which they stated would be completely destroyed by this addition. They asked that the applicant move the addition to the backside of the lot to save their view. The applicant was then allowed to address the concerns and request. The applicant's representative expressed that the applicant and he had explored multiple options for location and had settled on this one—which they claimed was the only viable option—due to the following: after a survey was done of the building envelope, it was determined by the surveyor that there was not enough room on the back side of the home to include this addition; the front was discarded as a possibility due to the addition blocking the applicants view of Lone Peak, and finally steps were taken by the applicant and architect to minimize the impact on the neighbors view by keeping the addition to one story, keeping the roof pitch low, and by stepping the footprint of the addition down an additional two and half feet from the main house footprint. The Committee discussed whether or not its guidelines and procedures provided for a denial of a compliant application solely on the grounds of obstructed view corridors. It was determined that it did not.

Motion made by John Seelye to approve as submitted; seconded by Stacy Ossorio. Motion passed with 4 in favor and 2 against. Motion Passed.

8. Discussion:

- a. Staff Releases and Approvals: Staff made no approval and no releases since the last meeting.
- b. Compliance Tracking Report: Staff updated the Committee on ongoing compliance issues. Two members were in attendance for one issue in particular regarding the current project at the Fairways and the adjacent neighbor. Kenny Holtz represented the project and apologized for breaking their agreement and noted that they were actively working to bring the property into compliance.
- c. Performance Deposit Tracking: Nothing new to report.
- d. Design Regulations Revision Subcommittee: Staff has completed the last revisions incorporating BSAC input and is currently working on exhibits.

Adjourn - With nothing further to discuss, the meeting adjourned at 11:54AM.

Gary Walton, BSAC Chairman