

July 3, 2019

To: Planning & Environmental Commission, Town Council, & Staff

Re: Triumph Housing Project at E.Vail I 70 Exit

For all the reasons previously addressed by me in written & public comments before you & for those stated here, I vehemently & vigorously oppose the building of this project at this site. For the record, as a strong advocate for workforce housing since my move here in '91, and as one of the 300 residents responding to the recent housing survey I am among the 28% of respondees stating a willingness to increase my taxes to pay for Town initiatives for same.

However, this project at this site will likely lead to extinction of our iconic Bighorn Sheep herd, a favorite with our guests as well as locals. For environmentalists committed to sustaining wildlife and our other natural resources, this site exacts an unacceptable cost. It is also cuts off a north-south migration corridor of other wildlife between summer & winter habitat on either side of I 70. Further, the 2-year construction project involving blasting & bull-doing a sizable building platform for 11 buildings, parking areas & access drives will likely drive away the last breeding Peregrine Falcon pair in eastern Eagle County, already impacted adversely by TOV sewer line replacement last year and by unusually cold, snowy weather this spring.

Furthermore, I feel there are major threats, largely glossed over by the developer to the safety of projected residents due to traffic hazards represented by an Interstate exit without any provision for pedestrian transit, lack of sidewalks along the frontage road, and suggestions of crosswalks for bus passengers arriving from the west from work, grocery shopping, or enjoying Vail's snow sports or nightlife. Especially in winter, after dark, in foul weather, or during congestion due to the frequent Vail Pass closings, there is major risk for project residents. As a former E. Vail resident myself over 26 years and as an ex-mountain climber and backpacker over decades, I also recognize some dangers from geologic hazards particularly rockfall that may seem petty to those who were not here in the 90's before the Booth Creek berms were constructed after major chunks of the cliffs above fell toward buildings below, notably crashing into the bedroom of one woman in '97.

Because of my awareness and concern about such hazards I reviewed all 3 geologic studies included with the developer's application. All three are the work of one expert Julia Frazier, and the first study done for Vail Resorts, dated June 19, 2017, entitled Rockfall Hazard Study is the most thorough, comprehensive, and pertinent, accompanied by excellent photographs and graphs. I particularly urge PEC & Council members to review photographs #19-23 showing sizable boulders & blocks fallen out of the bedrock rim above lying about the housing site, particularly Photo 22 & its caption citing slabs measuring 12x8x5, 7x7x3, and, 21x12x9ft. On report page 18 Ms Frazier states the exposed rock face (which I note is also the site of a seasonal waterfall particularly stunning earlier this June) is "the primary rockfall source zone" recently at the housing site. This Formation of Robinson Limestone is interlaced with shale layers and vertically fractured at 10-15' intervals visible in her Photo 14, report p.18, & Photo 16, p. 20, a close up. On report p. 15, Sec.5, she writes, "Debris flows can be triggered by intense summer rainstorms or rapid melting of deep snowpack." As a conclusion based on the above she

suggests in report p.28, Sec.8 Conclusions and Sec. 8.1 Rockfall Considerations “a barrier or wall at least 12 ft.” be built stating a “rigid wall would be more ideal than a flexible fence or berm basin.”

I submit the rockfall hazard at the building site is a real one and the developer-proposed solution inadequate. Or does he consider the metal plates to be used on some of the building walls to be the “rigid walls” called for?

And what will happen on the steep slope above when blasting and bull-dozing efforts begin to create a building platform for 11 buildings, their parking & access areas? Such activity cutting into the toe of the slope will surely further destabilize the eroding rock above. Decision-makers need to address this issue with thorough consideration and prudence. Human lives may rest on it.

In conclusion I would like to address issues raised but not satisfactorily addressed in limited time June 24<sup>th</sup>, as well as the process itself.

Parking ratios: It is not reasonable to base such a ratio on parking slots per unit, but should be based in such a dense project on parking slots per resident. For 270-350 residents in buildings 1,2, & 3 located so far from work and needed shopping to have access to only 45 parking slots is absurd. Some justification for this imbalance might be justifiable if housing were closer to work sites and needed amenities but not stranded on the edge of the highway in East Vail.

ADA Compliance: Though promised this was inadequately addressed thus far. It is a reality that renters enjoying snow sports or actually working on the snow suffer injuries impairing their mobility over periods of time. How will management provide them access to their unit in a 3-4 story walk-up? How will they get to the bus, to work?

Habitat Mitigation: Yesterday at Council it was learned that called for and promised mitigation of the Bighorn’s critical winter habitat by USFS cannot be done till 2020 or even the following year. Before it is done, the project must not go forward! Otherwise the Heicher solution offered to Council in bitter humor during deliberations on the Bighorns’ fate last year by a retired CPW officer is the only humane course of action: just shoot them.

Process: The developer had more than 60 min., armed with a slick video presentation, to lay out his case. But the public it seems is not allowed to present any organized, systematic refutation by a chosen spokesperson, but only a disorganized one by various individuals in 3 min. segments. Hardly a level playing field. This process is moving way too fast with far too little thorough deliberation except by the developer and his allies in municipal government. Though I feel I have myself been treated well and even heard sometimes, I feel inadequate to the task. We need experts speaking for our point of view as well, independent contractors not beholden to either Vail Resorts or the developer. I wonder if some of our PEC & Council members don’t feel the same. Let’s delay a decision on this project till all issues are fully considered.

On a very personal note, you may appreciate my deep chagrin at being unable to attend July 8<sup>th</sup>. Having moved two medical appointments at UCH to July 8<sup>th</sup> when I also see my Neurologist, it is not advisable to now move or put off all three.

Anne Esson

## Chris Neubecker

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**From:** Audre L Engleman <audreengleman@hotmail.com>  
**Sent:** Friday, June 28, 2019 1:54 AM  
**To:** PEC; Chris Neubecker; Matt Gennett  
**Cc:** Dave Chapin  
**Subject:** Booth Heights project

To the Vail PEC

I am very concerned that the PEC will not scrutinize the Booth Heights project thoroughly. My hope is that the PEC will: (1) hire its own wildlife experts to study the effect on the wildlife corridor in the area and the winter grazing area of the bighorn sheep, and (2) will analyze and publish cost estimates (a) to provide services to the project, (b) to provide additional parking in town if there is not enough parking for residents onsite and (c) the continuing costs to mitigate the effects of the project on the area.

I also hope that the PEC will, in its planning capacity, provide the public with details on how having 300 or more residents in this part of Vail will affect the neighborhood and the costs to rest of us who live in Vail. Finally, I hope that the PEC will refer the approval of the Booth Heights project to the full Town Council.

I worry that the PEC's process considering this project will not be transparent and will not be slow and considered, giving the community time to absorb the implications of it. I view it as a David/Goliath situation where The Powers in town are calling the shots and the little people will have no voice and no influence. In my opinion, additional housing in Vail should not be built if the costs to wildlife or to the town are not completely explored and accepted by the community. Indeed, this is such an important issue, I believe that the town should conduct a referendum on the issue.

Thank you for considering my thoughts, Audre Engleman

Audre Engleman  
Four Seasons Private Residence 9204  
One Vail Road  
Vail, CO 81657  
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Photos: [aledm.fototime.com](http://aledm.fototime.com)  
Blog: [travelingloveaffair.blogspot.com](http://travelingloveaffair.blogspot.com)

To: TOV Planning and Environmental Commission, TOV City Council, Chris Neubecker, Matt Gennett

From: Barbara Keller  
Booth Creek Townhomes, Vail, CO 81657

**Re: Proposed East Vail Housing Project**

After attending the TOV Council meeting March 19, 2019, participating with the East Vail Housing Project (EVHP) site visit, attending the June 23, 2019 PEC meeting and reviewing Triumph proposal material, I would like to share a few thoughts. I appreciate your consideration of these comments.

**SURVEY OF EAST VAIL RESIDENTS ABOUT THE PROPOSED HOUSING PROJECT**

Triumph stated they sent a survey seeking input about the potential project. Neither I, nor any of the East Vail residents I asked, received this survey.

**EAST VAIL BUS TRANSPORTATION**

Use of the East Vail Bus is a major component to the success of the EVHP and a significant mode of transportation to work and amenities, as walking is hardly an option. Bus use is accentuated by:

- Below recommended number of parking spaces
- Lack of East Vail amenities and need to travel to West Vail and/or down valley
  - Grocery stores (Sims market in East Vail is expensive with limited inventory. In the 23 years I've lived in Booth Creek, I can count on one hand the number of times I've shopped there)
  - Restaurants (One in East Vail Racket Club, not consistently open and moderately costly)
  - Gas stations (None in East Vail)

During the 23 years I've lived in Booth Creek, I have been a dedicated rider of the East Vail bus. During the winter my car is rarely used, and the bus takes me to 70+ days of skiing and numerous village visits for dining/entertainment. Before a 'back-up' bus was initiated about 3 years ago, providing **two East Vail buses every 15 minutes during peak times**, I experienced one, two and sometimes three buses passing me by as they were FULL. Now this has improved, but rarely do I sit as the crowded bus is full of standing patrons hanging on precariously.

To understand the situation:

- East Vail bus has **21 stops BEFORE turning onto the North Frontage** road. These stops drop off and pick up passengers heading to the village
- After turning onto the North Frontage road there will be **6 stops to the Transportation Center**
  - Falls at Vail – Bighorn and North Frontage road
  - Proposed new stop – West of East Vail Housing project
  - Booth Falls – Mountain School
  - Bald Mountain Road
  - Buzzard park
  - Ford park

- I pick up the bus at Bald Mountain Road, stop #23, now explaining why the bus is often FULL
- The addition of 150 – 300 more riders from EVHP will have an impact
- None of us North Frontage road riders want to return to: **'passing you by as bus FULL'**.

The TOV bus service is anticipating potential changes, which might include; increasing number of bus runs, altering the time of early bus runs to get people to work, adding a shorter loop, or other options being strategized. While it has been stated that TOV is not subsidizing the EVHP, the TOV does incur the cost of TOV bus service operations.

Please know I love the TOV bus system, use it and appreciate the service it provides us.

### **ARCHITECTUAL COMPATIBILITY WITH LOCAL ENVIRONMENT**

The Triumph presentation showed examples of Townhomes, it did not show examples of big box apartment buildings, as there are none in the local community. Additionally, we do not see large surface parking lots adjacent to and visible from the frontage road and I70. Therefore, it's questionable if the apartment buildings and parking lots meet building code specifications.

Clearly this project will significantly change the landscape and put a treeless black eye on the entry to our beautiful valley. I find it ironic that the East Vail Exit Beautification project, which is in the second year of development, is being done. We appreciate the improvement and sincerely hope the EVHP will not distract from the beautification efforts underway.

### **HIGHWAY NOISE**

Walking the proposed project landscape, it was hard to not be blasted by the constant roar of the highway traffic. The EVHP is very close to the highway which will only make it worse. While we all live with the reality of I70 noise, and short of burying the highway, we're stuck with it. Sadly, it's getting worse every year with more and more I70 traffic.

But it raises the question: **This this the BEST and ONLY place for employee housing?** No one seems to want to respond to that question. I understand that currently this is the only appropriately zoned area for employee housing. However, zoning can be changed, as it was for this property.

### **THE BIGHORN SHEEP HERD**

Many of us, and not just East Vail residents, are concerned about the preservation of the bighorn sheep herd and look forward to PEC meeting, July 8, 2019. I'm hoping for an honest discussion about the impact to wildlife and proposed mitigation plans. Additionally, we desire to have all points of views shared and not just embrace the input of the hired consultants paid by the those determined to build the EVHP.

It's easy to hear, 'It's about the Sheep' and dismiss those words as coming from a crazy animal lover. However, if it wasn't for the sheep, we would be having very different discussions. Sure, concerns would be shared about the beauty of East Vail entry point, architectural design, density, traffic flow and the like. And I believe the project would be approved with some alterations. But, that's not the case in this situation. 'It really is about the Sheep'.

Keller, Pg. 3

Again, thank you for considering my comments.

Regards,

Barbara Keller

[B27Keller@aol.com](mailto:B27Keller@aol.com)

(303) 903-5334

## Chris Neubecker

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**From:** Shelley Bellm  
**Sent:** Wednesday, July 3, 2019 9:17 AM  
**To:** PEC  
**Subject:** Fwd: Booth Heights Housing

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**From:** Robert Boselli <[bob@obosent.com](mailto:bob@obosent.com)>

**Sent:** Wednesday, July 3, 2019 9:15 AM

**To:** Council Dist List

**Cc:** CommDev

**Subject:** Booth Heights Housing

Vail Planning & Environmental Commission and the Vail Town Council,

Happy Independence Day – I can't wait for the parade and fireworks.

My family has owned and operated businesses in Vail for over 35 years as well as businesses in Beaver Creek, Aspen and Snowmass, I can attest to the extreme need for both workforce rental units and affordable homes within in Town of Vail proper. I want to express my support for the application before you in Booth Heights that I feel accomplishes both.

I have reviewed the application and the notes from the first PEC hearing and I applaud both the developer and the commissioners for adhering to criteria for a housing and open space neighborhood on private property. The site plan takes advantage of mountain architecture, the nearby TOV bus line, and will protect wildlife. On July 8 the Wildlife Mitigation Plan will be reviewed. I believe it is fair to ask Triumph and the residents to follow reasonable rules and regulations which I'm comfortable will allow the project to be approved.

Thank you for your considerable time and efforts to review Booth Heights and move us one step closer to our collective housing goals.

Bob Boselli – Owner  
O'Bos Enterprises, LLC

Covered Bridge Store

Vail Style

Generation Vail

Vail T-shirt Company



**From:** [jhansen@sprynet.com](mailto:jhansen@sprynet.com)  
**To:** [PEC](#); [Chris Neubecker](#); [Matt Gennett](#)  
**Subject:** Booth Heights  
**Date:** Tuesday, June 25, 2019 6:57:07 PM

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I am a 31 year full-time resident of Vail.

I have lived at the Falls at Vail, on Fall Line Drive, directly east of the proposed development, since 2006. Prior to 2006, we lived in the Potato Patch neighborhood (from 1988-2006.) We raised two sons here.

I believe the piece of property that is being considered for Triumph's development is ill conceived.

-If you have 350 people living at that location they will need to make a 14 mile round trip journey to get to grocery stores, banks, work etc and it will result in a huge carbon footprint with light pollution to boot.

-When I try to walk under I70 to get to the recreation paths on the south side of the highway it is very dangerous since there is no lighting nor sidewalks with railings under I70, surely not to code. Residents of the Booth Height project would be walking to Sim's Market and Liquor store at all hours and it will be very dangerous. The entire underpass would need to be re-worked and CDOT would need to be involved, pricey. I believe the developer would need to pay for that, not the Vail tax payers, again pricey.

-I70 at mile marker 180 is often closed in the winter with congestion throughout the interchange.

-the subject I70 interchange was completely clogged during the paving project last week, in the middle of summer.

-There is not even adequate parking for the Pitkin and Booth trail heads as well as the school.

-And then, of course there is a magnificent herd of big horn sheep that will be driven from our valley.

-When you come down Vail Pass there is nothing like the view into the valley. This project will just be another scar on the landscape like Middle Creek employee housing.

--Employee housing should be in the village (over new gov bldgs) or West Vail (ie, the Roost site, behind RedSandstone Elem.) or other locales. The TOV missed an opportunity in the Timber Ridge redevelopment by only going up 2-3 floors. This could be yet another bad decision.

Please do not be pressured by developers who are out for a buck, you are better than that. Thank you for volunteering, I am on the Art in Public Places Board and I am grateful for the time you commit.

Hopefully you will make the right decision.

Respectfully submitted,

Julie Hansen

[jhansen@sprynet.com](mailto:jhansen@sprynet.com)

970/390-0878

**From:** [Sue Rychel](#)  
**To:** [Chris Neubecker](#)  
**Subject:** Booth Heights  
**Date:** Wednesday, June 26, 2019 10:12:28 AM

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Please pass on the following for me.

After attending meetings and listening to presentations, Booth Heights is even more unattractive as time goes on.

With the beautiful landscaping being added at the East Vail exit, the sheer size of Booth Heights will dwarf anything near it.

Your eye will be drawn to big buildings, stairs, parking areas and vehicles....not open spaces paid for by our transfer tax.

It certainly is well named! The project is too high, too dense, cumbersome from and to the existing bus stop to the proposed bus stop.

I am against it and ask that it not be approved.

Sue Rychel  
970-471-0109

"Please Note: We will never email you wire instructions, please call me if you are asked to wire money."



Vail Planning & Environmental Commission  
Cc: Vail Town Council  
75 S. Frontage Road  
Vail, CO 81657

Planning & Environmental Commission and Town Council members,

At [Vail Valley Partnership](#), our guiding principle is to promote the long-term economic health of Eagle County and solidify an economic base that is strong, diverse, and resilient. Economic development is about building sustainable communities that can thrive indefinitely.

Eagle County communities derive extraordinary economic and social benefits from the ongoing health and beauty of our natural environment. Respecting this heritage, efforts to strengthen our economy in diverse, collaborative, and sustainable ways that fit the particular context of our communities.

We must ask ourselves if the decisions, policies and programs that we pursue are likely to create outcomes that are economically viable, environmentally sound, and socially acceptable. The framework of Community Sustainability is a sensible framework for decision-making that considers: Economic Sustainability, Environmental Sustainability, and Social Sustainability.

When there are community issues – including but not limited to housing, healthcare, and transportation - those issues are Chamber issues. Well-thought-out development, construction, and proper land use will create jobs and opportunities through retention and expansion of existing companies, and the attraction of new companies.

The careful balance of economic, environmental, and social sustainability also requires careful consideration of the underlying zoning that exists on various parcels considered for development.

The proposed Booth Heights (East Vail workforce housing parcel) project supports important wildlife habitat and is closely surrounded by habitats and wildlife uses that are unique in the Gore Creek Valley. Development and human habitation of this site without designing it around the wildlife community, without safeguards, and without habitat enhancement would result in impacts that would be unacceptable to the local community.

The Town of Vail's housing district environmental language (criteria E) states environmental impacts resulting from the proposal have been identified in the project's environmental impact report, if not waived, and all necessary mitigating measures are implemented as a part of the proposed development plan.

Note, it does not indicate that projects should not be approved but that "necessary mitigating measures are implemented". Emotional pleas aside, the bighorn sheep winter range is 1,800 acres and development will occur on 0.2% of sheep range. Managing [bighorn habitat](#) to restore,



enhance, or maintain vegetative openness is key to survival of the herd. The development proposes to permanently set aside and enhance 18 acres of private property for wildlife.

The [Wildlife Mitigation Plan](#) for the East Vail Workforce Housing will be provided to residents of the Workforce Housing subdivision to educate them about (1) the parcel's setting, (2) the sensitivity of the local wildlife, (3) the effort that went into the development's design to avoid, minimize, and compensate for project effects, and (4) requirements that residents must abide by to live in this sensitive setting.

The 2009 Environmental Sustainability Strategic Plan (Goal #3 – Ecosystem Health) is to ensure that the natural environment, specifically air and water quality, water quantity, land use and habitat are maintained to current or improved levels of biological health.

Note, in the case of the proposed Booth Heights neighborhood in East Vail, the developer is proposing the largest private wildlife mitigation in the history of the Town. This certainly qualifies as “maintained to current or improved levels of biological health” for the sheep herd.

Of equal importance to those focused on facts rather than emotion, the East Vail parcel is private property designated as a housing zone district and is the only undeveloped Housing zone parcel in the Town of Vail. No variances to town code are proposed and the [2018 housing needs assessment](#) shows need for 4,000 additional units valley wide by 2020.

Please keep the following additional facts in mind as you review the application:

- Bighorn sheep winter range is [1,800 acres](#).
- Development will occur on 0.2% of sheep range.
- Managing [bighorn habitat](#) to restore, enhance, or maintain vegetative openness is key to survival (and this plan provides for appropriate mitigation). The development proposes to permanently set aside and enhance 18 acres of private property for wildlife.
- Neighbors have [opposed](#) efforts to improve the habitat via controlled burns dating back [20+ years](#)
- The East Vail parcel is private property designated as a housing zone district and is the only undeveloped Housing parcel in the Town of Vail.
- No variances to town code are proposed.
- [2018 housing needs assessment](#) shows need for 4,000 units (valley-wide)

The facts run counter to the allegation that this development represents an extermination risk for the herd. The idea that 5 acres on unused aspen forest is the lynchpin to the herd thriving or dying is contrary to any evidence in the field. The herd winters 100 feet above an existing neighborhood and literally lays down in people's yards and graze next to drilling machines at public works. They are habituated to us.

Are the herd of sheep under stress? That is a valid and completely rational claim. The fact is the herd is smaller than it once was. But the real elephant in the room is what is causing this stress.



Loss of quality winter range in 1,800 acres of public lands, hiking in the backcountry, danger of getting hit on I-70, and of course our winter season causes stress to wildlife. These are real risks and areas that we can focus our effort of this herd is important.

Based on the Town of Vail strategic plans and zoning, it is clear to us that the project meets zoning and mitigation requirements of the Town. A key to addressing the housing challenge is political will; doing the right thing isn't always easy, but following the town code, guidelines, and strategic plans should be.

We encourage you to move forward and approve this development proposal.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris Romer", with a long, sweeping horizontal line extending to the right.

Chris Romer  
President & CEO  
Vail Valley Partnership  
970.477.4016

## Chris Neubecker

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**From:** Shelley Bellm  
**Sent:** Wednesday, July 3, 2019 11:15 AM  
**To:** PEC  
**Subject:** Fwd: Booth Heights housing

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**From:** Craig Carroll <[ccarroll@monroe-newell.com](mailto:ccarroll@monroe-newell.com)>  
**Sent:** Wednesday, July 3, 2019 11:12 AM  
**To:** CommDev  
**Cc:** Council Dist List  
**Subject:** Booth Heights housing

To whom it may concern.

As a property owner in East Vail and knowing the difficulty in finding affordable housing to keep the workforce I am in favor of the project. The congestion issue is not a concern as the Valley is already heavily developed and the workforce to keep businesses fully operational is a major concern in keeping the Valley a major destination.

Thank you

**Craig Carroll, P.E.**

Principal

Monroe & Newell Engineers, Inc.

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**Celebrating our 25<sup>th</sup> Anniversary**

[www.monroe-newell.com](http://www.monroe-newell.com)

## Chris Neubecker

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**From:** cbartmd@aol.com  
**Sent:** Tuesday, July 2, 2019 10:16 AM  
**To:** PEC  
**Subject:** East Vail underpass and Booth Heights

To All PEC members,

My name is Donna Mumma and I spoke briefly to the PEC on June 24th regarding pedestrian safety and the East Vail underpass. I described the underpass as having no separation between pedestrians and motor vehicles. I stated there is no barricade or railing, no elevation change, no traffic calming and inadequate lighting. Also, it is not ADA compatible. Due to only 3 minutes to speak, I did not get to speak to winter conditions with regard to the underpass and pedestrian safety. The roughly 25 foot separation of the east and west bound lanes of I70 allows snow and ice to fall into the underpass and essentially the edges of the road in the underpass designated by a faint white line as a pedestrian lane is nonexistent. Winter conditions and frequent I70 closures can make the underpass nearly impassable for pedestrians.

I read the traffic report prepared for Triumph development by McDowell engineering. It said nothing of pedestrians and their safety. The engineering firm looked at the underpass to determine that the turn lanes were adequate (Yes, there are turn lanes as well in the underpass) Almost 300 more cars per day and nearly 350 potential pedestrians are being encouraged to use this underpass. (Triumph's development plan touts the outdoor recreation for this community and even mentions Simms market for residents of Booth Heights.) The presence of the added cars and people will skyrocket the number of pedestrian/motor vehicles in close proximity. Currently, pedestrian activity in the underpass is relatively rare.

I was surprised to find pedestrian safety issues were omitted from the traffic report. Was it an accidental omission or intentional omission? It is a glaring omission which needs to be addressed. I hope the issue of safety is completely evaluated and any evaluation should include observations during winter conditions as well as looking at what happens in the underpass when Vail pass closes.

The incidence of pedestrian/motor vehicle accidents is rising and it is the highest it has ever been. Contributing factors are cited as: distracted driving, more people, increase in SUVs, alcohol and darkness. Do you see any of those factors that could be present as a result of this proposed development. I do!

Donna Mumma, MD  
East Vail



**From:** [Patricia Langmaid](#)  
**To:** [PEC](#); [Chris Neubecker](#); [Matt Gennett](#)  
**Subject:** East Vail Housing Development  
**Date:** Thursday, June 27, 2019 1:16:04 PM

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Dear Chairman Stockmar and members of the PEC,

I attended the site review of the East Vail parcel and was disheartened imagining Triumph's plan to clear cut the aspen forest and build three large buildings in a row close to the frontage road, four town homes in line with them, and four more town homes higher up. The buildings stretch from the East Vail entrance to the dirt pull-off and gate where the Bighorn feed in the winter. The uncovered employee parking lot and entrance and the highest building are located on the western boundary, just where the Bighorn sheep browse in the winter. Browse sounds casual but it is anything but casual: the sheep are in survival mode for much of the winter, unable to expend the energy to go through deep snow and find food. Since before any of us were here the sheep have been coming down in winter.

A beautiful piece of land in a sight corridor with no surrounding buildings, with a rock band escape route for the sheep and next to the critical winter range of the sheep is being filled with uninteresting, stacked box housing called "Mountain Modern".

This large development of 11 separate buildings is the first thing you would see coming into Vail and the last thing you would see leaving Vail. A beautification and drainage project at the East Vail entrance is nearly complete. This project features rock walls presented in parallel bands with many aspens, copying the natural environment of the rock band and aspens of the East Vail parcel. This beautiful entrance represents Vail doing what Vail does best.....going the extra mile to create a unique and pleasing addition to the town. Why not add to the impression of natural beauty and wonderful landscape design by leaving the East Vail parcel as it should be.....open space? What a statement that would be about Vail and what we treasure.

Please examine the ENVIRONMENTAL part of the project very carefully. THIS PROJECT SHOULD NOT BE BUILT. PERIOD. It is environmentally incompatible with the existing sheep herd and the pristine nature of the East Vail entrance. It is unconscionable to allow a development that endangers the survival of the Bighorn.

I know Triumph said the land is not for sale, but it could be. Already there are flaws in the proposal. If insufficient parking places, water running through the property, and safety issues like no sidewalks and steep rooflines are already dogging Triumph, then let's see what is revealed when environmental issues come up with sheep and rockfall as the focus.

One more point. The success of Chamonix is wonderful. The development was built on empty land and the parcel was already surrounded by homes. It was a good fit. Nothing about Triumph's East Vail plan is a good fit. It is the wrong choice for the sheep and the wrong choice for anyone who values the first impression of Vail at the E. Vail entrance.

Respectfully yours,  
Patti Langmaid

Sent from my iPad

**From:** [Chris Neubecker](#)  
**To:** [PEC](#)  
**Subject:** FW: Proposed housing in Booth Creek  
**Date:** Wednesday, June 26, 2019 10:06:54 AM

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**From:** Pat Nixon [mailto:patnixon@vail.net]  
**Sent:** Wednesday, June 26, 2019 10:02 AM  
**To:** Chris Neubecker  
**Cc:** pamelas@vail.net  
**Subject:** Proposed housing in Booth Creek

To whom this may concern----

I have lived happily on Bald Mt.Rd.for over 30 years now and am totally against any invasive employee housing here in our nice and quiet neighborhood.We all have worked hard all of our lives to live in this kind of mountain neighborhood ,enjoying the wildlife and trying to protect our environment.There must be another area for Vail Resorts to house their mostly seasonal workforce.There must be lots of open space further down the valley which doesn't negatively impact Vail's current lovely entrance-way over Vail Pass.A huge and unattractive building and the resulting traffic would impact the area and be detrimental to our resident wildlife that we need to protect.

Very

truly yours,Patty Nixon

2565 Bald Mt.Rd. 970-390-7456

## Chris Neubecker

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**From:** Grace Poganski <pogansg@bellsouth.net>  
**Sent:** Tuesday, July 2, 2019 8:39 AM  
**To:** PEC; Chris Neubecker; Matt Gennett; Dave Chapin  
**Cc:** npeterson@vaildail.com; letters@vaildaily.com  
**Subject:** East Vail Parcel proposed development - negative impacts

I attended the site visit and subsequent hearing on the East Vail Parcel (EVP) Project proposal on June 24, 2019. After walking the site and listening to the presentation prepared by Triumph Development, I was increasingly concerned about a number of details. I reread the presentation documents on-line and the accompanying documents in Triumph's application. Since the hearing focused on architecture and physical design, I looked at those documents pertinent to this focus, including environmental impact, geologic hazard and rockfall hazard. I would ask that the commission re-visit these documents in general and some of the issues they expose; in particular, landslide, rockfall and debris flow on the entire parcel as well as on the 5.4 acres proposed to be developed. (Note: I have added the boldface to some of the statements.) To cite a few examples from these documents:

- Ex2 Environmental Impact Report, Section 2.3.2 Geologic Hazards: "The Town of Vail's official rockfall Hazard Map shows that all of the project site is mapped as a High Severity Rockfall Zone." Vail's official Debris Flow Hazard map does not identify debris flows on the project site. "However, the geologic hazards addressed in the Geologic Hazard Analysis (Skyline Geoscience, 2019; TR-3) **include** debris flows, rockfall, and an existing landslide on the project site."

This section of the report goes on to explain how a rockfall or a severe debris flow can occur through natural processes such as freeze-thaw or intense prolonged precipitation or rapid snowmelt, or through **"modifications to the existing natural condition"**, which "may increase debris flow susceptibility." Although there is a proposed mitigation berm or barrier system, according to the conclusions and recommendations of the report, the proposed "mitigation system will reduce, **but not eliminate rockfall and debris flow hazards in the area of the proposed development.**"

- Ex5a Geologic Hazards Analysis, Section 4.3: This section explains that the landslide deposits are mapped on either side of the Gore Creek Valley "and are commonly associated with the middle and lower members of the Minturn Formation (the lower member underlies the EVP). Most of these landslides are considered by investigators to be ancient and inactive. One known exception is a large historic landslide about 1.5 miles to the west of the EVP which was re-activated by undercutting of the toe for construction of I-70. That landslide involved Minturn Formation bedrock units, **the same which underlie the EVP. Contributing factors for landslide susceptibility in the project area includes over-steepening or undercutting of the slopes by natural processes or human activities**, bedding in sedimentary rocks that is oriented out-of-the-slope (dip-slope), **deforestation and removal of vegetative cover, elevated water content by means of intense, prolonged rainfall or rapid snowmelt**, and unit contacts with vastly contrasting material properties..."

The report goes on to say that an existing landslide occupies the eastern approximate 18 acres of the EVP, in the proposed NAP. However, in section 6.0, in the report's conclusions and recommendations, 6.2 states "Ground modifications and development around these ancient landslides will increase the potential for re-activation and re-mobilization of the landslide mass,..." This seems to belie Mr. O'Connor's assertion that this 18 acres was, in fact, buildable, and somewhat undercuts Triumph's stance as magnanimous benefactors giving such a large piece of the EVP over for NAP.

Section 6.2 goes on to state that the "Planned development" of the 5.4 acres "extends up to the limits of the steep western flank of the landslide extents..." The geological consultant "recommends **avoiding development within or near the mapped extents of the landslide. Site improvements and regrading near the toe of the landslide may re-activate slope movement and should be avoided.**"

Each of these segments of information, when taken piecemeal, do not seem to create an extreme case. But when put together - an issue here, a problem there - they start to add up to a hazardous situation. For example, while there is no current landslide issue in the proposed development area of the site, this development area is directly adjacent to an existing landslide area. And to reiterate the geological findings, development near the mapped extents of the landslide, including deforestation and removal of vegetative cover, site improvements or regrading, may "re-activate slope

movement and **should be avoided.**". In the case of rockfall, the geologic area upslope of the building site presents "rockfall source zones which have the potential to impact the site and future planned development.". Any remediation will "reduce but not eliminate" rockfall and debris flow (what we refer to as mud slide) hazards. In normal seasonal conditions, with abundant winter snow, late winter freeze/thaw cycles, and plentiful spring rain, the circumstances for one or more of these geological hazard occurrences multiply.

Regarding size and aesthetics, the mass and scope of this project is, unlike Triumph's claim, not comparable to the nearby community architecture. Perhaps the townhouses come close, but the less expensive materials planned for the exteriors certainly do not reflect the closest western neighborhoods, nor do the apartment buildings reflect anything similar in size, density or proximity to the frontage road. As to "similar" housing, the comparison to the Timber Ridge and Lions Ridge complexes in West Vail is at best a creative stretch when it comes to access to shopping and services. From Timber Ridge and Lions Ridge, tenants can walk to two major grocery chains, restaurants, retail shops, liquor stores, gas stations, the post office, banks, and a laundromat, among other services, on a paved walkway. They can also walk to Lionshead utilizing the pedestrian overpass. Tenants of the EVP project could walk to Sim's Market, possibly the most expensive convenience store in the valley, via an underpass not suitable for pedestrian traffic. Everything else would require a car or multiple, time consuming bus rides.

Also, the developer's claim that on the site they are exceeding landscape percentage requirements is laughable when most of that percentage includes a proposed berm. It is hard to understand how, after the Town of Vail is spending hundreds of thousands of dollars beautifying the East Vail entrance into our community, a development such as this fittingly reflects the Vail image. Instead of their first view of our beautiful valley being a lovely, protected space with, perhaps, a glimpse of bighorn sheep grazing on brush, visitors will be visually assaulted with an enormous, hulking housing project. If a salesperson hawking a product from the doorway of a store in the village is not in fitting with the Vail brand, how can this outsized, invasive development possibly suit the requirement. I will be attending next scheduled hearing on the EVP and look forward to the discussion of the impact this project will have on our wildlife.

Respectfully submitted,

Grace Poganski  
Vail CO

# VAIL HOMEOWNERS ASSOCIATION

June 26, 2019

Mr. Brian Stockmar  
Town of Vail  
Planning and Environmental Commission  
75 South Frontage Road  
Vail, CO 81657

RE: Booth Heights proposed development

Dear Mr. Stockmar:

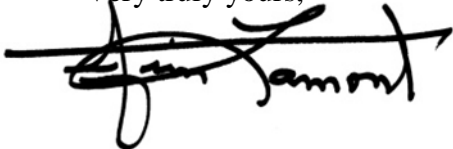
The Vail Homeowners Association has made a detailed study of the environmental aspects of this proposed project and has concluded that it will not be possible to make a fair and balanced response in just three minutes. In the wake of the frustration and disappointment at Monday's hearing over the public being limited to just three minutes per person (while Triumph was given unlimited time), the VHA would like to again request additional time at the July 8<sup>th</sup> hearing to respond to Triumph's presentation of the environmental aspects of the project.

Many believe this is the most critical and complex part of this proposal. If the same process is followed it will have the appearance of a one-sided system while, on the other hand, a comprehensive response will uphold the integrity and fairness of the process. Not only would the Commission be better informed but the efficiencies of having that done by a single speaker can actually save time.

If this were permitted, the VHA would undertake to have an appropriate number of members of the public refrain from speaking so that the hearing time will not be extended.

Please let us know if this would be acceptable.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a stylized flourish at the end.

Jim Lamont  
Executive Director

CC: Commission members

**Chris Neubecker**

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**From:** joan carnie <2vailcarnie@gmail.com>  
**Sent:** Tuesday, July 2, 2019 4:55 PM  
**To:** PEC; Council Dist List; letters@vaildaily.com  
**Subject:** Booth Heights

There are numerous reasons why I am not in favor of the Booth Heights proposal at the east entrance to Vail. To name one: The last remaining, large irreplaceable piece of open space left in this area must be preserved for future generations. To build anything on this property is to add to the demise of what was once a breathtaking mountain paradise. I am afraid the Town of Vail is rapidly becoming the City of Vail.

PEC, town council and Vail Resorts---please do what is right and preserve this precious hillside property.

Joan Carnie

56 year East Vail resident

## Chris Neubecker

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**From:** Patricia Langmaid <patti.langmaid@gmail.com>  
**Sent:** Saturday, June 29, 2019 1:15 PM  
**To:** PEC; Matt Gennett; Chris Neubecker; cromer@visitvailvalley.com  
**Subject:** East Vail Housing

Dear Chairman Stockmar and members of the PEC,

Thank you for the work you do for the Town. And, thank you in advance for all the work that's coming up concerning the E. Vail project and the Sheep

The Vail Valley Partnership has copywrited the name "Save the East Vail Sheep" and on the VVP website, Chris Romer's article says the way to save the sheep is by mitigating and developing the East Vail parcel. Building on the land next to the sheep's winter habitat will doom the sheep, not save them. Serious improvement of sheep habitat is complicated and costly. To be done correctly would take years. Getting the permits and devising a plan of action to burn, seed, and prune cannot be done in a matter of weeks.

Mr. Romer's "Fast facts" (underlined) are misleading.

1. Bighorn sheep winter range is 1,800 acres. The winter range of the sheep may be 1800 acres but, as stated in the Environmental Impact Report of Western Ecosystems, the sheep only use 15% of it and critical feeding takes place on a few acres next to the proposed housing development.
2. Development will occur on 0.2% of sheep range. Misleading. It implies the development is small and won't impact the sheep. The opposite is true.
3. The development proposes to permanently set aside and enhance 18 acres of private property for wildlife. Enhancing 18 acres of extremely steep hillside will not help the sheep. Staying away from the sheep's preferred foraging ground would save the sheep. A serious enhancement of sheep habitat is complicated and costly.
4. Neighbors have opposed bighorn sheep habitat enhancement efforts dating back 20+ years. Misleading. In the past, some neighbors voted against a controlled burn because elsewhere in Colorado a "controlled" fire destroyed some homes. They were not against habitat enhancement, per se.
5. The East Vail parcel is the **only** undeveloped property designated as a housing zone district in the Town of Vail. Misleading. There are several places in town where housing could be built. The new Town Centre could include employee housing, The Roost landowner might be approached to build housing, VR owns land in Vail that could be used for housing. All of these parcels could be designated as housing zone districts, given the prevailing atmosphere for more housing.
6. No variances to town code are proposed. That's true, as far as I know.
7. 2018 housing needs assessment shows need for 4000 units. Is that Valley wide or in Vail proper? Housing is important but not at the expense of wildlife.

It is a cruel joke to copyright "Save the East Vail Sheep" by an organization that does not have the best interests of the sheep in mind at all. It is faulty logic and a misrepresentation of "facts" that say the way to save the sheep is to develop on their critical winter range. Mitigation sounds good on paper. Serious mitigation means a commitment to burn, prune, seed, and take away deadfall.

I think no amount of enhanced habitat will make the sheep stay when the activity of a large housing project is next to their range. It is wishful thinking to imagine the sheep coming down to feed next to the activity of hundreds of people, possibly dogs, cars coming and going, and a bus stop. I-70 doesn't bother them, passing cars and trucks, but humans do bother them and cause them to run when just standing or walking in winter snow takes all the energy they have.

Patti Langmaid

Sent from my iPad



## Chris Neubecker

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**From:** Patricia Langmaid <patti.langmaid@gmail.com>  
**Sent:** Sunday, June 30, 2019 5:36 PM  
**To:** bstockmar@vailgov.com  
**Cc:** PEC; Chris Neubecker; Matt Gennett; BILL ANDREE  
**Subject:** Speaking on July 8

Dear Chairman Stockmar,

May I respectfully make a request from you.

Bill Andree is a respected local wildlife specialist for our area (39 years at CO Div. of Wildlife and then CO Parks Wildlife) He knows a lot about the East Vail sheep; he has watched them for decades. He is not a radical; he speaks directly and truthfully. I think, given his credentials, he should be allowed to speak for more than 3 minutes. The Commission can not come to an objective decision without allowing a credible rebuttal to Triumph's biologist. I think Bill should be allowed to present his expert opinion on the status of the sheep and an answer to the Mitigation plan. It is not respectful to the dignity of Bill's stature to cut him off. I think the Commission members would approve a special exception to the 3 minute rule if you, Mr. Stockmar, asked for it. We have to have a fair process.

A short bio of Bill Andree follows:

Bill Andree graduated from CSU with a B.S. in Fishery and Zoology and started working with the Colorado Division of Wildlife in 1980. He has been the District Wildlife Manager for the Vail District since 1981. From 1989-1991 he supervised the study on Bighorn Sheep at Booth Creek and supervised the Colorado Lynx survey crew from 1991-1993. He has been published in Wildlife Society Bulletin in 1995, and is one of the co-authors of The Effects of Ski Area Expansion on Elk. Bill is a member of the Colorado Division of Wildlife Lynx Recovery Team. In 1985 he received the award for Colorado Wildlife Officer of the year by the Shikar-Safari Club International, he was the 1991 Wildlife Professional of the year by Colorado Trappers Association, the 1992 Professional Achievement Award in Wildlife Management by Colorado Chapter of The Wildlife Society, and in 2007 he received the Wildlife Lifetime Achievement Award by the Colorado Division of Wildlife. Bill officially retired from the Colorado Parks and Wildlife in July of 2018.

Thank you,

Patti Langmaid

PS Having said all this, I am not even sure Bill will speak on July 8. Not everybody should get more time, but if a Triumph biologist presents, then another biologist should have time to give a rebuttal.

## Chris Neubecker

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**From:** Shelley Bellm  
**Sent:** Wednesday, July 3, 2019 2:29 PM  
**To:** PEC  
**Subject:** Fwd: PEC East Vail Housing

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----- Forwarded message -----

From: "Peter Casabonne" <[casaent@vail.net](mailto:casaent@vail.net)>  
Date: Wed, Jul 3, 2019 at 2:28 PM -0600  
Subject: PEC East Vail Housing  
To: "CommDev" <[CDev@vailgov.com](mailto:CDev@vailgov.com)>

PEC,

Regarding "Booth Heights" East Vail Housing.

I can appreciate the weight of the upcoming decision you will have to make – bighorn sheep vs. housing. Therefore, it is imperative that you have solid, accurate, ecological, and environmental facts on which to base your decision.

The Environmental Impact Report, Wildlife Mitigation Plan, Wetland Delineation Report, Geo Hazard Analysis and Rock Fall Hazard Study, submitted with the development application, are powerful documents.

With all due respect for you, the PEC board members, I'm not aware of any commissioner having a professional or academic background in environmental or ecological matters. I apologize if this is not an accurate assessment. If this is the case, I think the information in the documents listed above should weigh heavily in the review of the development proposal. Without question, there will be irreversible negative environmental impacts if this project is built as proposed, from the construction disturbances as well as the long term effects of site habitation.

Also, a letter (6/27/2019) of recommended best practices submitted to Chris Neubecker from Colorado Parks and Wildlife regarding direct and indirect impacts to resident wildlife as a result of development on the parcel, should be given the highest consideration. CPW recommends "restricting all construction to a July 31<sup>st</sup> to November 15<sup>th</sup> time frame in order to minimize impacts to wintering ungulates and nesting peregrine falcons." CPW also

recommends, “ relocating access to the housing development to the eastern side of the 5.4 acres.” These are professional, science based recommendations and should be required to give wildlife the best chance of long term survival, should this development move forward.

The proposed housing development is not compatible with the site due to known geo hazards mitigated with a ditch which will require periodic mechanized clean outs. It is not compatible with resident wildlife. The developer would be hard pressed to find a professional biologist that would claim that the mitigation plan submitted with the application would ensure the survival of the resident Bighorn Sheep. It is not compatible architecturally with the East Vail community in height or mass. Compatibility with the adjacent I-70 underpass should be seriously considered.

I don't think any Vail citizens are opposed to finding housing solutions. The owner has a right to use the property, but the community should have a say in what is the right use. I don't think this development as proposed, is the right use for this property.

“ A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise.” - Aldo Leopold

Respectfully,  
Peter Casabonne  
West Vail



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## Chris Neubecker

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**From:** rolvail@aol.com  
**Sent:** Tuesday, July 2, 2019 11:27 AM  
**To:** PEC; Chris Neubecker; Matt Gennett  
**Subject:** Booth Heights Design

Dear Vail PEC,

The architectural plans submitted by Triumph, in my opinion, are wholly inappropriate and inadequate for this location for the following reasons:

1. Sitting up on the hillside, these buildings will be far more visible than anything else in E. Vail. Therefore they should be designed more attractively, in line with the Vail Mountain School just to the west and the most recent home construction on the southeast corner of the E Vail exit. The cheap early 70's construction that Triumph used to compare their buildings to will all be gone in the near future. Just as in town, anything being sold out here goes for the value of the land and the old buildings are razed in favor of more modern and attractive architecture.
2. Parking at just .84 vehicles per unit is ludicrous! These buildings are out in the middle of nowhere, amenities wise; the reason for the abundant wildlife presently in residence. Any shopping requires a minimum of two busses and a half hour each way. Anyway, no seasonal employees can even arrive in Vail with all their kit without a car. The cleaning company responsible for employee housing told me that in Timberidge in season there are 3-4 people per bedroom! Therefore a minimum of two parking places per bedroom (not unit) should be required.
3. A sidewalk should be required in keeping with the design of the VMS area and bus stop. To omit this 3ft because of sheep habitat when there are planed bus stops with far more expansion of the frontage road makes no sense. If there is no sidewalk then folks will just make their own paths alongside the road.

This whole plan appears to be urban sprawl at its worst.

Thank you for your consideration of these matters.

Respectfully,

Rol Hamelin

E. Vail

970-390-5223