



## Architectural Committee Meeting Minutes - September 26, 2024

### BSAC/Staff in Attendance:

John Seelye, Chair  
Maggie Good  
George Mueller  
Ernie Chappell  
Vanessa McGuire  
Dave McCaffery  
Suzan Scott  
Lisa Chase

### Guests in Attendance:

Garrett Damm  
Mariusz Kamieniarz  
Mike Palmer  
Josh Hampton

### Project Attending For:

#06170A 10 Speaking Eagle Rd.  
#02801 35 W. Pine Cone Terrace  
#000XX Yellowstone Spur Rd.  
#05313 2800 Bobtail Horse Rd.

### Guests Joining

#### Virtually:

Matt Pumford  
David Guetschow  
Chad Wilson  
Jessica Braun  
Heath Gran  
Christopher Smilek  
Soren Solari  
Preston Patten  
Kathryn Glas  
Chris Jones  
Peter Bing  
Scott Freimuth

#05417 61 Chief Joseph Trail  
#05304 2680 Rain in Face Rd.  
#08600 Black Eagle Rd.  
#06167A 6 & 8 Spotted Eagle Rd.  
#06170A 10 Speaking Eagle Rd.  
#000XX Yellowstone Spur Rd.  
#04605 Lot 5 Spotted Elk Rd.  
#04445 3055 Half Moon Ct.  
#05313 2800 Bobtail Horse Rd.  
#05313 2800 Bobtail Horse Rd.  
#06030 14 Washakie Rd.  
#06030 14 Washakie Rd.

### 1. Membership Forum -

John Seelye expressed concern regarding the 'No thru traffic' sign that is currently located on the west side of Little Coyote Road. Mr. Seelye observed the sign may have been placed too close to the spur road and suggested moving the sign east to avoid a potentially dangerous situation.

### 2. Call to Order - The Chair called the meeting to order at 9:05 AM.

### 3. Meeting Minutes -

August 15, 2024, Meeting Minutes

**Motion made by Dave McCaffery to approve the August 15, 2024, Meeting Minutes; seconded by Vanessa McGuire. Motion passed unanimously.**

#### 4. Community, Minor Alteration- Signage

- a. BSOA: 08600 Boyne Properties, Inc.  
Subdivision: Cascade  
Legal: Block 3, Lot 167A  
Street: Spotted Eagle Rd.

Chad Wilson attended the meeting by Zoom on behalf of Boyne Resorts, to request permanent 'No Parking' signage on Black Eagle Road. The intent of the signs is to ensure the resort can manage the road as a no parking zone for emergency management services, alleviating road congestion, and overall safety.

Mr. Wilson also requested the BSOA delegate authority to Boyne over the 'no parking signs' for purposes of enforcement. Staff noted they will present this request to the Board at their next meeting.

**Motion made by John Seelye to approve the 'No Parking' signage; seconded by Vanessa McGuire. Motion passed unanimously.**

Staff confirmed the BSOA will work with Boyne to determine the number and placement of signs. BSOA staff will install the signs.

#### 5. Single-Family, Minor Landscaping Alteration

- b. BSOA: #06167A Brett & Georgia Baker  
Subdivision: Cascade  
Legal: Block 3, Lot 167A  
Street: 6 & 8 Spotted Eagle Rd.

Jessica Braun, from Firebreak Management, attended the meeting by Zoom on behalf of the owners of 6 & 8 Spotted Eagle Road to request approval to address wildfire mitigation. The scope of work involves falling and mulching standing dead trees, pruning tree branches (to approximately 8-feet) of select trees, falling and mulching five trees to improve forest health and viewshed.

**Motion made by Ernie Chappell to approve the application as submitted; seconded by Dave McCaffery. Motion passed unanimously.**

#### 6. Single-Family, Site Accessory

- c. BSOA: #04503 Erin Flaherty  
Subdivision: Meadow Village  
Legal: Block 5, Lot 3  
Street: 1855 Little Coyote Rd.

**The Project Representative was not present. No Motion was made.**

## 7. Single-Family, Minor Alteration

d. BSOA: #05304 Janell C. Weber Trust

Subdivision: Sweetgrass Hills

Legal: Block 3, Lot 4

Street: 2680 Rain in Face Rd.

David Guetschow, Project Representative attended the meeting by Zoom on behalf of the owner to request approval to replace the 46-year-old cedar shake roof. The roof will be replaced with Galvalume; an environmentally friendly, standing seam metal roof system in a metallic light grey. Staff noted that there will be no additional height added to the home.

**Motion made by John Seelye to approve the application contingent on staff receiving a roof sample prior to work commencing; seconded by Dave McCaffery. Motion passed.**

## 8. Single-Family, Modification to Approved Plans, Exception

e. BSOA: #06030 Ramanujan Srinivasan & Valeria Pakhomova

Subdivision: Cascade

Legal: Block 1, Lot 30

Street: 14 Washakie Rd.

Scott Freimuth of Aspekt Architecture, and Peter Bing of Blue Ribbon Builders, attended the meeting by Zoom, on behalf of the owners, to request approval for a Modification to approved plans. The Major Alteration, a new single garage-bay addition to the north side of the existing garage, and a new attached 2-story “wing” addition located in the northwest corner of the property, was approved on June 22, 2023.

Staff presented the plans to add two (2) retaining walls and a request for an *Exception* to Design Regulation 3.6 to exceed the maximum allowable wall height and length.

During construction, it was discovered that the hillside above the house is prone to moisture. With recommendations from a geotechnical report conducted by IMEG and concerned about the long-term stability of the slope and safety, the applicants have proposed two (2) structural retaining walls along the north wall of the existing structure.

The upper retaining wall will be made of a dry-stack boulder wall at 44 feet in length and 8 feet tall at its maximum height. The lower wall will be a board- formed concrete, 54.25-feet in length and 8-feet tall at its maximum height. The concrete clad will be in the same stone veneer as the house. The walls will be mostly invisible from surrounding properties due to topography. Additionally, landscaping around these walls will minimize visual impact of the walls.

**Motion made by John Seelye to approve the application and Exception as submitted; seconded by Ernie Chappell. Motion passed unanimously.**

## 9. Single-Family, New Construction Approval Extension

- f. BSOA: #04445 Preston Patten  
Subdivision: Meadow Village  
Legal: Block 4, Lot 45  
Street: 3055 Half Moon Ct.

Staff presented an Extension for Final Approval of New Construction. Preston Patten, Owner, attended the meeting by Zoom. The Final Plans for the new construction of a two-story single-family home were approved on June 20, 2023. Mr. Patten noted the project has been delayed due to personal reasons and plans to resume as soon as possible.

**Motion made by Ernie Chappell to approve the Extension until September 30, 2025; seconded by George Mueller. Motion passed unanimously.**

## 10. Single-Family, New Construction Project Extension

- g. BSOA: #05313 Christopher Jones & Kathryn Glas  
Subdivision: Sweetgrass Hills  
Legal: Block B, Lot 13A  
Street: 2800 Bobtail Horse Rd.

Staff presented an Extension request for Construction on 2800 Bobtail Horse Rd. Kathryn Glas and Christopher Jones attended the meeting by Zoom. Project Manager, Josh Hampton attended the meeting in person.

The BSOA received a Performance Deposit for New Construction on September 25, 2020. The most recent Extensions granted were on April 20, 2023, and January 4, 2024. Per the Sweetgrass Hills Covenants, all construction shall be diligently prosecuted to completion and shall in any event be completed within eighteen (18) months of commencement unless specific written extension is granted by the BSAC.

Delays ensued due to the discovery of additional conditions caused by the previous General Contractor(s) necessitated repair. Additionally, unaccounted for and damaged materials and equipment from the previous contractor's negligence caused delays.

The subcontractors' schedules and reliability have proved challenging and consequently the project was further delayed losing around 6-8 weeks between tile, plumbing, stone slab countertops, and electric. One of our most significant subcontractors was unable to complete their portion of the project at the level of quality and budget point promised to the homeowners. Blue Room construction staff took over this portion of the work to meet both metrics.

The committee expressed concerns regarding construction vehicles, trailers and dirt on the cul-de-sac noting the prolonged disruption to the neighbors, and requested the Manager keep the street swept throughout the remainder of the project.

Mr. Jones reported the project is moving forward amidst the challenges and noted the exterior siding, landscaping, driveway, and sign monument are all approaching their finishing stages. Josh Hampton, Project Manager, felt confident the exterior construction would be complete by the end of this October.

Due to the prolonged timeframe of construction, the committee requested a Certificate of Occupancy from Gallatin County prior to releasing the Performance Deposit.

**Motion made by John Seelye to approve the Extension for Construction until November 30, 2024, and Landscaping until June 30, 2025; seconded by Dave McCaffery. Motion passed unanimously.**

#### **11. Single-Family, Major Alteration Sketch**

- h. BSOA: #02801 Klaudia Kosiak & Mariusz Kamieniarz  
Subdivision: Aspen Groves  
Legal: Block D, Lot 1  
Street: 35 Pine Cone Terrace

Mariusz Kamieniarz, owner, attended the meeting in person. Staff presented plans to add a second garage to an existing single-family dwelling. Plum Architecture from Bozeman developed the design. The stand-alone garage will be 20'x25', resulting in 500 square feet and be located on the southeast portion of Lot 1. The design and materials are complementary to the main home. Utilities to the addition will consist of power only. The owner's intention is to minimize the impact on existing native trees and remove as few as possible to maintain a natural screen from the road.

**Motion made by Vanessa McGuire to approve the application contingent on receiving an updated site plan confirming setbacks prior to the Final Review; seconded by Dave McCaffery.**

#### **12. Single-Family, Major Alteration, Sketch**

- i. BSOA: #05417 Matt & Dawn Pumford  
Subdivision: Sweetgrass Hills  
Legal: Block 4, Lot 17  
Street: 61 Chief Joseph Trail

Matt Pumford, Owner and Project Manager, attended the meeting by Zoom to request Sketch Approval for a Major Alteration.

The existing site has two buildings on it: a home built in 1985 and a carriage house/garage built in 2005. The project will primarily involve connecting the main house to the secondary structure with a 16 x 20 single-story walk-through area on the ground floor lower level and modifying the driveway. Additionally, the siding, windows, doors, decks, rails and stairways will be replaced.

The new entrance to the home will be relocated to the lower level with a Porte Cacher that attaches to the existing main building pillars. This area will be accessed by extending the existing driveway that will circle back out to Chief Joseph Trail.

The roof and chimney will not be altered. Major interior renovations will simultaneously be taking place.

**Motion made by John Seelye to approve the Sketch Review application as submitted; seconded by Ernie Chappell. Motion passed unanimously.**

### **13. Single-Family, New Construction Modification**

- j. BSOA: #04605 Soren & Ruthi Solari  
Subdivision: Meadow Village  
Legal: Block 6, Lot 5  
Street: 2115 Spotted Elk Rd.

Staff presented a Modified New Landscaping & driveway plan for 2115 Spotted Elk Rd. The owner Soren Solari attended the meeting by Zoom.

The landscaping plan was originally approved on July 15, 2021, and included draught resistant Kentucky blue grass, small conifers and shrubs, which have been replaced with mulch and an assortment of small plantings. Additionally, a wider circular driveway was installed.

The owners have plans to place 1-2 boulders in the center driveway garden. Two small Aspen Groves (6-8 trees) will be planted along the east side of the Lot to add privacy screening and visual interest.

Mr. Solari noted the landscaping design was a sponsored project with the Big Sky Fire Department.

**Motion made by Ernie Chappell to approve the Modified Landscaping Plan & driveway as submitted; seconded by Dave McCaffery. Motion passed unanimously.**

### **14. Multi-Family, Minor Alteration After-the fact 'Fee Appeal'**

- k. BSOA: #000XX Yellowstone Condominiums  
Subdivision: Meadow Village  
Legal: Section 36  
Street: Yellowstone Spur Rd.

Staff presented a request made by Hammond Property Management to appeal the BSAC Motion made on September 5, 2024, to fine the Yellowstone Condominiums an \$1000.00 After-the-fact fee [for fourteen (14) roof replacements]. Mike Palmer, of Hammond Property Management, attended the meeting in person on behalf of the Yellowstone Condominiums Association. Mr. Palmer noted the project was pushed up a month ahead of schedule and took only six weeks to be completed.

In consideration of the Yellowstone Condominium Members that are also BSOA members, the committee was not willing to appeal their Motion and After-the-fact fee. The committee noted that BSAC guidelines, policies and procedures are in place to help protect homeowners and property management companies.

**Motion made by Dave McCaffery to deny the Fee Appeal; seconded by Ernie Chappell.**  
**Motion passed unanimously.**

**15. Single-Family, Minor Alteration, Variance After-the-fact**

1. BSOA: #06170A REBS, LLC  
Subdivision: Cascade  
Legal: Block 3, Lot 170A  
Street: 10 Speaking Eagle Rd.

Staff presented plans for an After-the-fact cold-roof installation and Variance for height. The cold-roof design added 21 inches vertically and 13-7/8" parallel to the roof line. All framing on the cold roof has been installed and covered in the dry-in. The home is currently under construction, and the BSOA retains the full Performance Deposit.

The home is a traditional wood frame single-family residence with a livable square footage of 4,533 square feet that has 6 bedrooms, 4.5 baths, a theater room, and a walk-out daylight basement. BSAC approved the final plans for the New Construction on June 18, 2020. A performance deposit was received on October 1, 2020. The BSOA retains the full \$17,500.00 Perf Dep.

The following Construction Extensions have been granted:

Extension Granted May 5, 2022.

Extension Granted June 1, 2023

Extension Granted & *After-the-fact Exception to DR 3.6 Design Changes* Approved March 21, 2024.

Last winter, the roof shingles were damaged due to excessive shoveling, and it was discovered the roof was leaking. The owners began construction on a cold roof design prior to BSAC review.

Heath Gran, part Owner and Project Manager attended the meeting by Zoom. Garrett Damm of Cornerstone Management Services attended the meeting in person.

The Cascade Covenants state that no building or structure shall exceed 28 feet in height measured from the highest roof ridge to the average level of finished grade adjacent to the building or improvement. Variances to these requirements are permitted pending BSAC Certified neighbor notifications and BSAC approval.

Per 5.8 Roof Design of the BSOA Design Regulations cold roof systems with adequate ventilation and insulation are strongly recommended for existing homes wishing to add cold roofs and an additional

height allowance of up to twelve (12) inches above the maximum Average Grade Height may be considered for homes installing new cold roof systems.

Additionally, staff noted neighbor concerns regarding the interior lights emanating. Staff have received notifications that construction workers may be 'tripping' the lights and as the home is currently vacant, the lights remain on all night. Mr. Gran offered he would send up their electrician to look at the panel and confirmed blinds were being installed in three weeks.

**Motion made by John Seelye to table the application as to allow staff adequate time to send neighbor notifications by certified mail; seconded by Vanessa McGuire. Motion passed unanimously.**

## 16. Discussion Items

### i. Aspen Groves Covenant Amendment

Staff presented an amendment proposal from the Aspen Groves Owners Association (AGOA). The AGOA board engaged outside counsel to prepare the amendment. The purpose of the amendment is to clarify that while the subject green space is intended to be protected from development, there is no prohibition on restoration of the space to a natural condition. More specifically, the Gallatin River Task Force would like to implement a restoration project that would return the space back to its pre-flood condition by the installation of one or more analog beaver dams. The late 1990's flood destroyed through erosion the marsh-like conditions that previously hosted a variety of wildlife. The restoration would, along with accompanying restorations occurring (or already performed) in other areas of Big Sky, also ultimately improve the ecological quality of the river. The AGOA recognizes that Section A of Article X has few changes. The substantive changes intended to meet their aim are reflected in Section G of Article X, and are underlined below. Overall, the AGOA board believes they have a duty to be good stewards of all of the land within their boundaries, including the designated green spaces, and believes the GRTF's proposed restoration aligns with the AGOA duties. Using MGCOne, the BSOA staff will assist the AGOA to facilitate the vote.

#### AMENDMENT

1. Amendment to Section X.A. Section X.A. of the Covenants is hereby deleted in its entirety and replaced with the following:

Every attempt shall be made to preserve and protect the environment indigenous to the area. Disturbance, destruction or damage to all plant life, all animal life and their natural native habitats, streams, ponds, springs, underground aquifers, soils and rocks is strictly forbidden except where absolutely necessary for the placement or construction of improvements on

the land, for the proper and orderly development of the premises, for infrastructure and maintenance activities related to trail or park maintenance, or for ecological preservation or restoration activities as approved by the Owners Association. Trees are to be removed only for building or aesthetic reasons (i.e., view shed) and can only be removed with the permission of the Owners Association, except that standing dead or diseased trees and low level dead branches shall be removed by the owners as the need arises in order to minimize fire hazards. The Owners Association shall oversee the removal of all such trees and branches, as well as fuels on the ground and shall consider the effects on all owners involved prior to granting permission to remove trees. All areas not utilized as building sites for improvements, where disturbed by construction or any human activity, including all cuts and fills made for purposes of construction or utility placement, shall be returned as quickly as possible to a natural native condition, utilizing natural native vegetation, unless those areas are put into lawns, gardens or exterior living areas; provided, however, that natural native vegetation shall not include any plants declared as noxious weeds by Gallatin County. Control of noxious weeds shall be the responsibility of each individual owner and the Owner's Association. Every building plan must include a landscape plan for approval by the Committee and must provide for the planting of grasses, trees, shrubs, and other landscape features which must serve to enhance the appearance of the site.

2. Amendment to Section X.G. Section X.G. of the Covenants is hereby deleted in its entirety and replaced with the following:

That portion of the park within the Aspen Groves Subdivision, immediately North of Lots 5, 6, and 7, Block B, Phase I, will be reserved as an open space in a natural native vegetative state and will not be improved or altered by the Association or any other party other than as set forth in the Covenants, including but not limited to

Section X.A. For this purpose, "improved or altered" shall mean any development activity that does not leave the park in its natural native vegetative state to further the purposes of open space and recreation. By way of example, but without limitation, this paragraph shall prohibit the construction of buildings and structures that do not support open space and recreation activities. For clarification, this paragraph shall not prohibit infrastructure and maintenance activities related to trail or park maintenance or for ecological preservation or restoration activities, which includes, without limitation and with respect to any creek, stream, or similar waterbody within or bordering such property, the use of beaver dam analogs, post-assisted log structures, and other low-tech, process-based restoration techniques; channel relocation and channel restoration activities;

improvements to bridge crossings; and such maintenance as may be necessary for the safety and well-being of the residents of Aspen Groves Subdivision and their real property and improvements made thereto. The Owners Association, through its board of directors, shall oversee all infrastructure and maintenance activities described in this paragraph.

ii. BSAC After-the-fact fee Schedule

1. The committee ensued discussion to raise the After-the-fact fee fine to \$50,000.

**Motion made by John Seelye to approve the After-the-fact fee fine ranging from \$100.00 to \$50,000.00; seconded by Dave McCaffery. Motion passed unanimously.**

**17. Adjourn** - The meeting adjourned at 11:51 AM.

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John Seelye, Chair