



**Planning Commission
Wednesday, July 16, 2025
4:00 PM**

**130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615**

**You can watch the meeting live online on our website at tosv.com.
To join the meeting remotely please use the Teams Meeting information below:**

Microsoft Teams meeting: <https://teams.microsoft.com/>

Meeting ID: 240 118 256 801

Passcode: tVvbuE

Agenda

- 1. Roll Call**
- 2. Approval of Minutes**
 - 2.A. APPROVAL OF JUNE 18, 2025 MINUTES
- 3. Items for Discussion**
 - 3.A. RIDGE RUN UNIT 1, LOT 61 (40 MAPLE LN) VARIANCE REQUEST
 - 3.B. COMMUNITY DEVELOPMENT DIRECTOR UPDATES
- 4. Adjournment**

TOWN OF SNOWMASS VILLAGE

**PLANNING COMMISSION
MEETING MINUTES**

June 18, 2025

Members Present:

Matt Dube
Brian Marshack
Jim Gustafson
David Seglin
Jami McMannes

Staff Present:

Dave Sinneman
Brian McNellis
Ashleigh Huff
Mike Metheny
Sara Nester
Clint Kinney
Betsy Crum

Members Absent: Stan Clauson, Doug Faurer

Others Present: None

Call to order: The meeting was called to order at 4:00 pm, and roll was called. Commissioners Faurer and Clauson were absent.

Item 1: Approval of Meeting Minutes:

The minutes from the June 4, 2025, meeting were presented for approval. Commissioner Gustafson requested an update to the minute language. Chair Dube motioned to approve the minutes as amended, seconded by Vice Chair Marshack. Approved 5-0.

Item 2: Workforce Housing Proposed Code Revisions:

Brian McNellis, Senior Planner, reintroduced the item, noting questions raised at the June 4 meeting led staff to invite Town Manager Clint Kinney and Housing Director Betsy Crum to provide further clarification. Mr. Kinney explained the proposed change would streamline the review process and make the town eligible for significant state grant funding under Proposition 123, which requires a theoretical 90-day approval process for affordable housing projects. He emphasized the current process takes four years on average, which delays housing delivery, increases costs, and prevents Snowmass from accessing millions in available grant dollars. Ms. Crum supported the change, noting challenges faced by both public and private developers, such as the 60% employee housing mitigation requirement and excessive review timelines that lag job creation. She highlighted potential state funding sources, including per-unit

45 grants, infrastructure, and land banking funds that are currently out of reach
46 without the expedited process.

47
48 Commissioners engaged in discussion, expressing general support for improving
49 process efficiency while voicing concern about losing valuable early-stage input
50 currently provided by the sketch plan review. Commissioners Gustafson and
51 Seglin emphasized the need to involve the Commission's design and planning
52 expertise earlier in the process to help shape key elements such as site layout,
53 density, traffic, and aesthetics—especially for high-impact projects like the Draw
54 Site and potential housing behind the Snowmass Center. Staff clarified the
55 special review process still requires full compliance with zoning standards and
56 allows the Commission to request additional studies and hold multiple meetings.
57 There was broad agreement while expedited review could lower costs and
58 timelines, safeguards should remain to ensure project quality and community
59 compatibility.

60
61 Commissioners discussed risks to applicants, the Town Council's role in early
62 project vetting, the legal implications of early input under quasi-judicial rules,
63 and the importance of the Planning Commission's design expertise.
64 Commissioner Gustafson expressed interest in the potential of informal work
65 sessions or a lighter "pre-sketch" review to preserve early feedback without
66 jeopardizing the state's 90-day eligibility timeline. Staff noted applicants can
67 request extensions to the timeline, which could support a two-meeting model if
68 not formally required. Ultimately, the Commission expressed support for piloting
69 the special review process for workforce housing projects, recognizing that
70 developers retain the option to pursue the traditional PUD path.

71
72 A motion was made by Vice Chair Marshack, seconded by Commissioner
73 McMannes, to support the code amendment. The motion passed on a vote of 3
74 in favor (Marshack, McMannes, and Dube) and 2 against (Gustafson and Seglin).
75 Commissioners Faurer and Clauson were absent.

76 77 Item 3: Outdoor Lighting Code:

78 Sara Nester, Community Development Code Compliance Manager, and Chief
79 Building Official Mike Matheny presented. Ms. Nester presented the updates
80 based on prior feedback, noting changes marked in red italics and explaining
81 that the effective date for the new code was still to be determined. Seasonal
82 lighting date ranges were aligned more closely with neighboring jurisdictions like
83 Aspen, Basalt, Pitkin County, and Carbondale, with November 15 to March 1
84 recommended. Discussion focused on nighttime lighting hours, security and
85 stumble lighting, exemptions for decorative lighting at commercial entries, and
86 whether restrictions on color or intensity (lumens) of seasonal lighting should be
87 added. Commissioners voiced support for regulating intensity and duration
88 rather than color, citing enforceability and subjective concerns. Commissioners
89 reiterated floodlighting or up-lighting of facades should be prohibited. Outdoor
90 TVs were also addressed, with enforcement to occur on a complaint basis.

Commissioner Dube made a motion to approve the resolution as amended, seconded by Commissioner Marshack, and approved by a vote of 5 in favor and none opposed.

Item 4: Community Development Director Updates:

- Deerbrook final PUD application has been submitted and in review.
- Divide Preliminary PUD – joint meeting with Town Council to be scheduled.
- Willows PUD has been submitted. Waiting on fees to be paid.
- Comprehensive Sign Plan for the Mall has been submitted
- Snowmass Club – Brush Creek mitigation reviewed.
- Town Council is interested in updating housing mitigation requirements (potentially from 60% to 100%).

Motion to adjourn by Commissioner Seglin, seconded by Commissioner Marshack. All in favor. None opposed.

The meeting was adjourned at 6:04 p.m.

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 5
SERIES OF 2025**

**A RESOLUTION APPROVING A VARIANCE FOR A RETAINING WALL
SITUATED OUTSIDE THE ESTABLISHED BUILDING ENVELOPE FOR LOT
61, RIDGE RUN I SUBDIVISION (40 MAPLE RIDGE LANE)**

WHEREAS, Adam Segan of 40 Maple Ridge LLC 'Applicant' and Owner of Lot 61, Ridge Run I (40 Maple Ridge Lane) submitted a Variance application on April 11, 2025 to request a variance to construct a retaining wall to alleviate lateral pressure on the foundation of the existing residence while stabilizing Faraway Road as described or illustrated in attached Exhibit "A" incorporated herein; and

WHEREAS, a public hearing notice was published in the Snowmass Sun on April 7, 2025, and the Applicant submitted signed affidavits for the mailing and posting of the public hearing notice; and

WHEREAS, a public hearing was held before the Planning Commission at a regular meeting on May 7, 2025 and continued to July 16, 2025 to review the application, receive public comments, and consider the recommendations of Town Staff; and act upon this resolution; and

WHEREAS, said variance request was processed pursuant to Section 16A-5-240, Variances, and the application considered by the Planning Commission pursuant to Section 16A-5-70, Action by decision-making body of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Snowmass Village, Colorado:

Section One: Findings. After the public hearing, Planning Commission made the following findings:

1. The Applicant has submitted sufficient information pursuant to Section 16A-5-40(b), Minimum Contents and Section 16A-5-240(b)(2) of the Municipal Code, for Town Staff and the Planning Commission to adequately review the proposed Variance application.
2. All public notification requirements, as specified in Section 16A-5-60, Notice of public hearings of the Municipal Code, have been satisfied.
3. The Application is compliant with all the applicable review standards specified within Section 16A-5-240(c), 'Review Standards' of the Municipal Code. The specific findings are:
 - a. Special circumstances do exist;
 - b. The special circumstances were not created by the applicant
 - c. Strict application 'of the Land Use Code' cause practical difficulties;
 - d. The request is necessary to relieve practical difficulties;
 - e. The request would not adversely affect the neighborhood;

- f. The request is in harmony with the 'intent' of the Development Code; and
 - g. The request is consistent with the Comprehensive Plan.
4. The applicant satisfactorily demonstrated that the proposed encroachment will not extend into the Faraway Road right-of-way.

Section Two: Action.

The Planning Commission hereby approves the Variance for the retaining wall encroachment within the front 11-foot setback on Lot 61, Ridge Run Unit I as further illustrated and described on the attachments incorporated herein and pursuant to the findings set forth in Section One: 'Findings' above and subject to the conditions in Section Three: 'Conditions' below.

Section Three: Conditions.

1. This approval is subject to the recording of this Resolution, at the Applicant's expense, in the Real Estate Records of the Clerk and Recorder of Pitkin County, Colorado.
2. This Variance specifically for the engineered soil-nail retaining wall to encroach outside of the established building envelope as shown per the application and as described in this Resolution No. 5 of 2025 or as illustrated in attached Exhibit "A" and modified pursuant to the conditions of approval herein. No additional "as-built" conditions, variances or modifications are permitted without the express, written approval of the Town.
3. This approval does not constitute the approval of patio encroaching into the established setback or utility easement of the property.
4. The applicant shall obtain written approval from affected utility companies as provide as part of any subsequent building permit approval.
5. The soil nalo wall design shall not be revised significantly through design development.
6. The secondary foundation wall shall be removed entirely from the utility easement boundary.
7. The proposed geofom structural element shall contain a fire retardant (or be of the non-combustible variety). Otherwise, another type of infill may be suggested as part of the building permit submittal (i.e. road base).
8. A landscape plan shall be included as part of any subsequent building permit submittal to revegetate the disturbed construction area. Only native plant species shall be allowed.
9. The property owner shall work closely with the Public Works Department as needed to assure that the stabilization of Faraway Road is not compromised during construction of the retaining wall as approved herein and shall alert Staff should any concerns arise during/after excavation or upon project completion.

Section Four: Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable.

INTRODUCED, READ AND ADOPTED, on the motion of Planning Commission member _____ and the second of Planning Commission member _____ by a vote of ____ in favor and ____ against, on this 16th day of July 2025. Absent were Commission members _____.

TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION

Matthew Dube, Chairperson

ATTEST:

Asheigh Huff, Planning Commission Secretary

Attachments:
Exhibit "A" – Engineering drawings

CONSULTANTS

OWNER	STRUCTURAL	SHORING ENGINEER
ADAM SEGAN 16850 Collins Ave. Suite 112-656 Sunny Isles Beach, Fl 33160 . adam.segan@gmail.com (786) 489-2233	GLENWOOD STRUCTURAL & CIVIL INC 812 PITKIN AVE. GLENWOOD SPRINGS CO 81601 ADOLFO GORRA 970-928-0135 GSC@SOPRIS.NET	RICHRD JOHNSON RJ ENGINEERING 266 Red Cliff Circle Glenwood Springs, CO 81601 (970) 230-9208 richard@rj-eng.net
CONTRACTOR		
TBD		

SURVEYOR	LANDSCAPE DESIGN
Aspen Survey LLC 210 S GALENA #22 ASPEN, CO. Michael@aspensurveying.net	CAGE FREE CREATIVE erin@cagefreecreative.co 609.213.3321
GEOTECHNICAL	CIVIL
KUMAR A + ASSOCIATES 5020 County Road 154 Glenwood Springs, Colorado 81601 (970) 945-7988 jparsons@kumarusa.com	Crystal River Civil LLC Vince Tomczak, P.E. Vince@CrystalRiverCivil.com 1101 Village Rd UL-3C Carbondale, CO 81623

TOWN OF SNOWMASS DESIGN CRITERIA

GROUND SNOW LOAD	100PSF
WIND SPEED EXPOSURE CATEGORY	89/B
SEISMIC DESIGN CATEGORY	C
WEATHERING	SEVERE
FROST LINE DEPTH	36 INCHES
TERMITE	NONE TO SLIGHT
DECAY	NONE TO SLIGHT
WINTER DESIGN TEMP	-15° F
SUMMER DESIGN TEMP	82°F
ICE SHIELD UNDERLAYMENT	YES
FLOOD HAZARDS	NO
AIR FREEZING INDEX	2000
MEAN ANNUAL TEMP	40°



EXISTING

PROPERTY LOCATION:

ADDRESS:	40 Maple Ridge Lane Snowmass, CO 81615
LEGAL DESCRIPTION:	RIDGE RUN UNIT 1
OWNER:	ADAM SEGAN
PARCEL ID#:	273506303022
ZONING:	SF-30 (SINGLE FAMILY RESIDENTIAL 30)
LOT SIZE:	39,149 SQFT
CONSTRUCTION TYPE:	VA
FLOOR AREA RATIO:	.13 TO A MAX OF 4500

BUILDING DESCRIPTION:

# OF STORIES ABOVE GRADE:	1
# OF STORIES BELOW GRADE:	1
DETACHED GARAGE # OF CARS:	2
BEDROOMS:	4
FULL BATHS:	4
1/2 BATHS:	1

TOWN OF SNOWMASS ADOPTED CODES

2021 INTERNATIONAL BUILDING CODE
2021 INTERNATIONAL RESIDENTIAL CODE
2021 INTERNATIONAL ENERGY CONSERVATION CODE
2021 INTERNATIONAL PLUMBING CODE
2021 INTERNATIONAL MECHANICAL CODE
2021 INTERNATIONAL FIRE CODE
2021 INTERNATIONAL EXISTING BUILDING CODE
2023 NATIONAL ELECTRIC CODE

Scope of work:

Driveway grading + drainage per landscape and civil plan
Soil nail wall RE: Civil, Structural and Geotech.

Lower:
-Repair south garage wall after soil nail excavation.
-Demo curved entry roof. New entryway with EPDM flat roof. New scupper locations drain to daylight
-Demo existing entry closet add door to garage. New entry level = 87'-10" match garage ht.
-REPAIR Stone entry landing + stairs to wrap around front entry for access to lower deck.
-Demo stairs to laundry room, close off wall to laundry.
-Demo stairs from entry to lower, reframe and add corner off of bedroom 2.
-Demo bathroom 2, add shower under stairs. New closet + bathroom layout.
-Demo bed 3, 4 closets, bathrooms. New bathroom layouts and closets.
-Bed 4 bumps 2' north with new foundation, wall + windows and trim.
-New windows + sliding doors to all of lower
-Interior trim + paint throughout.
-Demo existing log post corners, add lap siding accent trim see detail D-06
-Lower Deck demo, rebuild to square off corners with house lines.

Main:
-Demo and reframe stair from entry, to main landing. New stair confirm w owners.
-Demo existing north nook, frame flush to north wall.
-Cover atrium opening with floor joists to meet new living room halfwall. Add cabinetry underneath floor, finish railing w 1/8" Ø wire @ 6" spacing
-Dining south wall demo in-cut to create flat wall.
-Demo kitchen stemwall facing dining room. Evaluate soffit for beams, Flat ceiling above.
-Extend west Kitchen ext. wall 4"-6"
-Kitchen upgrade cabinetry (7'-0") appliances, 2 new sink + 2 dishwashers locations plan w owner.
-Mastr. bathroom new fixtures. reframe + paint toilet + closet + new windows
-Interior trim and paint throughout.
-New windows and sliding doors all of main.
-Extend MSTR bed deck over Bed 4 north wall expansion.
-Deck to expand south pending envelope approval. Add wood stairs and landing to hot tub level.
-Wood SIDING ON Entry addition, existing stucco painted grey throughout.
-Demo upper deck, square off with house lines.
-All wood corner posts to be squared 8x8. Verify with owner

Fritz Carpenter Design
319 AABC Studio E
Aspen CO 81611

fritz.carpenter@ucdenver.edu

PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
81615

REVISION

08/15/2022 DD + ASBUILTS
09/14/2022 PRELIM ENGINEERING
10/15/2024 structural set
03/03/25 soil nail prelim
03/12/25 VARIANCE SET
06/06/25 ROW SITE PLAN

DRAWN BY: FC

NOT FOR
CONSTRUCTION

SHEET TITLE

COVER

SHEET NUMBER

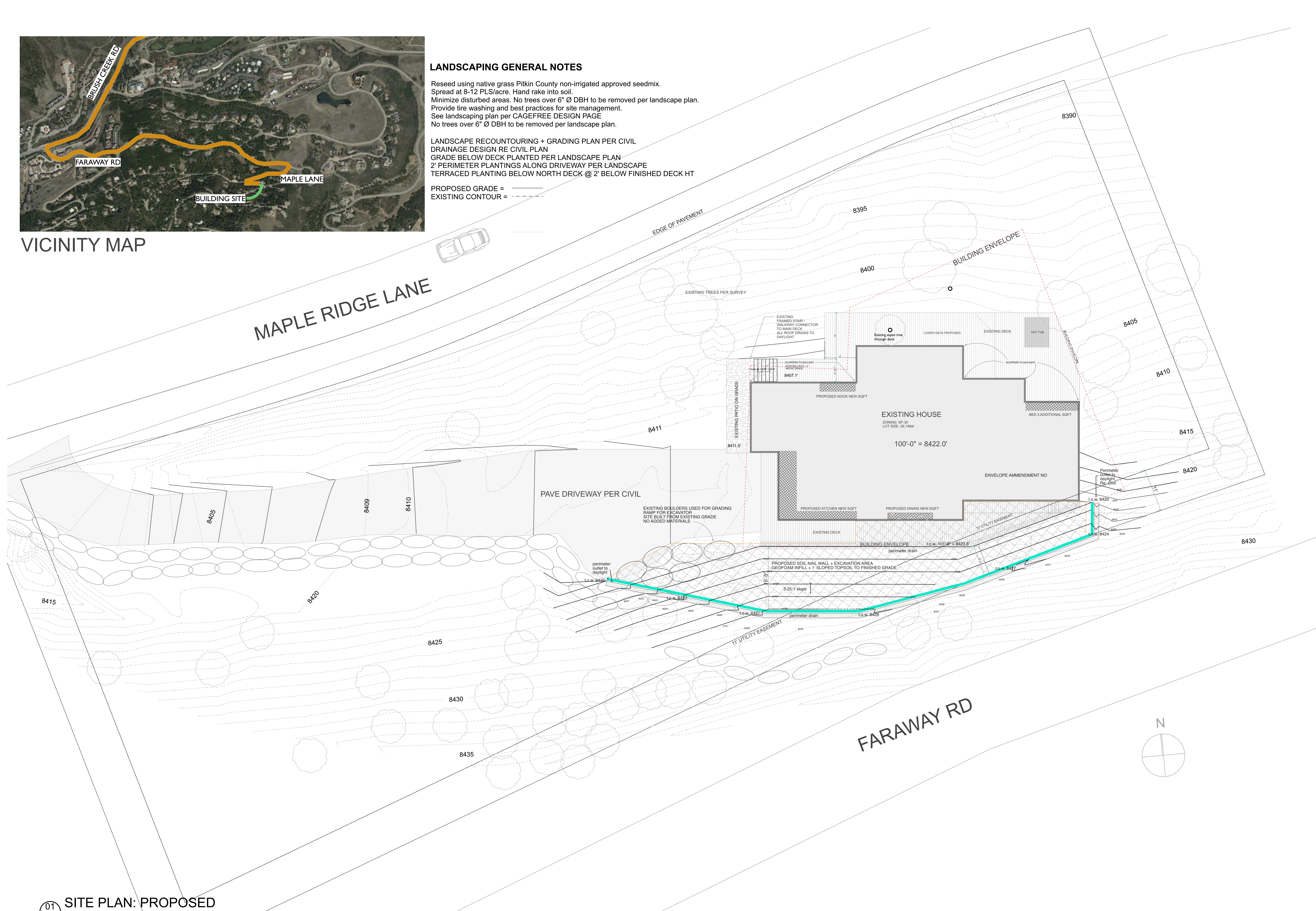
1-COVER



Reseed using native grass Pitkin County non-irrigated approved seedmix.
Spread at 8-12 PLS/acre. Hand rake into soil.
Minimize disturbed areas. No trees over 6" Ø DBH to be removed per landscape plan.
Provide tire washing and best practices for site management.
See landscaping plan per CAGEFREE DESIGN PAGE
No trees over 6" Ø DBH to be removed per landscape plan.

LANDSCAPE RECOUNTOURING + GRADING PLAN PER CIVIL
DRAINAGE DESIGN RE CIVIL PLAN
GRADE BELOW DECK PLANTED PER LANDSCAPE PLAN
2' PERIMETER PLANTINGS ALONG DRIVEWAY PER LANDSCAPE
TERRACED PLANTING BELOW NORTH DECK @ 2' BELOW FINISHED DECK HT

PROPOSED GRADE = _____
EXISTING CONTOUR = - - - -



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CONSTRUCTION

SHEET TITLE

SITE: PROPOSED

SHEET NUMBER

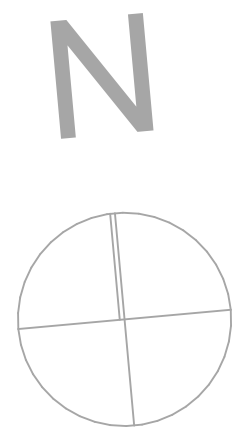
C1.002

40 MAPLE RIDGE LANE
SNOWMASS CO
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08/15/2022	DD + ASBUILTS
09/14/2022	PRELIM ENGINEERING
10/15/2024	structural set
03/03/25	soil nail prelim
03/12/25	VARIANCE SET
06/06/25	ROW SITE PLAN

NOT FOR
CONSTRUCTION

A2.001



PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
81615

REVISION

08/15/2022 DD + ASBULTS
09/14/2022 PRELIM ENGINEERING
10/15/2024 structural set
03/03/25 soil nail prelim
03/12/25 VARIANCE SET
06/06/25 ROW SITE PLAN

DRAWN BY: FC

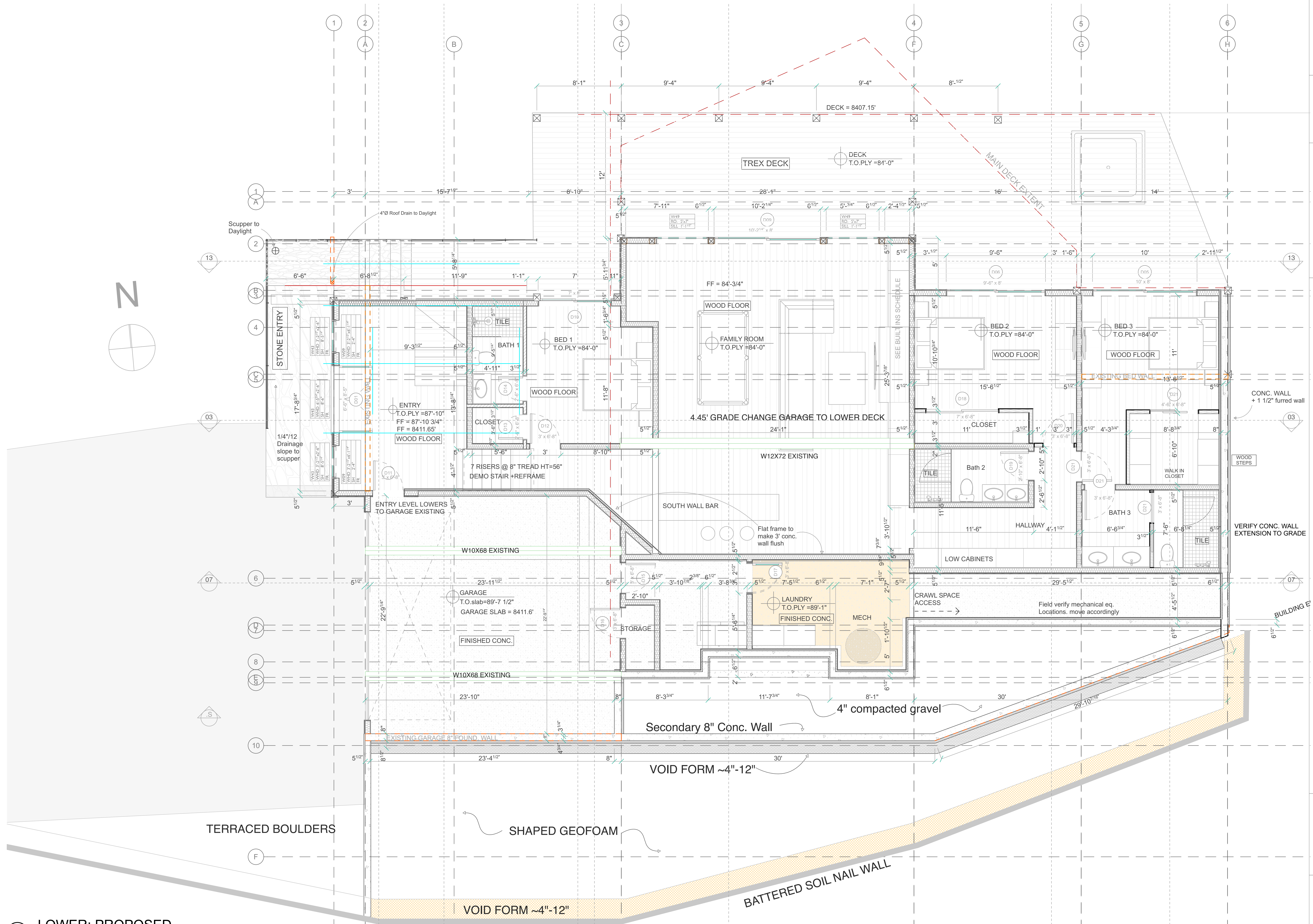
NOT FOR
CONSTRUCTION

SHEET TITLE

LOWER:
PROPOSED

SHEET NUMBER

A2.002



PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
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CONSTRUCTION

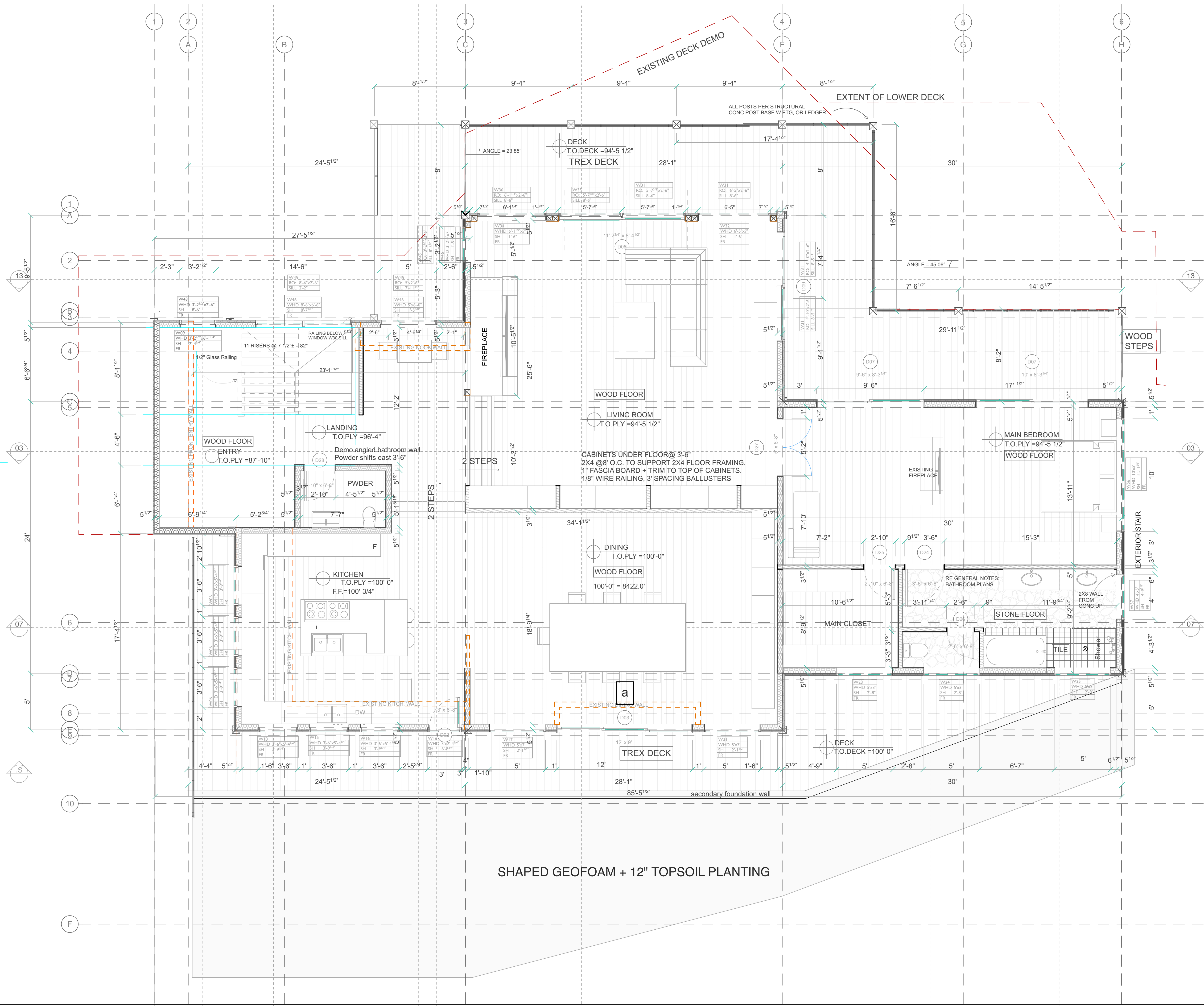
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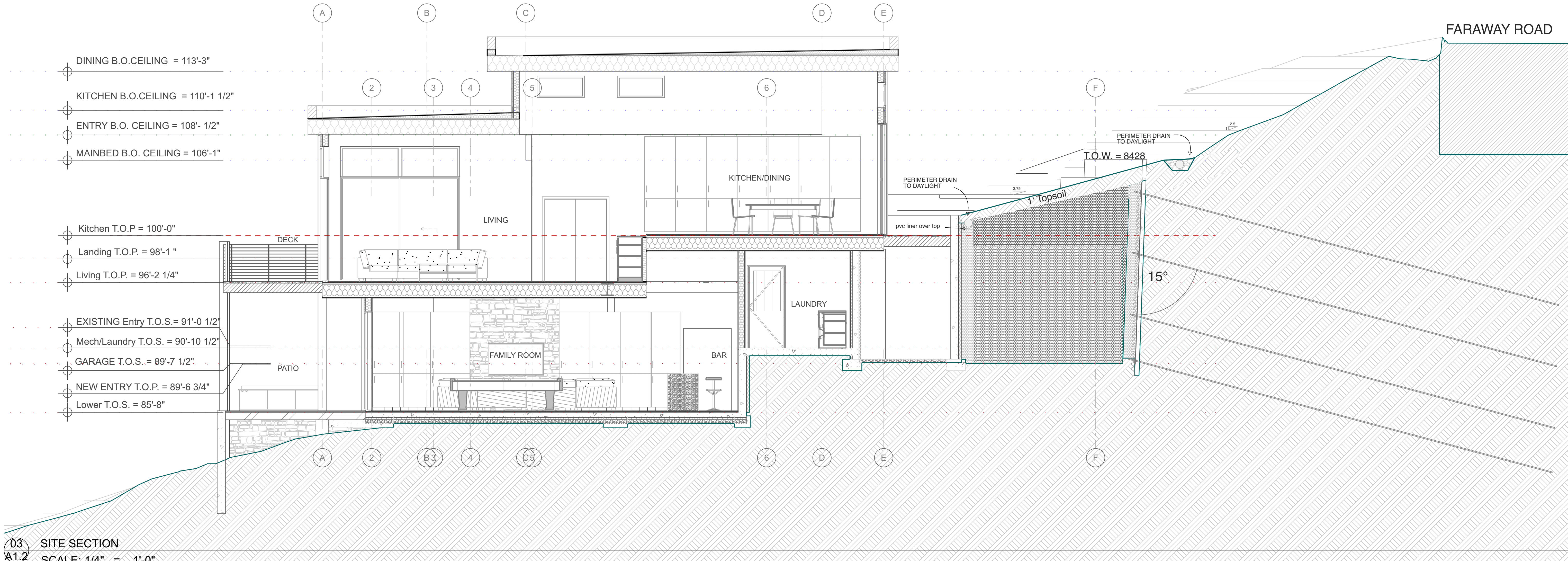
MAIN:
PROPOSED

SHEET NUMBER

A2.003

GENERAL NOTES STRUCTURE
1.5" topping slab + 3/4" ff = 2 1/4"
t.o.ply dining room = 100'-0"
bottom wall out of plumb check level. need to
evaluate structure possible shoring to.
18" web joists flat. sloped roof to outside
roof clear spans most spaces. check for ledgers
bottom vs top chords bearing for rafters
5" + 6" risers garage to laundry
BLUE LINE = FIELD VERIFIED





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06/06/25 ROW SITE PLAN

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CONSTRUCTION

SHEET TITLE

SITE SECTION

SHEET NUMBER

A1.2

PID: 273506303022

40 MAPLE RIDGE LANE
SNOWMASS CO
81615

REVISION
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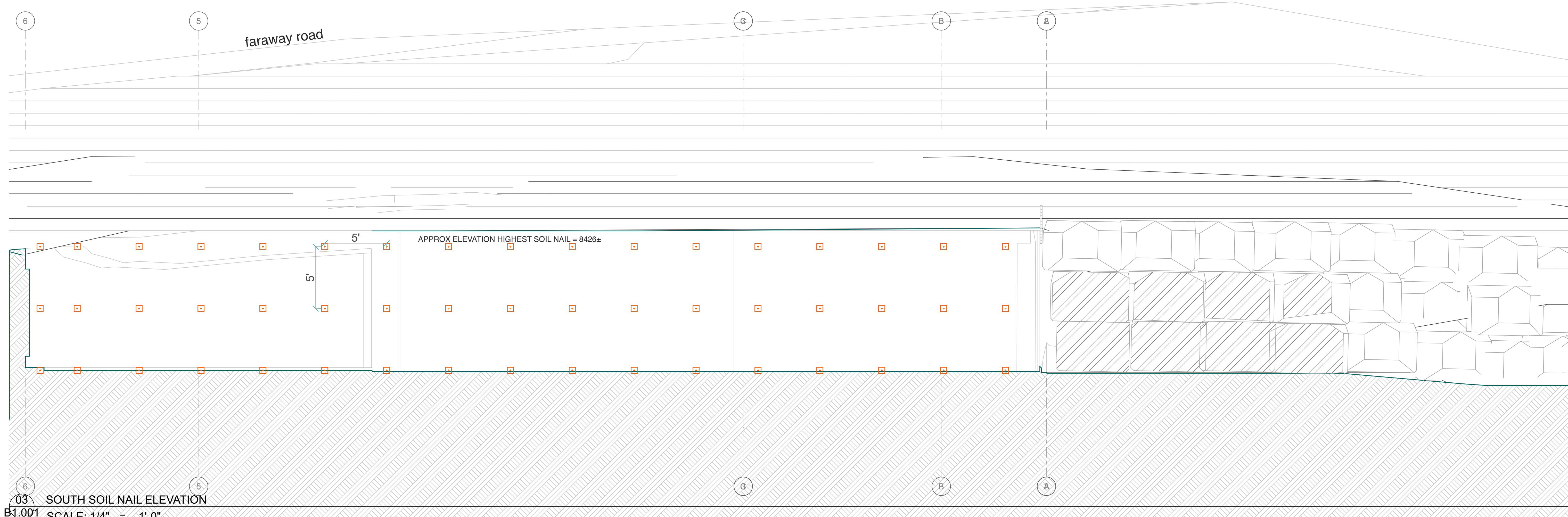
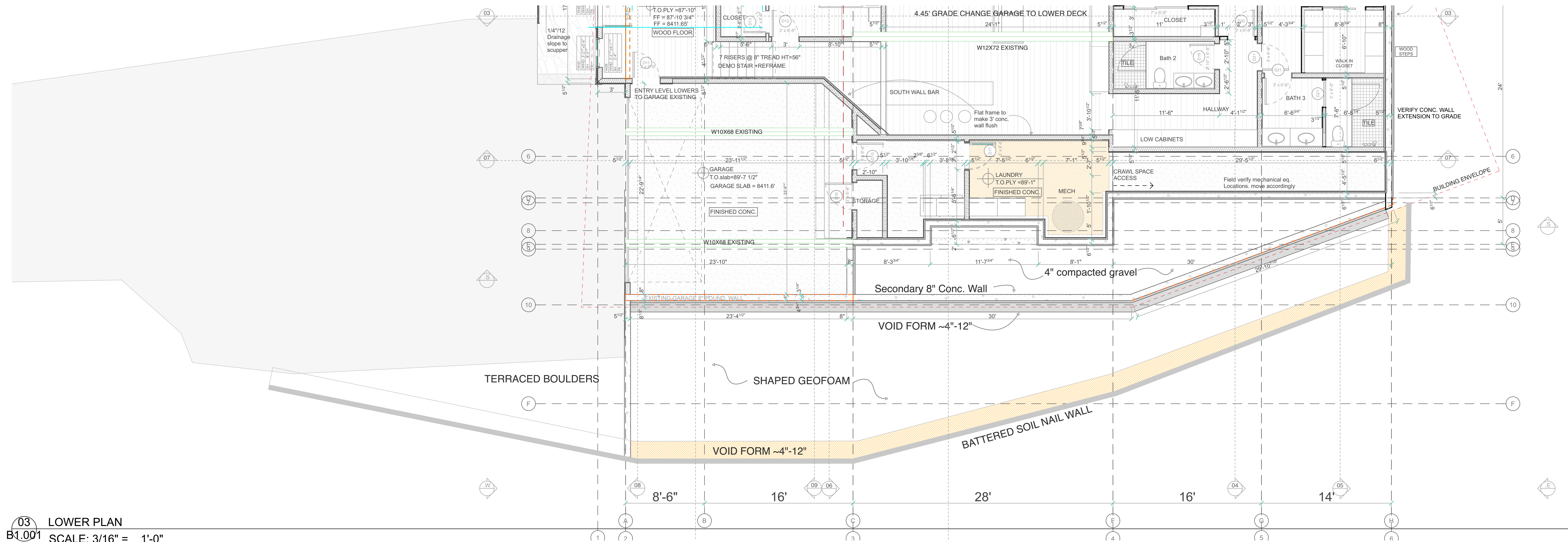
SHEET TITLE

PROPOSED:
ELEVATION

SHEET NUMBER

A3.001





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NOT FOR
CONSTRUCTION

SHEET TITLE

SOIL NAIL WALL
SPEC

SHEET NUMBER

B1.001

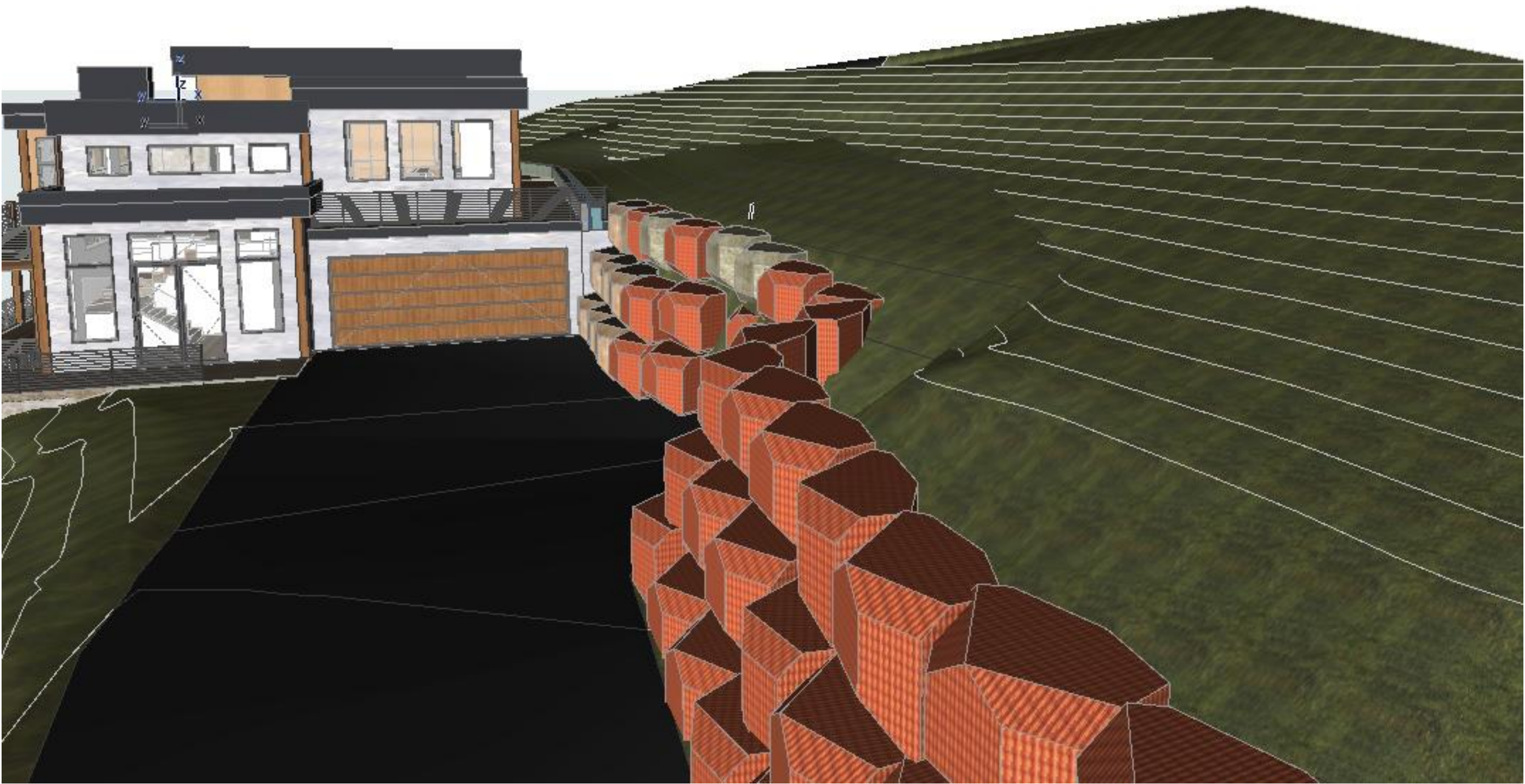
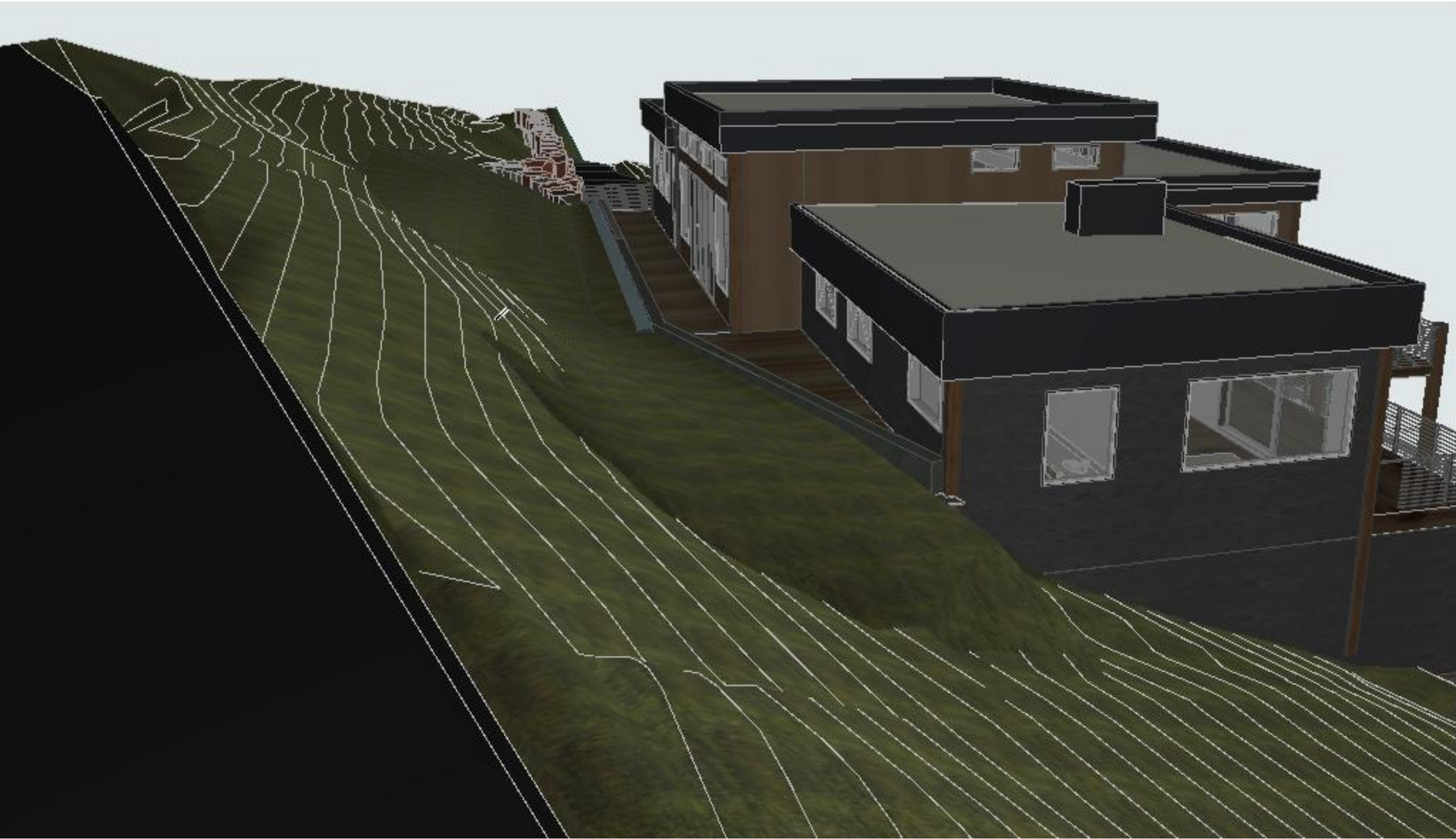
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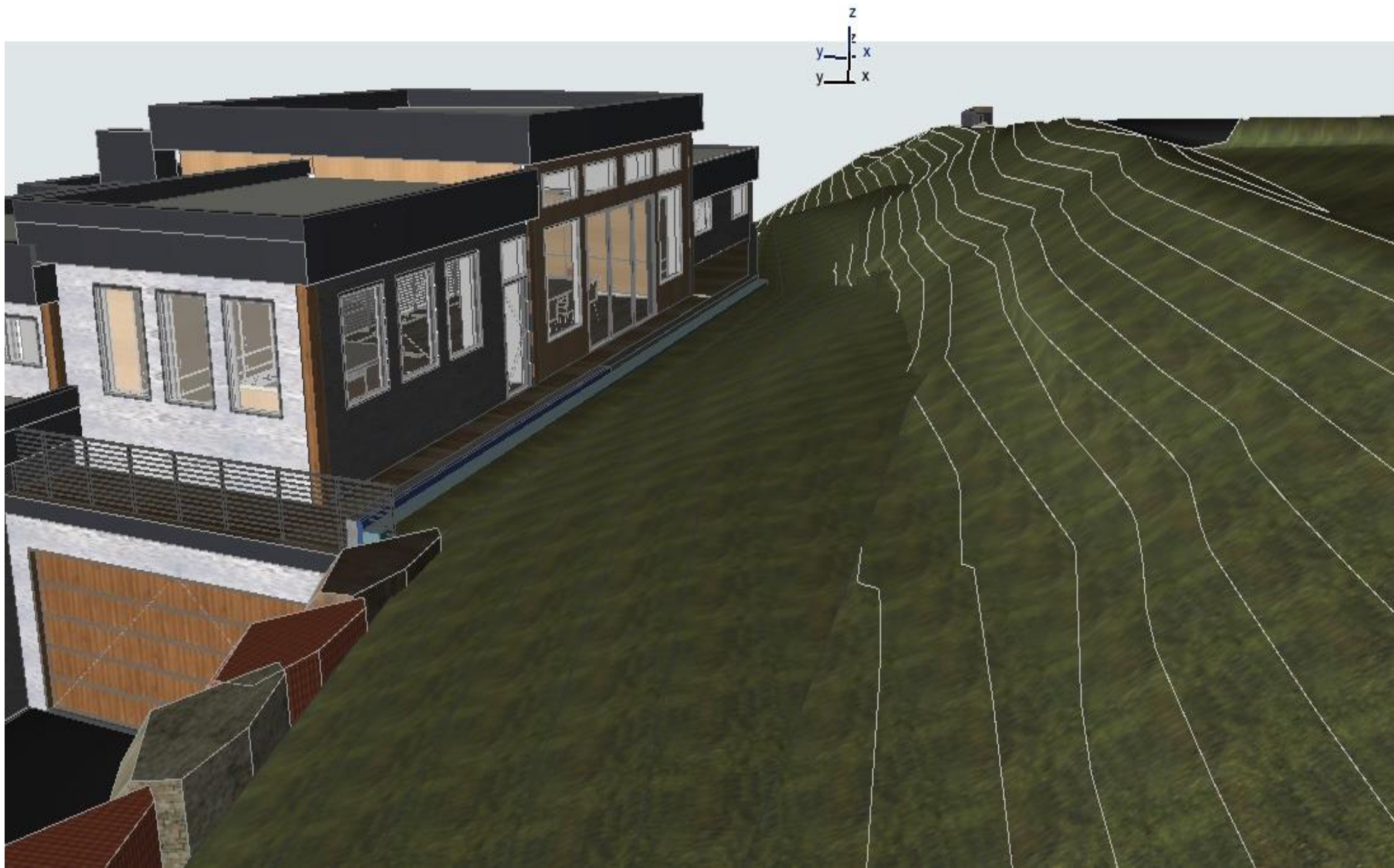
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06/06/25 ROW SITE PLAN

DRAWN BY: FC

NOT FOR
CONSTRUCTION



PROPOSED SOIL NAIL WALL + GEOFOAM INFILL AND TOPPING
SOIL FINISHED LANDSCAPING



From: [Mike Horvath](#)
To: [Carpenter, Fritz](#); [Brian McNellis](#); [Anne Martens](#)
Cc: [Adam Segan](#)
Subject: Re: Right of Way License
Date: Thursday, July 3, 2025 2:42:09 PM
Attachments: [Outlook-njz3mzzo.png](#)
[Outlook-4b4b40th.png](#)
[Outlook-c0g4cnb2.png](#)
[Outlook-qlvn2vyj.png](#)
[Outlook-cqvdmfed.png](#)
[Outlook-krfibuo.png](#)

Fritz,

Thanks for resubmitting the further information for 40 Maple Ridge Lane.

1. The soil nail wall license agreement would be supported by Public Works. It provides a benefit to the public by adding additional stabilization to the slope below Faraway Rd as designed in the June 26th submittal. The proposed grading within the ROW is mainly fill, which will also help with the steep side slopes of Faraway Rd.
2. The geofoam in the easement needs all utility providers within TOSV approval to install geofoam within the easement.
3. If approved by utility providers, a utility provider has the right to excavate through the geofoam and install structural backfill in the future. This needs to be acceptable to the design/owner team. Structural elements must have capacity to carry additional loading (if any).
4. Sheet C1.002 depicts a secondary foundation wall located within the utility easement. Public Works is not supportive of this negative effect to the utility easement. Critical infrastructure cannot be placed in utility easements due to conflicts with future needs of easement grantees. Please remove secondary foundation from limits of the utility easement.

Please let me know if you have any questions. Thanks and have a good holiday.

Mike Horvath, PE

Town Engineer
Town of Snowmass Village, CO
Direct: (970) 922-2324



[@TownofSnowmass](#)



[facebook.com/TownofSnowmass](#)



From: Carpenter, Fritz <FRITZ.CARPENTER@UCDENVER.EDU>
Sent: Thursday, June 26, 2025 12:22 AM
To: Mike Horvath <mhorvath@tosv.com>; Brian McNellis <bmcnellis@tosv.com>; Anne Martens <amartens@tosv.com>
Cc: Adam Segan <adam.segan@gmail.com>
Subject: Re: Right of Way License

Hi Anne and Mike,
Please see attached finalized package for review by public works department.
Included documents:
-Final grading
-Letter from Glenwood structural associates outlining plan and alternatives
-Arch drawing set
-Geotechnical plan from RJ Engineering
-Survey
-Soils report by Kumar Associates
-GIS Dataset
-Copy of property deed

Can I pay the 250\$ again through the town of snowmass portal?

Thank you again,

Fritz Carpenter

M.Arch Graduate Student
University of Colorado Denver

970-274-9421

From: Mike Horvath <mhorvath@tosv.com>
Sent: Thursday, May 8, 2025 9:14 AM
To: Brian McNellis <bmcnellis@tosv.com>; Carpenter, Fritz <FRITZ.CARPENTER@UCDENVER.EDU>
Cc: Anne Martens <AMartens@tosv.com>
Subject: Re: Right of Way License

[External Email - Use Caution]

Fritz,

Attached are the ROW Encroachment License application and agreement. The Public Works Department will need to review finalized plans prior to approving a license. We will need to see the following at a minimum:

1. **Final grading plan:** It appears on the cross sections there is a cut proposed on the hillside between the house and the Faraway. No cut steeper than 3:1 will be allowed. The shoulder/errand vehicle recovery zone cannot be decreased by the work proposed.
2. **Soil Nail Plan:** need to understand elevation of nails and angles.
3. **Alternatives:** Have other slope stabilization alternatives been evaluated that do not impact the ROW and utility easement? It feels like other stabilization methods could achieve the goal of preventing future foundation damage.

Planning Commission approval does not guarantee use of the ROW/utility easement. Final permit documents will still be reviewed to configure the design to meet Town ROW requirements.

Mike Horvath, PE

Town Engineer
Town of Snowmass Village, CO
Direct: (970) 922-2324



@TownofSnowmass



facebook.com/TownofSnowmass



From: Brian McNellis <bmcnellis@tosv.com>
Sent: Thursday, May 8, 2025 7:51 AM
To: Carpenter, Fritz <FRITZ.CARPENTER@UCDENVER.EDU>
Cc: Mike Horvath <mhorvath@tosv.com>; Anne Martens <AMartens@tosv.com>
Subject: RE: Right of Way License

Hi Frititz,

Thanks for your clarifications in the meeting today. I would start by contacting Mike Horvath (copied hereto) regarding the R.O.W. encroachment license. How long do you think your team needs to formulate a revised plan based upon the input from the Planning Commission (i.e. backfill, geofoam, landscaping)?

-BMc

From: Carpenter, Fritz <FRITZ.CARPENTER@UCDENVER.EDU>

Sent: Wednesday, May 7, 2025 5:42 PM

To: Brian McNellis <bmcnellis@tosv.com>

Subject: Right of Way License

Hi Brian,

Thank you for all the help today with the planning committee. I'll begin work to provide an updated geofoam fill and secondary wall plan with better imagery for the next hearing. Do you know who I contact for the ROW licensing?

Thanks again,

Fritz Carpenter

M.Arch Graduate Student
University of Colorado Denver

970-274-9421

27 February 2022

Adam Segan
Dianna Lantigua
djlantigua@gmail.com

cc: Adam Funk
Adam.Funk@elliman.com

Re: Limited Observation
40 Maple Ridge
Snowmass Village, Colorado

Dear Mr. Segan,

At your request I visited the above referenced residence with you on 21 February 2022. The intent of this visit and report is to observe existing construction conditions, and where applicable discuss possible structural implications and remedies. This report is general in nature. No analysis or calculations have been performed to assess correct member sizing or connections. Limited architectural and structural plans were available for review, but these proved to not be an accurate representation of existing conditions. In 2007 Steven Peightal with SK Peightal Engineers visited the site and observed existing conditions and outlined his findings in a report dated 24 September 2007.

No warranty or guarantee is expressed or implied in this report with respect to the structural components or the integrity of the building. This report is limited to the observed and described construction conditions only. Our services do not include determining the presence, prevention, or the possibility of mold or other biological contaminants to develop.

For purposes of this report, the main entry is considered as on the west elevation. The structure is accessed off Maple Ridge Lane to the north – with the driveway climbing up to access the garage. Faraway Road is situated directly above the property to the south. Building construction appears to consist of wood frame with steel elements set on a poured concrete foundation consisting of insulated concrete forms. The roof consists of multiple levels of flat roof planes. The upper floor level daylight to the south on the uphill slope. The lower-level daylight to the north on the downhill slope.

At the time of the observation, the site was snow-covered and access to all exterior areas was not feasible.

Overall, the structure has a variety of miscellaneous drywall and tile cracks, but there are two primary areas of distress in the structure: roof leaks and lateral shifting.

Roof Leaks

The structure consists of multiple levels of flat roof with a curved barrel roof at the front entry. The primary area of distress occurs at the kitchen/living/upper foyer area.

- The north wall of the kitchen shows multiple water stains, drywall cracks, and nail pops.
- On the opposite side of this wall, it is apparent that the drywall ceiling in the upper foyer has been repaired but may still be subject to water infiltration.

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03/13/2025
Page 21 of 28

- The area immediately surrounding the log column bearing on the south end of the fireplace structure exhibited an active water leak with the top of the stone surface holding standing water.
- The north end of the fireplace displayed efflorescence on the stone veneer and water stains on the wood hearth indicative of water intrusion from the roof above.

It is critical to have the waterproofing system at the roof inspected and repaired as required to prevent future water infiltration. As a part of the repair, recommend examining the structural elements (sheathing, rafters, beams, etc...) to verify the integrity of these critical framing members and repairing/replacing as may be required. As it is difficult to perform this type of work during the winter, it is advisable to ensure snow is actively removed from these areas to reduce potential future damage until repairs can be made. Moving forward, it is critical to engage in ongoing monitoring and maintenance of these systems to ensure continued performance.

Lateral Shifting

One potential cause of much of the drywall, trim, tile, and door distress may be a lateral shift of the structure due to uphill soil pressures on the south foundation wall.

- Throughout the structure many drywall cracks were observed at windows, doors, and ceiling/wall transitions.
- Noted separation in grout joints at tile showers.
- Miscellaneous doors were not square in their frames, some to the point of being unable to close fully.
- The wall separating the mud room and mechanical room appears to be trying to shift north, causing buckling in the finish floor material and drywall corner bead.
- Joists at the upper, south crawlspace did not appear to be properly seated in their supporting hangers.
- Tile cracking and wood separation at the east wall of the master bathroom.
- Finish distress, tile cracking, and misalignment at the shower in the northwest downstairs bathroom.
- Racking at the exterior garage doors.

Through a comparison of items observed while on site and items listed in the 2007 report, it is apparent that some degree of lateral movement has been occurring over an extended period of time and is not necessarily a recent occurrence.

Unfortunately, due to the snow conditions, I was not able to observe exterior conditions at the south, uphill portion of the property. The structure sits into the hillside with Faraway Road immediately adjacent above. It is possible that this relationship creates a conduit for water to migrate to the backfill against the south foundation wall, thus increasing the lateral soil pressure beyond what it may have been originally designed to resist. It was also reported that there may be some sort of water feature on the property, but its location is unknown.

It is critical to foundation performance to avoid introducing water to the foundation at all areas of opportunity.

- Once the backyard area is accessible, recommend verifying that all groundwater has an opportunity to divert away from the structure in all directions. This may be done with grading swales, hard-piped drainage systems, or other systems as designed by others.
- Avoid introducing water to the bearing soils in the form of irrigation systems.

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03/13/2025
Page 22 of 28

- Ensure all roof drains allow water to divert from the roof and any gutter systems discharge into a properly sized and functioning drain system or provide elements as required to move the discharge laterally away from the house and bearing soils.
- Recommend properly sized heat tape system at the roof and gutters to encourage removal of snow loads and allow moisture to be discharged beyond foundation bearing soils.
- Irrigation systems are not recommended immediately adjacent to the building structure. Irrigation and roof water may migrate to the bearing soils and impact foundation performance.

Water is always a deteriorating force. It is critical to assure water intrusion into the building shell is stopped at all areas of opportunity. Foundation performance is directly related to meeting the recommendations of a soils engineer. These on-going recommendations may include, but are not limited to, water control in the form of foundation drainage systems, surface water control by eliminating ponding and ensuring adequate slope for drainage, irrigation location and limitations, roof water collection and deposition systems (all designed by others). Water control is critical to bearing soils performance.

It is advised to verify positive drainage away from the house on all sides. The water should be free to migrate away from the structure and drains provided as recommended by others. Gutters are an effective means to moving water away from the foundation and, ultimately, the bearing soils only if they are designed to discharge away from the structure.

Irrigation systems are not recommended immediately adjacent to the building structure. Irrigation and roof water may migrate to the bearing soils and impact foundation performance. Similarly, introduction of water behind foundation walls may cause an increase in hydrostatic pressure beyond what would have been allowed for by the soils engineer's recommendation for design.

Once potential water sources have been identified and diverted, recommend monitoring interior finish materials for possible future movement.

Miscellaneous Items

- Observed a wing retaining wall at the northeast corner of the house that appears to have rotated inward and broke free from the house foundation. Due to the snow conditions, I was not able to definitely observe in-field conditions. However, conditions appear to be similar to as described in the 2007 report.
 - Recommend observing current in-field conditions once the snow melts and replace this wall or regrade the hillside at that area.
- The exterior spaces of the property, including decks and terraces were shrouded in deep snow.
 - Recommend ongoing snow removal as part of a standard maintenance program.
- Observed locations near the front entry roof where the interface between logs, stucco, and roofing materials to have opportunities for water infiltration.
 - Recommend engaging a licensed waterproofing contractor to review these areas and provide flashing, drainage, and waterproofing systems as required.
- Noted efflorescence on the stone veneer retaining wall to the south of the garage doors. This indicates water infiltration through the material, possibly indicating a water source above that should be diverted.

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03/13/2025
Page 23 of 28

Crawlspace

- The concrete walls were not visible for observation due to their insulated concrete form construction. Overall, the observed space seemed dry and in good condition.

Summary

Overall, the observed building structure appears to have performed despite the stresses imposed by the water impacts over time. The conclusions of this report are similar to the findings of the 2007 report. By addressing the concerns discussed herein, and with attention to normal maintenance, it is reasonable to assume that this structure can be expected to continue to perform. Please contact my office with any questions.

Sincerely,

Adrienne Prosser, PE
vice-president

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03/13/2025
Page 24 of 28

MEMORANDUM

TO: Town of Snowmass Village Planning Commission

FROM: Brian McNellis, Senior Planner
Community Development Department

SUBJECT: Public Hearing and Resolution No. 5, Series of 2025: Lot 5, Ridge Run Unit I, (40 Maple Ridge Lane) Variance Request: Retaining wall encroachment within an 11-foot setback and drainage/utility easement

DATE: July 16, 2025 (continued from the May 7th meeting)

OVERVIEW: Fritz Carpenter ("Applicant") on behalf of 40 Maple Ridge Lane LLC ("Owner"), submitted a land use application for a Variance on April 11, 2025 to construct "structures" outside of the established building envelope. The application can be accessed from the Town's website via this link: [Ridge Run 1 Lot 61 Variance](#)

The application requests a variance to build a soil-nail retaining wall along the rear property line of the subject parcel - below Faraway Road. As stated in the application, *"This will stabilize and eliminate the lateral earth pressure forces being exerted in the existing basement and basement foundation walls....This is necessary to stabilize the hill supporting Faraway Road and remove lateral earth pressure on the residence and allow for repairs on the structure itself to realign primary and secondary structural elements back into plumb."*

The redesigned retaining wall is approximately 15 feet tall with a shorter secondary wall (to the north) as reference the resubmitted application drawings (see Exhibit B attached) and the applicable code sections referenced below. The request requires an encroachment license from the Public Works Department for the proposed soil nail wall within the utility easement.

BACKGROUND: The Ridge Run Unit I Subdivision Plat was approved in 1967 and the subject property is zoned SF-30.

The Faraway Road right-of-way is 60 feet in width and traverses the subject parcel to the south. There is a 11-foot utility/drainage easement adjacent to road along the southern property boundary. This easement was encroached upon during the construction of the residence but was legitimized by a building envelope adjustment that encroached into the easement pursuant a Variance request recorded at Reception #387606, Bk: 800, Pg: 445 of the Pitkin County records.

The applicant is requesting the ability to encroach into the utility/drainage easement and setback area for the purpose of constructing an engineered retaining wall system. The applicant originally wished to establish a patio over the excavated area (which was not supported by Planning Staff of the Public Works Department). The applicant has since modified the proposal in an effort to obtain an encroachment license from the Public Works Department. This has now been approved with conditions that are included as part of the attached draft Resolution No. 5 for Planning Commission consideration (see

Exhibit A). At the request of the Town, the secondary retaining wall will be removed from the utility easement.

REQUIRED ACTION: Planning Commission may approve, approve with conditions or deny any or all of the Applicant's request for a variance.

PUBLIC NOTICE REQUIREMENTS: The public hearing notice was published in the Aspen Times as required by Municipal Code, Sec. 16A-5-60. Affidavits for the required mailing and posting of the property by the Applicant are available upon request. As part of the public record, the meeting was continued to July 16th, 2025.

MUNICIPAL CODE STANDARDS:

Purpose of a Variance. In accordance with Section 16A-5-240(s) '*Purpose, "a Variance is a deviation from the standards of the Development code that is necessitated by special circumstances or conditions of the physical site (such as exceptional topography, or the narrowness, shallowness or shape of a particular piece of property), that would create practical difficulties for, or an unusual hardship upon the owners of the land if the provisions of this Code were to be strictly enforced."*

The Town municipal code standards in this case, are stated below:

Sec. 16A-3-200. Zone district dimensional limitations.

(b) Construction in Required Setbacks and Outside Designated Building Envelopes.

- (1) Structures on or below finished grade. A structure (said structure being defined as no higher than thirty [30] inches above finished grade, such as a deck or parking pad) shall not be more than four (4) feet in height above existing grade and shall not project into the affected portion of a required setback more than one-half (½) the distance from the building envelope to the property line and no closer than ten (10) feet to the property line, whichever is more restrictive.*

Town staff comments: At approximately 15 feet in height, the proposed retaining wall meets the definition of a "structure" which must be contained inside the established building envelope unless a variance is granted.

Sec. 16A-4-50. - Geologic hazard areas, steep slopes.

- (d) Development Prohibited on Slopes Greater Than Thirty Percent (30%). No development shall be allowed on any slope greater than thirty percent (30%), except in the following circumstances:*

(2) Lots subdivided prior to January 1, 1987. Development may be allowed on lots and within approved building envelopes containing areas of slopes greater than thirty percent (30%) if the lot was subdivided prior to January 1, 1987.

(3) Man-made slopes. Development may be permitted on slopes greater than thirty percent (30%) that are the result of minor man-made cutting or filling of an otherwise continuous natural slope.

- a. *The development is unable to avoid the steep slopes, and the reasons therefor; and*
- b. *On the basis of competent engineering or geologic reports and data and testimony received, the design and/or construction techniques that will be incorporated within the development will satisfactorily mitigate the risk of potential harm to the public health, safety or welfare.*

Town staff comments: The proposed retaining wall is proposed in an area that is steeper than 30 percent grade. The existing slope may be considered 'man-made' meeting criterion (d)(2) above. That said, the unstable nature of slope area of consideration justifies the request for this variance as detailed in the SK Peightal Engineers report included as part of the application.

Sec. 16A-5-240 Variances

Pursuant to the Municipal Code a Variance application shall comply with **all** the Review Standards below:

1. ***Special Circumstances Exist:*** *"There are special circumstances or conditions, such as exceptional topography, or the narrowness, shallowness or shape of the property, that are peculiar to the land or building for which the variance is sought, and do not apply generally to land or buildings in the neighborhood."*

Town Staff comments: The lot is exceedingly steep as viewed from Faraway Road and is well beyond 30% grade. That said, the existing slope may be considered "exceptional topography."

2. ***Not Result of Applicant:*** *"The special circumstances and conditions have not resulted from any act of the applicant."*

Town Staff comments: The existing special circumstances and conditions of the property were not the result of the Applicant's doing.

3. ***Strict Application Causes Practical Difficulties:*** *"The special circumstances and conditions are such that the strict application of the provisions of this Development Code would result in practical difficulties to and undue hardship upon the use of the land or building."*

Town Staff comments: The existing special circumstances and conditions have already resulted in "hardship" for the property owner which could be remedied by this variance request. The proposed retaining wall is engineered to alleviate pressure on the existing structure while stabilizing Faraway Road – as supported by the Public Works Department (see Exhibit C attached).

Not only will the proposed patio encroach to the edge of the property (and within a few feet of the roadway above) it will make it more difficult for the Town to maintain the drainage/utility easement if necessary in the future.

- 4. Necessary to Relieve Practical Difficulties:** *"The granting of the variance is necessary to relieve the applicant of the practical difficulties and undue hardship in the use of the land or building and is the minimum variance that could be granted to achieve said relief."*

Town Staff comments: The variance may be necessary to relieve the Applicant of practical difficulties and undue hardship to achieve the desired results and use of the property being sought.

- 5. Not Adversely Affect Neighborhood:** *"The granting of the variance will not change the character or otherwise adversely affect the neighborhood surrounding the land where the variance is proposed, will not have a substantially adverse impact on the enjoyment of land abutting upon or across the street from the property in question, will not impair an adequate supply of light or air to adjacent property, will not increase the danger of fire or otherwise endanger public safety or the public interest, and will not substantially diminish or impair property values within the neighborhood."*

Town Staff comments: The proposed retaining wall will not be readily seen from adjacent properties or Faraway Road. It may provide stabilization to Faraway Road which is of benefit to the neighborhood and adjacent properties.

- 6. Harmony with Development Code:** *"The granting of the variance will be in harmony with the purposes and intent of this Development Code, including the intent of the underlying zone district. No variance shall be approved that permits the construction or enlargement of any building or decks and related structures for any use prohibited in the underlying zone district."*

Town Staff comments: The proposed Variance does not affect the intent of the Ridge Run - Unit One PUD and is not a prohibited use in the SF-30 zone. The proposed deck amenity does not align with the intent of the zone district and the established setbacks of the subdivision.

- 7. Consistent with Comprehensive Plan:** *"The granting of the variance will be consistent with the intent of the Comprehensive Plan."*

Town Staff Comments: The proposal is not contrary to any of the goals set forth in the Comprehensive Plan.

STAFF RECOMMENDATION: Town Staff recommend the Planning Commission approve the attached Resolution with conditions as drafted.

Exhibits:

- A. Revised Draft Resolution No. 5, Series of 2025
- B. Revised Architectural/Engineering Drawings
- C. Public Works email 07/03/2025
- D. SK Structural Engineer Report 02/27/2022