

**Advisory Board of the Environment –  
ABE Minutes  
856 Costello Avenue, Fairplay, CO 80440  
Conducted in person room 1101, and by Zoom video conference  
Tuesday July 20, 2021**

**Attending (logged-in)**

Ramon Castro - by Zoom  
Jennifer Migliorato – In person  
John Reiber – In person  
Bernie Petersen – Zoom  
Patrick Schilken – Zoom  
Tyler Stoltzfus – Zoom (Joined at 1:32PM)

**Absent:**

Wendy Kerner

**Call to Order.** The meeting was conducted by Zoom video conference; Mr. Reiber & Ms. Migliorato were at the County Building. Mr. Reiber called the meeting to order at 1:03 PM.

**Pledge of Allegiance** was not performed, no flag present.

**Roll call of Board members present.** A Quorum is present.

**Consideration of proposed additions to or modifications of the July 20th, 2021 agenda.** Mr. Castro motioned to accept the Agenda as written, Mr. Petersen seconded the motion. The Agenda was approved as written.

**Review and approval of minutes of the June 15, 2021 meeting.** Ms. Migliorato motioned the June 15, 2021, Minutes be accepted as written. Mr. Castro seconded the motion. The Minutes were unanimously approved as written.

**Introduction of Board members and members of the public.**

None present.

**Remarks or input from members of public.** None presented.

**Presentation of pending Land Use Actions and ABE response:**

1. 21CUP04 – Request for Variance on set back.

A request for an approval of a conditional use permit for a residential zoned parcel. The Stephens Lode MS#4053 was rezoned from mining to residential in 2019. The applicant is requesting a conditional use permit to allow for building structures consistent for use as camping resort. ABE reviewed the application based upon an occupancy of 24 people.

With regard to the septic systems design, issues were raised regarding the set back from the right of way, property boundary lines and the leach field. The site plan did not identify wetland boundaries but that information is needed for ABE to complete the review. ABE is recommending that the Planning & Zoning Department request a Wetlands Delineation for the site. Once the wetlands have been identified, the setbacks for the septic system and leach field need to be reviewed and adjusted accordingly.

Mr. Stoltzfus stated that this site maybe included in a critical wildlife area. After describing the details of a critical wildlife area, and since this site is in an area experiencing a substantial increase in recreation, the addition of camping at this site may necessitate a 1041 Wildlife review. ABE is recommending that the Planning & Zoning Department request a 1041 Wildlife study as the site maybe in a critical wildlife area.

ABE reviewed the impact of parking onsite. Several concerns were raised regarding snow removal, the impact of addition fill from snow removal to the wetlands, and the parking area surface treatment. ABE recommends that the Planner request more details regarding the surface treatment of the parking area and seasonal snow removal.

ABE looked at the site plan for potential geological hazards. It was noted that the geology report prepared by Dean Misintoni (completed when the property was rezoned from Mining to Residential) was not included in the referral for review. Chairperson Reiber requested the report from John Deagan and will distribute the report to the committee members.

ABE reviewed the topography map supplied by the applicant. Concerns were raised about past rockslides/snowslides in the area. Finally, ABE recommends that the County Planner determine if the proposed cabins are located in an avalanche zone.

2. 21-CUP-03 – Mountain Area Land Trust Revision of a Conditional Use Permit (additional consideration from ABE). The applicant is requesting the revision of a conditional use permit to provide a base for land trust activities and high-altitude research center on a 70.6 Residentially zoned lot. John Deagan joined the meeting to provide clarification on the applicant's request.

With respect to the parking area and driveways, the Park County LUR's do not have a setback requirement. The setback requirement is based upon a structure, and the additional structures requested by the applicant are well outside of the wetlands set back.

With respect to the increase in use of the camping area to allow 35 people and sanitation. The original conditional use permit had only identified 3 campsites, and ABE believes that the sanitation system was originally designed for that previous use. The applicant did not acknowledge that the current system was reviewed or certified that the system could handle the additional use. ABE recommends that the County Planner check to see if the current septic system can properly handle the additional use.

ABE asked if the current county code had any provisions for buffer zones for parking areas or any requirements for drainage settling ponds for parking area run-off. Mr. Deagan stated that no such provision is in the Park County code. ABE recommends that the Planning & Zoning Department determine if the Park County Code needs revisions to include buffer zones and or runoff settlement ponds for driveways and parking areas.

Mr. Stoltzfus stated that with the increase in camp site use, will impact wildlife in the area. With more campers, bears will see the area as an additional food source. The applicant should provide bear proof food storage and bear proof waste containers.

## Old business:

- **Revisions to BOCC Resolution 19-20.** The word or editable copy of BOCC Resolution 19-20 was not provided to the committee for review. Chairperson Reiber had made the request from Tom Eisenmen prior to the meeting. Mr. Reiber will follow up before the next meeting.

**Eddie Kochman Memorial Project.** ABE requested that Mr. Stoltzfus continue with his follow-up with the Division of Wildlife.

**21-PUD-01 – Morning Air Ranch.** Mr. Stoltzfus is going to check with the local Game Warden to verify if there are any concerns and get back with the group.

**Meeting County Commissioners.** Mr. Reiber will check with BOCC on if/when a meeting or work session can be scheduled with ABE and the County Commissioners.

## New business:

- Kite Lake and the Decalibron Loop. Mr. Reiber presented the background on the Kite Lake area and the Decalibron Loop. The Decalibron Loop has experienced exponential use over the past several years and is second in visitor use to Mount Quandary located in Summit County. Last year, for the 5-month hiking season, over 30,000 individuals hiked the Decalibron Loop. Mr. Reiber believes that the overuse of this areas has created a number of environmental issues. ABE raised concerns about the impact to the water supply for the Town of Alma and property owners in the area.

Mr. Stoltzfus stated that the increase in use could create a “dead zone” for bighorn sheep. Basically, a dead zone is defined as an area rendered unsafe for bighorn sheep migration, grazing and lambing. Colorado Division of Wildlife has required local mines to not operate during the lambing season in the area, but no such restrictions are in place for hiking, camping or winter access by the public.

Since counties around the State of Colorado are reviewing the need to impose restrictions on access to areas like Kite Lake and the Decalibron Loop due to environmental concerns and the impact to wildlife, Mr. Reiber requested suggestions from ABE to present to the BOCC to address these issues.

The next meeting will be held August 17, 2021, at 1:00 PM.

**Adjourn.** Mr. Castro motioned the meeting be adjourned. The Motion was seconded by Mr. Peterson. The Motion was unanimously passed, and the meeting was adjourned at 2:24 PM.