

T H E W E L L I N G T O N N E I G H B O R H O O D



B R E C K E N R I D G E ♦ C O L O R A D O

WELLINGTON BOARD MEETING AGENDA

Wednesday, August 11th, 2021 – 6:00 PM MDT

Alpine Edge Office - 130 Ski Hill Rd, #130

- and -

Virtual via GoToMeeting

Wellington Board of Directors

- Ian Hamilton – President
- Megan Matza – Vice President
- Duke Barlow – Secretary
- Laurie Collins – Treasurer
- Christine Britton – Member at Large
- Matt Brewer – Member at Large
- Ellen Brown – Member at Large

Alpine Edge Representatives

- Steven Frumess – General Manager
- Brett Gunhus – HOA Manager
- Robin Hoffmann – HOA Administrator

GoToMeeting Access Instructions

Join the meeting from your smart device:

global.gotomeeting.com/join/367476661

Or you can dial in using your **phone**:

United States: [+1 \(312\) 757-3121](tel:+13127573121)

Access Code: 367-476-661

1. Roll Call; Determine Quorum

A quorum was met with Matt, Ellen, Ian, Duke, and Christine in attendance along with homeowner Brian Brown.

Duke made a motion to begin the meeting and Ian seconded. The meeting began at 6:00 PM.

2. Review of Call Up Protocol

Brett reviewed the proposed de novo hearing protocol that the Board intended to approve of before the hearing itself takes place later in the meeting. Much of the verbiage & reasoning was taken from the Town code in the case that a Town Planning determination receives a call-up from a developer – in those cases, the Town Council holds a de novo hearing to review the submission as though it was being presented for the first time, though nothing disallows members to read the minutes from the Town Planning's original meeting if they so desire.

Ian, Christine, and Duke stated that they approve of the proposed protocol. Ellen asked if DRC decides or the Board's final decision. Steven explained that the DRC's determination stands until it is called up to the Board of Directors – if the Board comes to their determination, then that decision is final.

Brett specified wherein the Declarations give the Board of Directors their authority. One of those rights is to give the DRC the authority to make determinations on Design Review matters. To be called up in the first place, proposals do have to go through the typical DRC protocol first.

Brett – board determination can take place at or after the meeting. Board can decide if they want to reach out to DRC if they want to, but it is not a requirement. If the majority of Directors at the meeting approve, then it overrides any previous DRC decision. Steven stated that Brett outlined this process very well as he's aware that this hearing will set an Association precedent for these sorts of hearings moving forward.

Brett went on to explain that there will be minutes from these hearings as they are technically Board meetings (though these will likely be held outside of the typical Board meeting schedule & the hearings themselves will likely be the only item on these agendas). Board will give the owner a chance to present their proposal followed by a Q&A led by the Board of Directors. The Board may invite a representative from the DRC as well to answer the more technical or Design Guidelines-related questions. The Board may at any point enter an executive session to deliberate privately & internally. Minutes won't be recorded for executive sessions, though the reason for entering the executive session must be referenced.

Duke – wondering how will board communicate that they will conduct a hearing (detailed process for Board to determine whether a challenge is considered a valid call-up) and asked for further description to be added – *“Up to 60 days to make a formal decision”*.

Ian stated that the proposed verbiage seems to cover most issues and leaves power with the DRC in essence, which is desirable as the Board of Directors sees the DRC as the design guidelines experts.

Duke said to make sure de novo is defined and highlighted when that document is published on the website.

Christine made a motion to approve and Ian second. All were in favor & the motion carried (pending the edit referenced earlier - *“up to 60 days to make a formal decision”*).

The de novo hearing protocol has been added to the end of this document as an appendix.

3. De Novo Hearing – 22 Meadow Lark, Parking Pad

Brian Brown had called up a DRC determination that did not approve of his full original plan to install a parking pad at 22 Meadow Lark Green.

Brett explained that the DRC had been invited to send a representative to aid in the Q&A portion but that they unfortunately were unavailable to attend this evening.

Presentation of Owner Application

Brian opened by thanking everyone for taking the time to flesh out the procedure & for hearing his call-up. He brought copies of his design review application & passed them out to Board members.

Papers include an application to the Town of Breckenridge dated May 10th, showing a schematic of the existing pad, as well as the new addition proposed which had already been approved by the town. He had received guidance from Town representative & WNA neighbor Shannon Smith as they walked the property together.

Brian asking to install an asphalt parking pad with additional spaces and a walkway to the south side of existing steps as well as some pavers in the schematic for 7' of snow stack area, required by Town code.

A. Question & Answer Session

Christine asked about asphalt & utility boxes. Brian said the Town approved the pavers & they're fine to drive over. He had proposed mulch, but the Town did not agree and wanted it paved.

Brian pointed out the snow stack areas, which were proportionally large compared to other Wellington properties.

Ian - so 18' will be a double? Why are existing and utilities ... additional 7; Brian answered that this makes the double-parking pad the correct size and walkway. Ian – two parallel 24x25 parking spaces paved. Did they care about hard surfaces and soft surfaces? Brian said formulation, can't have more than 70% prop impervious.

Ian – no elevation change? No retaining wall for the look? Brian, slight slope toward alleyway for drainage

Ian, literally all mulch to get paved. Brian said yes. Goes to the border of rock, all mulch gone.

Christine – need for a total of 6 parking spots? Brian – teenager driving, two cars for renters. Guest spots are filled by owners or kids. We would like to have our guest spot. And our daughter has friends that drive.

Ellen – we can help ourselves and the neighborhood with parking. Brian – the hard part in my mind has been getting to this point. If you step back, this should be an easy decision with the criteria the board has set out about parking spaces. The lot is a sufficient size. We fit this on our lot. No structure has to be put on. Also, meeting town requirements. So, looking at it that way, that is a decision.

Ellen – the appeal is timewise. Our second permit we have paid for. Would like to not miss the paving window again.

B. Board Deliberation

The right thing to have voting board members here to discuss. This one and going forward. In the end, we need to have regular meetings and minutes. Talk in complete candor. Do we want to figure something out in the future, we can revisit it? Focus on just this application and what we think of it.

We have to look at the app for a parking pad on the face of it.

Also, I think we make sure we are not worrying about the precedent of how the board and DRC interact. Dec interaction and relationship are covered. Leave that out of our vote.

Duke – we are not going into the exec session, but we can have people leave the meeting? Steven – regular meeting open to the public. Exec you can make people leave. Brett said your right to do that. Future hearings and people on the line, we can advise but have to have exec session to happen.

Duke – do we be consistent about the exec session? Steven said that doesn't personalize it. Uniform approach. Brett – board may enter exec decision...

Motion to go into exec session in accordance with CCIOA

Ian motioned to enter an Executive Session at 6:45 pm, which was seconded by Duke.

Duke motioned to exit the Executive Session at 7:23 pm, which was seconded by Ian. All approved.

There was a motion for a determination on the application for 22 Meadow Lark Green, which was seconded by Duke.

Ian motioned to approve the application with conditions:

1. The area between the existing asphalt parking pad and the proposed pad remains unpaved with a natural surface.
2. The proposed pavers are replaced by asphalt.
3. Approval of these modifications from the Town or reasonable justification to the original approval.

Ian said he would be okay if the town requires pavers but agrees to no asphalt between.

4. General Board Comments

Duke – Is there a Breck Park update? Ian received a reply and it seemed to have incorrect information. Ian redlined, sent to Brett – Brett sent to break park. BP should have a new proposal for us soon.

Steven – Ceres talking to survey irrigation to see who is on common. The survey will cost, but we do not have a proposed amount yet.

Next meeting – September 8th at 6 pm

5. Adjournment

There was a motion to adjourn made by Christine, which was seconded by Ian.